

ORDINANCE NO. 2021- 2373

AN ORDINANCE OF THE VILLAGE OF WESTCHESTER, COOK COUNTY, ILLINOIS  
AMENDING CHAPTER 2.60 "WATER DEPARTMENT" AND CHAPTER 15.14 "SEWERS,  
SEWAGE DISPOSAL AND USER RATES" OF THE WESTCHESTER MUNICIPAL CODE  
RELATED TO WATER AND SEWER USAGE BILLING PROCEDURES

PASSED AND APPROVED BY THE  
PRESIDENT AND BOARD OF TRUSTEES  
THIS 26<sup>th</sup> DAY OF JANUARY 2021

Published in pamphlet form by  
Authority of the Corporate  
Authorities of Westchester, Illinois  
the 26<sup>th</sup> day of January 2021

ORDINANCE NO. 2021-2373

**AN ORDINANCE OF THE VILLAGE OF WESTCHESTER, COOK COUNTY, ILLINOIS AMENDING CHAPTER 2.60 “WATER DEPARTMENT” AND CHAPTER 15.14 “SEWERS, SEWAGE DISPOSAL AND USER RATES” OF THE WESTCHESTER MUNICIPAL CODE RELATED TO WATER AND SEWER USAGE BILLING PROCEDURES**

**WHEREAS**, the Village of Westchester, Cook County, Illinois (the “*Village*”) is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

**WHEREAS**, the Village President and Board of Trustees of the Village of Westchester, Cook County, Illinois (the “*Corporate Authorities*”) may from time to time amend the text of the Westchester Municipal Code (the “*Code*”) when it is determined to be necessary, desirable and in the best interests of the health, safety and welfare of the Village and its residents; and

**WHEREAS**, the Village desires to amend the Village Code related to water and sewer usage billing procedures; and

**WHEREAS**, the Corporate Authorities deem it advisable and in the best interest of the health, safety and welfare of the residents of the Village to amend the Village Code related to water and sewer usage billing procedures.

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

**Section 1:** The above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

**Section 2:** Chapter 2.60 “Water Department” of Title 2 “Administration and Personnel” of the Westchester Municipal Code is hereby amended by deleting the stricken

language and adding the underlined language to read, as follows:

## **Chapter 2.60 – WATER DEPARTMENT**

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

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(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.

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(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:

- (3) Bills to Class 2 users shall be rendered ~~on a bi-monthly (every other month) basis, at~~ the close of each month, or as soon thereafter as may be practicable;

**Section 3:** Chapter 15.14 “Sewers, Sewage Disposal, and User Rates” of Title 15 “Water and Sewers” of the Westchester Municipal Code is hereby amended by deleting the stricken language and adding the underlined language to read, as follows:

## **Chapter 15.14 - SEWERS, SEWAGE DISPOSAL AND USER RATES**

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### **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) For the period beginning July 1, 2017 and ending April 30, 2018, the rate for Class 1 and Class 2 users shall be one dollar and twenty-six cents per thousand gallons of water supplied to such premises; for the period beginning May 1, 2018 and ending April 30, 2019, the rate for Class 1 and Class 2 users shall be one dollar and twenty-nine cents per thousand gallons of water supplied to such premises; for the period beginning May 1, 2019 and ending April 30, 2020, the rate for Class 1 and Class 2 users shall be one dollar and thirty-three cents per thousand gallons of water supplied to such premises; for the period beginning May 1, 2020 and ending April 30, 2021, the rate for Class 1 and Class 2 users shall be one dollar and thirty-seven cents per thousand gallons of water supplied to such premises; for the period beginning May 1, 2021 and ending April 30, 2022, the rate for Class 1 and Class 2 users shall be one dollar and forty-one cents per thousand gallons of water supplied to such premises; for the period beginning May 1, 2022 and ending April 30, 2023, the rate for Class 1 and Class 2 users shall be one dollar and forty-six cents per thousand gallons of water supplied to such premises; for the period beginning May 1, 2023 and ending April 30, 2024, the rate for Class 1 and Class 2 users shall be one dollar and fifty cents per thousand gallons of water supplied to such premises; and for the period beginning May 1, 2024, the rate for Class 1 and Class users shall be one dollar fifty-five cents per thousand gallons of water supplied to such premises.
- (2) An infrastructure fee of five dollars per month for the period beginning July 1, 2017, and an infrastructure fee of six dollars per month for the period beginning May 1, 2019, shall be charged to each Class 1 and Class 2 user, in addition to any monthly charge for water supplied to such premises.
- (3) Bills for sewer services for Class 1 users shall be rendered on a bi-monthly (every other month) basis, or as soon thereafter as may be practicable.
- (4) Bills for sewer services for Class 2 users shall be rendered at the close of each month, or as soon thereafter as may be practicable.

**15.14.060 – When bills due and payable—Delinquency penalty.**

(a) Bills to Class 1 ~~and Class 2~~ users shall be rendered ~~at the close of each month~~ on a bi-monthly (every other month) basis, or as soon thereafter as may be practicable;

(b) Bills to Class 2 users shall be rendered at the close of each month, or as soon thereafter as may be practicable;

~~(b c)~~ If all charges for sewage disposal and user rates on any premises during any billing period are not paid within twenty-one days after the bill therefor is rendered, a penalty of ten percent shall be payable upon the amount of such bill.

**Section 4:** If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

**Section 5:** All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section 6:** The Village Clerk is hereby authorized and directed to publish this Ordinance in pamphlet form and this Ordinance shall be in full force and effect immediately after its adoption, approval and publication to ensure the public health, safety and welfare of the residents of the Village.

*(Intentionally left blank)*

**ADOPTED** this 26<sup>th</sup> day of January 2021, pursuant to a roll call vote as follows:


Angelo A. Calcagno	<u>Absent</u>	Robert Morales	<u>AYE</u>
Cathy Kuratko	<u>AYE</u>	Frank Perry	<u>AYE</u>
Tracy Hart Markey	<u>AYE</u>	Nick Steker	<u>AYE</u>

President Gattuso Absent

**APPROVED** this 26<sup>th</sup> day of January, 2021.

  
\_\_\_\_\_  
Paul Gattuso, Village President

ATTEST:

  
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Stanley V. Kolodziej, Village Clerk

Greg Hribal, Deputy Clerk