

**VILLAGE OF DOWNERS GROVE**  
**Report for the Village Council Meeting**  
**12/19/2023**

<b>SUBJECT:</b>	<b>SUBMITTED BY:</b>
2024 Budget Implementation Actions	Robin Lahey Finance Director

**SYNOPSIS**

Consistent with the FY24 budget, the following budget implementation actions have been prepared:

- An ordinance to increase the Water Rates per the Water Rate Study and amend certain fee provisions.
- An ordinance to increase the Stormwater Utility Rates per the Stormwater Plan.
- Motion to fund the Economic Development Corporation (EDC).
- Motion to fund the Downtown Management Corporation.

In addition, at year end staff reviews policies and ordinances and proposes changes when necessary. This year changes that are being proposed include:

- Ordinance amending the Employee Administrative Rules (Personnel Manual).
- Ordinance amending Chapter 1 and Chapter 2 of the Municipal Code.

**STRATEGIC PLAN ALIGNMENT**

The goals for 2023-2025 include *Steward of Financial, Environmental and Neighborhood Sustainability*.

**FISCAL IMPACT**

The water rates are proposed to increase revenues by 4.6% and are expected to generate \$17.7 million of revenue in the Water fund. The stormwater utility fee is proposed to increase from \$15.93 to \$17.31 per ERU and is expected to generate \$6.7 million of revenue in the Stormwater fund. There is no fiscal impact for the proposed policy changes.

**RECOMMENDATION**

**UPDATE & RECOMMENDATION**

This item was discussed at the December 12, 2023 Council meeting. Staff recommends approval on the December 19, 2023 Active Agenda

## BACKGROUND

### *Water Rates*

Per the approved FY24 budget, the water rates will be increased to align with the recommendations of the 2019 Water Rate Study. The 2019 Water Rate Study included a model projecting the total cost of owning, operating and maintaining the Village water system. The study recommends that water revenues should be increased in FY20 (effective July 1, 2020) and subsequent years by 4.6% per year.

The following table shows the proposed water rates that will go into effect for bills received after July 1, 2024. The bi-monthly fixed charges by water meter size are consistent with the proposed rates contained in the Water Rate Study.

<b>Bi-Monthly Fixed Charge by Water Meter Size</b>	<b>2023</b>	<b>2024 Proposed</b>
5/8"	\$16.30	\$17.77
1"	\$24.46	\$26.66
1 1/2"	\$81.55	\$88.89
2"	\$130.46	\$142.20
3"	\$244.64	\$266.66
4"	\$407.74	\$444.44
6"	\$815.43	\$888.82
10"	\$1,957.03	\$2,133.16
<b>Bi-Monthly Unit Fee</b>	<b>2023</b>	<b>2024 Proposed</b>
Inside Village	\$6.82	\$7.08
Outside Village	\$7.81	\$8.10

The following table shows how the new water rates will impact typical users in 2024:

<b>User Category</b>	<b>Typical Meter Size</b>	<b>Current Bi-Monthly Bill</b>	<b>Proposed 2024 Bi-monthly Bill</b>
Typical Residential User	5/8"	\$118.60	\$123.97
Typical Commercial User (100 units)	1.5"	\$763.55	\$796.89
Typical Industrial User	2"	\$1,494.46	\$1,558.20

Various amendments to Chapter 25 of the Village Code, Utilities, have been proposed in an effort to ensure the provisions of the Village Code are commensurate with current Village procedure, better define the timeline in which utility payments must be received by the Village and the consequences for failing to timely remit payment to the Village.

### *Stormwater Rates*

Per the approved FY24 budget, the stormwater rate will be increased to align with the recommendations of the 2012 Stormwater Study and the 2016 Stormwater Utility Report. The plan called for a stormwater fee that would cover the cost of future capital projects, debt service related to those projects, as well as operational and maintenance costs. The utility model represents an equitable method to collect revenue from those properties that place a demand on the system. Revenue is generated by charging all property owners a monthly stormwater fee, based on the property's impact on the stormwater system. At that time, the Village created a plan for establishing stormwater fees that would increase revenues over a 15-year period, allowing the Village

to move from the current level of service to the recommended level within that time frame. The plan calls for annual increases in the stormwater utility fee of approximately 8.7% per year, which would increase the annual revenue available for stormwater management fees from its current level of \$5.6 million in 2022 to about \$10 million in 2029. This fee is expected to produce \$6.7 million in revenues in 2024.

The following table shows how the new stormwater rates will impact a single family resident, a typical commercial user, and a typical industrial user in 2024:

User Category	ERU	Current Bi-Monthly Bill	Proposed 2024 Bi-Monthly Bill
Single Family Residence (2,501-4000 s.f. of impervious area)	1	\$31.86	\$34.62
Typical Commercial User	20	\$637.20	\$692.40

#### *Motion to Fund EDC*

The adopted budget includes \$595,000 in funding for the Downers Grove Economic Development Corporation. This amount is consistent with the budget that was prepared by the EDC. Annually, this partner organization will be requesting funding from the Village to support their operations.

#### *Motion to Fund Downtown Management*

The proposed budget includes \$416,005 in funding for the Downtown Management Corporation. This amount is consistent with the budget that was prepared by Downtown Management. Annually, this partner organization will be requesting funding from the Village to support their operations.

#### *Employee Administrative Rules (Personnel Manual)*

From time to time, revisions to the Village's Personnel Manual are necessary in order to, among other things, respond to changes in State and federal laws and to mirror current personnel practices within the Village. The proposed revisions being presented for consideration include the following:

- Revised the time off provisions to comply with the Paid Leave for All Workers Act, P.A. 102-1143, which becomes effective January 1, 2024.
- Revised verbiage throughout the personnel manual to clear up potential ambiguities.

#### *Chapter 1 and 2 of the Municipal Code*

It is necessary to periodically revise select provisions of the Village Code to ensure that all provisions of the Code are in compliance with new State and Federal laws that may be passed. Moreover, revisions are often necessary to ensure that the Code is commensurate with current policies or procedures of the Village. The proposed revisions being presented for consideration include the following:

- Add a new Section, Section 1.61 entitled "Home Rule Authority", which explicitly states that all actions undertaken by the Village Council are presumed to be undertaken as an exercise of the Village's Home Rule Authority
- Amend Rule 2 of Section 2.5 to comply with an amendment to the Illinois Open Meetings Act which provides a new reason for which Village Council members may attend meetings remotely
- Amend Rule 32 of Section 2.5 to remove a mention of "motion" from the types of Council actions that require four (4) or more affirmative votes

- Amend Rule 36 of Section 2.5 to allow a member of the Council to address the Council with regard to certain events not sponsored by the Village or other local civic organizations
- Delete the provisions of Section 2.5.1, Standing Council Committees, and reserve the same as such standing committees are not actually formed

## **ATTACHMENTS**

Water Rate Ordinance

Stormwater Rate Ordinance

Motion to Fund EDC

Motion to Fund Downtown Management

Employee Administrative Rules (Personnel Manual) Ordinance

Chapter 1 & 2 Ordinance Amendment

VILLAGE OF DOWNERS GROVE  
COUNCIL ACTION SUMMARY

INITIATED: Village Manager DATE: December 19, 2023  
(Name)

RECOMMENDATION FROM: \_\_\_\_\_ FILE REF: \_\_\_\_\_  
(Board or Department)

**NATURE OF ACTION:**

**STEPS NEEDED TO IMPLEMENT ACTION:**

- Ordinance
- Resolution
- Motion
- Other

Motion to Adopt "AN ORDINANCE AMENDING CERTAIN WATER BILLING PROVISIONS", as presented.



**SUMMARY OF ITEM:**

Adoption of the attached ordinance shall amend the Municipal Code regarding certain water billing provisions.

**RECORD OF ACTION TAKEN:**

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## 2024-Water Rates &amp; Provisions

## ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING CERTAIN WATER BILLING PROVISIONS**

BE IT ORDAINED by the Village Council of the Village of Downers Grove in DuPage County, Illinois, as follows: (Additions are indicated by redline/underline; deletions by ~~strikeout~~):

**Section 1. That's Section 25.17 is hereby amended to read as follows:****Sec 25.17 Application For Water Service**

No person shall use water from the Village water system ~~until he has filed~~prior to filing an application a utility account request with the Village ~~Treasurer~~ on forms provided for that purpose. ~~The application shall contain the provision that it is being signed subject to all rules and regulations then in force or that may thereafter be adopted by the Village Council.~~

If water is used from the Village water system at a location from which a current, corresponding utility account request has not been filed, the Village shall charge, jointly and severally, the owner and occupant of the property in which the water tap or meter connection is located for all costs related to said water use in conformity with the provisions of this Chapter.

Any person who uses water from the Village water system is subject to all rules and regulations then in force or that may thereafter be adopted by the Village Council.

A person who is responsible for the payment of the use of water from the Village water system may be referred to throughout this Chapter as a "customer" or "user". All applications for water service shall be valid for one (1) year from the date of issuance. All applications one year from the date of issuance will be considered invalid. All fees paid on such invalid applications shall be forfeited unless a written request for refund is submitted within thirty (30) days after such application is considered invalid.

(Ord. No. 2942, § 1) (3976, Amended, 10/06/1997)

**Section 2. That Section 25.18 is hereby amended to read as follows:****Sec 25.18 Deposit**

- (a) Each ~~applicant for water service~~person filing a utility account request, except as provided in subsections (c) ~~and (d)~~, shall pay to the Village a cash deposit as security for payment of all charges incurred under any provision of this Chapter connection with water service to the premises covered by such request. The amount of such cash deposit shall be the estimated maximum water service charge for such premises for a two (2) month period, as determined by the Village, as set forth in Administrative Regulation entitled "User-Fee, License and Fine Schedule". If a utility account request was not filed with the Village prior to the use of water on a premises, the owner and occupant of the premises shall be jointly and severally liable for the payment of such cash deposit.
- (b) The cash deposit shall be paid to the Village prior to connection, or at the Village Manager's discretion in cases in which water service to the premises has not been interrupted, no later than

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thirty days from the date the ~~application-utility account request~~ is received, or should have been received, by the Village.

~~(e) An applicant person submitting a utility account request for in relation to water service to a single-family dwelling unit may deposit with the Village, in lieu of such cash deposit, an agreement to pay to the Village upon demand the full amount of all charges incurred under any provision of this Chapter provided that the following conditions are met:~~

- ~~1. That the person submitting the request applicant for such service is the owner of the premises to be served;~~
- ~~2. That the person submitting the request applicant has no unpaid bills for water service at the same or a different address in the Village;~~
- ~~3. That the person submitting the request applicant has not made two late payments of bimonthly bills during the preceding twelve (12) month period; and~~
- ~~4. That the person submitting the request applicant has not previously received the benefit of any tampering with pipes, metering devices or other water supply equipment.~~

~~(d)(c)~~ An applicant person submitting a utility account request for in relation to water service to a business may deposit with the Village, in lieu of such cash deposit, a performance bond issued by a surety company licensed to do business in the State of Illinois to guarantee full and timely payment of all charges imposed under this Chapter. The amount of such bond shall be the estimated maximum water service charge for the premises for a twelve (12) month period, as determined by the Village. Such bond shall include a provision prohibiting termination without written notice mailed to the Village at least thirty (30) days prior to the termination thereof.

~~(e)(d)~~ Upon discontinuance of water service to the customer making the cash deposit, the excess, if any, of such deposit over the amount of all unpaid charges incurred under any provision of this Chapter shall be refunded.

(Ord. No. 2942, § 1; Ord. No. 3326, § 1) (Ord. 5274, Amended, 08/21/2012; Ord. 5167, Amended, 11/09/2010; 4334, Amended, 11/06/2001)

**Section 3. That Section 25.20 is hereby amended to read as follows:**

**Sec 25.20 Denial Of Service**

- (a) If, after a review of its own records, the Village finds that ~~an applicant for water service~~ customer, or an owner or occupant, as the case may be, has failed to pay past due charges for water service at the same or at another address in the Village, the Village may refuse to provide service unless the ~~customer, applicant or owner or occupant, as the case may be~~, pays any past due bill or enters into a deferred payment agreement pursuant to DGMC Section 25.36 herein. Except as otherwise provided by State law, service shall not be denied for nonpayment of bills other than those for water service.
- (b) The Village may refuse to provide water service to any premises for which a claim of lien for unpaid charges for water service was filed with the recorder of DuPage County in accordance with DGMC Section ~~25.3725.33(e)~~ 25.33(e) on or before the date of ~~application for service~~ the utility

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~~account request~~, unless the ~~applicant for service~~ person submitting the request, owner or occupant tenders to the Village the amount of the charges due.

**(Ord. No. 2942, § 1) (Ord. 4660, Amended, 03/15/2005)**

**Section 4. That Section 25.21 is hereby amended to read as follows:**

**Sec 25.21 Notice Of Change Of Owner Or ~~Occupant~~Tenant**

In the event of a change in owner or ~~occupant~~tenant, the Village shall be promptly notified and a new ~~application-utility account request~~ shall be filed with the Village ~~signed~~. The customer in whose name water service is provided shall be responsible to the Village for all charges incurred through the date on which the change in possession is effective or the date on which the Village is notified of the change, whichever is the first to occur ~~later~~.

If after a change in owner or occupant a utility account request is not filed with the Village, the Village may charge to the current owner and occupant, jointly and severally, all unpaid charges for water service and any related cash deposit that have been incurred since the date in which a utility account request should have been filed with the Village, as determined by the Village.

(Ord. No. 2942, § 1)

**Section 5. That Section 25.22 is hereby amended to read as follows:**

**Sec 25.22 Discontinuance Of Water Service At Customer's Request**

Water service ~~may~~shall be discontinued within forty-eight (~~48~~) hours after notice to the water billing department. Upon receipt of notice to discontinue water service a final meter reading shall be taken.

(Ord. No. 2942, § 1) (Ord. 5274, Amended, 08/21/2012)

**Section 6. That Section 25.29. is hereby amended to read as follows:**

**Sec 25.29 Rates And Charges For Metered Water**

Water will be furnished to consumers only at rates and charges determined as follows:

- (a) The charge for water furnished to ~~consumer~~customers located within the Village limits shall be calculated on a flat rate basis as set forth in the following schedule:
  - (1) Within Village Limits: For bills received after July 1, ~~2023~~2024:
  - (2) ~~Six~~Seven dollars and ~~eighty-two~~eight cents (~~\$6.82~~\$7.08) for property within Village limits will be charged for the consumption of every one hundred (100) cubic feet.
  - (3) Outside Village Limits: For bills received after July 1, ~~2023~~2024:
    - a. ~~Seven~~Eight dollars and ~~eighty-one~~ten cents (~~\$7.81~~\$8.10) for property outside the Village limits will be charged for the consumption of every one hundred (100) cubic feet.
- (b) In addition to the fees listed above, a bi-monthly maintenance fee shall be assessed as follows:

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Water Meter Size	Bi-Monthly Fee
5/8" <sub>—</sub>	<del>\$16.30</del> <a href="#">\$17.77</a>
1" <sub>—</sub>	<del>\$24.46</del> <a href="#">\$26.66</a>
1 1/2" <sub>—</sub>	<del>\$81.55</del> <a href="#">\$88.89</a>
2" <sub>—</sub>	<del>\$130.46</del> <a href="#">\$142.20</a>
3" <sub>—</sub>	<del>\$244.64</del> <a href="#">\$266.66</a>
4" <sub>—</sub>	<del>\$407.74</del> <a href="#">\$444.44</a>
6" <sub>—</sub>	<del>\$815.43</del> <a href="#">\$888.82</a>
10" <sub>—</sub>	<del>\$1,957.03</del> <a href="#">\$2,133.16</a>

- (c) The charges for water furnished to any building or portion thereof used for multiple-family residence purposes or mixed business and residential uses (except buildings having separate meters for each dwelling unit or use therein) shall be the aggregate of the applicable charges for each dwelling unit or use in such building or portion thereof served through a single meter, computed as though each such dwelling unit or use:
- (1) Was a separate building connected to a separate water meter; and
  - (2) Consumed during such two-month billing period a quantity of water determined by dividing the total water consumption of such multiple-family or mixed use building by the number of dwelling units or uses contained in such building or portion thereof.
- (d) During the month of January in each year, any purchaser of water from the Village for resale, in whole or in part, to consumers located outside the Village limits shall file with the Village Treasurer a sworn written statement setting forth the number of separate dwelling units served by such purchaser as of the date of such statement, including all separate single-family buildings and all separate dwelling units contained within buildings used for multiple-family residence purposes. The charges for water furnished to any such purchaser shall be two times the aggregate of the applicable charges for each such dwelling unit, computed as though each such dwelling unit:
- (1) Was a separate single-family building connected to a separate water meter; and
  - (2) Consumed during such two-month billing period a quantity of water determined by dividing the total water consumption of such purchaser by the number of dwelling units set forth in the latest sworn statement on file with the Village treasurer with respect to such purchaser.

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- (e) The charges for water furnished to contractors acquiring water from the hydrant connection at the Public Works Facility, 5101 Walnut, Downers Grove, shall be two hundred percent (200%) of the rate listed in subsection (a)(1)(i), above.
- (f) The charges for water furnished to contractors taking water from public hydrants other than at the Public Works yard shall be two hundred percent (200%) of the rate listed in subsection (a)(1)(i), above.

(Ord. No. 2942, § 1; Ord. No. 3209, § 1; Ord. No. 3326, § 5; Ord. No. 3424, § 2; Ord. No. 3437, § 2) (Ord. 5785, Amended, 12/10/2019; Ord. 5763, Amended, 05/21/2019; Ord. 5698, Amended, 05/08/2018; Ord. 5619, Amended, 05/16/2017; Ord. 5423, Amended, 12/02/2014; Ord. 5348, Amended, 12/03/2013; Ord. 5290, Amended, 12/04/2012; Ord. 5235, Amended, 12/06/2011; Ord. 5167, Amended, 11/09/2010; Ord. 5133, Amended, 05/04/2010; Ord. 5004, Amended, 10/07/2008; Ord. 4685, Amended, 06/21/2005; Ord. 4684, Amended, 06/07/2005; Ord. 4500, Amended, 05/06/2003; 3976, Amended, 10/06/1997; 3538, Amended, 02/25/1993; 3437, Amended, 02/17/1992; 3424, Amended, 01/13/1992)

### HISTORY

*Amended by Ord. 5815 on 5/12/2020*

*Amended by Ord. 5856 Water Rates 2021 on 12/15/2020*

*Amended by Ord. 5909 Water Rates 2022 on 12/21/2021*

*Amended by Ord. 5972 Water Rates 2023 on 12/20/2022*

### **Section 7. That Section 25.31 is hereby amended to read as follows:**

#### **Sec 25.31 Extra Charges**

Each water service connection shall be subject to additional charges, to the extent applicable from time to time. Such fees shall be set forth in Administrative Regulation entitled “User-Fee, License and Fine Schedule”.

For the purpose of shutting off water service at buffalo box or meter, at request of ~~a customer~~~~consumer~~, the actual cost of disconnection of water service pipes shall be charged, except that no charge will be made for shutting off or turning on water service for the repair of leaks between the buffalo box and meter for a maximum of two (2) ~~customer~~~~consumer~~ requests per leak, per year. This fee shall be due and payable from and after the actual shut-off.

Reconnection of service fee shall be due and payable from and after the date of actual service reconnection.

Late fee for payments received after billing due date.

Handling and service charge for all accounts that are notified of termination of services for non-payment.

Disconnection of water service pipes for which a handling and service charge was not charged.

(Ord. No. 2942, § 1; Ord. No. 3379, § 4) (Ord. 5167, Amended, 11/09/2010; Ord. 4802, Amended, 08/01/2006; Ord. 4695, Amended, 07/05/2005; 4282, Amended, 04/03/2001; 3976, Amended, 10/06/1997)

### **Section 8. That Section 25.33 is hereby amended to read as follows:**

#### **Sec 25.33 Billing Generally**

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- (a) *Regular bills sent to owner.* Regular bimonthly bills for water service and other charges under this Chapter shall be rendered to the person designated on the Village records as soon as practical, but in no event later than the tenth (10th) day of the month next following the reading of the meter. The owners of the premises, the occupant thereof and the user of the service shall be jointly and severally liable to pay for the service to such premise, and the service is furnished to the premises by the Village only upon the condition that the owner of the premises, occupant and user of the services are jointly and severally liable therefore to the Village. Upon the submission of a utility account request request, in connection with a sale or other transfer of the premises or other change of person responsible for service charges, the Village may make a special meter reading and render a special billing for water services and other charges incurred up to the date of such meter reading.
- (b) *Bills for meter consumption.* Except as hereinafter provided, a bill for water usage shall be rendered for each primary meter in accordance with the consumption registered thereon. Bills for buildings used for multiple-family residence purposes or mixed business and residential uses which have more than one (1) primary meter (but not having separate meters for each dwelling unit or use therein) shall be based upon the combined consumption registered on the several meters, in accordance with DGMC Section 25.29; except that separate bills shall be rendered for each meter for which the number of dwelling units or uses served by such meter can be determined from inspection of the plans for such building.
- (c) *Payment due date.* Payment must be received by the Village by close of business on the due date printed on the bill or a late charge of ten percent (10%) shall be due after such due date, which due date shall not be earlier than the fifteenth (15th) day of the month in which the bill is rendered.
- (d) *Delinquent bills.* If the charges for such services are not paid for forty-five (45) days after the rendition of the bill for such services, such services mayshall be discontinued without further notice and shall not be reinstated until all claims are settled.
- (e) *Lien and notice of delinquency.* Whenever a bill for service remains unpaid for forty-five (45) days after it has been rendered, the Village Treasurer shall file with the County Recorder of Deeds a statement of lien claim. This statement shall contain the legal description of the premises served, the amount of the unpaid bill, the date when such amount became delinquent and a notice that the Village claims a lien for this amount as well as for all charges subsequent to the period covered by the bill. If the ~~customer~~user whose bill is unpaid is not the owner of the premises and the Village Treasurer has notice of this, notice shall be mailed to the owner of the premises ~~if his/her address be known to the Treasurer,~~as determined by reference to the person then responsible for the payment of property taxes for the premises as set forth in County property tax records, whenever such bill remains unpaid for the period forty-five days after it has been rendered. The failure of the Village Treasurer to record such lien 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 bills as mentioned in the foregoing Section. Upon payment of the lien amount by the owner of, or persons interested in, said real estate after a lien has been filed, the Village shall issue to the owner of the real estate a release of lien, which may be filed with the County Recorder of Deeds. The Village shall not be liable for any fees or costs related to recording a release of lien.
- (f) *Foreclosure of lien.* Property subject to a lien for unpaid charges shall be sold for non-payment of the same, and the proceeds of the sale shall be applied to pay the charges, after deducting costs, as is in case in the foreclosure of statutory liens. Such foreclosure shall be by bill-in equity in the name of the Village. 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

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which the bill has remained unpaid forty-five (45) days after it has been rendered. The Village Attorney is entitled to attorney fees as determined by the court.

- (g) *Revenues.* All revenues and moneys derived from the operation of the water system shall be credited in the water account of the water fund. All such revenues and moneys shall be accounted for by the Village Treasurer separate and apart from private funds and separate and apart from all other funds of the Village Treasurer not more than ten days after receipt of same, or at such more frequent intervals as may from time to time be directed by the Village Council. The Village Treasurer shall receive all such revenues from the water system and all other funds and moneys incident 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 “Water Fund of the Village of Downers Grove”. Said Treasurer shall administer such fund in every aspect in the manner provided by State law or Village Ordinance statute.
- (h) *Accounts.* The Village 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 water system, and at regular annual intervals he/she shall cause to be made an audit by an independent auditing concern of the books to show the receipts and disbursements of the water system. In addition to the customary operating statements, the annual audit report shall also reflect the revenues and operating expenses of the water facilities. The financial information to be shown in the audit report shall include the following:
- (1) Flow data showing total gallons received at the water plant for the current fiscal year.
  - (2) Billing data to show total number of gallons billed per fiscal year.
  - (3) Debt service for the next succeeding fiscal year.
  - (4) Number of users connected to the system.
  - (5) Number of non-metered users
- ~~(i) *Access to records.* The IEPA or its authorized representative shall have access to any books, documents, papers and records of the Village which are applicable to the Village system of user charges for the purpose of making audit, examination, excerpts and transcriptions thereof to insure compliance with the terms of the Belmont Park Grant.~~
- (i) *Appeals.* The method for computation of rates and service charges established for user charges shall be made available to a user within ten (10) business days of receipt of a written request for such. Any disagreement over the method used or in the computations thereof shall be remedied by the Village Manager within ten (10) business days after notification of a formal written appeal outlining the discrepancies.

(Ord. No. 2942, § 1; Ord. No. 3326, § 6; Ord. No. 3405, § 1) (Ord. 5274, Amended, 08/21/2012; Ord. 4852, Amended, 02/20/2007, his to his/her(s); Ord. 4519, Amended, 06/17/2003)

**Section 9. That Section 25.37 is hereby amended to read as follows:**

**Sec 25.37 ~~Reserved.Collection Of Unpaid Charges By Lien On Property~~**

- ~~(a) Whenever the charges for water services remain unpaid for forty five (45) days after the date they become due and payable, the Village Treasurer shall cause to be filed with the recorder of DuPage County, a statement of lien claim covering the amount claimed by the Village as~~

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~~delinquent for the water department services rendered to the premises. This statement shall contain a description of such real estate sufficient for identification thereof; the amount of money due for such water services; and the date when such amount became delinquent. Upon payment of the cost and expense by the owner of, or persons interested in, said real estate, after the notice of lien has been filed, the Village shall issue a release of such lien, which may be filed of record in said recorder's office.~~

~~(b) If the Village Treasurer has notice that the consumer to whom the water services were supplied is not the legal owner of the premises, notice shall be mailed to the legal owner of the premises at his/her last known address, whenever charges for water services remain unpaid for a period of forty five (45) days after they become due and payable. Failure of the Village Treasurer to mail such notice or to record such lien claim, or the failure of the legal owner to receive such notice, shall not affect the right of the Village to foreclose the lien for unpaid water service charges as provided for in this Section.~~

(Ord. No. 2942, § 1) (Ord. 5274, Amended, 08/21/2012; Ord. 4852, Amended, 02/20/2007, his to his/her(s))

**Section 10.** That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**Section 11.** That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

\_\_\_\_\_  
Mayor

Passed:  
Published:  
Attest: \_\_\_\_\_  
Village Clerk

I:\mw\ord.23\Water Rate-24