

**ORDINANCE NO. 2016 - 2169**

**AN ORDINANCE AMENDING THE WESTCHESTER MUNICIPAL CODE  
REGARDING THE BILLING AND PAYMENT PROCEDURES FOR WATER AND  
SEWER SERVICE WITHIN THE VILLAGE OF WESTCHESTER**

**WHEREAS**, the corporate authorities of the Village of Westchester (“Village”) deem it in the best interest of the Village to amend Section 2.60.140, entitled “Billing – Rates – Terms of payment – Penalty – Water Shutoff”, of Chapter 2.60 entitled, “Water Department”, of Title 2, entitled “Administration and Personnel”, of the Westchester Municipal Code in order to eliminate the monthly minimum charge for water service and implement a monthly infrastructure fee for water service in order to provide revenue for infrastructure projects and offset operating and maintenance costs of the Village’s water system; and

**WHEREAS**, the corporate authorities of the Village deem it in the best interest of the Village to amend Section 15.14.040, entitled “Rates and charges established”, of Chapter 15.14, entitled “Sewers, Sewage Disposal and User Rates”, of Title 15, entitled “Water and Sewers”, of the Westchester Municipal Code in order to convert the billing interval for sewage disposal by domestic users from quarterly to monthly and to implement an infrastructure fee for sewage disposal in order to provide revenue for infrastructure projects and to offset operating and maintenance costs of the Village’s sewer system.

**NOW, THEREFORE, BE IT ORDAINED**, by the President and Board of Trustees of the Village of Westchester, Cook County, Illinois, as follows:

**Section 1.** Section 2.60.140, entitled “Billing – Rates – Terms of payment – Penalty – Water Shutoff,” of Chapter 2.60, entitled "Water Department," of Title 2, entitled “Administration and Personnel,” of the Westchester Municipal Code are hereby amended as follows:

**2.60.140 – Billing – Rates – Terms of Payment – Penalty – Water Shutoff.**

- (a) Users of water are divided into four classes, designated as follows:
  - (1) Class 1 – Domestic users;
  - (2) Class 2 – Commercial users;
  - (3) Class 3 – Users of water not passing through mains within the Village limits;

- (4) Class 4 – All other users.
- (b) Water supplied to any premises within the Village limits occupied by a Class 1 user, during any month or part thereof shall be charged and billed as follows:
- (1) The rate shall be eight dollars and thirty-five cents (\$8.35) per thousand gallons;
  - (2) An infrastructure fee of four dollars (\$4.00) per month shall be charged to each Class 1 user, in addition to any monthly charge for water supplied to such premises;
  - (3) Bills to Class 1 users shall be rendered at the close of each month, or as soon thereafter as may be practicable;
  - (4) If all charges for water consumed at any premises during any month are not paid within twenty-one (21) days after the bill therefore is rendered, a penalty of ten (10%) percent shall be payable upon the amount of such bill;
  - (5) If a Class 1 user opts out of the radio read installation program, a monthly fee of forty dollars (\$40.00) shall be assessed to the user's water service account, in order to cover the cost to manually read the meter each month.
- (c) Water supplied to any premises within the Village limits occupied by a Class 2 user, during any month or part thereof shall be charged and billed as follows:
- (1) The rate shall be eight dollars and thirty-five cents (\$8.35) per thousand gallons;
  - (2) An infrastructure fee of four dollars (\$4.00) per month shall be charged to each Class 2 user, in addition to any monthly charge for water supplied to such premises;
  - (3) Bills to Class 2 users shall be rendered at the close of each month, or as soon thereafter as may be practicable;
  - (4) If all charges for water consumed at any premises during any month are not paid within twenty-one (21) days after the bill therefore is rendered, a penalty of ten (10%) percent shall be payable upon the amount of such bill;
  - (5) If a Class 2 user opts out of the radio read installation program, a monthly fee of forty dollars (\$40.00) shall be assessed to the user's water service account, in order to cover the cost to manually read the meter each month.

- (d) Contracts shall be made with Class 3 users from time to time upon such terms and conditions as may be approved by the Board of Trustees of the Village of Westchester and by the Board of Trustees of the Village of Broadview and the joint commission known as the Westchester-Broadview joint water commission.
- (e) Class 4 users shall pay such rates and upon such terms of payment as may be fixed by the board of trustees from time to time as each application is submitted and authorized, but in no event at a rate less than two dollars and eighty cents per thousand gallons.
- (f) If all charges for water consumed at any Class 3 or Class 4 premises during any month are not paid within twenty-one (21) days after the bill therefore is rendered, a penalty of ten (10%) percent shall be payable upon the amount of such bill.
- (g) In case any user orders the supply of water discontinued, meters shall read and the bill rendered as soon thereafter as may be practicable.
- (h) Supply of water may be discontinued for failure of the user to comply with provisions of this Chapter, or with terms and provisions of any contract entered into providing for the supply of water to such user.

**Section 2.** Section 2.60.150, entitled “Village rates”, of Chapter 2.60, entitled “Water Department”, of Title 2, entitled “Administration and Personnel”, of the Westchester Municipal Code is hereby amended as follows:

**2.60.150 – Village rates.**

All water consumed by the Village or any department thereof shall be paid for at the rates fixed in Section 2.60.140, and shall be subject to the provisions of this Chapter.

**Section 3.** Section 15.14.040, entitled “Rates and charges established”, of Chapter 15.14, entitled “Sewers, Sewage Disposal and User Rates”, of Title 15, entitled “Water and Sewers”, of the Westchester Municipal Code is hereby amended as follows:

**15.14.040 – Rates and charges established.**

- (a) There are established rates or charges for the use of and for the service supplied by the sewer system of the Village. Users of the Village sewer system are divided into two classes, designated as follows:
  - (1) Class 1 – Domestic users;
  - (2) Class 2 – Commercial users.
- (b) Sewage disposal and user rates for any premises within the Village limits occupied by any tenant, resident or owner during any month or part thereof shall be charged and billed as follows:

- (1) The rate for Class 1 and Class 2 users shall be one dollar and twenty-two cents (\$1.22) per thousand gallons of water supplied to such premises;
- (2) An infrastructure fee of four dollars (\$4.00) per month shall be charged to each Class 1 and Class 2 user, in addition to the monthly charge for sewage disposal;

**Section 4.** Section 15.14.060, entitled “When bills due and payable – Delinquency penalty”, of Chapter 15.14, entitled “Sewers, Sewage Disposal and User Rates”, of Title 15, entitled “Water and Sewers”, of the Westchester Municipal Code is hereby amended as follows:

- (a) Bills to Class 1 and Class 2 users shall be rendered at the close of each month, or as soon thereafter as may be practicable;
- (b) If all charges for sewage disposal and user rates on any premises during any billing period are not paid within twenty-one (21) days after the bill therefor is rendered, a penalty of ten percent (10%) shall be payable upon the amount of such bill.

**Section 5.** This Ordinance shall be in full force and effect on January 22, 2016, after its approval, passage and publication in pamphlet form as provided by law.

**ADOPTED** this 12<sup>th</sup> day of January, 2016, pursuant to a roll call vote as follows:

Angelo A. Calcagno	<u>Aye</u>	Celestine Reda	<u>Aye</u>
Carl C. Celestino	<u>Aye</u>	Nick Steker	<u>Aye</u>
Frank Perry	<u>Aye</u>	Tom Yurkovich	<u>Aye</u>
		President Pulia	<u>Aye</u>

**APPROVED** this 12<sup>th</sup> day of January, 2016.

  
 Sam D. Pulia, Village President

ATTEST:

  
 Sherby J. Miller, Village Clerk