

ORDINANCE NO. 438

AN ORDINANCE ESTABLISHING RATES AND CHARGES FOR THE SERVICES OF THE COMBINED WATERWORKS AND SEWERAGE SYSTEM OF THE CITY OF NOKOMIS, MONTGOMERY COUNTY, ILLINOIS, AND REQUIRING THAT SEWERAGE CONNECTIONS BE MADE TO SAID SYSTEM.

WHEREAS, the City of Nokomis has adopted Ordinance No. 436, combining its waterworks system and its sewerage system, directing the construction of improvements and extensions thereto and providing for the issuance of One Hundred Forty-four Thousand Five Hundred Dollars (\$144,500) Waterworks and Sewerage Improving and Refunding Revenue Bonds of the City for the purpose of paying the cost of such improvements and retiring certain outstanding bonds of the City, payable from the revenues of the waterworks system thereof; and

WHEREAS, it is now necessary that rates and charges be established for the services to be rendered by said combined waterworks and sewerage system;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NOKOMIS, MONTGOMERY COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1. That the following rates and charges for the use and services of the combined waterworks and sewerage system of the City of Nokomis, based on the amount of water consumed are hereby established.

QUARTERLY RATE SCHEDULES

<u>Water Used Per Quarter</u>	<u>Water Service Charge</u>	<u>Sewer Service Charge</u>
Minimum 3,000 gallons or less	\$ 3.00	\$ 2.10
Next 7,000 gallons	0.80 per 1000 gallons	0.56 per 1000 gallons
Next 10,000 gallons	0.70 per 1000 gallons	0.50 per 1000 gallons
Next 10,000 gallons	0.60 per 1000 gallons	0.42 per 1000 gallons
Next 20,000 gallons	0.50 per 1000 gallons	0.35 per 1000 gallons
Next 50,000 gallons	0.40 per 1000 gallons	0.28 per 1000 gallons
Next 100,000 gallons	0.35 per 1000 gallons	0.25 per 1000 gallons
Over 200,000 gallons	0.25 per 1000 gallons	0.18 per 1000 gallons

Whenever any charge for sewerage service is to be made to any lot, parcel of land or premises which is not supplied with water or where there is no water meter, then the quarterly charge shall be \$2.10 per quarter.

Whenever for any cause a water meter fails to operate, a reasonable estimate shall be made by City Clerk of the amount of water supplied

during the period such meter fails to operate and the user shall pay a rate based in whole or in part on the estimated amount of water supplied.

SECTION 2. Charges for water service shall be made and collected against each lot, parcel of land or premises to which water is supplied by the City waterworks system and charges for sewerage service shall be made and collected against each lot, parcel of land or premises which may have any active sewer connection with the sewerage system of the City of Nokomis or which may actively discharge sewage or industrial waste either directly or indirectly into said system or any part thereof.

Charge for sewerage services only shall be made and collected against each such lot, parcel of land or premises, which shall not in addition receive water from the City. Charges for waterworks services only shall be made and collected against each lot, parcel of land or premises receiving water from the City which shall not be connected with the sewerage system of the City and which shall not be required under this ordinance to be so connected.

SECTION 3. Bills for the rates and charges herein established shall be made out by the City Clerk and shall be sent out quarterly. The bills shall be payable on the first day of the month following the quarterly reading of the water meters. All bills shall be payable at the office of City Clerk .

SECTION 4. If any charge for the services of the combined system shall not be paid by the 10th day of the month in which it shall become due and payable a delayed payment charge of 10% of the amount of the bill shall be added thereto and collected therewith.

SECTION 5. Charges for water service and for sewerage service shall be united in the same bill and payment of the one charge shall not be accepted without payment of the other charge.

SECTION 6. Whenever any lot, parcel of land or premises shall, after the effective date of this ordinance, become connected to the combined system either for water services or for sewerage services, a deposit of \$ 10 shall be made. Such deposit shall be held by the City of Nokomis and shall be applied to the payment of any bill not paid by the 30th day of the month in which it is

due. When water service shall be disconnected the amount of such deposit, less the amount applied to the payment of charges shall be returned to the depositor without interest.

SECTION 7. If any bills for the services of the combined system shall remain unpaid after thirty (30) days following the rendition of the bill therefor, the water supply for the lot, parcel of land or premises affected shall be cut off and shall not be again turned on except on payment in full of the delinquent charges therefor, in addition to the payment of a charge of \$ 1 .

SECTION 8. The owner of any lot, parcel of land or premises receiving any of the services of the combined water and sewerage system of the City, the occupant of such premises and the user of the services shall be jointly and severally liable for the payment of services to such lot, parcel, of land or premises and all services are rendered to the premises by the City of Nokomis only on the condition that such owner, occupant and user shall be jointly and severally liable therefor to the City of Nokomis.

SECTION 9. Whenever any lot, parcel of land or premises shall, after the effective date of this ordinance, become connected to the combined waterworks and sewerage system of the City, the following connection charges shall be imposed. \$65 shall be charged for connection to a water main. \$50 shall be charged for connection to a sewer for any lot, parcel of land or premises lying outside of the existing sewer districts.

SECTION 10. A charge of \$ 1 will be made for shutting off and turning on water services, except at the time of the commencement of such service or at its termination.

SECTION 11. All revenues derived from the operation of the combined waterworks and sewerage system shall be set aside as collected and deposited in the Waterworks and Sewerage Fund established by the ordinance creating such combined system and mentioned in the preamble hereto, and shall be held and disbursed in accordance with said ordinance, and such revenues shall be kept in a bank account separate and distinct from all other funds or bank accounts of the City, and proper records and accounts, separate and apart from all other records and accounts, shall be maintained as provided by the above-mentioned ordinance No. 436.

SECTION 12. The rates and charges established by this ordinance shall not affect any special contracts for the furnishing of water heretofore made by the City of Nokomis and now in force. The Council reserves the right to impose special rates and charges where the rates hereby established are not just or equitable.

SECTION 13. That the use of any premises in the City of Nokomis in such manner as to create sewerage thereon not discharged into the sewerage system of said City is hereby declared to be a nuisance; every water closet or privy connected and used in any building not connected with the sewerage system of said City is hereby declared to be a nuisance, provided that this section shall be inapplicable to premises where connection with said sewerage system is not feasible. Such connection with the sewerage system is hereby declared to be feasible as to any premises abutting any street, alley or other public way or sewer right-of-way in which any line of the sewerage system of the City exists.

SECTION 14. The owner of any premises so used as to create sewage or on which there exists any water closet or privy, or any tenant or other person occupying any such premises is hereby required to cause proper connection to be made with the sewerage system of said City within one year from the date when such connection with the sewerage system shall become feasible or prior to January 1, 1954, whichever date shall be the first to occur.

SECTION 15. All ordinances in conflict herewith are hereby repealed to the extent of such conflict and Ordinance No. 413, passed on the 1st day of March, 1948, is hereby expressly repealed.

SECTION 16. The rates established by this ordinance shall go into effect on January 1, 1953.


SECTION 17. This ordinance shall be published once in the Free Press-Progress, a newspaper published and having a general circulation in the City of Nokomis, Illinois.

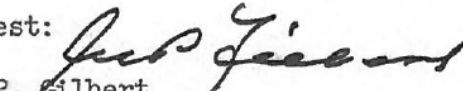
Introduced: December 8, 1952

Passed: December 8, 1952

Approved: December 8, 1952

Published: December 11, 1952


Kenneth Kellerman Mayor

Attest: 
W. P. Gilbert
City Clerk

STATE OF ILLINOIS)
) SS
COUNTY OF MONTGOMERY)

I, W. P. Gilbert, City Clerk of the City of Nokomis, Montgomery County, Illinois, hereby certify that the foregoing pages constitute a full, true and complete copy of Ordinance No. 438, adopted by the Council of said City on the 8th day of December, A. D. 1952.

I further certify that prior to the making of this certificate the said ordinance was spread at length upon the records of said City, where it now appears in the Book of Ordinances.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said City of Nokomis, Illinois, this 11th day of December, A. D. 1952.



CITY CLERK

(SEAL)