

VILLAGE OF HAMMOND
PIATT COUNTY, ILLINOIS

ORDINANCE #2023-10

“An Ordinance Establishing the Rates and Charges for Services Supplied for the Sewerage System and Water System of the Village of Hammond, Illinois ”

ADOPTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF HAMMOND THIS
11th day of October, 2023

Published in pamphlet form by authority of the Village Board of the Village of Hammond, Piatt County, Illinois, this 11th day of October, 2023

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“An Ordinance Establishing the Rates and Charges for Services Supplied for the Sewerage System and Water System of the Village of Hammond, Illinois ”

WHEREAS, the Village of Hammond, Piatt County, Illinois, by proceedings had in manner and form provided by law has been authorized to construct a sanitary sewer system and sewerage treatment facility (hereinafter called the Sewerage System), and an extension of the existing water system in the said Village; and

WHEREAS, it is now necessary that rates and charges for the use and services of the sewerage system and the water furnished by the said Village should be established;

NOW, THEREFORE, be it ordained by the President and the Board of Trustees of the Village of Hammond, Piatt County, Illinois, as follows:

Authority to Turn on Water:

No person other than the Superintendent of Public Works in performance of his/her duties, and those authorized by the Superintendent of Public Works shall open any hydrant or attempt to draw water from the same or in any manner interfere with or injure any such hydrant.

In the event of a meter shut off or disconnection, the meter may only be turned back on or reconnected by the Village’s Water Superintendent, or another individual authorized by the Village’s Water Superintendent to act on his/her behalf. In the event that any unauthorized individual turns on or reconnects a water meter that has been turned off or disconnected by the Village’s Water Superintendent, the resident at the address to which the meter provides service shall be fined as stated under Penalty Section. Each day that a meter remains turned on or reconnected without authorization may be considered a separate offense, counting the day on which the meter is turned on or reconnected as the first day.

Connections to the System:

Upon permission, the Village Water Department will tap the water main and will furnish a service line an appurtenance up to the applicant’s property line. The Village will furnish only the following: corporation cock, water meter, meter tile, lid, yoke, curb box. All service lines shall be a type K copper or any other material approved by the current edition of the Illinois State Plumbing Code, as amended, supply pipe not exceeding 60’ in length from the water main to the meter. Brass fittings shall be used for copper and PVC pipe. (1995 Code 6.120; amd. 2012 Code). All construction and materials shall comply with title 8, chapter 1 of this code and the current editions of the Illinois State Plumbing Code, as amended, when applicable. (1995 Code 6.123; amd. 2012 Code). All service lines and water mains shall be buried at a depth of not less than 36”. (1995 Code 6.121). The charge for making the new connection by the Village shall be all costs including, but not limited to, parts, materials, and labor. An applicant may, at the applicant’s own expense, use a private licensed plumber for purposes of making the new connection, but any connection is subject to inspection and approval of the Superintendent of Public Works prior to the connection being authorized.

The owner of any premises so used as to create sewage or on which there exists any water closet or privy, or any tenant or other person occupying any such premises is hereby required to cause proper connection to be made with the sewers of the sewerage system of the Village of Hammond within 12 months from the time when such connection with said system shall have become feasible and any connections made with said sewerage system of the Village after the expiration of said 12 months shall be made only after a connection fee of \$500.00 shall have been paid. Connections with the sewerage system of the Village shall be made at the expense of the user and shall be made under the direction and supervision of the Village. All connections with the water system of the Village shall be made only under the direction and supervision of the Village and there shall be a charge of \$1,500.00 paid in advance by the user to be considered the water connection fee.

Water lines are the homeowner's responsibility to the meter pit. Sewer lines are the homeowner's responsibility all the way to the sanitary/sewer main. If the road or sidewalk is damaged, it's the homeowner's responsibility to repair said road/sidewalk.

The use of any premises in the Village of Hammond in such a manner as to create sewage thereon not discharged into the sewers of the sewerage system of said district is hereby declared to be a nuisance; every water closet or privy used in or adjacent to any building not connected with said system is hereby declared to be a nuisance, provided that this Section shall not be applicable to premises where connection with said system is not feasible. Such connection with said system is hereby declared to be feasible as to any premises abutting any street, alley, or other public way or sewer right of way in which any sewer line of the sewerage system of said Village of Hammond exists.

No water/sewer customer shall allow any connection to his/her sewer lines except for use on his/her premises and as described in his/her application without the written permit of the Village authorities.

An applicant shall give an easement to the Village for any part of the sewer system that shall be installed on his/her property should the need arise.

No user shall tamper with or make any changes to the sewer system owned by the Village, conduct sewer pipes into any other premises, or allow another party to connect to his/her line.

A single-family dwelling shall be served by a separate water service line. Multi-family structures may be served by a single service line adequate for all living units if all units are under the ownership and control of one person or firm, or cooperative group. All single-family units shall be served by a separate water meter as will all businesses and restaurants. Multi-family structures may be serviced by one meter if all units are under the ownership or control of one person, firm, or cooperative.

Deposit Requirements:

Water and sewer service shall be furnished only upon the filing of an application therefore with the Village Clerk upon a form he/she supplies which states the name of the applicant and the location of the premises to be served. It shall be a condition of the application that the minimum

monthly bill as established by the Village shall be paid by the applicant for a period of one years' time whether the sewer is used or not during that period. A deposit of \$175.00 shall be paid which shall be applied to the final bill for water/sewer service. Upon the disconnections of the water/sewer service, any balance of such deposit shall be returned to the applicant without interest. Otherwise, the resident shall be billed for any outstanding balance due the Village. If no request is made within one year after said permanent discontinuation, said monies shall become Village property and shall remain in the Water Fund of the Village.

User Rates:

That there be and there are hereby established rates or charges for the use and services of the sewerage system. Such rates and charges shall be made and collected against each lot, parcel of land, or premises which may have an active sewer connection with the sewerage system of the Village of Hammond, or which may actively discharge sewage or industrial waste either directly or indirectly into the sewerage system or any part thereof. The rates to be charged shall be the minimum monthly rate of \$42.84 for water and sewer for all users if promptly paid as hereinafter described, including the users for less than a monthly period; except that in the case of multi-unit buildings, residences, businesses, or both, the minimum rate shall be \$42.84 per month or a fraction thereof, for each residence or business unit in such building, with a minimum charge of \$42.84 for such a building with no occupied unit that is connected to the sewerage and water system. For the purposes of this paragraph, each trailer in a mobile home park located within the Village shall be charged the minimum rate of \$42.84 per month. Charges for sewerage services shall be made each month for the calendar year.

These rates are hereby established and effective as follows: September 1, 2023, for the use of and for the service supplied by the water works and sewage system of the Village of Hammond, Piatt County, Illinois, said charges and rates for both water and sewer use to be based upon water usage as recorded by meters. The minimum charge for water will be \$22.00 and the minimum charge for sewer will be \$20.84 for a total of \$42.84 minimum for the first 1,000 gallons. A mandatory \$1.30 is added to each service for ServLine Leak Protection. A charge of \$13.52 (\$9.02 water; \$4.50 sewer) per 1,000 gallons thereafter shall apply. Annually, each September, thereafter, a three (3) percent increase will be added to the water rate consumption. Charges and bills for water and sewage use of services may be combined or may be separated and shall be due and payable on the date of rendition thereof. The Village of Hammond reserves the right to make special charges for sewer and water services supplied to properties which may not be covered by the above rates or which in the judgment of the Board of Trustees of the Village of Hammond should be charged special rates due to the extent of the use of the sewerage services or water so supplied.

Users outside the corporate limits of the Village shall pay an annual fee of \$100.00.

Bulk water sold to tank wagons loading water at the water plant are to be charged \$1.00 per 100 gallons.

Bills for Service; Liability, Late Payment Penalty:

Treasurer's Duties: Charges for water shall be made each month of the calendar year. All bills are to be rendered as of the 5th day of the month following the month for which charges are made, unless the 5th falls on a weekend or holiday then the bills will be rendered the next business day. Bills shall be due and payable 15 days after the mailing of said bills. Sewerage and water bills shall be consolidated into one bill where the same services are obtained by the said user. Lump sum payments will not be accepted.

Liability for Payment: The owner of any lot, parcel of land, or premises having active sewer connections with the sewerage system of the Village of Hammond, or who receives water, the occupant of such premises, and the user of such services and water shall provide a current established mailing address.

The owner of any lot, parcel of land, or premises having active sewer connections with the sewerage system of the Village of Hammond shall be liable to the Village of Hammond for use, as well as, the water furnished. If the intended purpose of the premises is to be a rental property, the homeowner/landlord shall be billed and responsible for the payment of the water/sewer bill. The renter of said premises will not be billed. If the Village must consult with their attorney to collect unpaid funds, all attorney fees will be the responsibility of the homeowner.

The Village has the ability to collect fees for the enforcement and collection of past due water bills.

Rendition of Bills: It is hereby made the duty of the Clerk of the Village of Hammond to render bills for sewerage services and for water and all other charges in connection therewith and to collect all moneys due thereon and it is hereby made the duty of all officials of the Village of Hammond to enforce payment of all unpaid bills, the penalties in the manner, form, time, and procedure under the laws of the State of Illinois thereunto enabling. All revenues and moneys derived from the combined sewerage and municipal water system shall be held by the Treasurer of the Village of Hammond separate and apart from his/her private funds and separate and apart from all other funds of the Village of Hammond. The Treasurer of the Village of Hammond shall receive all such revenues and all other funds and moneys incidental to the operation of the combined sewerage and water system as the same may be delivered to him/her and deposited by him/her in a separate fund designated as the Sewer and Water Fund of the Village of Hammond and said Treasurer shall administer said funds in every respect in the manner provided by law. Said Treasurer shall establish a proper system of accounts and shall keep proper books, records, and accounts in which complete and correct entries shall be made of all transactions relative to the combined sewerage and water system.

Returned Check Penalty: In the event any payment by check tendered for payment of an account is returned for any reason after being presented by the Village to a financial institution for payment, the check amount will be added back to the account, a \$50.00 returned check fee will be added to the account, and the late payment penalty set forth herein as applicable will be added to the account.

In the event a payment by check is returned for any reason after being presented by the Village to a financial institution for payment, the Village Treasurer is hereby authorized and directed to send, by first class United States mail, a notice of returned check to the billing address notifying the account holder that the check has been returned by the financial institution and directing that the account must be paid, in full, to include the outstanding bill amount, the \$50.00 returned check fee, and any late penalty, if applicable, in cash or money order on or before the fifth day after the date of the notice of returned check or the twenty-sixth of the month the bill was rendered, whichever is later. In the event the fifth day after the date of notice of returned check or the twenty sixth of the month of the date the bill was rendered is a Saturday, Sunday, or legal holiday, then the total amount shall be paid no later than the end of business on the first business day thereafter. In the event an account has two checks returned after presentation to a financial institution during any 12-month period, all future account payments must be made by cash or money order.

Lien Claim: In the event the charges for sewerage service and water are not paid within 30 days after rendition of the bill therefore, such charges shall be deemed and are hereby declared to be delinquent and thereafter such delinquency shall constitute a lien upon the real estate to which the sewerage and water services shall have been furnished. The Clerk of the Village of Hammond is hereby authorized and directed and shall promptly after the expiration of such 30-day period file a notice of such lien in the office of the Recorder of Deeds of Piatt County, Illinois, and the filing of such notice of lien shall be determined to be notice of the lien of such charges for such services and shall be a lien against the real estate where the services above described have been supplied. If a lien is placed upon the property, all costs incurred will be added to amount due the Village. The sewerage services and water shall be discontinued without further notice of the rates or charges for such services or water are not paid within 30 days after rendition of the bill therefore, reconnection fees shall be charged as stated.

Disconnection of Service: If water and sewer bills are not paid by the due date, a penalty of \$25.00 shall be added to the bill. For example, if the bill due date is the 20th of the month and if not paid by this date, the penalty fee of \$25.00 will be added the 21st. If the bill remains unpaid seven days after or the 28th of the month, a shut off order will be issued, the appropriate reconnect fee will be applied, and service will not be reconnected until payment is made in full. For the first shut off, a \$50.00 reconnect fee is applied, \$50.00 for the second shut off and \$100.00 reconnect fee for the third shut off. An additional \$50.00 will be added on the fourth and subsequent shut offs. (Ex: fourth shut off, reconnect fee is \$150.00, fifth shut off reconnect fee is \$200.00 and so on until such time that the resident has not been late on payment for six consecutive months.) If a payment date falls on a Sunday or holiday, the payment is due on the next business day. The payment must reach the Village by the appropriate date and during business hours. Postdate is not considered a payment date. Reconnection will not occur until all charges and penalties are paid in full. Once the order for shut off is written, the reconnect fee becomes due. If the Village's Water Superintendent goes to a residence to shut the water off, the reconnect fee becomes due regardless of whether the resident goes to pay the bill at that time. Any bill which remains unpaid shall accrue a \$25.00 per month maintenance fee until such time the bill is paid in full.

Medical Certificate: A utility shall not disconnect service to a residence for 60 days upon receipt of a valid medical certificate for a resident of the household, so long as the resident is eligible for medical certification under Section 280.160. Section 280.160 states that certification must be made either by a licensed physician or a local board of health, and must contain the following:

1. Name and contact information for the certifying party;
2. Service address and name of patient;
3. A statement that the patient resides at the premises in question; and
4. A statement that the disconnection of utility service will aggravate an existing medical emergency or create a medical emergency for the patient.

Thus, if the resident has not provided the Village with the certificate that complies with Section 280.160, then the Village can shut off the water in accordance with standard procedure.

If a customer will be gone during a billing period, the customer may have the bill estimated and prepay in order to avoid any penalties for late payment.

Swimming pool owners may apply to the Village Clerk for a one-time waiver of the sewer portion of a bill when the pool is filled.

Neither the Village of Hammond, Illinois, the Superintendent of Public Works, or its agents or assigns shall be liable to any customers of the Village of Hammond, Illinois, for any injury, damages, or lost revenues which may result from termination of said customer's water supply in accordance with the terms of this Ordinance, whether or not said termination of the water supply was with or without notice.

Maintenance and Repair

The Village of Hammond will be responsible for maintenance of the lines from the main to the lot line, curb stop meter if within 10 feet of lot line or building foundation, whichever shall come first, except that no owner shall be responsible for any portion of the water line not on the owner's property. The user is responsible for the maintenance of the lines from the meter forth onto their property. The shut off valve must be placed within 10' of the property line. The Village will not be responsible for damage to anything placed above the water line when repair is necessary. All water meter installations must be installed no lower than 18" below the ground, measured from the top of the meter to ground level. Modifications to existing service must comply with the provisions of this Ordinance. Future installations must be approved at the time of securing the building permit from the appropriate Village official. No inside meter installations will be approved.

Use of Water During Construction

Persons desiring to obtain water for building purposes or those having water introduced into their premises desiring to use the same for that purpose must, before such use, install a water meter, and in no case shall any person or persons using or permitting the use of water for building purposes be relieved from the responsibility to the Village for the use thereof; and the use of water in all cases without such permission as aforesaid shall be deemed a fraudulent use thereof and shall be subject to the penalties set out in this chapter. (1995 Cod 6.113)

Right to Shut Off Water

The right is hereby reserved to cut off the supply of water at any time for the purpose of repairs or otherwise, any permit granted or regulation granted to the contrary notwithstanding. (1995 Code 6.115)

Any person receiving water from the Village waterworks system without a properly installed and working meter, or without paying the appropriate charges as defined, or unreasonably or unnecessarily wasting water shall be in violation of this Ordinance and shall have his/her water supply shut off and stopped forthwith.

Where the water supply shall have been cut off for violation of this Ordinance, it shall not again be turned on to such premises from which it was cut off until there shall have been paid to the Village such sum of money as shall be deemed to be properly due the Village for the amount of water furnished to or used by any such person. (1995 Code 6.117)

In the event that there is a defect in the plumbing system on a property connected to the municipal water supply, which defect causes a significant increase in the water use of the property over at least one billing period, the Village may send a Notice of Shutoff to said owner. The Notice of Shutoff shall inform the owner of the defect and the reason for the Notice, shall direct the owner to correct the defect in the plumbing and shall warn the owner that failure to so correct the defect and offer proof of the correction within 15 days of the date of the Notice will result in the shut off of the Municipal Water Supply to the property at owner's cost.

Limiting Water Usage:

The Village shall reserve the power to limit the amount or purpose of water used when unusual circumstances make that necessary in the board's judgment. (1995 Code § 6.116)

Extension of Mains:

The expense of extending a 6" water main shall be borne by the benefiting property owners whose properties will be served by the installation. If a water main larger than 6" is needed, the Village will bear the difference in cost of a 6" water main and the larger water main.

Extension of a water main and service line outside the Village limits shall require approval of the Village Board. Expense for the main and service line shall be borne by the benefiting property owner(s). (1995 Code 6.118)

Extension of mains shall be at the sole discretion of the Village both as to size, material, and feasibility of such extension.

Resale of Water Prohibited:

No water shall be resold or distributed by the recipient thereof from the Village water supply to any premises other than that for which application has been made and the meter installed, except in case of emergency, or by special agreement with the Village Board after presentation of a written application. (1995 Code 6.114)

Inspections:

All officers and employees of the Village shall have free access at all reasonable hours to the premises where water is used to make necessary examinations or to read meters, and they may cause any meter to be taken and examined and tested at any time that is deemed necessary. (1995 Cid 6.112). Monthly reading of meters is necessary so that utility bills may be sent out at the proper time. In the event that the meters cannot be read for any reason, estimated bills shall be sent out for that month based on prior usage for each premises.

Summary Abatement:

Whenever, in the opinion of the Village, the maintenance or continuation of a nuisance creates an imminent threat of serious injury to persons or serious damage to real or personal property, and the continuation of the nuisance poses a substantial threat of injury to persons or property, the Village may proceed immediately and summarily to abate such nuisance.

Penalty:

Any person, firm, or corporation violating any provisions of this Ordinance shall be notified as follows:

1. Place phone call to homeowner notifying them of the violation on their property and giving them 10 days in which to fix the violation.
2. If compliance is not met in the 10 days, a non-certified letter will be sent reiterating the violation that needs to be corrected. Allow another 10 days.
3. If compliance is still not met, a certified violation letter is mailed to the homeowner. The first fine will be charged at this time for non-compliance and due within 10 days. The fine structure is as follows:
 - 1st Offense: \$180.00
 - 2nd Offense-committed within 12 months of any prior offense: \$330.00
 - 3rd Offense-committed within 12 months of any prior offense: \$580.00

Notice:

Notice shall be deemed to be properly served by:

- Depositing the notice in U.S. mail, prepaid first-class postage regardless of whether the addressee accepts or refuses delivery; or
- Personal service; or
- Posting of notice upon property

All Ordinances or parts of Ordinances insofar as the same are in conflict herewith are hereby expressly repealed.

This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Passed by the Board of Trustees of the Village of Hammond, Piatt County, Illinois, this 11th day of October 2023, by the following roll call vote:

Ayes: 6
Nays: 0
Absent: 0

Approved this 11th day of October, 2023.

Marsha Burgener
Village President

Attest:

Brenda Sebens
Village Clerk

State of Illinois)
) ss.
County of Piatt)
Certificate of Publication)

I, Brenda Sebens, certify that I am the duly appointed and acting Municipal Clerk of the Village of Hammond, Piatt County, Illinois.

I further certify that on October 11, 2023, the Corporate Authorities of such municipality passed and approved Ordinance #2023-10, entitled “An Ordinance Establishing the Rates and Charges for Services Supplied for the Sewerage System and Water System of the Village of Hammond, Illinois”, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance #2023-10, including the Ordinance and a cover sheet thereof, was prepared and a copy of such Ordinance was posted in the municipal building commencing on October 12, 2023 and continuing for at least 10 (ten) days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Municipal Clerk.

Dated at Hammond, Illinois, this 11th day of October, 2023.

(SEAL)