

CHAPTER 3

CHARGES AND RATES

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4-3-1-1: Water and Sewer and Stormwater Service Charges Within Corporate Limits

There shall be and are hereby established charges and rates for the use of and for the service supplied by the combined waterworks and sewerage system of the Village where the premises to which such service and use is furnished are located within the corporate limits of the Village. Use and service for water shall be metered and the bimonthly charges for water, sewer and stormwater service shall be as set forth below. Rates are shown for the fiscal year to which they apply. A fiscal year begins on October 1 and ends on September 30. For example Fiscal Year 2008 begins on October 1, 2007 and ends on September 30, 2008. Effective January 1, 2010, the fiscal year of the Village will be January 1 to December 31. The fifteen-month period from October 1, 2008 to December 31, 2009 will be a modified fiscal year. Bills may be paid by VISA, MASTERCARD and DISCOVER as well as check or cash. A 10% penalty shall be added to all bills not paid by the due date on the bill. (Ord. 4336, 2-4-08)

A. Water Charges and Rates

Bimonthly service charge per billing unit (except as otherwise determined by the Village for residential lawn-sprinkler only accounts)

| FY2008 | FY2009 | FY2010 | FY2011 | FY2012 |
|--------|--------|--------|--------|--------|
| \$7.51 | \$7.73 | \$7.96 | \$8.20 | \$8.45 |

(Ord. 4332, 1-21-08)

Bimonthly usage charge per 1,000 gallons or part thereof of water supplied

| | FY2008 | FY2009 | FY2010 | FY2011 | FY2012 |
|-----------------------------------|--------|--------|--------|--------|--------|
| Level 1 less than 9000 gallons | \$3.34 | \$3.44 | \$3.54 | \$3.64 | \$3.75 |
| Level 2 9,000 to less than 18,000 | \$4.17 | \$4.29 | \$4.42 | \$4.56 | \$4.69 |
| Level 3 18,000 gallons and over | \$5.00 | \$5.15 | \$5.31 | \$5.47 | \$5.63 |

(Ord. 4332, 1-21-08)

B. Sewer Charges and Rates

Bimonthly volume charge per 1000 gallons or part thereof of water supplied

| FY2008 | FY2009 | FY2010 | FY2011 | FY2012 |
|--------|--------|--------|--------|--------|
|--------|--------|--------|--------|--------|

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|--------|----------------------------|---------|---------|---------|---------|
| (2/08) | \$0.49 | \$0.54 | \$0.60 | \$0.62 | \$0.64 |
| | Residential Sewer Bill Cap | | | | |
| | FY2008 | FY2009 | FY2010 | FY2011 | FY2012 |
| | \$16.20 | \$17.82 | \$19.60 | \$20.39 | \$21.00 |

C. Stormwater Service:

Bimonthly charge per 1000 gallons or part thereof of water supplied shall be

| | | | | |
|--------|--------|--------|--------|--------|
| FY2008 | FY2009 | FY2010 | FY2011 | FY2012 |
| \$0.56 | \$0.70 | \$0.77 | \$0.81 | \$0.83 |

D. Residential lawn-sprinkler-only accounts shall not be required to pay sewer or stormwater charges.

4-3-1-2: Water and Sewer Service Charges Outside of Corporate Limits

There shall be and are hereby established charges and rates for the use of and for the service supplied by the combined waterworks and sewerage system of the Village, where the premises to which such service and use is furnished are located outside the corporate limits of the Village. Use and service for water shall be metered and the bimonthly charge for water, sewer and stormwater service shall be as set forth below. Rates are shown for the fiscal year to which they apply. A fiscal year begins on October 1 and ends on September 30. For example Fiscal Year 2008 begins on October 1, 2007 and ends on September 30, 2008. Effective January 1, 2010, the fiscal year of the Village will be January 1 to December 31. The fifteen-month period from October 1, 2008 to December 31, 2009 will be a modified fiscal year. Bills may be paid by VISA, MASTERCARD or DISCOVER, as well as by check or cash. A 10% penalty shall be added to all bills not paid by the due date on the bill. (Ord. 4336. 2-4-08)

A. Water Charges and Rates

Bimonthly service charge per billing unit

| | | | | |
|--------|--------|--------|--------|--------|
| FY2008 | FY2009 | FY2010 | FY2011 | FY2012 |
| \$7.51 | \$7.73 | \$7.96 | \$8.20 | \$8.45 |

(Ord. 4332, 1-21-08)

Bimonthly usage charge per 1,000 gallons or part thereof of water supplied

| | | FY2008 | FY2009 | FY2010 | FY2011 | FY2012 |
|---------|--------------------------|--------|--------|--------|--------|--------|
| Level 1 | less than 9000 gallons | \$5.14 | \$5.29 | \$5.45 | \$5.62 | \$5.79 |
| Level 2 | 9000 to less than 18,000 | \$6.43 | \$6.62 | \$6.82 | \$7.02 | \$7.23 |
| Level 3 | 18,000 and over | \$7.71 | \$7.94 | \$8.18 | \$8.43 | \$8.68 |

(Ord. 4332, 1-21-08)

B. Bulk Water Rates for Citizens Utility Service to Alpine Heights

Bimonthly service charge per billing unit

| | | | | |
|--------|--------|--------|--------|--------|
| FY2008 | FY2009 | FY2010 | FY2011 | FY2012 |
| \$7.51 | \$7.73 | \$7.96 | \$8.20 | \$8.45 |

(Ord. 4332, 1-21-08)

Bimonthly usage charge per 1,000 gallons or part thereof of water supplied

| | | | | |
|--------|--------|--------|--------|--------|
| FY2008 | FY2009 | FY2010 | FY2011 | FY2012 |
| \$3.18 | \$3.28 | \$3.37 | \$3.48 | \$3.58 |

(Ord. 4332, 1-21-08)

C. Sewer Charges and Rates (except Alpine Heights)

Bimonthly volume charge per 1,000 gallons or part thereof of water supplied

| | | | | |
|--------|--------|--------|--------|--------|
| FY2008 | FY2009 | FY2010 | FY2011 | FY2012 |
|--------|--------|--------|--------|--------|

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|--------|--------|--------|--------|--------|--------|
| (2/08) | \$1.09 | \$1.20 | \$1.32 | \$1.37 | \$1.42 |
|--------|--------|--------|--------|--------|--------|

D. Stormwater Service (except Alpine Heights)

Bimonthly charge per 1,000 gallons or part thereof of water supplied shall be

| FY2008 | FY2009 | FY2010 | FY2011 | FY2012 |
|--------|--------|--------|--------|--------|
| \$0.42 | \$0.52 | \$0.58 | \$0.60 | \$0.62 |

(Ord. 3587, 1-21-02; Amd. Ord. 3974, 1-17-05; Amd. Ord. 4295, 10-15-07; Amd. Ord. 4332, 1-21-08)

4-3-1-3: BILLING ERRORS:

An error in water and/or sewer charge billing shall not constitute waiver of claim for adjustment.

4-3-1-4: UNIT DEFINED; ONE METER SERVING SEVERAL UNITS, CALCULATING CHARGES:

A unit, for the purposes of this Section, shall be a residential dwelling unit, an industrial or business establishment, public building, fraternal, eleemosynary or religious institution. (Ord. 3232, 3-16-99)

4-3-1-5: ADJUSTMENT OF RATES:

The water and sewer charges and rates herein in this Section set forth shall be adjusted from time to time as follows:

Any increase or decrease in the charges made by the City of Chicago, Illinois and/or by the Village of Oak Lawn, Illinois for water supplied shall be directly factored into the rates effective on the first day of the month following such changes.

Any increase or decrease in the charges made for electrical energy other than the adjustment for summer and winter usage shall be directly factored into the rates effective on the first day of the month following such change in electrical energy charges.

Personal services, contractual services, (excluding purchased water and electricity) commodities and departmental cost transfers shall be factored into said rates on October 1 of each year, based on the annual budget for the fiscal year commencing on said date, passed by the Board of Trustees of the Village.

(Ord. 1402, 12-27-84; eff. 2-1-85)

4-3-2: LIABILITY FOR PAYMENT OF CHARGES:

The owner of the premises, the occupant thereof and the user of the service shall be jointly and severally liable to pay for the service on such premises 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 service are jointly and severally liable therefore to the Village. (Ord. 1129, 11-16-81)

4-3-3: RENDITION OF BILLS:

It is hereby made the duty of the Director of Finance to render bills for service and all other charges in connection therewith and to collect all moneys due thereon. All bills for service shall be rendered indicating a due date not less than fifteen (15) days after the bill is mailed. A penalty of ten percent (10%) shall be added to all bills paid after the due date so indicated. A bill shall not be considered past due unless the payment is received by the Village after the due date printed on the bill. VISA and MASTERCARD may be used for payment bills.

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4-3-4: DELINQUENT PAYMENTS:

In the event the charges for service are not paid by the due date, such charges shall be deemed and are hereby declared to be delinquent, and thereafter such delinquencies shall constitute liens upon the real estate for which such service is supplied and the Village Finance Director or his or her designee is hereby authorized to file sworn detailed statements showing such delinquencies in the office of the Recorder of Deeds or the office of the Registrar of Titles, Cook County, Illinois, and the notice of lien shall be sent to the tax payer shown on the tax bill of the property involved as the owner of record if the user is not the owner of the parcel involved. The Village may also, at its election, institute a civil action to recover such delinquent charges. The notice of lien shall be in substantially the form designated on file in the office of the Village Clerk. In the event the charges for such service become delinquent as defined above, the Village Finance Director or his or her designee is hereby authorized and directed to cause no later than fifteen (15) days thereafter notification to be given in writing to the taxpayer whose name is shown on the tax bill for the parcel involved as the owner of the premises, the occupant thereof, and the user of the service that such delinquency exists and that payment must be made within fifteen (15) days. Such notice shall be entitled "Notice of Delinquency."

In the event payment is not made by the date set in the Notice of Delinquency, the Village Finance Director or his or her designee shall cause to be mailed or delivered by other means a written final notice prior to disconnection separately from any bill. Said notice shall provide that service will be discontinued if payment of such delinquency is not received within ten (10) days of the date of said final notice.

Said notice shall remain effective for two (2) consecutive twenty (20) day periods, provided that during each such period a call is made at the user's premises or billing address or telephone contact with the user is made. If the Village does not discontinue service within the two (2) consecutive twenty (20) day periods, the Village shall not discontinue service until at least five (5) days after delivery of a new notice of intention to discontinue service to the user.

The Village Finance Director or his or her designee shall attempt to advise the user that service is being discontinued and shall direct the Village employee making the disconnection to contact the user at the time service is being discontinued. When the employee is unable to discontinue service during a call made at the user's premises, the employee shall leave a notice at the premises or billing address informing the user that an attempt to discontinue service has been made and that his or her service will be discontinued on the following business day. The Village Finance Director or his or her designee shall not make a practice of delivering more than two (2) consecutive notices of discontinuance for past due bills without engaging in collection activity with the customer.

The Village shall not discontinue service at the meter subsequent to two o'clock (2:00) P.M. unless the Village shall be prepared to reconnect the same day at the standard reconnection charge, if any. No service shall be discontinued on a holiday or weekend day unless the Village is prepared to reconnect on the holiday or weekend day.

The service shall not be discontinued and shall be restored if discontinued for the reason which is the subject of a dispute or complaint during the pendency of procedures relating to said dispute or complaint. The account clerk shall hear all matters relating to disputes or complaints relating to the operation and charges for the services of the Combined Waterworks and Sewerage System of the Village. Such account clerk shall consider the complainant's allegations and shall explain the user's account and the contention of the Village in connection therewith. The said account clerk shall be authorized to act on behalf of the Village in resolving the complaint. Said account clerk shall be available during all business hours for the hearing of said complaints. In the event said account clerk shall be unavailable during said business hours, the Finance Director shall conduct said hearing.

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Where any dispute between the Village and a user cannot be resolved between the parties, the account clerk shall inform him/her, if he/she expresses nonacceptance of the decision of such account clerk, of his/her right to have the problem considered and acted upon by supervisory personnel of the Village. The supervisory personnel shall be the Finance Director.

When a user disputes a particular bill, the Village shall not discontinue service for nonpayment so long as the user:

1. Pays the undisputed portion of the bill or an amount equal to last year's bill at the location for the same period; and
2. Pays all future periodic bills by the due date; and
3. Enters into bona fide discussions with the Village to settle the dispute with dispatch.

Only net rates shall be charged on any disputed bill paid within fourteen (14) days of resolution of the dispute if the complaint was filed before the bill became past due.

Discontinuance of service to residential users is prohibited for up to sixty (60) days when discontinuance of service will aggravate an existing serious illness of any person who is a permanent resident of the premises where service is rendered if the user complies with the following requirements regarding such illness.

The illness must be certified to the Village by a registered physician or local Board of Health. The certification shall be in writing and shall include the name of the ill person, a statement that he/she is a resident of the premises in question, the name, business address and telephone number of the certifying party, the nature of the illness and the period of time during which termination will aggravate the illness.

Initial certification by the certifying party may be by telephone if written certification is forwarded to the Village within five (5) days.

Initial certification shall prohibit discontinuance of service for thirty (30) days. Certification may be renewed by the user for an additional thirty (30) days by providing another certificate to the Village. Failure to so renew the certificate shall entitle the Village to initiate discontinuance procedures.

The user must enter into an agreement for the retirement of the unpaid balance of the account within the first thirty (30) days and keep the current account paid during the period that the unpaid balance is to be retired.

In the event service is terminated within fourteen (14) days prior to certification of illness by or for a qualifying resident service shall be restored to that residence if a proper certification is thereafter made in accordance with the foregoing provisions.

Nothing in this Section shall be construed to prevent discontinuance of service for reasons of safety, health, or cooperation with other civil authorities.

Residential users who are indebted to the Village for past due service shall have the opportunity to make arrangements with the Village to retire the debt by periodic payments referred to hereinafter as deferred payment agreement unless said user has failed to make payment under such a plan during the past twelve

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(12) months. Nonresidential users who are indebted to a utility for past due service may have the opportunity, at the discretion of the Village, to make arrangements with the Village to retire the debt by periodic payments referred to hereinafter as a deferred payment agreement.

The terms and conditions of a deferred payment agreement may be determined by the Village after consideration of the following:

1. Size of the past due account; and
2. User's ability to pay; and
3. User's payment history; and
4. Reasons for the outstanding indebtedness; and
5. Any other relevant factors relating to the circumstances of the user's service.

Late payment charges may be assessed against the amount owing which is the subject of a deferred payment agreement.

Deferred payment agreement shall be in writing, with a copy provided to the user, and shall conform to the following requirements:

1. The user shall be required to pay all future bills for utility service by the due date; and
2. User shall retire his/her debt according to the terms of the deferred payment agreement.

If a user shall default upon any payment due under the deferred payment agreement, the Village shall have the right to discontinue service as herein provided. (Ord. 1129, 11-16-81)

In the event service shall be discontinued, a fee of Seventy-Five Dollars (\$75.00) shall be charged and paid for the first shutoff for any account number before said service shall be reconnected. The second disconnection for the same account number will require a payment of a One Hundred Dollar (\$100) fee and a One Hundred Dollar (\$100) deposit. The third disconnection and any succeeding disconnections for the same account number will require payment of a One Hundred and Fifty Dollar (\$150) fee. The disconnection-/reconnection fee is due upon notice of disconnection whether or not the actual disconnection has been done. The One Hundred Dollar (\$100) deposit shall be returned after one year of on-time payment is recorded for the account. (Ord. 2877, 5-6-96)

4-3-5: ALL SERVICES METERED:

No free service of the combined waterworks and sewerage system of the Village shall be furnished to any person, firm, organization or corporation, public or private. Every user of the combined waterworks and sewerage system of the Village shall have a metered water connection to said system and every such water meter shall be sealed.

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4-3-6: DISPOSITION OF MONEYS:

All revenue and moneys derived from the operation of the combined waterworks and sewerage system shall be held by the Director of Finance separate and apart from all other funds of the Village, and all of said sum, without any deductions whatever, shall be delivered to the Village Treasurer not more than five (5) days after receipt of the same, or any such more frequent intervals as may from time to time be directed by the President and Board of Trustees.

The Village Treasurer shall receive all such revenue from the combined waterworks and sewerage 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 a separate fund designated as the "Waterworks and Sewerage Fund of the Village of Orland Park", and said Treasurer shall administer such Fund in every respect in the manner provided for by law.

4-3-7: BOOKS AND ACCOUNTS:

The Director of Finance 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 combined waterworks and sewerage system, and at regular annual intervals he shall cause to be made an audit by a certified public accountant of the books to show the receipts and disbursements of the combined waterworks and sewerage system.

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