

VILLAGE OF MT. AUBURN
CHRISTIAN COUNTY, ILLINOIS

ORDINANCE NO. 5

AN ORDINANCE TO ESTABLISH RULES, RATES AND REGULATIONS
FOR THE OPERATION OF VILLAGE OF MT. AUBURN WATER SYSTEM

ADOPTED BY THE
BOARD OF TRUSTEES
OF THE
VILLAGE OF MT. AUBURN

THIS 23rd DAY OF July, 1980

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE VILLAGE BOARD OF
THE VILLAGE OF MT. AUBURN, CHRISTIAN COUNTY, ILLINOIS, THIS
1st day of August, 1980.

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BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF
MT. AUBURN, as follows:

SECTION 1. Application for Services: Water Service shall be furnished only to Village users upon filing of an application and water users agreement with the Village upon a form to be supplied by the Village.

SECTION 2. Initial and Minimum Charges Whether Water Used or Not: The rates as shown in the rate schedule in Section 8 of this ordinance shall be paid by each customer, who has signed a User's Contract, beginning at the time the Village makes the service available to the customer.

The minimum rate will be paid by those customers not using the service even though they may not be connected to the system, provided the service is available from the Village.

There shall be \$300.00 tap-on fees, for service to each property in which an application and water user's agreement has been filed prior to the service connection.

For meters larger than 3/4" the tap-on fee will be the actual cost of installing the meter and appurtenances. In addition to the above charges, a \$35.00 deposit shall be made by the user to guarantee payment of water bills. The deposit shall be returned to user without interest upon termination of water service and all accounts of that user being paid.

SECTION 3. Village's Responsibility and Liability:

A. Ownership, Installation and Maintenance. The Village shall install, own and maintain the complete water system, water mains, and service lines to the property lines or a mutually agreed upon point subject to the Board of Trustees' determination that a particular service is economically feasible to install. The Village shall furnish, install and maintain a meter and appurtenances including a shutoff valve. The shutoff valve shall be installed on the user's property line or such other point determined by a duly authorized representative of the Village. The meter may be located near the shutoff valve or within the user's premises as determined by the Village representative.

The meter and shutoff valve must be located at a point where it is readily accessible.

B. Refusal of Service. The Village, may at any time, refuse additional service to any applicant if in the judgment of the Board of Trustees, the capacity of the system will not permit such use.

C. Liability. All water service supplied by the Village shall be upon the express condition that the Village shall not be liable nor shall any claim be made against it for damages or injury caused by reason of shutting off of water for repair, relocation, or expansion of any part of the system, or failure of any part of the system or for concentration of water for such purposes as firefighting or restricted water use.

D. Use of Water on User's Premises. The Village shall reserve the right to use the water from the user's facilities at any time deemed necessary. No charge shall be made by the user for the use of his facilities and no charge shall be made by the Village for the water used by the Village.

SECTION 4. User's Responsibility For:

A. Installing and Maintaining Service Lines. The user shall be responsible for installation and maintenance of service lines between the curb stop and the residence or business. Such service lines must be at least 3/4" in diameter, and must be installed at a minimum depth of three (3) feet. Service lines must have a minimum working pressure rating of 160 psi at 73.4° F and must be constructed of one of the following types of materials: Coper (Type K), polyvinyl chloride (PVC), polyethylene or polybutylene. Service lines must not be covered until they are inspected and approved by a duly authorized Village representative. The user will not connect any service line or any plumbing connected with the service line to any other water source. The service line must meet any requirements of the State of Illinois, Environmental Protection Agency.

B. Provisions for Location of Water. The user shall permit the meter to be located upon his property.

C. Easements. The user shall give such easements and rights-of-way as necessary to the Village and allow access for the purposes of construction, repair, maintenance, meter-reading, relocation or expansion of the water system. The necessity shall be determined by the Board of Trustees.

D. Damage to Village Property. No user or person shall tamper, adjust, damage, or in any manner, interfere with the components or operation of the water system owned by the Village. The shutoff valve shall be opened only by a duly authorized representative of the Village. Penalty for tampering, damaging, adjusting, or in any manner interfering with the components or operation of the system shall be up to \$500.00 payable to the Village. If the penalty is not paid within thirty (30) days after the amount is determined, the Village shall shut off the water service. The amount of penalty shall be determined by the Board of Trustees.

In addition to the penalty the user responsible shall reimburse the Village for the actual cost of repairing any damage arising from the users or persons act. Users shall report any known evidence of tampering, adjusting, damaging or interference with operation of the system, owned by the Village, to the President of the Board of Trustees. Any malicious act or damage to the system that is not appropriately punishable by the foregoing shall be prosecuted through a court of law.

E. Specified Uses of Water. Water purchased from the Village may be used for ordinary domestic, industrial or farm use upon the premises of the user provided.

(1) No user shall resell or permit the resale of water purchased from the Village.

(2) If more than one family unit is located upon the premises then the user shall make application for each family unit a separate cut-off valve, meter and service line shall be installed for each family unit, i.e., a trailer park, duplex or apartment house shall have a separate service for each family unit.

SECTION 5. Extension of Mains:

A. Determination of Who Pays Expense of Extension. The Board of Trustees shall first determine if an extension of water main is economically feasible based on the estimated cost of the extension and the number of existing potential users that will use water along the extension.

If the extension is economically feasible then the Village may install and pay the cost of the extension at the discretion of the Board of Trustees. If the Village elects not to pay the cost of extending the water main, then the person or persons desiring water service shall install the extension at their own personal expense upon written consent by the Board of Trustees. The Village shall not pay for any extensions to an undeveloped area such as a subdivision being developed unless there are sufficient existing residents or businesses to make the extension economically feasible.

B. Requirements if Extension is Installed by Someone Other than the Village.

(1) The Village must approve all plans and specifications for any extensions.

(2) Before any extensions are installed, the plans and specifications must be reviewed and approved by the State of Illinois, Environmental Protection Agency.

(3) Ownership, rights-of-way, and title must be conveyed to the Village for all extensions installed by anyone other than the Village. The Village will maintain the mains thereafter.

(4) No extension will be permitted if in the opinion of the Board of Trustees, the system does not have the necessary capacity to serve the proposed extension.

SECTION 6. Change in Occupancy:

A. Notice to Village. Any user requesting a termination of service shall give written notice to the Village ten (10) days prior to the time such termination of service is desired. The meter shall be read by the Village and the user will be billed.

B. Responsibility for Payment of Services Already Consumed. Responsibility for payment for water consumed prior to the date of termination shall be with the property owners as well as the user.

C. Charges for Change. There shall be no charge for transferring the water service to the subsequent user.

SECTION 7. Payment of Bills.

A. Date Due. The meters will be read by the Village on or about the last day of each month. If weather conditions or other circumstances prevent the reading of meters then each water bill will be estimated by the Village. Bills will be mailed by the 15th

day of each month and will be delinquent 15 days after mailing. Bills will be paid to the Treasurer of the Village or his designated representative.

B. Penalties for Late Payment. There will be a ten (10) percent penalty added to each bill that is unpaid 15 days after mailing. If any bills remain unpaid 30 days after mailing, the water supply to the property affected will be shut off by the Village and the service will not be restored until the delinquency and penalty is paid in full. In addition, a \$5.00 service fee will be added to cover the cost of restoring service. Bills remaining unpaid 30 days after rendition shall constitute a lien upon the real estate to which the service has been rendered. The Village Clerk is hereby authorized and directed to file a notice of such lien in the Office of the Recorder of Christian County, Illinois, and to pursue such legal action as is necessary to collect the delinquent charges.

SECTION 8. Rate Schedule.

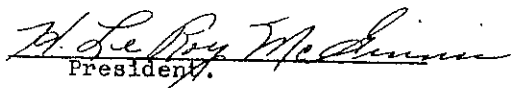
The following shall be the rates for water supplied by the Village:

Step I - 2,000 gallons or less - \$9.00 (Minimum) Bi-monthly

Step II - All over 2,000 gallons @ \$3.20 per 1,000 gallons.

Passed by the Board of Trustees this 23rd day of July,

1980.


President.


Village Clerk