

ORDINANCE NO. 786

AN ORDINANCE AMENDING CHAPTER 38 OF THE "REVISED CODE OF ORDINANCES OF THE CITY OF NOKOMIS, MONTGOMERY COUNTY, ILLINOIS", REGULATING UTILITIES (THE WATER AND SEWER SYSTEMS) WITHIN THE SAID CITY

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF NOKOMIS:

Section 1: That the heading of Article II shall be, and is hereby, amended to read as follows: "Departments Established".

Section 2: That §38-2-1 shall be, and is hereby, amended to read as follows:

38-2-1 WATERWORKS AND SEWERAGE DEPARTMENTS.
There is hereby established a waterworks department and a sewerage department.

Section 3: That §38-2-2 shall be, and is hereby, amended to read as follows:

38-2-2 SUPERINTENDENTS DUTIES. There shall be a Superintendent of the Waterworks Department and a Superintendent of the Sewerage Department to be appointed by the City Council. The appointed superintendents shall have supervision over all buildings, sewers, manholes, mains, treatment works, wells, appurtenances and equipment used in the furnishing of waterworks and sewerage service in the City and shall see that the objects and purposes of their respective Departments are carried out and that the waterworks and sewerage systems are operated in an economical, businesslike basis; and for this purpose it shall be the duty of such Superintendents and all of the officers, employees and servants of their respective Departments to enforce all of the provisions of this Code and to observe and obey and carry out the orders and directions of the City Council. The Superintendents shall prepare and keep at the City Hall a complete atlas of the waterworks and sewerage systems with all connections and other appurtenances distinctly recorded therein.

Section 4: That §38-2-3 shall be, and is hereby, amended to read as follows:

38-2-3 COMPENSATION. The Superintendents and other officers and employees of the Waterworks and Sewerage Departments shall receive as compensation for their services amounts to be fixed by the City Council from time to time.

Section 5: That §38-2-4 shall be, and is hereby, amended to read as follows:

38-2-4 MONTHLY REPORT. Each Superintendent shall, if not later than the first Monday of every month or oftener if required, submit a report in writing to the City Council listing therein, but not limited to, the following data:

(A) Applications for service to be approved by the Superintendent.

(B) Number of metered and unmetered customers connected to the system at the beginning and the end of the period.

(C) Sale of water at plant (automated salesman).

(D) Details of any major repairs and extension to the system or other facts pertinent to his duties in the conduct of his office.

Section 6: That §38-2-5 shall be, and is hereby, amended to read as follows:

38-2-5 BOOKS OF ACCOUNT. The City Clerk shall keep or cause to be kept full and complete books of accounts separate and apart from any other records of his office showing in detail all monies received by him for the Waterworks and Sewerage Departments with dates and sources. He shall also keep such other books relating to the Waterworks and Sewerage Departments as the City Council may from time to time direct.

Section 7: That §38-2-6 shall be, and is hereby, amended to read as follows:

38-2-6 READ METERS, BILL FOR SERVICES, ETC. The Superintendent of the Waterworks Department or such officer or employee as the City Council shall direct shall read water meters of the City, take water and sewer applications, and shall perform such other duties as now are or may hereafter be imposed upon him by law or the code of the City.

Section 8: That §38-3-18(C) shall be, and is hereby, amended to read as follows:

(C) The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the City Council. A permit and inspection fee of Twenty-five Dollars (\$25.00) for a residential or commercial building sewer permit shall be paid to the City Council at the time the application is filed. The industry, as a condition of permit authorization, must provide information describing its wastewater constituents, characteristics, and type of activity. In addition to the permit and inspection fees, there

shall be a tap-on fee for each property within the city limits of Three Hundred Dollars (\$300.00) for each connection and a tap-on fee for each property outside the city limits of Six Hundred Dollars (\$600.00) for each connection.

Section 9: That §38-4-4 shall be, and is hereby, amended to read as follows:

38-4-4 TAMPERING. It is unlawful for any person, firm or corporation to break the seal of any meter, or in any manner to make any alterations, changes or repairs on the same, or to open any mains, laterals, service pipes, stopcocks or valves, or any part thereof, or otherwise tamper with or attempt to do any work on the system or any part thereof, without authority given by the City.

Section 10: That §38-4-8 shall be, and is hereby, amended to read as follows:

38-4-8 APPLICATIONS.

(A) Any person desiring to make any connection with the waterworks and sewerage systems or plant or have the use thereof, shall first make application to the City Clerk upon a blank form or forms furnished by the Waterworks and Sewerage Departments. The requirements for building sewer permits are set out in Schedule 2 and for water services in Schedule No. 7. The applicant shall contain an agreement on the part of the applicant that all the rules, regulations, conditions and provisions of any ordinance relating to the waterworks and sewerage systems will be complied with; that all water and sewerage rates, assessments and rents and all fines and penalties assessed, charged or imposed against the application upon the property described in the application will be paid. When the applicant hereunder has complied with all of the provisions of the ordinances of the City and the Waterworks and Sewerage Departments have approved the application, a written permit shall then be issued by the City Clerk authorizing the connection to be made and specifying the size thereof.

(B) No building sewer shall be paid or used to serve more than one distinct premise or building.

(C) No building water service shall be laid or used to serve more than one distinct premise or building.

Section 11: That §38-4-9 shall be, and is hereby, amended to read as follows:

38-4-9 SERVICE CONNECTION. No connections with the water main shall be made without a permit being issued and 24 hours' notice having been give to the Waterworks Superintendent or his duly authorized representative. Applications for such connections must be made to the City Clerk, and a fee of

Three Hundred Dollars (\$300.00) shall be paid for each connection. This fee shall cover the cost of a connection to a main and installation of a 3/4-inch water service line from the main to the owner's property line and installation of a curb stop and box or a meter pit and copper setter, and it shall include the furnishing of a meter for single-family residence service. In addition, if the water line to be connected is more than 3/4-inch in diameter or a larger meter is required, an extra fee shall be charged in addition to the Three Hundred Dollars (\$300.00), which shall consist of the cost of the connection and/or meter to the City over and above \$300.00. All such connections shall be made and all such work shall be done by persons duly authorized by the City.

Section 12: That the last sentence of §38-4-11 shall be, and is hereby, amended to read as follows:

Any person, firm or corporation desiring to use water from a fire hydrant for construction or other purposes shall first obtain permission from the City and shall be held responsible for all water used and damages which may be done to such hydrant or other property which may be caused by such use.

Section 13: That §38-4-36 shall be, and is hereby, amended to read as follows:

38-4-36 CURB STOPS. Curb stops and boxes and/or meter pits and copper setters shall be placed on every service pipe and shall be located between the curb line and the sidewalk line where this is practicable. Such curb stops and boxes and/or meter pits and copper setters shall be located so that they are easily accessible and shall be protected from frost.

Section 14: That §38-4-40 shall be, and is hereby, amended to read as follows:

38-4-40 METERS REQUIRED. All premises using the City water supply must be equipped with an adequate water meter furnished by the City and paid for by the consumer, provided that such water service may be supplied by the City at a flat rate of charge prescribed by the City Council until such meter may be installed on new service. The City will provide a meter as provided under Section 38-4-9. On an existing service the City will provide, if not already in place, a suitable meter for each customer's water service connection. The City will determine the size and type of meter. The meter will remain the sole property of the City. The customer shall be responsible for and pay for repairs for any damage caused by the customer's action such as hot water backing through the meter, or by physical damage.

Section 15: That §38-5-1 shall be, and is hereby, amended to read as follows:

38-5-1 METERS. No free service of the combined waterworks and sewerage system shall be furnished to any user, either a person, firm, organization or corporation, public or private. Every user of the waterworks system shall have a meter. It shall be the duty of the Superintendent of the combined waterworks and sewerage system of the City to maintain all meters of the system in good and accurate working condition, and to replace all meters as he shall determine have become inaccurate or faulty. Also, he shall report the master meter reading to the City Clerk on the first of each month.

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

Section 16: That the restoration or reconnection fee provided for in, and by, §38-5-4 shall be, and is hereby, increased from Ten Dollars (\$10.00) to Twenty-five Dollars (\$25.00)

Section 17: That §38-5-6 shall be, and is hereby, amended to read as follows:

38-5-6 REVENUES. All revenues and monies derived from the operation of the systems shall be deposited in the waterworks account or sewerage account, as appropriate. 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. The 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 of the City and all of the sum, without any deductions whatever, shall be delivered to the City Treasurer not more than ten (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 Clerk shall receive all such revenues from the systems and all other funds and monies incidental to the operation of such systems as the same may be delivered to him and deposit the same in the account of the fund designated as the Waterworks Fund or Sewerage Fund, as applicable, for the City. The Treasurer shall administer each such fund in every respect according to the manner provided by Chapter 24 of the Illinois Revised Statutes.

Section 18: That §38-5-19 shall be, and is hereby, amended to read as follows:

38-5-19 USER RATE. There shall be, and there is hereby, established a minimum charge and a basic user rate for the use of, and for service supplied by, the Wastewater Facilities of the City.

A minimum charge of \$2.40 per month shall be applied to all users within the city limits whose water consumption does not exceed 1000 gallons per two-month period. A minimum charge of \$10.00 per month shall be applied to all users outside the city limits whose water consumption does not exceed 1000 gallons per two-month period.

A basic user rate of \$2.40 per 1000 gallons metered or adjusted in excess of 1000 gallons per two-month period to all users within the city limits who discharge normal strength wastes to the system. A basis user rate of \$3.60 per 1000 gallons metered or adjusted in excess of 1000 gallons per two-month period to all users outside the city limits who discharge normal strength wastes to the system.

Section 19: (Partial Invalidity): That if any section, subdivision, sentence or clause of this ordinance is for any reason held invalid or to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance.

Section 20: This this ordinance shall be in full force and effect from and after its passage and approval according to law.

Introduced: May 26, 1992

Passed: _____

Voting Yes: Commissioners D.K. Petty - J.L. McCall - L. Brummett
A.C. Hard - Mayor James Cohen

Voting No: None

Abstaining: None

Absent: None

Approved: May 26, 1992

James F. Cohen
Mayor

(SEAL)

ATTEST:

Mary Jane Sealler
City Clerk

Published: 5/26/92