PAMPHLET

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VILLAGE OF HOPKINS PARK, KANKAKEE, COUNTY, ILLINOIS.

ORDINANCE NO. 2013-0-02
AN AMENDED ORDINANCE REGARDING WATER AND SEWER CONNECTION

Published in pamphlet form this 17th day of December , 2015, by Order of the Corporate Authorities of the Village of Hopkins Park, Kankakee County, Illinois.

By: _____
Village Clerk

ORDINANCE NO. 2013 - 0-02
AN AMENDED ORDINANCE REGARDING WATER AND SEWER CONNECTIONS

WHEREAS, to better protect the public health, safety, and welfare and to better provide for the proper operation and maintenance of the Village water and sewer system, the Village of Hopkins Park finds it necessary and desirable to adopt this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the President and the Board of Trustees of the Village of Hopkins Park, Kankakee County, Illinois, an Illinois home rule municipality, as follows:

Section 1: GENERAL.

The waterworks system and the sanitary sewerage system of the Village are hereby considered a single utility to be known and designated as the combined waterworks and sewerage system of the Village. All property, real personal, and mixed comprising he waterworks system and sewerage system of the Village is hereby found, determined and declared to constitute the properties of the combined waterworks and sewerage system including all improvements and extensions to either or both of said systems.

Section 2: WATER AND SEWER DEPARTMENT.

There is hereby established an executive department of the Village to be known and designated as the Water and Sewer Department. Employees of the Village within the department, including the Plant Operator, shall be employed by the Village as needed from time to time.

Section 3: PERMIT REQUIRED.

No person, firm, association, corporation or partnership shall install or repair any sanitary sewer or water main connection without first obtaining a written permit for such work from the Waterworks and Sewerage Department.

Any person, firm, association, corporation or partnership desiring to make any connection with the combined system or to use water therefrom, shall first make application to the Village Clerk upon forms to be furnished by the Village. The application shall contain an agreement on the part the applicant that all the rules, regulations, conditions and provisions of any ordinance relating to the combined system will be complied with; that all water rates, sewer rates, assessments and other charges to be assessed, or imposed upon the applicant and upon the property described in said application will be paid. When the applicant has complied with all of the provisions of the ordinances of the Village, a permit shall then be issued.

All service lines from the mains to the water distribution system of any premises shall be installed by and at the cost of the owner of the property to be served or the applicant for the service. Such installation shall be under the supervision of the Superintendent.

Whenever any permit for a connection with sewer and water mains of the Village is issued hereunder, only a contractor who is a licensed plumber and has on file in the office of the Village Clerk a properly executed bond shall tap the main of the system where such connection is to be made and shall insert the corporation stop. Such contractor shall be required to notify the Village so the Village may supervise and inspect such tap. No connection with any water main of the Village shall be less than one inch.

Section 4: WATERWORKS AND SEWERAGE FUND.

The principal accounting designation for all revenues received and expenses incurred in the operation of the waterworks and/or sewerage system is the Waterworks and Sewage Fund. These revenues and expenses shall be accounted for so that water system revenues and expenses shall be recorded in the waterworks account of the waterworks and sewerage frnd

and revenues and expenses of the sewerage system shall be recorded in the sewerage account of the waterworks and sewerage fund.

Section 5: ACCOUNTS.

All revenues derived from the operation of the waterworks and sewerage system shall be deposited into the accounts of the combined Waterworks and Sewerage Fund.

The Village Clerk/Treasurer shall receive such revenues from the combined system and all other funds and monies incident to the operation of the system as the same may be delivered to them and deposit the same in a separate fund designated as the "Waterworks and Sewerage Fund" of the Village. The Treasurer shall administer such fund in every respect in the manner provided by law. The Village Treasurer shall establish a proper system of accounts and shall keep proper books, records, and accounts in which complete and connect entries shall be made of all transactions relative to the waterworks and sewerage system and shall maintain separate accounting of the receipts and expenditures of the Waterworks Department and Sewerage Department.

Section 6: RATES.

All consumers, users or properties in the Village shall pay such rates for the use and service supplied by the waterworks and sewerage system in such manner and amounts as shall be prescribed by ordinance of the President and Board of Trustees from time to time.

Section 7: NEW WATER MAIN CONNECTION; FEES.

New Water Main Connection Fees. The Village Clerk is hereby authorized to grant such permits as he/she may deem proper, allowing persons to connect to the waterworks and sewerage system in the Village. The fees to be charged those persons who hereafter request a connection

to the waterworks system whether the property is or is not within the current boundaries of the Village shall be as follows:

(l) For connection with a detached single-family residential unit. (l 1 1/4" line)	$600.00 and cost of water meter
(2) For connection with an attached single-family unit. (1 1/2" line required for each unit)	$400.00 and cost of water meter
(3) Residential connections exceeding designated size shall be charged at the commercial rate, and pay cost of meters.	
(4)For connection with a commercial or not listed under (l), (2), or (3) above.	I " line $600.00 and cost of meter I t/'" $600.00 and cost of meter 1 1/2"$800.00 and cost of meter 1 3/4"$900.00 and cost of meter 2" $1 ,OOO.OO and cost of meter 2 1/2" to 4" $1 ,600.00 and cost of meter 4. I " to 6"$2,000.00 and cost of meter 6. I " and larger $2,400.00 and cost of meter

Section 8: READING METERS AND BILLING.

(A) Such employees of the Water and Sewer Department as directed by the Mayor, the Village Clerk or employed by the Village to do so, shall read water meters, prepare and distribute bills, collect the water and sewer rates, issue water and sewer permits and shall perform such other duties as now or may hereafter be imposed upon them by ordinances of the village.

(B) It shall be the duty of the Village Clerk to cause statement for charges to be delivered to each user of the water and sewer system monthly or at such other intervals as may be

determined by the President and Board of Trustees but in no event at any greater interval than three months.

(C) All bills for service, or for services, if more than one dwelling unit is served through a single meter, shall be rendered monthly. The billing date shall be the 23rd day of each month for the previous month.

(D) The payment due date shall be on the 15th of each month for the previous month usage. Any bill not paid on or before the thirtieth day following the date of billing shall have a penalty of 10% of the entire bill added thereto and a statement of delinquency shall be sent. The total amount of the bill plus penalty must be paid within 10 days following the date of the delinquency notice. This payment due date is the "date of delinquency" for purposes of Section 10 of this ordinance. The Village Clerk is given the discretion to waive the late payment penalty for a customer provided that the customer has had no previous late payments during the preceding year and pays the bill in full within ten days of the delinquency notice.

(E) When the 15th day of the month shall fall on a Sunday or a legal holiday, then such bill or bills for service shall be payable on the next succeeding secular day. No free service of the system shall be to any person, firm, organization or corporation, public or private.

(F) At the time of meter reading, in the event the user is not at home or a current reading of the water meter cannot be made, the Village Clerk in preparing the bill shall bill the flat rate

for the month and at the next meter reading, any adjustment based upon gallons used will be made.

(G) The owner of the premises, the occupant thereof and the user of the service shall be jointly and severally liable to pay for the service of such premises and the services furnished to the premises by the village.

Section 9: DELIQUENT BILLS.

(A) Whenever a bill for water, and/or sewerage service remains unpaid for a period of 30 days after it has been rendered, such charges shall be deemed and are hereby declared to be delinquent and thereafter notice shall be sent in writing to the taxpayer whose name is shown on the tax bill for the parcel involved as the owner of the premises, as well as to the occupant(s) of the premises and the user(s) of the service, if different. Such notice shall state that the delinquency could create a lien on the real estate involved. Such delinquent charges shall constitute liens upon the real estate upon or for which the services have been supplied. The Village Clerk when directed by the appropriate village official shall file a statement of lien claim and give notice of such delinquencies in the office of the County Recorder of Deeds. The lien claim shall contain the legal description of the premises served, the amount of the unpaid bill, and a notice that the village claims a lien for this amount as well as for all other charges subsequent to the period covered by the bill, including attorneys' fees and costs incurred by the village in connection with preparing and filing said lien claim and in any foreclosure of lien court proceedings. In addition, the village may also sue the owner, occupant or user of the real estate in a civil action to recover such delinquent charges. A copy of the notice of lien shall be sent to the

taxpayer whose name is shown on the tax bill for the parcel involved as the owner of record. The lien authority and procedures set forth herein are additional to and separate from the power to terminate service as set forth in Section 9 of this ordinance.

(B) The failure of the Village Clerk to record such lien or to mail such notice or the failure of the owner to receive such notice shall not affect the right to foreclose the lien for unpaid bills as mentioned in the foregoing sections.

(C) Property subject to a lien for unpaid charges shall be sold for non-payment of the same, and the proceeds of the sale shall be applied to pay the charges, after deducting costs, as is the case in the foreclosure of statutory liens. Such foreclosure shall be by bill in equity in the name of the village. The Village Attorney is hereby authorized and directed to institute such proceedings in the name of the village in any court having jurisdiction over such matters against any property for which the bill has remained unpaid for 110 days.

Section 10: TERMINATION OF SERVICE - DISCONNECTION.

If the water service is provided in error to any property prior to or after the issuance of a certificate of occupancy, or if water charges are not paid before the date of delinquency set forth in Section 8 hereof, or if there is any other violation of the provisions of this or any other ordinance relating to water service in connection with a particular piece of property, then service shall be discontinued upon written notice at least 72 hours before service is to be discontinued. Notice shall be given to the owner of the premises, and to the occupants of the premises and users of the service if different than the owner, that water service shall be discontinued for the particular stated reasons. Notice shall be given by depositing the same in

the U.S. Mail, postage prepaid, addressed to the owner of the premises, and the occupants there of and the users of the water service if different than the owner, at those addresses as are shown on the then most current records of the Village. Receipt of the notice shall be conclusively presumed from proof of mailing the notice as provided for above. Service of notice in any other manner where there is actual receipt of notice also shall be satisfactory service for the purposes of this section.

The owner, and the occupants of the premises and the users of the water service, if different than the owner, shall be entitled to a hearing before the Village President, or his designee, upon filing of a written request with the Village Clerk for a hearing within 72 hours after receipt of such notice. This request shall state the reasons why water service should not be discontinued. A hearing will be held within 72 hours after receipt of the request for a hearing if possible, but in any event shall be held prior to discontinuing service. The decision of the Village President, made after hearing regarding whether to discontinue water service, shall be final. Water service shall not be reinstated once terminated until all past-due bills including the additional charges therein are paid in full, together with payment of $100 for reinstating such service, and reimbursement in full of any attorney's fees incurred by the Village in having the Village Attorney attend such hearing.

If a hearing is required to be held according to any provision of this ordinance, the Village Attorney may attend any such hearing. In the event the decision is to discontinue water service, the owner of the premises, and the occupants of the premises and users of the service if different than the owner, shall be required jointly and severally to reimburse the Village for its attorney's fees. Water service will not be resumed until reimbursement in full of all Village expenses, including attorney's fees.

Section 11: PERMIT REQUIRED.

It shall be unlawful to make any connection with the Village sanitary or stom system without having first obtained permit therefore and paid the fee herein Application for such permits shall be made to the Village Clerk and shall be accompanied by a statement as to the purpose of the connection, the premises to be served, the specifications of the pipe to be connected and of the drain from the house to the sewer line. The plans and specifications for all sanitary sewers constructed within the Village must be approved by the Village before the construction of such sewers shall begin. No permit shall be issued unless it shall be found that the ordinances of the Village will be complied with in the making of such connection.

Section 12: CONNECTION FEES.

The fee for each sewer connection permit within or outside of the corporate limits of the Village shall be as follows:

(l) For connection with a detached single-family residential unit. (l — 1 1/4 water service). $600.00

(2) For connection with an single-family residential unit. (1 1/4 water service — each unit requires a separate connection). $400.00 and cost of meter

(3) Residential connections exceeding designated water service sizes set forth in (1) or (2) shall be charged at commercial rate.

(4) For connection with a commercial or industrial building, or any other user.

1 line $600.00 and cost of meter

1 ¼ $600.00 and cost of meter

1 2/2 $800.00 and cost of meter

1 3/4 $900.00 and cost of meter

2 $1,000.00 and cost of meter

2 1/2 t0 4 $1,600.00 and cost of meter

4.1 to 6 $2,000.00 and cost of meter

6.1 and larger $2,400.00 and cost of meter

Where multiple taps are used, fee is based on largest tap, including supply lines for fire sprinkler systems. Each building served shall require a separate tap, fee, and meter unless otherwise approved by the Village.

The above fees shall include inspection of the completed connection and no building permit authorized to be issued under the Building Code of the Village shall be issued without payment for and issuance of a sewer connection permit and the completed installation must be inspected and approved by the Village Inspector. All connections must be properly tested.

Section 13. EFFECTIVE DATE.

The provisions of Sections 8 and 10 of this ordinance shall be effective as of October l , 2013. All other provisions of this ordinance shall be effective as of the effective date of this ordinance. This ordinance replaces the ordinance of the same name adopted December 1 5, 2009.

Section 14: This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law. The Village Clerk is hereby ordered to publish this Ordinance in pamphlet form.

PASSED this 17th day of December, 2015, by the corporate authorities of the Village of Hopkins Park on a roll call vote as follows:

Ayes: Louis Barnes, Rosemary Foster, Lonnie Jarrett, Jamal Robinson, Ruthel Teague Thomas, Tonia

Nays: 0

Absent: 0

Approved this 17th day of December, 2015 by the Mayor of the Village of Hopkins Park.

Mayor

ATTEST

Village Clerk

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