

VILLAGE OF MT. AUBURN

ORDINANCE NO. 90

AN ORDINANCE ESTABLISHING RULES, RATES, AND
REGULATIONS FOR WATER LEAKS

ADOPTED BY THE
BOARD OF TRUSTEES
OF THE
VILLAGE OF MT. AUBURN
THIS 1st DAY OF JULY, 2003

PUBLISHED IN PAMPHLET FORM BY AUTHORITY
OF THE BOARD OF TRUSTEES OF THE VILLAGE OF
MT. AUBURN, CHRISTIAN COUNTY, ILLINOIS
THIS 1st DAY OF JULY, 2003

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ORDINANCE NO. 90

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REGULATIONS FOR WATER LEAKS**

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MT. AUBURN, ILLINOIS, AS FOLLOWS:

Section 1: A new Section 10 to Village of Mt. Auburn Ordinance No. 5 is hereby enacted and adopted and shall now read as follows:

Section 10: Water Leaks:

(a) In the event of a proven or obvious or discovered water leak occurring along the underground water service pipe located between the Village's water meter and the underground exterior wall of the building served and provided the Village's water customer or the owner of the premises served commences the repair of such water leak within 72 hours of a written notice by the Village to repair such water leak and within 30 days after such notice, or within such further time as the Village Board of Trustees may allow for weather conditions or other unavoidable reasonable circumstances, completes such repair and stops such water leak, then such water customer shall be charged the following rates for water service at such premises from the time such water leak, as determined by the Village Board of Trustees to have occurred, until such water leak is repaired and stopped:

- (1) a prorated amount based upon the average monthly water charges for water service provided to such premises during the three months immediately preceding the discovery determined occurrence of such water leak; plus
- (2) an amount equal to 50% of the Village's normal water rate for the amount of water used, as determined by the Village's water meter, in excess of such average monthly amount.

(b) The Village water customer shall pay 100% of the Village's normal rates for water used as determined by the Village's water meter for such premises in any of the following circumstances:

- (1) For any above ground water leaks (eg. water hose leaks, outside water faucet leaks, etc.); or
- (2) For any water leaks within the interior of the building premises served (eg. toilet leaks, water faucet dripping or leaking, interior water pipe leaks, etc.); or
- (3) If the repair of the underground water leak as described in the preceding subparagraph (a) is not commenced within such 72 hour period and completed within such 30-day period, or within such further time as the Village Board of Trustees may allow for weather conditions or other unavoidable reasonable circumstances; or
- (4) In the event of any other water leak(s) of any kind, nature, or extent whatsoever.

Section 2: That if any section, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect or otherwise impair any other section, clause, provision or portion of this Ordinance which is not, in or of itself, invalid or unconstitutional.

Section 3: That the provisions of other Village of Mt. Auburn Ordinances, to the extent they duplicate, conflict with or otherwise affect the validity hereof, shall be disregarded.

Section 4. This Ordinance shall be effective upon its passage, approval and publication in pamphlet form as provided by law.

ON MOTION DULY MADE AND SECONDED and pursuant to roll call vote, this Ordinance was passed, approved and adopted this ____ day of July, 2003.

JERRY SEYMOUR, Village President
Village of Mt. Auburn, Illinois

ATTEST:

Tammy J. Hamell
TAMMY HAMELL, Village Clerk

(Municipal Seal)

AYES: *Copembarger, Hohenstein, Simmons*
Smith, St. Louis

NAYS: _____

ABSENT: *Henderson*

FILED IN THE OFFICE OF THE VILLAGE CLERK, VILLAGE OF MT. AUBURN,
ILLINOIS THIS 1st DAY OF JULY, 2003.

PUBLISHED IN PAMPHLET FORM ON JULY 1, 2003.