
**THE VILLAGE OF WILLOW SPRINGS
COOK COUNTY, ILLINOIS**

**ORDINANCE
NUMBER 2010-O-18**

**AN ORDINANCE AMENDING SEWER AND REFUSE REGULATIONS OF THE
VILLAGE OF WILLOW SPRINGS, COOK COUNTY, ILLINOIS**

**ALAN NOWACZYK, President
ADENA BASKOVICH, Village Clerk**

**GEORGE BARTIK
MARIO IMBARRATO
ANNETTE KAPTUR
KEVIN J. MALONEY
KATHRYN STANPHILL
JERRY STRAZZANTE**

Trustees

ORDINANCE NO. 2010 -O-18

AN ORDINANCE AMENDING SEWER AND REFUSE REGULATIONS OF THE VILLAGE OF WILLOW SPRINGS, COOK COUNTY, ILLINOIS

WHEREAS, the Village of Willow Springs (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 President and Board of Trustees of the Village of Willow Springs (the "*Corporate Authorities*") establish regulations concerning sewer and refuse rates of the Village; and

WHEREAS, these regulations must be amended from time to time to reflect the changing need for sewer and refuse services in the Village; and

WHEREAS, the Corporate Authorities have determined that in order to maintain the solvency of the Village's sewer system and refuse services it is necessary amend the regulations concerning these utilities.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WILLOW SPRINGS, COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: That the above recitals and 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. Section 10 ("*General Provisions*") of Chapter 2 ("*Sewer and Sewerage Regulations*") of Title 6 ("*Health and Sanitation* ") of the Village Code of the

Village of Willow Springs, Illinois, is hereby amended by adding the following underlined language and deleting the stricken language to read, as follows:

6-2-10: GENERAL PROVISIONS:

A. Bills: Said rates or charges for residential (except multi-family residential users), vacant and nonmetered users shall be payable bimonthly. Commercial users, industrial users, multi-family residential users and institutional governmental users shall be billed monthly. ~~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 to 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 services are jointly and severally liable therefor to the Village.~~ Responsibility for payment for service rests with the property owner of record, whether or not such owner is the customer. Accordingly, payment of current and past due Village billing is the responsibility of such owner.

~~Bills for sewer service shall be sent out by the Village between the first and fifteenth days of the month succeeding the period for which the service is used.~~

All sewer bills are due and payable within fifteen (15) days after being sent out.

~~B. Delinquent Bills: If the charges for such services are not paid within sixty (60) days herein above mentioned after the rendition of the bill for such services, such services shall be discontinued without further notice and shall not be reinstated until all claims are settled.~~

~~B~~ C. Lien-Notice of Delinquency: Whenever a bill for sewer service remains unpaid for sixty (60) days for quarterly bimonthly / monthly service after it has been rendered, such charges shall be deemed delinquent and thereafter such delinquencies shall constitute liens upon the real estate for which such service is provided. The Village is hereby authorized to 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, 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. Notice will be given to the property owner of record.

~~If the user whose bill is unpaid is not the owner of the premises and the Village has notice of this, notice shall be mailed to the owner of the premises if his address is known to the Village whenever such bill remains unpaid for the period of one hundred and five (105) days for a quarterly bill after it has been rendered.~~

The failure of the Village to record such lien or to make 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.

D. Foreclosure of Lien: Property subject to a lien for unpaid charges shall be sold for nonpayment of the same, and the proceeds of the sale shall be applied to pay the charges, after deducting costs, as is the 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 which the bill has remained unpaid ~~one hundred and five (105)~~ ninety (90) days in the case of a ~~quarterly~~ bimonthly/ monthly bill after it has been rendered.

SECTION 3: Section 9 ("*Collection Rates* ") of Chapter 3 ("*Garbage Regulations*") of Title 6 ("*Health and Sanitation* ") of the Village Code of the Village of Willow Springs, Illinois, is hereby amended by adding the following underlined language to read, as follows:

6-3-6 COLLECTION RATES:

The President and Board of Trustees shall from time to time establish the collection rates and schedule of payments for the garbage service collection outlined herein. Any increase in collection rates may be tied to any accelerator, CPI, caps, ceilings, etc. that may be negotiated in any new or existing contract with the garbage collector. Responsibility for payment for collection service rests with the property owner of record, whether or not such owner is the customer. Accordingly, payment of current and past due collection service bills is the responsibility of such owner.

SECTION 4: Ordinance 13A-O-2009 is hereby amended by adding the following new underlined language to read as follows:

Refuse Rates: Effective May 1, 2009, the cost of refuse services supplied to Village consumers shall be billed at the following rates:

Single Family Homes Per Month:	\$28.16
Townhomes Per Month	\$27.16
Apartments and Condominiums Per Month:	\$25.93
All Senior Citizen residences (65+) Per Month:	\$15.35
All Other Utility Accounts	\$10.95

Senior Citizen rates will be applicable for Village Residents, age 65 and older, who own and occupy as their principal place of residence a single family home or townhome.

SECTION 5: If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this ordinance.

SECTION 6: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7: This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

(Intentionally left blank)

ADOPTED this 12th day of August, 2010, pursuant to a roll call vote as follows:

	YES	NO	ABSENT	PRESENT
Bartik	✓			
Imbarrato	✓			
Kaptur	✓			
Maloney	✓			
Stanphill	✓			
Strazzante	✓			
(Mayor Nowaczyk)				
TOTAL	6	0	0	

APPROVED this 12th day of August, 2010.


 Alan Nowaczyk, Village President

ATTEST:


 Adena Baskovich, Village Clerk

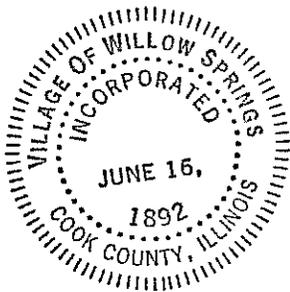
STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CERTIFICATION

I, Adena Baskovich, DO HEREBY CERTIFY that I am the duly qualified and appointed Clerk of the Village of Willow Springs, Cook County, Illinois, and that as such Clerk I do have charge of and custody of the books and records of the Village of Willow Springs, Cook County, Illinois.

I DO HEREBY FURTHER CERTIFY that the foregoing is a full, true and correct copy of **ORDINANCE NO. 2010-O-18, "AN ORDINANCE AMENDING SEWER AND REFUSE REGULATIONS OF THE VILLAGE OF WILLOW SPRINGS, COOK COUNTY, ILLINOIS,"** adopted and approved by the President and Board of Trustees of the Village of Willow Springs, Illinois, on August 12, 2010.

IN WITNESS WHEREOF, I have hereunto affixed my hand and the Corporate Seal of the Village of Willow Springs, Cook County, Illinois this 12th day of August, 2010.





Adena Baskovich, Village Clerk
Village of Willow Springs, Cook County, Illinois