

ORDINANCE NO. 06-2 (Special)

ADOPTED BY THE
BOARD OF TRUSTEES
OF THE
VILLAGE OF PESOTUM
THIS
3rd DAY OF MAY, 2006

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE BOARD OF
TRUSTEES OF THE VILLAGE OF PESOTUM, ILLINOIS,
THIS 3rd DAY OF MAY, 2006.

CERTIFIED BY THE UNDERSIGNED CLERK OF THE VILLAGE OF PESOTUM,
ILLINOIS THIS DATE.


CLERK pro-tem

(SEAL)

WHEREAS, the Board of Trustees of the Village of Pesotum, Champaign County, Illinois, has previously enacted an ordinance providing for the regulation and operation of the municipal waterworks system of the Village of Pesotum, designated as Ordinance No. 97-2, enacted August 6, 1997 and amended by Special Ordinance No. 02-6, enacted November 6, 2002;

WHEREAS, the Board of Trustees of the Village of Pesotum, Champaign County, Illinois has considered the provisions of the ordinance regarding the collection of delinquent or unpaid water bills and connection costs to the waterworks;

NOW THEREFORE, be it Ordained by the President and Board of Trustees of the Village of Pesotum, Champaign County, Illinois, as follows:

That Sections 7, 8 and 10 of the ordinance providing for the regulation and operation of the Municipal waterworks system of the Village of Pesotum are hereby amended to state as follows:

Section 7. Bills for water service shall be sent monthly and shall be due twenty (20) days after they are sent. In the event of delinquency an additional charge of ten percent (10%) shall be added to the bill. The Village Clerk, Superintendent of the Water Department or such other person who may be designated by the Village shall send a Notice of Delinquency when utility charges are not paid by the last business day of the month in which they are billed. That notice shall include the ten percent (10%) delinquency charge. If the charges are not paid by the end of the following month, a final notice of delinquency shall be sent, advising the customer that service shall be terminated if the outstanding amount is not paid within ten (10) days. When the customer is not the property owner, notice shall also be sent to the owner of record that is on file with the Village. Any payments made by check which are returned for non-sufficient funds (NSF) shall be assessed a Twenty-Five Dollar (\$25.00) fee. Thereafter, payment of the water bill, all late fees and the NSF fee shall be made in the form of cash, cashier's check or money order. Customers who have two (2) consecutive delinquent water bills shall have their water disconnected on the last day of the month in which the second delinquency occurs or within ten (10) days of the Final Notice of Delinquency, whichever occurs later, and such disconnection shall remain in effect until the charges for the services, any late fees or other assessments provided for in this ordinance are paid in full.

Section 8. Persons or corporations desiring to use Village water for building or construction purposes shall make application therefore in writing and file the same in the office of the Village Clerk on a form prescribed for that purpose. Upon a permit being granted (permits shall be issued in writing and signed by the Superintendent of the Waterworks), the service pipe

shall be carried at the expense of the applicant to the inside of the curb line, where a service cock and meter shall be placed, with pipe leading to the surface, and a faucet placed at the end thereof above said surface. When the building or construction work is completed, the faucet and meter shall be removed and the water shut off, unless permanent connection hereunder is made. The charge for the use, installation and connection to a residence, including metering, shall be the actual costs of the Village or as prescribed hereafter by the Board President and Board of Trustees, and it shall be placed at a location as reasonably determined by the Superintendent of the Water Department.

Section 10. For violation of any of the foregoing rules or for the non-payment of water bills, the Village reserves the right:

a. To turn off water service and to retain for its use any payments made; and after the water has been turned off from any service pipe on account of non-payment of water bills, or violation of rules, it will not be turned on until all delinquent bills and late charges and assessments are paid in full, together with the expense of turning on such water, pursuant to the following schedule:

1. Turning on during normal working hours,
8:00 a.m. to 5:00 p.m., Monday through Friday: \$25.00
2. Turning on before or after normal working
hours, weekends and holidays: \$50.00

Water will not be furnished to any person who is indebted to the Village on account of water consumed, material or repair, late charges or assessments. In the event that it is necessary to turn on water service at a time not during normal working hours, the Village employee or agent who turns on that service shall be paid \$25.00 of the \$50.00 charge for the labor provided; and

b. To file a lien for delinquent charges upon the real estate for which utility service is supplied; provided that the Village sends to the owner or owners of record of the real estate, as referenced by the taxpayer's identification number, (i) a copy of each delinquency notice sent to the person who is delinquent in paying the charges or rates or other notice sufficient to inform the owner or owners of record, as referenced by the taxpayer's identification number, that the charges or rates have become delinquent and (ii) a notice that unpaid charges or rates may create a lien on the real estate under 65 ILCS 5/11-139-8. At the discretion of the Village Clerk, Superintendent of the Water Department or such other person designated by the Village, the Village may file a lien in the Office of the Recorder of Deeds in Champaign County for delinquent water charges. After filing the lien, the Village Clerk, Superintendent of the Water Department, or such other person designated by the Village, shall send a copy of the lien by certified mail to the owner of record. The notice shall state:

1. a description of such real estate sufficient for its identification,
2. the amount of money due for such service, and
3. the date when such amount became delinquent.

The Village shall send a copy of the lien to the owner or owners of record of the real estate. The Village Clerk, Superintendent of the Water Department or such other person designated by the Village is authorized to release any lien recorded for delinquent water and other charges together with a release fee of Twenty-Five Dollars (\$25.00) for any incidental costs or charges incurred for recording such lien; and

c. As deemed necessary, the Village may sue the occupant or user of the real estate in a civil action to recover the money due for services rendered, plus a reasonable attorney's fee.

This ordinance shall be effective ten (10) days after its passage and approval.

ADOPTED THIS 3rd day of May, 2006, by the President and Board of Trustees of the Village of Pesotum, Illinois.

Ayes:

Nays:

WILLIAM ALAN MYERS


LEONARD Reinhart

Joseph M. Lecher

Robert T. Russian

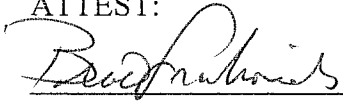
Village Clerk

APPROVED this 3rd day of May, 2006.


Village President

(SEAL)

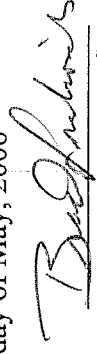
ATTEST:


Village Clerk pro-tem

VILLAGE OF PESOTUM

ORDINANCE NO. 06-1Z

Published in pamphlet form the
3rd day of May, 2006


Village Clerk pro-Tem