

CHAPTER 2
WATER METERS AND RATES

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§11-2-1: METERS REQUIRED, METER INSTALLATION AND SERVICE FEE:

All premises using the Village water system shall be supplied with an adequate water meter approved by the Village's water system manager, or his designee, and furnished by the Village. No meter shall hereafter be installed unless there shall first have been paid to the Village the meter installation and service fee hereinafter specified:

<u>WATER METER SIZE (Inches)</u>	<u>METER CHARGE</u>
¾	\$ 110.00
1	\$ 160.00
1½	\$ 575.00
2	\$ 775.00
2 compound	\$1,300.00
3 compound	\$1,550.00
4 compound	\$1,800.00
6 compound	\$3,000.00
ROM only – mechanical meter	\$ 50.00
ROM only – compound meter	\$ 95.00

The foregoing water meter charges shall not be applicable to water meters for sprinkling systems as provided in Chapter 3 of this Title.

(Ord. 95-379, 1-16-1995)

§11-2-2: SUPERVISION OF METER INSTALLATION:

Meters shall be installed under the supervision of the Village’s water system manager, or his designee, in a location that will be accessible for maintenance, reading and repairs. The standard meters installed after the effective date of this Title shall include, but not be limited to, the following:

- (A) Meters shall not be set in any place where ground or surface water can rise and cover it or otherwise interfere with its operation.
- (B) Electrical ground wires, when so installed, shall only be connected to the street side of the meter and before the shutoff valve.
- (C) In all new or remodeling construction, an electrical raceway conduit shall be provided for the physical protection and maintenance of the meter wiring. This conduit shall be continuous from the remote meter location to the location of the inside meter.
- (D) A device to permit reading the meter from outside the building shall be installed with each meter hereafter installed.

(Ord. 95-379, 1-16-1995)

§11-2-3: LOCATION OF METERS GENERALLY:

- (A) All meters installed in any structure shall be so located so as to permit authorized Village employees or agents ready and safe accessibility for the purpose of reading and maintaining such meters.
- (B) No building permit shall be issued for the erection or construction of any structure unless the plans accompanying the application for any such permits show compliance with provisions of this Chapter.
- (C) In the event that a meter is situated in a location that is inaccessible or difficult to access, the Village’s water system manager shall notify the owner in writing of such condition. If the condition is not remedied in a satisfactory manner at the expense of the owner within thirty (30) days after the date such notice is sent, the water supply may be shut off in accordance with the provisions of this Title, and shall remain shut off until such condition has been remedied.

(Ord. 95-379, 1-16-1995)

§11-2-4: LOCATION OF METERS, OTHER APPARATUS FOR LARGE CONSUMERS:

Water users shall provide unobstructed access to the meter location for ready access. All such water meters and appurtenant equipment shall become and remain the property of the Village upon installation and approval by the Village’s water system manager, or his designee. (Ord. 95-379, 1-16-1995)

§11-2-5: READING AND MAINTENANCE OF METERS:

- (A) The Village's water system manager, or his designee, shall cause to be read every water meter used in the Village at such times as are necessary in order that bills may be sent out at proper times. Reading inside meters shall be required at least once a year.
- (B) All meters used in connection with said water system shall be furnished by the Village and shall be and remain the property of the Village.
- (C) The actual cost to the Village of furnishing each meter shall be paid by the person ordering the same. The actual cost of keeping such meter in repair shall be paid by the person ordering same or by the owner or occupant of the premises as soon as the billing for same is presented. The person upon whose application any meter is installed or the occupant or owner of the premises where installed shall be liable for any breakage by freezing or otherwise, or any loss or damage to said meter in any manner except by ordinary use and wear, and the cost of making good such damage or loss shall be paid by the person upon whose application such meter was installed, or by the occupant or owner of the premises where installed as soon as the billing for same is presented, and the amount thereof shall be a lien against the premises in which such meter is located to the same extent and with the same effect as delinquent water charges. (Ord. 95-379, 1-16-1995)
- (D) Any customer who disputes the accuracy of his meter may request that such meter be tested. Upon payment of a fee of one hundred dollars (\$100.00) to the Village, the disputed meter will be removed by representatives of the Village and in the company of the person so requesting the testing, the meter will be delivered to a testing facility designated by the Village. In the presence of the person so requesting the test, the meter will be tested in accordance with the American Waterworks Association "Standard Practice For Testing Of Meters". If after such testing, the meter proves to be within three percent (3%) of being accurate, the fee paid shall be retained by the Village to cover the cost of removal, testing and reinstallation of the meter. If, after such testing, the meter is not accurate within three percent (3%), the meter shall be repaired and replaced at no cost to the customer and the testing fee shall be refunded in full. Further, if such testing indicates that the customer has been overcharged for his utility, then an appropriate adjustment will be made and a credit issued to his account. Adjustments will cover a maximum period of twelve (12) months preceding the time of the meter test. (Ord. 2003-010, 5-19-2003)
- (E) No meter shall be removed or otherwise disturbed without having first obtained permission to do so from the Village's water system manager, or his designee.
- (F) Except as otherwise provided in this Section, water meters shall be tested and/or replaced at Village expense. (Ord. 95-379, 1-16-1995)

§11-2-6: WATER RATES ESTABLISHED:

- (A) Effective October 26, 2007, for all billings after said date, the charge to be paid by every person using water from the Village water system shall be computed each quarter based upon the water meter size (basic water service charge) and the quantity of water used (water quantity charge).

<u>SIZE OF METER (Inches)</u>	<u>BASIC WATER SERVICE CHARGE PER QUARTER</u>
1½ or less in size	\$ 135.75

Water quantity charge: \$2.50 per 1,000 gallons of metered usage.

- (B) The Village may, but shall not be obligated to, bill consumers using in excess of one hundred thousand (100,000) gallons per quarter on a monthly basis, such billing to be based upon two (2) estimated and a third actual reading.

(Ord. 07-017, 10-15-2007)

§11-2-7: OWNER, OCCUPANT AND USER JOINTLY AND SEVERALLY LIABLE:

The owner of the premises, the occupant thereof, and the user of the water service shall be jointly and severally liable to pay for such service to such premises, and such service is furnished to the premises by the Village only upon the condition that the owner of the premises, occupant and user of such service are jointly and severally liable therefor to the Village. (Ord. 95-379, 1-16-1995)

§11-2-8: CHARGE FOR WATER USED IN CONSTRUCTION:

- (A) During construction of any building and before any water is installed as is herein provided, any owner or contractor so constructing such building may be permitted to use the Village water supply by making application therefor and paying a flat fee prescribed by the Board of Trustees from time to time.
- (B) Any owner or contractor shall use the Village water supply only for purposes directly related to the construction of the building for which a building permit has been issued. Use of the Village water supply for other purposes not directly related to construction of the building, including, but not limited to, landscaping and filling of swimming pools, shall be prohibited.
- (C) Any owner or contractor who violates this Section shall be fined in an amount of not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00) for each violation. Each day in which any violation shall continue shall be deemed a separate offense.

(Ord. 95-379, 1-16-1995)

§11-2-9: BILLING DATE; WHEN PAYABLE; DELINQUENCY PENALTY:

Bills for water service shall be dated and sent on or about the first day of the month succeeding the period for which the service is billed and such bills shall be payable not later than fifteen (15) days thereafter. After said fifteen (15) day period, a late charge of ten percent (10%) of the amount of the bill but in no event less than five dollars (\$5.00), shall be collected, as part of said bill. For convenience in billing, the Village's water system service area may be divided into districts, with a different quarterly billing period for each district. (Ord. 95-379, 1-16-1995)

§11-2-10: DISCONTINUING WATER FOR NONPAYMENT; RIGHT TO HEARING; FEE FOR RESUMING SERVICE:

- (A) The water supply may be shut off from any premises for which the bill remains unpaid forty-five (45) days after the due date, provided, however, that prior to such shutoff, notice shall be given to the persons liable for such bill, by certified mail, return receipt requested, that they have the right to request an administrative hearing before the Village President within ten (10) days of the date of such notice being sent, and at such hearing, present their objections to such action, provided, however, receipt of such notice by the persons liable for such bill shall not be a precondition to shutoff of water service. If such hearing is requested, the water service shall not be shut off until such hearing has been held and the Village President has made a decision on the basis of the evidence presented at such hearing.
- (B) When the shutoff is effected by a use of the existing operating b-box, the water supply shall not be turned on except upon the payment by cashier's or certified check or money order of a total of all amounts past due, plus three hundred dollars (\$300.00), which shall consist of a one hundred fifty dollar (\$150.00) shutoff fee for turning off the water service and a one hundred fifty dollar (\$150.00) fee for turning on the water service, plus a deposit equal to two (2) times the average quarterly bill based upon the last four (4) quarterly periods when the premises were last occupied.
- (C) When no operating b-box exists to shut off the water for nonpayment, in order to effect the shutoff, the property owner(s) and person(s) liable for the bill and the property owner(s) shall be given notice at least five (5) days in advance of the shutoff by certified mail, return receipt requested, that the shutoff of the water service to the premises due to nonpayment shall require the installation of an operating b-box by the Village, and such person(s) and the property owner(s) shall be provided a nonbinding estimate of such cost of installation by the Village and advised that they shall be required to reimburse the Village the actual cost incurred by the Village for such b-box installation prior to any restoration of village water service to the premises, but any person who pays a delinquent water bill after receiving such notice before an operating b-box is installed shall be obligated to also pay a two hundred dollar (\$200.00) mobilization fee. In addition to the required payment, prior to the restoration by the Village of water service, of all amount(s) incurred by the Village related to the installation of an operating b-box as specified in this subsection, the property owner(s) and other person(s) liable for such bill shall also be required to make those applicable payments and deposits specified in subsection (B) of this section.
- (D) Restoration or turn-on of water service, after it is turned off for nonpayment, shall only occur during normal working hours on Monday through Friday (except holidays). Notwithstanding the foregoing, in the event water service is turned on at any time other than on a regular business day, the turn-on fee shall be one hundred fifty percent (150%) of the turn-on fee otherwise applicable.

(Ord. 2009-014, 12-14-2009)

§11-2-11: PERFECTING OF LIEN FOR UNPAID BILL:

- (A) Whenever a bill for water service remains unpaid thirty (30) days after it is due, the Village's water system manager or any other official of the Village shall file with the Recorder of Deeds of Lake County a statement or claim of lien. This document shall contain the legal description of the premises served, the amount of the unpaid bill, and a notice that the Village claims a lien for this

amount as well as for all charges for water served subsequent to the period covered by this claim, and for the costs incurred by the Village as provided by law.

- (B) A copy of such claim or statement of lien shall, after recording thereof, be mailed to the persons liable for the bill by regular U.S. mail, but their receipt of such notice shall not be a condition precedent to the validity of such lien.
- (C) The failure of the Village to record such statement or claim of lien or mail such notice or the failure of the owner to receive such notice shall not affect the right of the Village to foreclose the lien or collect an unpaid water bill.

(Ord. 95-379, 1-16-1995)

§11-2-12: FORECLOSURE OF LIEN:

- (A) Property subject to a lien for unpaid water charges shall be sold for nonpayment of the same, and the proceeds of such sale shall be supplied to pay the charges, after deducting costs, as is the case in the foreclosure of other statutory liens. Such action for foreclosure shall be brought in the name of the Village.
- (B) The Village Attorney is hereby authorized and directed to institute such proceedings, in the name of the Village in any court having jurisdiction over such matters, against any property for which the bill for water has remained unpaid thirty (30) days after it has been rendered.

(Ord. 95-379, 1-16-1995)

§11-2-13: CREDIT CARD FEES:

The Village Treasurer is hereby authorized to establish and impose fees on any person making payment to the Village by credit card for water service charges and related costs, or for any other amounts due and owing to the Village for the purpose of offsetting the amount of any discount or processing fee imposed upon the Village by the respective credit card company. Such fees shall not exceed the amount of any such discount or processing fee imposed upon the Village by the respective credit card company, and shall only be imposed if such imposition is permitted under the operating rules and regulations of the respective credit card company. (Ord. 2010-007, 9-20-2010)