

Title 5 – HEALTH AND SANITATION  
CHAPTER 4 – WATER

**ORDINANCE #V081102C**  
**AN ORDINANCE TO AMEND WATER ORDINANCE 021908**  
**CHAPTER 00, ARTICLES II AND III, GENERAL PROVISIONS**

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 Water Ordinance 021908, Chapter 00, Article II General Provisions

1. Bills: Said rates of charges for service shall be payable monthly depending 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 PORT BYRON only upon the condition that the owner of the premises, occupant and user of the services are jointly and severally liable o the VILLAGE OF PORT BYRON that the owner of the premises, occupant and user of the services are jointly and severally liable to the VILLAGE OF PORT BYRON

- A. Bills for service shall be sent out by the VILLAGE OF PORT BYRON water clerk on the 10<sup>th</sup> day of each month.
- B. All bills are due and payable on the 25<sup>th</sup> day of each month. A penalty of ten percent (10%) shall be added to all bills not paid by the 25<sup>th</sup>.
- C. Shut off notices will be sent out to occupants of the premises on the 25<sup>th</sup> day of the following month. Water services will be terminated on the 10<sup>th</sup> day of the month following the shut off notice.

Example of billing procedure:

- 10<sup>th</sup> day of month 1 – monthly bills will be sent out
- 25<sup>th</sup> day of month 1 – Bills are payable in full
- 10<sup>th</sup> day of month 2 – new monthly bill is sent out with penalty of 10% is added to any portion not paid by the 25<sup>th</sup> of the previous month.
- 25<sup>th</sup> day of month 2 - Shut off notices are sent
- 10<sup>th</sup> of month 3 – Water services are terminated

2. Delinquent Bills: If the charges for such services are not paid within 15 days of the shut off notice mailing, such services shall be discontinued
3. Lien Notice of Delinquency: 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 water 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 water 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.

4. 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.
5. No change
6. No change
7. No change
8. No change
9. No change

### **Article III – Effective Date of Rates**

The rates and service charges established for user charges in Article I shall be effective starting March 1, 2008

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