

ORDINANCE NO. 740

See Ord. # 747 (Same rates other items added)

AN ORDINANCE ESTABLISHING WATER AND SEWER RATES IN THE CITY OF NOKOMIS, MONTGOMERY COUNTY, ILLINOIS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NOKOMIS, MONTGOMERY COUNTY, ILLINOIS:

SECTION I. The City of Nokomis, Illinois, shall hereafter be divided into two (2) sections, one section being designated "Section S" and the other section being designated "Section N" for the determination and collection of water and sewer rates in said City. The water and sewer users in the respective sections shall be billed in alternate months. The City of Nokomis shall determine the respective months for the determination and billing of the water users in each section.

SECTION II. One employee of the City of Nokomis shall be designated by the Department head of that Department to read all meters, and another employee shall be designated to keep all meters in repair and replacement shall answer all service calls, and have charge of the discontinuation or the installation of water and sewer service. In the event of an emergency, an employee can be called to assist in the repair and other duties designated to the above employee in charge of the above specified services.

SECTION III. A deposit of \$ 100<sup>00</sup> shall be made to the City Clerk for service to any location in which the owner is not a resident of said premises. In the event the customer is not the owner, the owner of the premises shall be liable for any unpaid bills.

SECTION IV. In the event the charges for such service become delinquent past the 10th day after billing, the unpaid sum shall be subject to a 10% penalty which is to be paid to the City Clerk. In the event the bill is delinquent past the 20th day after billing, the City Clerk is hereby authorized and directed to cause notification to be given in writing to the owner of the premises, the occupant thereof, and the user of the service, that such delinquency exists and that service shall be discontinued without further notice. Each water and sewer user shall pay to the City Clerk of the City of Nokomis a fee of \$5.00 in the event that said service is discontinued by reason of non-payment of water and sewer rates due the City of Nokomis.

SECTION V. Restoration of service or reconnection of a service connection will be made at the City's discretion after the customer has paid all unpaid bills, together with penalties and disconnection charges.

SECTION VI. All water and sewer bills shall be paid by the customer to the City Clerk of the City of Nokomis on or before the 10th day after issuance of the bill. Payment of said bill shall be made in person at the office of the City Clerk of said City of Nokomis, or can be paid by cash or by a check payable to the City of Nokomis, enclosed in an envelope and desposited in a space provided in the office of the City Clerk. Said payments, if made in the above manner, shall clearly designate the name of the customer and the account number of the statement received by the customer on said bill. Payment can also be made by mail in the same manner.

SECTION VII. The City Clerk of the City of Nokomis shall be available for collection of water and sewer bills in the Clerk's office at the City Hall in said City of Nokomis from 9:00 A.M. until 12 Noon, and from 1:00 P.M. until 4:00 P.M. on Monday through Friday, and from 9:00 A.M. until 12 Noon on Saturdays, except regular holidays.

SECTION VIII. The following water rates are hereby established for customers within said City of Nokomis:

Minimum users from Zero to 1,000 gallons - - - - \$6.16

For users of over 1,000 gallons the rates are as follows:

1,000 to 7,000 gallons -----	\$2.76 per 1,000 gallons
7,000 to 15,000 gallons -----	\$2.33 per 1,000 gallons
15,000 to 30,000 gallons-----	\$2.10 per 1,000 gallons
30,000 to 80,000 gallons -----	\$1.73 per 1,000 gallons
80,000 to 150,000 gallons -----	\$1.37 per 1,000 gallons
150,000 gallons and over -----	\$0.99 per 1,000 gallons

SECTION IX. All customers resideing outside of the City of Nokomis shall be charged the above rates, and an additional charge of 25% of said bill.

SECTION X. The following rate is hereby established for water supplied to the Village of Coalton: \$1.40 per 1,000 gallons, to be billed on a monthly basis.

SECTION XI. The rate for water purchased at the Water Works Plant is hereby established at \$1.00 for each 100 gallons or fraction thereof.

SECTION XII. All customers receiving sewer service from said city shall be charged in addition to the above water rates, an additional charge of \$2.40 per 1,000 gallons of water used, said sum being payable and included in the water bill sent to the customer by the City Clerk of the City of Nokomis.

SECTION XIII. Charges for water and sewer service shall be a lien upon the premises as provided by statute. Whenever a bill for water or sewer service remains unpaid 40 days after it has been rendered, the Clerk may file with the Recorder of Montgomery County, 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 City claims a lien for this amount as well as for all charges for water and sewer service subsequent to the period covered by the bill.

If the consumer of water or sewer service whose bill is unpaid is not the owner of the premises, and the Clerk has notice of this, then the notice shall be mailed to the owner of the premises, if his address is known to the Clerk, whenever such bills remain unpaid for a period of 40 days after it has been rendered.

The failure of the Clerk to record such lien claim 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 water bills as mentioned in the following section.

Property subject to a lien for unpaid water or sewer service charges shall be sold for non-payment of the same, and the proceeds of such 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 City.

The City Attorney is hereby authorized and directed to institute such proceedings, in the name of the City, in any court having jurisdiction over such matters, against any property for which water bill has remained unpaid 40 days after it has been rendered.

SECTION XIV. All revenues and monies derived from the sewer charges shall be deposited in a savings account set up for the sewer expenses and all monies derived from the balance of the water bills shall be deposited in the water works account. It shall be the duty of the City Clerk to render bills for service and all other charges in connection therewith and to collect all monies due thereon. Said Clerk shall be covered to the maximum amount on hand at any time by an approved corporate surety bond. All such revenues and monies shall be held by the City Clerk separate and apart from his private funds and separate and apart from all other funds on the City and all of said sum, without any deductions whatever, shall be delivered to the City Treasurer not more

than 10 days after the receipt of the same, or at such more frequent intervals as may, from time to time, be directed by the City Council.

The City Treasurer shall receive all such revenues from the system and all other funds and monies incidental to the operation of such system as the same may be delivered to him and deposit the same in the account of the fund designated as the Waterworks and Sewerage Fund for the City, Said Treasurer shall administer such fund in every respect in the manner provided by the statute of the State of Illinois, Chapter 24 of the "Revised Cities and Village Act," effective January, 1942, and all laws amendatory thereof and supplementary thereto of 1978.

SECTION XV. Any ordinance or ordinances of said City of Nokomis now in conflict with this ordinance is hereby expressly repealed.

SECTION XVI. This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

Passed at a regular meeting of the City Council of the City of Nokomis, Montgomery County, Illinois, held at the City Hall in said City on the 28 day of August A.D. 1984.

APPROVED: \_\_\_\_\_

Gene Adden  
GENE ADDEN, MAYOR

ATTEST: \_\_\_\_\_

Mary Jean Scheller  
MARY JEAN SCHELLER, CITY CLERK