

CITY OF LeROY

ILLINOIS

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ORDINANCE NO. <sup>205</sup> 205

AN ORDINANCE AMENDING CHAPTER 6 WATER SERVICE, SECTIONS 6.01, 6.02 and 6.17, AND ADDITION OF SECTION 6.29, MUNICIPAL CODE OF LEROY, ILLINOIS 1975 (AS AMENDED).

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ADOPTED BY THE

CITY COUNCIL

OF THE

CITY OF LeROY

THIS 2nd DAY OF July, 19 84.

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Published in pamphlet form by authority of the  
City Council of the City of LeRoy, McLean County,  
Illinois, this 2nd day of July,

19 84.

AN ORDINANCE AMENDING CHAPTER 6 WATER SERVICE, SECTIONS 6.01, 6.02, 6.17, AND ADDITION OF SECTION 6.29, MUNICIPAL CODE OF LEROY, ILLINOIS 1975' (AS AMENDED).

Whereas, the City of LeRoy, McLean County, Illinois, an Illinois municipal corporation, has established a municipal water system, and has passed and duly adopted certain ordinances and amendments thereto providing for the regulation and use of said water system and for the charging of user fees for the water distributed and sold through said system; and

Whereas, the Mayor and City Council of the City of LeRoy have determined that certain amendments are required to the aforesaid ordinances,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of LeRoy, Illinois, in lawful meeting assembled:

Section 1. That Sections 6.01 (b) and (c), are hereby repealed.

Section 2. That new Sections 6.01 (b) and (c), are hereby adopted in words and figures as follows:

"(b). Wherever in this Chapter the term "water user" and "consumer" shall be used, it shall mean the person or persons contracting for water service from the City of LeRoy to the premises owned or rented by the "water user". Wherever in this Chapter the term "owner" shall be used, said term shall mean the person or persons whose name(s) appears on the property title to the premises served or about to be served by the water system of the City of LeRoy."

"(c). The owner of any lot, building or premises and the occupant thereof, and the user of the water service of the City water system serving any such premises, shall be jointly and severally liable to pay for such service to said premises. Water service to any premises served by the water system of the City of LeRoy shall be furnished to such premises by the City only upon the condition that the owner of the premises, occupant of the premises and user of the water service shall all be jointly and severally liable therefore to the City."

Section 3. That Section 6.02 (a) is hereby repealed.

Section 4. That new Section 6.02 (a) is hereby adopted in words and figures as follows:

"(a). Persons desiring to obtain water from the City of LeRoy water system to any premises served by said City water system shall make written application therefore to the City Clerk upon printed blanks to be furnished by the Clerk and signed by such applicant or the authorized agent of such applicant."

Section 5. That Section 6.17 of Chapter 6 Water Service, LeRoy Municipal Code 1975 (as amended) is hereby amended by adding the following words at the end of the existing Section:

"The owner or owners of any real estate to which the City water service is extended may at any time, whether a water bill is current or delinquent, notify the City Clerk in writing on the form provided by the City Clerk that such owner or owners request to have the water service to such premises turned off, and acknowledging that a subsequent turn-on of the water service will require the turn-on charge specified in this Section. Upon receipt of such request, the City Clerk shall direct the water department to turn off the water service to said premises within 3 working days of the receipt of the request from the owner or owners. This Section shall not be construed to allow the owner of any property to procure the turn-off of water service to said property against the will of any occupants (residential or business thereof)."

Section 6. That new Section 6.29 is adopted in words and figures as follows:

"(a). In the event charges for water service become delinquent and are not paid in accordance with the provisions of this Chapter, any delinquent charge for water service to any premises served by the City water system shall constitute a lien upon the premises to which such water services were supplied. The City Clerk is hereby authorized and directed to cause sworn statements showing such delinquencies to be filed in the Office of the Recorder of Deeds of McLean County, Illinois, from time to time establishing as a matter of record as to such real estate the delinquency of the payment for water services. Such statement shall contain the legal description of the premises served, the amount of the unpaid bill, and a notice that the City of LeRoy claims a lien for this amount, as well as for all charges for water service subsequent to the period covered by the bill. The filing of such statement shall be deemed notice for the payment of such charges for water service and penalties for late payment."

"(b). Purchasers of meters, parts thereof, or other equipment relating to water service provided by the City water system not paid for in cash shall be billed to the purchaser. If payment therefore is not received within 90 days of the date of the billing statement, the City Clerk shall notify the City Zoning Administration Officer not to issue building permits or any other required permits to such purchaser until such time as the bill is paid in full. Any amounts due past 90 days from the date of the billing statement may be included in any notice filed claiming lien against the subject real estate as set forth in sub-section (a) of this Section."

"(c). The lien for water rents and other charges for water service, including meters and parts thereof, unpaid for, established by law against the premises and real estate upon or for which water furnished by the City is used or supplied shall be enforced and foreclosed as provided for under the laws of the State of Illinois for foreclosure of such liens."

Section 7. That this ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as required by law.

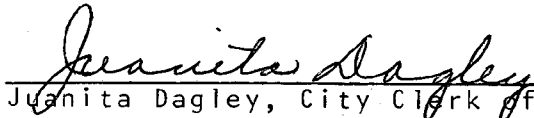
PASSED BY the Mayor and City Council of the City of LeRoy, Illinois, on the 2nd day of July, 1984.

Aldermen elected 6

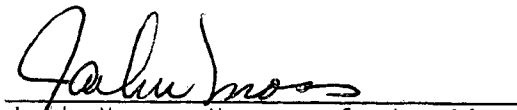
Aldermen present 6

AYES Patrick Derby, Gary Bulta, Jon Winston, Michael Hanafin, Michael Hillard, David King

NAYS None

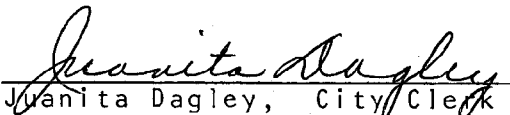
  
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Juanita Dagley, City Clerk of  
the City of LeRoy, Illinois

Approved by the Mayor of the City of LeRoy, Illinois, this 2nd day of July, 1984.

  
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Jack Moss, Mayor of the City  
of LeRoy, Illinois

ATTEST:

(seal)

  
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Juanita Dagley, City Clerk  
of the City of LeRoy, Illinois



CERTIFICATE

I, Juanita Dagley, certify that I am the duly elected and acting municipal clerk of the City of LeRoy, McLean County, Illinois.

I further certify that on July 2nd, 1984, the Corporate Authorities of such municipality passed and approved Ordinance No. 205, entitled:

AN ORDINANCE AMENDING CHAPTER 6 WATER SERVICE, SECTIONS 6.10, 6.02, 6.17, AND ADDITION OF SECTION 6.29, MUNICIPAL CODE OF LEROY, ILLINOIS 1975 (AS AMENDED),

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 205, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on July 2nd, 1984, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at LeRoy, Illinois, this 2nd day of July, 1984.

(seal)

Juanita Dagley  
Municipal Clerk