

Title 5 – HEALTH AND SANITATION
CHAPTER 5 - SEWER

Ordinance #V081102D
AN ORDINANCE TO AMEND SEWER ORDINANCE
CHAPTER 5, ARTICLE 10, RATES

Be it ordained by the Board of Trustees of the Village of Port Byron, Rock Island County, Illinois, that the following amendment be made to Sewer Ordinance Chapter 5, Article II, Section 2 (Wastewater Service Charges)

SECTION 1. SERVICE CHARGE.

Rates. A minimum of \$25.14 monthly shall be applied to all users whose water consumption does not exceed 2,000 gallons monthly. Usage in excess of 2,000 gallons monthly will be charged at a rate of \$2.48 per 1,000 gallons.

First 2,000 gallons	\$25.14	
Each additional 1,000 over 2,000	\$2.48 per 1,000 gallons	
Unmetered users	\$25.14	

Rates effective starting with March 1, 2008 billing cycle.

SECTION 2. BILLING. Bills for service shall be sent out by the VILLAGE OF PORT BYRON sewer clerk on the 10th day of each month.

SECTION 3. DELINQUENT BILLS. All bills are due and payable on the 25th day of each month. A penalty of ten percent (10%) shall be added to all bills not paid by the 25th. If the charges for such services are not paid within 15 days of the shut off notice mailing, such services shall be discontinued.

SECTION 4. BILLING SCHEDULE.

- 10th day of month 1 – monthly bills sent out
- 25th day of month 1 – Bills payable in full
- 10th day of month 2 – new monthly bill is sent out with penalty of 10% is added to any portion not paid by the 25th of the previous month.
- 25th day of month 2 - Notification that lien will be initiated
- 10th of month 3 – Property lien initiated

SECTION 5. NOTICES: Whenever a bill for service has been rendered and remains unpaid for 90 days, the VILLAGE OF PORT BYRON attorney shall 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 PORT BYRON 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 OF PORT BYRON sewer clerk has notice of this, notice shall be mailed to the owner of the premises whenever a bill for services remains unpaid for the period of 45 days for the monthly billing.

The failure of the VILLAGE OF PORT BYRON sewer 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.

Foreclosure of lien: Property subject to lien for unpaid charges may 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 OF PORT BYRON. The VILLAGE OF PORT BYRON attorney is hereby authorized and directed to institute such proceedings in the name of the VILLAGE OF PORT BYRON in any court having jurisdiction over such matters against any property for which the bill has remained unpaid 60 days in the case of monthly billing after it has been rendered.

All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed, in so far as they do so conflict.

If any provision of this ordinance shall be held invalid, the invalidity of such paragraph, clause, or provisions shall not affect any of the other provision of this ordinance.

This ordinance shall be in full force and effect from and after its passage, approval, and publication thereof, as provided by law.

Adopted by the Village of Port Byron this _____ day of _____ 2008

Approved by the President this _____ day of _____ 2008

President, Village of Port Byron

ATTEST:

Village Clerk