

ORDINANCE NO. 1977-19

AN ORDINANCE AMENDING THE VILLAGE CODE OF THE VILLAGE OF HAWTHORN WOODS – TITLE 4, SECTION 4-5-7-A – SEWER CHARGES FOR CONNECTION TO THE LAKE ZURICH SYSTEM; AND TITLE 4, SECTION 4-5-8 – BILLS FOR SERVICES; DELINQUENCIES

BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Hawthorn Woods, Lake County, Illinois, as follows:

SECTION ONE: That Title 4, Section 4-5-7-A of the Village Code of the Village of Hawthorn Woods entitled “Sewer Charges – Hawthorn Woods” is hereby amended by adding the following language:

“2. Summer Capped Usage Calculation – Single Family Residential Users ONLY

During the months of November through April, sewer volumetric charges will be billed based on the actual water usage as measured by the Aqua Illinois water meter. During the months of December through March, the Village will calculate a four (4) month average “measured flow” water usage in order to determine the “summer” capped sewer usage to be applied during the summer months May through October. The lesser of the (1) actual water usage or (2) the average usage of the “measured flow” period will be utilized to bill the “summer” month’s sewer volumetric charges. The specific dates will vary based upon actual meter read dates, but will generally fall within the months mentioned above. For new customers without the minimum four (4) months of usage history available to establish a measured average flow amount, sewer volumetric charges will be based upon the lesser of (1) actual water usage or (2) a default value of 3,000 gallons per month until four (4) months of actual usage is compiled during the December through March measuring period. Each summer

capped consumption amount is assigned to the property for the customer that established the value and it does not transfer with a customer to another premise."

SECTION TWO: That Title 4, Section 4-5-8 of the Village Code of the Village of Hawthorn Woods entitled "Bills for Services; Delinquencies" is hereby is deleted in its entirety and in lieu thereof, the following language shall be substituted:

"4-5-8 BILLS FOR SERVICES; DELINQUENCIES

A. Rendition of Bills; Payment: Bills for sewer service pursuant to Section 4-5-7 of this chapter shall be sent to the owner or owners of the premises served. Service shall be furnished to the premises only subject to the condition that there is joint and several liability among the owner of the premises and all occupants and users for the service. All bills for service shall be rendered monthly succeeding the period for which the service is billed, unless otherwise determined by the Village. All bills shall be payable at Village Hall not later than the close of business on the thirtieth day after the billing date. When the thirtieth day after the billing date is on a weekend or legal holiday; then such bills for service shall be payable no later than the next business day.

B. Delinquent Bills

1. Late Payments, Penalty: If payment of the entire amount of a bill for sewer is not received by the Village on or before the thirtieth day after the billing date, then a late payment penalty of 10% of the unpaid balance of the bill shall be added thereto and become due and payable. Late penalties may be waived at the discretion of the Chief Financial Officer, not to exceed one occurrence per customer per calendar year.

2. Lien Procedure: Charges for sewer service may be a lien on the premises to the extent permitted by statute. Whenever a bill for sewer service remains unpaid sixty (60) days after it has been rendered, such charges shall be deemed and are hereby declared to be delinquent, and the Village Clerk may file with the recorder of deeds of Lake County a statement of lien claim. If a lien is filed, the following procedure shall be followed: The statement of lien 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 sewer service subsequent to the period covered by the bill. The Village Clerk shall mail a notice to the owner of the premises stating payment is delinquent and a lien has been filed. Failure of the Village Clerk to record such lien or to mail such notice, or the failure of the owner to receive such notice shall not affect the validity of the lien or the right to foreclose the lien for unpaid sewer bills as provided in this subsection.
3. Property Sold For Nonpayment: Property subject to a lien for unpaid sewer charges shall be sold for nonpayment of the same, and the proceeds of such sale shall be applied to pay the charges, after deducting the costs, as is the case in the foreclosure of statutory liens. The village attorney shall be authorized to institute such proceedings in the name of the village in any court having jurisdiction over such matters, against any property for which the sewer bill has remained unpaid thirty (30) days after it has been rendered.
4. Village Right; Collection of Delinquent Service Charges: The village shall have the right to pursue any and all legal means of collecting delinquent service

charges, whether by collection service or other method, regardless of whether a lien for such charges has been filed.”

SECTION THREE: That all ordinances or resolutions, or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, superseded by this Ordinance.

SECTION FOUR: That this Ordinance shall be in full force and effect ten (10) days from and after its passage, approval and publication in pamphlet form as provided by law.

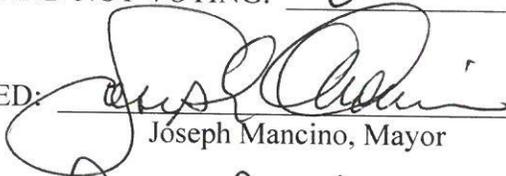
The foregoing Ordinance was passed by a roll call vote as follows:

AYES: Kaiser, Kozik, Ressa, Corrigan, DiMaggio, David

NAYES: 0

ABSENT AND NOT VOTING: 0

APPROVED:


Joseph Mancino, Mayor

ATTEST:


Donna Lobaito, Village Clerk

PASSED:

November 25, 2019

APPROVED:

November 25, 2019

PUBLISHED:

November 26, 2019