

ORDINANCE NO. 2019- 02 - 02

ORDINANCE REGARDING COLLECTION OF CHARGES AND FEES
FOR SERVICES FROM THE VILLAGE'S WATERWORKS AND SEWER SYSTEMS

WHEREAS, the Village maintains a combined waterworks and sanitary sewer system in compliance with Division 139 of Article 11 of the Illinois Municipal Code (65 ILCS 5/11-139-1, *et seq.*); and

WHEREAS, the Village seeks to update the provisions of the Village Code governing the Village's waterworks and sanitary sewer system in order to clarify that a property owner is fully responsible for any delinquent and unpaid water or sewer bills and any delinquent and unpaid water or sewer fees when the property owner has rented or otherwise allowed such property to be occupied should the tenant or occupant not timely pay the water and sewer bills or any water or sewer fees; and

WHEREAS, the Village also seeks to update the fees related to turning on water and sanitary sewer service after such service is shut off by the Village due to unpaid water or sewer bills or any unpaid water or sewer fees; and

WHEREAS, the Village Board of the Village of Princeville finds that it is in the best interests of the Village to amend the Water Service Chapter and the Sewer Service Chapter of the Village Code as provided herein;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Princeville, Peoria County, Illinois, that:

SECTION 1. Section 090 of Title 13, Chapter 12 of the Village of Princeville Municipal Code ("Delinquent bills") is hereby amended to read as follows (additions are indicated by underline; deletions by ~~strikeout~~):

13.12.090 Delinquent bills.

Whenever a bill or any fee for water service remains unpaid for thirty (30) days after it is due, it is declared delinquent, and the Superintendent of Public Works shall turn off the

water supply to the premises of the consumer whose bill or fee is delinquent. When a water bill or any water service fee becomes delinquent, a delinquency notice will be sent and will serve as a notice of delinquency to the owner of the premises, as well as to the occupant or tenant of the property when applicable, seven (7) days prior to the date scheduled for termination of water services, informing them of the delinquent amount. If the delinquent bill remains unpaid, then the water service to the property may be discontinued on the termination date stated in the delinquency notice or any time thereafter, being no sooner than seven (7) days from the date of the delinquency notice. Before water is again turned on to such premises, the property owner or consumer shall pay all delinquent bills and the additional sum of fifty dollars (\$50.00) ~~five dollars (\$5.00) for the work of shutting off and turning on the water, provided that the total combined fee paid under both this Section and Section 13.20.020 shall not be more than fifty dollars (\$50.00) for each time water service is turned back on.~~

SECTION 2. Section 100 of Title 13, Chapter 12 of the Village of Princeville Municipal Code ("Property owner's responsibilities") is hereby amended to read as follows (additions are indicated by underline; deletions by ~~strikeout~~):

13.12.100 Property owner's and occupant's responsibilities.

All owners of real estate rendered water service by the Village are jointly and severally responsible for the water bills and water service fees for consumers upon premises owned by them, and such property owner shall not be entitled to water service upon premises owned by them until all delinquent bills and fees for water service to the premises and the fee set forth in Section 13.12.090 ~~additional sum one dollar (\$1.00) for shutting off and turning on the water have been paid to the Village. Accordingly, the property owner of the premises receiving water service from the Village, the occupant thereof, and the user of the water service shall be jointly and severally liable to pay for the water service and related water service fees on said premises, and the water service is furnished to the premises by the Village only upon the condition that the property owner of the premises, occupant, and user of the water service are jointly and severally liable to the Village for all billings and fees for this water service from the Village. Said water bills and fees will run with the property and remain a liability of the individuals aforementioned.~~

SECTION 3. Section 020 of Title 13, Chapter 20 of the Village of Princeville Municipal Code ("Delinquent bills") is hereby amended to read as follows (additions are indicated by underline; deletions by ~~strikeout~~):

13.20.020 Delinquent bills.

Whenever a bill or any fee for sewage service remains unpaid for thirty (30) days after it is due, it is declared delinquent, and the Superintendent of Public Works shall turn off the service to the premises of the consumer whose bill or fee is delinquent ~~without notice.~~ In the alternative, the Superintendent of Public Works, when a sewage service bill is delinquent, may, ~~without notice,~~ discontinue water service to such premises. When a sewage service bill or any related service fee becomes delinquent, a delinquency notice will be sent and will

serve as a notice of delinquency to the owner of the premises, as well as to the occupant or tenant of the property when applicable, seven (7) days prior to the date scheduled for termination of the sewage or water services, informing them of the delinquent amount. If the delinquent bill remains unpaid, then the sewage or water service to the property may be discontinued on the termination date stated in the delinquency notice or any time thereafter, being no sooner than seven (7) days from the date of the delinquency notice. Before the sewage or water service is again commenced to such premises, the property owner or user shall pay all delinquent bills and the additional sum of fifty dollars (\$50.00) ~~ten dollars (\$10.00)~~ as hereinafter provided for a service connection fee, provided that the total combined fee paid under both this Section and Section 13.12.090 shall not be more than fifty dollars (\$50.00) for each time sewage service is re-connected.

SECTION 4. Section 030 of Title 13, Chapter 20 of the Village of Princeville Municipal Code ("Property owner's responsibilities") is hereby amended to read as follows (additions are indicated by underline; deletions by ~~strikeout~~):

13.20.030 ~~Property owners'~~ owner's and occupant's responsibilities.

All owners of real estate rendered sewage service by the Village are jointly and severally responsible for the sewage bills and related fees for users upon premises owned by them, and such property owner shall not be entitled to sewage service to the premises owned by them until all delinquent bills and fees for sewage service to the premises and the service connection fee set forth in Section 13.20.020 of ~~ten dollars (\$10.00)~~ have been paid to the Village. Accordingly, the property owner of the premises receiving sewage service from the Village, the occupant thereof, and the user of the sewage service shall be jointly and severally liable to pay for the sewage service and related sewage service fees on said premises, and the sewage service is furnished to the premises by the Village only upon the condition that the property owner of the premises, occupant, and user of the sewage service are jointly and severally liable to the Village for all billings and fees for this sewage service from the Village. Said sewage bills and fees will run with the property and remain a liability of the individuals aforementioned.

SECTION 5. This Ordinance is hereby ordered to be published in pamphlet form by the Village Clerk and said Clerk is ordered to keep at least three (3) copies hereof available for public inspection in the future and in accordance with the Illinois Municipal Code.

SECTION 6. This Ordinance is in addition to all other ordinances on the subject and shall be construed therewith except as to that part in direct conflict with another ordinance, and in the event of such conflict, the provisions hereof shall govern.

SECTION 7. This Ordinance shall be in full force and effect from and after its passage and publication as required by law.

PASSED THIS 2nd DAY OF February, 2019.

AYE: President Pro Tem Sutherland, Trustee Gilroy, Trustee Haley, Trustee Delbridge

NAYES: None.

ABSENT President Troutman, Trustee Geiger, Trustee Ehale

APPROVED THIS 2nd DAY OF February, 2019.



Jeff Troutman, President
Village of Princeville, Illinois

ATTEST:



Spencer Wilson, Clerk
Village of Princeville, Illinois

CERTIFICATE OF PUBLICATION

I, Spencer Wilson, and the undersigned, do hereby certify that I am the duly qualified and acting interim Clerk of the Village of Princeville, a municipal corporation of and in the County of Peoria, Illinois, that the foregoing Ordinance No. 2019- 02 - 02 is a true and accurate copy of the Ordinance passed by the Village Board and President of the Village of Princeville on the meeting date set forth therein, and that Ordinance No. 19-02-02 was published by me in pamphlet form this 2nd day of February, 2019, by making three (3) copies thereof available on that date at the Village Hall for the Village of Princeville for public inspection.



Spencer Wilson, Village Clerk

