

VILLAGE OF TOLONO
CHAMPAIGN COUNTY, ILLINOIS

ORDINANCE NO. 2021-O-6

AN ORDINANCE AMENDING TITLE 5 OF THE
TOLONO MUNICIPAL CODE TO ADJUST WATER AND SEWER RATES
AND TO ADD BACK MISSING SERVICE DEPOSIT VERBIAGE

ADOPTED THIS
4TH DAY OF MAY, 2021

Published in pamphlet form by authority of the President and Board of Trustees of the Village of
Tolono, Champaign County, Illinois, this 4th day of May, 2021

AN ORDINANCE AMENDING TITLE 5 OF THE
TOLONO MUNICIPAL CODE TO ADJUST WATER AND SEWER RATES
AND TO ADD BACK MISSING SERVICE DEPOSIT VERBIAGE

WHEREAS, the Village of Tolono, Champaign County, State of Illinois (the “Village”) is a duly organized and existing Municipality created under the provisions of the laws of the State of Illinois, and is now operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto with full powers to enact ordinances for the benefit of the residents of the Village and the Village previously enacted the Revised Code of Ordinances of the Village of Tolono; and

WHEREAS, the Village Board of Trustees previously adopted Title 5, Chapter 50 of the Tolono Municipal Code relating to water and sewer; and

WHEREAS, the Village has conducted various reviews of its water and sewer systems and has ascertained that in order to provide a continued level of service and in order to provide for a stable projection of income for future planning it is appropriate and necessary to make annual adjustments of water and sewer rates; and

WHEREAS, the Village Board of Trustees previously added a Water Deposit to Title 5, Chapter 50 of the Tolono Municipal Code December 4, 2018, but it was inadvertently removed from the Code with the passing of an incorrect version of a water and sewer rate adjustment ordinance on May 7, 2019; and

WHEREAS, the Board of Trustees of the Village of Tolono has determined that it is advisable, necessary, and in the best interest of the Village to amend Chapter 50 to adjust water and sewer rates as provided herein and add back in the water deposit verbiage; and

WHEREAS, the Village deems it appropriate to adopt the within Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF TOLONO, ILLINOIS, AS FOLLOWS:

Section 1. Incorporation Clause.

The President and Board of Trustees of the Village of Tolono hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance.

Section 2. Purpose.

This Ordinance is to amend Section 50.16 of Title 5, Chapter 50 of the Tolono Municipal Code to add back the water deposit verbiage, and Sections 50.41 and 50.42 of Title 5, Chapter 50 of the Tolono Municipal Code to reflect adjustments to water and sewer rates.

Section 3. Amendment.

Sections 50.16, 50.41 and 50.42 of Chapter 50 of the Tolono Municipal Code are now hereby amended to read, in entirety, as follows:

“50.16 Application for Service and Water Deposit

Water and sewer service shall be furnished only to Village users upon filing of an appropriate application and user’s contract with the Clerk of the Village upon a form to be supplied by the Village, except to those persons who are currently being supplied water from whom no user’s contract for water shall be required. All new water service commencing January 1, 2019 and thereafter shall require a “Water Deposit” of \$50.00 to secure payment of funds due to the Village for payment of water related services. Non-payment of a Water Deposit shall result in the declination or termination of service. Upon termination of service, the user shall be refunded any balance of the Water Deposit less any sums otherwise owed to the Village. Deposit refund decisions may be appealed by tendering a request to the Village in writing for consideration by the Village Board President which, if denied, will be considered by the Village Board of Trustees. Notice of a hearing by the Village Board of Trustees, shall be made at least two weeks prior to any hearing and notice of the hearing to the customer shall be effective when either personally served at least 7 days prior to any hearing or when mailed by first class U.S. Postal Service, mailed at least 10 days prior to such hearing.

50.41 Water Rates.

A. Commencing June 15, 2021, Rates for water shall be as follows:

For the first 2,000 gallons per month or fraction thereof	\$23.09
For each subsequent 1,000 gallons or fraction thereof	\$10.17

Provided, however, that the following minimum charges shall apply for each apartment, flat, place of business or family unit served by or through every service connection for each one-month period or fraction thereof:

For one-inch and below service connection	\$15.93
For one-and-one half inch service connection	\$22.52
For two-inch service connection	\$29.11
For three-inch service connection	\$42.28
For four-inch service connection	\$55.46

All flat rates include 2,000 gallons of usage. Any usage above 2,000 gallons is billed at \$10.17 per 1,000 gallons. Outside of corporate limits is 1.36 times the in-town rate.

Commencing May 1, 2022, and on each one-year anniversary thereafter, all foregoing rates shall be adjusted to increase by 10% over the then existing rates.

And provided, further, that a separate minimum charge shall be made for each apartment, flat, place of business or family unit in all buildings containing two or more apartments, flats, places of business or family units, but provided, further, no minimum charge shall be made for any

vacant apartment, flat or place of business in any such building which said apartment, flat or place of business is vacant during an entire one-month period.

B. The minimum monthly bill will be payable irrespective of use of the premises and all water supplied shall be metered to the customer.

C. Each resident shall be issued one water meter. To the extent any owner desires additional water meter(s), the owner shall reimburse the Village for its cost of such meter(s) by electing to pay the balance of the cost of same either up front or payable in equal installments amortized over 6 months and added to the monthly water bill for the property. Each additional meter shall be equipped with a customary back flow valve preventing external water from entering into the water system. Owners shall have such valves tested annually by a licensed plumber and shall provide the Village with written proof of such inspection verifying that such valve is in normal working order. Failure to tender such proof by June 1st of each year shall result in such meter being turned off or disconnected by the Village and water service to the property being terminated until such certificate is provided.

50.42 Sewage Treatment and Collection Rates.

A. Commencing June 15, 2021, Rates for water shall be as follows:

For the first 2,000 gallons per month or fraction thereof	\$20.50
For each subsequent 1,000 gallons or fraction thereof	\$ 6.64

Provided, however, that the following minimum charges shall apply for each apartment, flat, place of business or family unit served by or through every sewer connection for each one-month period or fraction thereof:

For one-inch and below service connection	\$13.64
For one-and-one half inch service connection	\$18.98
For two-inch service connection	\$24.34
For three-inch service connection	\$35.05
For four-inch service connection	\$45.75

All flat rates include 2,000 gallons of usage. Any usage above 2,000 gallons is billed at \$6.64 per 1,000 gallons.

Commencing May 1, 2022, and on each one-year anniversary thereafter, all foregoing rates shall be adjusted to increase over the then existing rates. Increase amounts will be as follows: 28.6% in 2022 for the first 2,000 gallons and each subsequent 1,000 gallons, 17.8% in 2023 for the first 2,000 gallons and each subsequent 1,000 gallons, and 13.7% in 2024 for the first 2,000 gallons and 26.5% for each subsequent 1,000 gallons.

And provided, further, that a separate minimum charge shall be made for each apartment, flat, place of business or family unit in all buildings containing two or more apartments, flats, places of business or family units, but provided, further, no minimum charge shall be made for any

vacant apartment, flat or place of business in any such building which said apartment, flat or place of business is vacant during an entire one-month period.

B. The minimum monthly bill will be payable irrespective of use of the premises.”

Section 4. Superseder and Publication.

All code provisions, ordinances, resolutions and orders, prior policies or parts thereof, in conflict herewith, are to the extent of such conflict hereby superseded. All other portions of the Tolono Municipal Code not otherwise amended by this Ordinance shall remain in full force and effect. A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

Section 5. Effective Date.

This Ordinance shall be in full force and effect upon passage and approval, as provided by the Illinois Municipal Code, as amended.

Motioned for approval by Trustee Ryan Perry

With a second by Trustee Vicki Buffo, roll call vote:

Kyle Hayden Aye

Jared Robbins Aye

Ann Jack-Haluzak Aye

Terrence Stuber Abstain

Ryan Perry Aye

Vicki Buffo Aye

SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE VILLAGE OF TOLONO, COUNTY OF CHAMPAIGN, STATE OF ILLINOIS, THIS 4TH DAY OF MAY, 2021 A.D.


Robert Murphy, Village President

ATTEST:

Brandy Dalton
Brandy Dalton, Village Clerk

(SEAL)

Recorded in the Municipal Records: May 4, 2021
Published in pamphlet form: May 4, 2021