

**AN ORDINANCE ESTABLISHING WATER RATES AND CHARGES**

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF

THE VILLAGE OF SOUTH JACKSONVILLE, ILLINOIS as follows:

**ARTICLE I  
Rates**

SECTION 1. There shall be and there are hereby established rates and charges for water supplied by the combined waterworks and sewerage system of the Village of South Jacksonville as follows:

Water Rates for Premises Served by Both Water and Sewer

0 -	2,000 Gal.	\$ 8.00	+	.00187	per gal.	over	2,001
2,001 -	5,000 Gal.	8.00	+	.00162	per gal.	over	5,001
5,001 -	10,000 Gal.	13.61	+	.00155	per gal.	over	10,001
10,001 -	20,000 Gal.	21.71	+	.00139	per gal.	over	20,001
20,001 -	30,000 Gal.	37.21	+	.00123	per gal.	over	30,001
30,001 -	50,000 Gal.	51.11	+	.00108	per gal.	over	50,001
50,001 -	100,000 Gal.	75.71	+	.00093	per gal.	over	100,001
100,001 -	Over	129.71	+				

Water Rates for Premises Served by Water Only

0 -	2,000 Gal.	\$ 8.35	+	.00200	per gal.	over	2,001
2,001 -	5,000 Gal.	8.35	+	.00175	per gal.	over	5,001
5,001 -	20,000 Gal.	14.35	+	.00149	per gal.	over	20,001
20,001 -	30,000 Gal.	40.60	+	.00132	per gal.	over	30,001
30,001 -	50,000 Gal.	55.50	+	.00118	per gal.	over	50,001
50,001 -	100,000 Gal.	81.90	+	.00102	per gal.	over	100,001
100,001 -	Over	140.90	+				

SECTION 2. A charge of \$100.00 shall be paid upon application to connect to the water system.

**ARTICLE II  
General Provisions**

SECTION 1. Bills: Said rates or charges for service shall be payable monthly on the classification of service for which bills are rendered. 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 to such premises and the service is furnished to the premises by the Village of South Jacksonville only upon the condition that the owner of the premises, occupant and user of the services are jointly and severally liable therefor to the Village of South Jacksonville.

Bills for water service shall be rendered during the last working day of each calendar month.

All water bills are due and payable on the first day of the succeeding calendar month. A penalty of 10 percent shall be added to all bills not paid by the 15th day of such succeeding calendar month.

SECTION 2. Delinquent bills: If the charges for such services are not paid on or before the fifteenth (15) day of the month in which the same falls due, such services shall be considered delinquent. After being delinquent for 60 days, the service may be discontinued without further notice and shall not be reinstated until all claims are settled including a \$15.00 reconnection fee.

SECTION 3. Lien-Notice of delinquency: Whenever a bill for water service remains unpaid for 30 days after it has been rendered, the Village Clerk may file with the County Recorder of Deeds a statement of lien claim. This statement shall contain the legal description of the premises served, the amount of the unpaid bill, and a notice that the Village of South Jacksonville claims a lien for this amount as well as for all charges subsequent to the period covered by the bill.

If the user whose bill is unpaid is not the owner of the premises and the Village Clerk has notice of this, notice shall be mailed to the owner of the premises if his address be known to the clerk, whenever such bill remains unpaid for the period thirty days after it has been rendered.

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 section.

SECTION 4. Foreclosure of lien: Property subject to a lien for unpaid charges shall be sold for nonpayment 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 of South Jacksonville. The Village attorney is hereby authorized to institute such proceedings in the name of the Village of South Jacksonville in any court having jurisdiction over such matters against any property for which the bill has remained unpaid forty-five (45) days after it has been rendered.

SECTION 5. Revenues: All revenues and monies derived from the operation of the water distribution system shall be deposited in the water account of the water fund. All such revenues and monies shall be accounted for by the Village Treasurer separate and apart from their private funds and separate and apart from all other funds of the Village of South Jacksonville and all of said sum, without any deductions whatever, shall be deposited not more than ten days after receipt of the same, or at such more frequent intervals as may from time to time be directed by the Village President and Village Board.

The Village Treasurer shall receive all such revenues from the water distribution system and all other funds and monies incident to the operation of such system as the same may be delivered to them and deposit the same in the account of the fund designated as the "Waterworks and Sewerage Fund" of the Village of South Jacksonville. Said Treasurer shall administer such fund in every respect in the manner provided by statute.

SECTION 6. Accounts: The Village Treasurer shall establish a proper system of accounts and shall keep proper books, records, and accounts in which complete and correct entries shall be made of all transactions relative to the water distribution system, and at regular annual intervals he shall cause to be made an audit by an independent auditing concern of the books to show the receipt and disbursements of the water distribution system.

#### ARTICLE III

##### Effective Date and Validity

SECTION 1. Ordinance No. 357 entitled "An Ordinance establishing charges and rates for the use and service of the combined waterworks and sewerage system of the Village of South Jacksonville, Illinois" and all amendments thereto be and hereby are repealed.

SECTION 2. This Ordinance shall be in full force and effect immediately from and after its passage, approval and publication as provided by law.

PASSED and APPROVED by the President and Board of Trustees of the Village of South Jacksonville, Illinois this 15th day of August, 1991.

*Charles J. Strupp*  
President

ATTEST:

*William M. Edwards*  
Village Clerk

AYES: John Gotschall, Steve Waltrip, Don Gustine, Gordon Jumper,  
Tom Holliday, Ed Heyer

NAYS: None

ABSENT: None

Tom Holliday moved the recommendation of the Plan Commission to grant final approval for Phase I of the Southern Knoll Subdivision be granted. Motion seconded by Ed Heyer and carried on a roll call vote. John Gotschall, yes; Steve Waltrip, abstain; Don Gustine, yes; Gordon Jumper, yes; Tom Holliday, yes; Ed Heyer, yes. Nays, none. Absent, none.

Mr. Holliday indicated since Mr. Fentem had not attended the Commission meeting, no action was taken on the Comprehensive Plan for the Village. The next Plan Commission meeting will be September 10 at 7:00 p.m.

President Hazelrigg recommended the appointment of Jess Spradlin, 1619 Hardin, to fill the unexpired term of Karen Ladd on the Plan Commission, to serve until September, 1992. Steve Waltrip moved the recommendation be approved. Motion seconded by Tom Holliday and carried.

Water Sewer, Streets & Lights - John Gotschall moved an agreement be signed between the Village and Morgan View Terrace, Ltd., for the Village to supply water to the Terrace on an emergency basis. Motion seconded by Steve Waltrip and carried.

Bob Benton, Benton & Associates, reviewed change order #7 with Sewer, Inc., for a \$6177.11 increase. Discussion was held with Trustee Gustine and Police Chief Evans indicating no settlement had been made for damages to Village property.

John Gotschall moved change order #7 be approved with an increase of \$6177.11 to the sewer contract. Motion seconded by Don Gustine and carried on a roll call vote. John Gotschall, yes; Steve Waltrip, yes; Don Gustine, yes; Gordon Jumper, yes; Tom Holliday, yes; Ed Heyer, yes. Nays, none. Absent, none.

Mr. Benton presented payment for the balance of the sewer project and considerable discussion was held as waiver of liens were not filed. Attorney Flynn advised the Board the contract states final payment request must be accompanied by all documents and waiver of liens and the contract could be violated by making full payment.

It was the concensus the payment be partial pay estimate #17 in the amount of \$99,969.63. John Gotschall moved payment be made to Sewer, Inc., in the amount of \$99,969.63. Motion seconded by Gordon Jumper and carried on a roll call vote. John Gotschall, yes; Steve Waltrip, yes; Don Gustine, yes; Gordon Jumper, yes; Tom Holliday, yes; Ed Heyer, yes. Nays, none. Absent, none.

Mr. Benton presented an amendment to his engineering agreement for an additional \$25,021.00. John Gotschall moved the amendment of an additional \$25,021.00 be approved. Motion seconded by Don Gustine and carried on a roll call vote. John Gotschall, yes; Steve Waltrip, yes; Don Gustine, yes; Gordon Jumper, yes; Tom Holliday, yes; Ed Heyer, yes. Nays, none. Absent, none.

John Gotschall moved a pay estimate for engineering fees of \$7440.77 be approved for Benton & Associates. Motion seconded by Steve Waltrip and carried on a roll call vote. John Gotschall, yes; Steve Waltrip, yes; Don Gustine, yes; Gordon Jumper, yes; Ed Heyer, yes. Nays, none. Absent, none.

John Gotschall moved to adopt Ordinance #687 for Sewer Use and Rates. Motion seconded by Tom Holliday and carried on a roll call vote. John Gotschall, yes; Steve Waltrip, yes; Don Gustine, yes; Gordon Jumper, yes; Tom Holliday, yes; Ed Heyer, yes. Nays, none. Absent, none.

John Gotschall moved Water Rate Ordinance #688 be adopted. Motion seconded by Tom Holliday and carried on a roll call vote. John Gotschall, yes; Steve Waltrip, yes; Don Gustine, yes; Gordon Jumper, yes; Tom Holliday, yes; Ed Heyer, yes. Nays, none. Absent, none.

8/16/91