

ORDINANCE NO. 01-2004

AN ORDINANCE TO FURTHER AMEND ORDINANCE NO. 0-5-73, AS AMENDED BY ORDINANCE NO. 03-98, ORDINANCE NO. 12-92, ORDINANCE 02-2000 and ORDINANCE NO. 16-2003 OF THE CITY OF ATHENS, MENARD COUNTY, STATE OF ILLINOIS, SO AS TO PROVIDE CURRENT WATER RATES, WATER SERVICE TAP ON FEES AND SEWER SERVICE TAP ON FEES

WHEREAS, it has been determined by the City Council of the City of Athens, Menard County, State of Illinois, that Section 310 of Ordinance #0-5-73, as amended by Ordinance No. 03-98, Ordinance No. 12-92, Ordinance No. 02-2000, Ordinance No. 16-2003 should be further amended so as to provide for an increase in security deposits for application for sewer service and tap on;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ILLINOIS:

Section 1. That Section 310 of Ordinance No. 0-5-73, as thereafter amended by Ordinance No. 02-2000, of the City of Athens, Illinois, be further amended so as to delete the present Section 310 of said amended Ordinance and substitute therefor the following language as a new Section 310:

Section 310. APPLICATION FOR SEWER SERVICE AND TAP ON: INFORMATION TO BE SHOWN. Each applicant for sewer service shall file with the CITY WATERWORKS AND SEWERAGE SYSTEM an application therefor, in writing, setting forth the name of such applicant, the location of the premises for which supply or service is sought, the name of the owner of the premises, if other than the applicant, the nature of such service. A \$150.00 security deposit with the application shall be required which shall be refundable (unless there is a default in payment of water and/or sewer bills) as follows:

- a.) If the applicant is the owner in fee simple of the pertinent premises, the deposit shall be refunded after one (1) year unless there has been a default in timely payment of water and/or sewer bill payment, in which event, the deposit shall be refunded after one (1) year from the date of the last default.
- b.) If the applicant is purchasing the pertinent premises on a Contract for Deed or Installment Contract, the deposit shall be refunded after two (2) years unless there has been a default in timely payment of water and/or sewer bill payment, in which event, the deposit shall be refunded after two (2) years from the date of the last default.

- c.) If the applicant is leasing the pertinent premises, the deposit shall be refunded at the time that the lease (or extension thereof) expires.
- d.) The owner in fee simple of any premises leased shall be jointly and severally liable with the lessee for all sums due under this Ordinance.

If water and sewer services for any applicant are thereafter terminated for nonpayment of water and sewer bills, the refund period shall recommence for the applicable period on the date the delinquent bill is paid. The security deposit shall be held by the city as security for payment for the water and sewers used by the applicant and may be so applied by the city when said applicant's water and/or sewer bill is in default as provided herein. Should such applicant for sewer service request a tap on connection he shall further provide a plan of, specifications of, and cost estimate of, such connection, tap on, and all sewer lines to be used in said proposed service from the point of the tap on to the point of use and the sum of SIX HUNDRED DOLLARS (\$600.00) plus the cost of all materials and labor, whether within or without the City limits, whether or not said applicant is the record fee simple owner of the premises, said sum to be in addition to the above sum required of applicants for sewer service. A reconnection fee of \$25.00 shall be due prior to any reconnection.

Section 2. That all ordinances, resolutions and parts thereof in conflict herewith are hereby repealed.

Section 3. That this ordinance shall be in full force and effect after its passage, signing, recordation and publication as provided by law.

PASSED by the City Council and APPROVED by the Mayor this 8th day of March, A.D. 2004.

AYES: McDermott, Beck, Chandler, Daellman, McKee, Nichols, & Shirley

NAYES: 0

ABSENT: 0

Robin J. Richardson
Mayor, City of Athens

(CORPORATE SEAL)

ATTEST:
Geneva L. Gray
City Clerk