



## **ORDINANCE NO. WO 5-1-07 A**

AN ORDINANCE TO ESTABLISH RULES, RATES AND REGULATIONS FOR THE CITY OF ORIENT WATER SYSTEM.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ORIENT, AS FOLLOWS:

### **SECTION 1. Applications for Services**

Water service shall be furnished only to City users upon filling out an application and water user's agreement with the Water Clerk and payment of required deposit. The deposit required for home owners \$75.00 and renters \$175.00 (additional \$25.00 deposit for sewer).

### **SECTION 2. Initial and Minimum Charges whether water is used or not:**

The rates as shown in the rate schedule in Section 8 of this ordinance shall be paid by each customer, beginning at the time the City makes the service available to the customer.

The tap-on-fee for service shall be \$500.00 for each 5/8" by 3/4" meter. User will pay licensed plumber to install and hook up from main line to water meter.

For meters larger than 3/4" the tap-on-fee will be the actual cost of installing the meter and appliances. In addition to the above charges, a deposit of \$75.00 for home owners and \$175.00 for renters, shall be made by the user to guarantee payment of water bills. The deposit shall be returned to the user without interest upon termination of water service and all accounts of the user being paid.

### **SECTION 3. City's Responsibility and Liability:**

**A. Ownership: Installation and Maintenance.** The City shall own and maintain the complete water system, water mains, and service lines to the property line or a mutually agreed upon point subject to the City Council determination that a particular service is economically feasible to install. The City shall furnish, install and maintain a meter and appurtenances including a shut off valve. The shut off valve shall be installed on the user's property line or such other point

determined by a duly authorized representative of the City. The meter and shut off valve must be located at a point where it is readily accessible.

**B. Refusal of Service:** The City may at any time refuse additional services to any applicant if in the judgement of the City Council the capacity of the system will not permit such use.

**C. Liability:** All water service supplied by the City shall be upon the express condition that the City 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, relocations, 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 fire-fighting or restricted use of water.

**D. Use of Water on Users Premises:** The City hall 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 their facilities and no charge shall be made by the City for the water used by the City.

#### **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 meter and the residence or business. The user will not connect 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 Meter:** 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 City and allow access for the purpose of construction, repair, maintenance, meter reading relocation or expansion of the water system. The necessity shall be determined by the City Council.

**D. Damage to City Property:** No user shall tamper, adjust, damage, or in any manner interfere with the components or operation of the water system owned by the City. The shut off valve shall be opened only by a duly authorized representative of the City. Penalty for tampering, damaging, adjusting, or in any manner interfering with the components or operation of the system shall be \$200.00, payable to the City. If the penalty is not paid within 30 days the City shall shut off the water service. In addition to the penalty the user responsible shall reimburse the City for the actual cost of repairing any damage arising from the users act. Users shall report any unknown evidence of tampering, adjusting, damaging, or interfering with operation of the system, owned by the City, to the Mayor. Any malicious act or damage to the system that is not appropriately punishable by foregoing shall be prosecuted through a court of law.

**E. Specified Uses of Water:** Water purchased from the City 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 City.

**(2)** Only one family unit can be located on each city lot. Failure to comply will result in Termination of Service. The City reserves the right to cut-off service if user is supplying water to another facility on their property.

#### **SECTION 5. Extension of Mains:**

**A. Determination of Who Pays Expense of Extension:** The City Council shall first determine if any extension of a 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 City may install and pay the cost of extension at

the discretion of the City Council. If the City elects not to pay the cost of the extending the water main then the person or persons desiring water service shall install the extension at their own personal expense upon written consent of the City Council. The City 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. Requirement for Extensions:**

- (1) The City 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 City for all extensions installed by anyone other than the City. The City will maintain the line thereafter.
- (4) No extension will be permitted if in opinion of City, the system does not have the necessary capacity to serve the proposed extension.

**SECTION 6. Change in Occupancy:****A. Notice to City:** Any user requesting a termination of service shall give written or verbal notice to the City prior to the time such termination of service is desired. The meter shall be read by the City and the user will be billed. Users shall provide forwarding address.

**B. Responsibility for Payment of Services Already Consumed:** Responsibility for payment for water consumed prior to time of termination of service is responsibility of the user. The meter shall be read by the City and the user will be billed. Bill must be paid in full before it can be released to another user. The user shall provide a forwarding address.

**C. Charges for change:** There shall be no charge to a new user for a previous unpaid bill.

**SECTION 7. Payment of Bills.**

**A. Date Due:** The meters will be read by the City on or about the 15<sup>th</sup> day of the month. If weather condition or other circumstances prevents the reading of meters, then each water bill will be estimated by the City. Bills will be mailed by the 20<sup>th</sup> of each month, and delinquent by the 10<sup>th</sup> day of the following month. All bills will be paid to the Water Clerk or his or hers designated representative.

**B. Penalties for Late Payment:** There will be a ten percent (10%) penalty added to each bill that is unpaid on the 10<sup>th</sup> of each month. All bills must be paid in full by the 15<sup>th</sup> of the month or the water supply to the property affected will be shut off by the City and the service will not be restored until the delinquency and penalty is paid in full. If the 15<sup>th</sup> falls on the weekend or a holiday, the shut off date will be the next business day that City Hall is open. In addition a \$30.00 service fee will be added to cover the cost of restoring service. If the bills are unpaid for 6 months, the City shall constitute a lien upon the real estate to which the service has been rendered. The mayor is hereby authorized and directed to file a notice of such lien in the Office of the County Clerk, Franklin County, Illinois, and to pursue such legal action as necessary to collect the delinquent charges.

**SECTION 8 Rate Schedule.**

The following shall be the rates for water supplied by the City: (This does not include sewer, garbage, or surcharge)

The monthly bill will be computed on the following rate schedule:

First 1,500 gallons per month                      \$18.00

Each additional 100 gallons per month      .41 cents

PASSED AND APPROVED BY THE MAYOR AND CITY COUNCIL THIS \_\_\_\_\_ DAY  
OF \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Pete Witkewiz, Mayor

ATTEST:  
\_\_\_\_\_  
Carolyn Williford, Interim City Clerk