VILLAGE OF MULBERRY GROVE, ILLINOIS

ORDINANCE NO. 667A

AN ORDINANCE TO AMEND THE WATER AND SEWER SERVICE RULES
FOR THE VILLAGE OF MULBERRY GROVE, ILLINOIS, AMENDING
CHAPTER 38 OF THE REVISED CODE OF ORDINANCES

ADOPTED BY THE
BOARD OF TRUSTEES
OF THE VILLAGE OF
MULBERRY GROVE, ILLINOIS
THIS 4TH DAY OF APRIL, 2022

Published in pamphlet form by the authority of the Board of Trustees of the Village of
Mulberry Grove, Bond County, Illinois, this 4th day of April, 2022.

Prepared by:

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STATE OF ILLINOIS
COUNTY OF BOND
VILLAGE OF MULBERRY GROVE

ORDINANCE NO. _667A_

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WHEREAS, the Board of Trustees of the Village of Mulberry Grove, Illinois, have determined that it is necessary to adopt and amend Chapter 38 of the Revised Code of Ordinances of the Village of Mulberry Grove to change the water service rules to clarify such rules as to non-payment and temporary disconnection of utility services.

NOW THEREFORE, BE IT ORDAINED BY PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MULBERRY GROVE:

SECTION 1: Chapter 38-2-1(H) of the Revised Code of Ordinances of the Village is hereby amended to hereafter read as follows:

38-2-1 CONTRACT FOR UTILITY SERVICES.

(H)   **Billing; Utility Shut-Off/Temporary Disconnection.**

(1)   Bills for water and sewer service shall be sent out by the Village no later than the **twenty-fifth (25th)** of the month preceding the period for which the service is billed. All bills are due and payable on the **tenth (10th) day** of the following month. A service charge of **ten percent (10%)** shall be added to all bills not paid by the **tenth (10th) day** after they are rendered and paid before the **thirtieth (30th) day** after they are rendered.

(2)   Any customer who fails to pay the utility bills in full within **sixty (60) days** of mailing shall have the utility services disconnected not less than three (3) days after a written notice by the Clerk has been mailed by first-class mail to the customer.

(3)   Once utility services have been disconnected, the same shall not be again connected or used until all delinquent accounts and bills of service for such customer, irrespective of service address, are paid in full, including a fee of **Twenty-Five Dollars ($25.00)** for each re-connection of such utility services, plus any reasonable expenses incurred in the reconnecting of the utility services.

(I)   **Lien Notice.** Whenever a bill for utility services remains unpaid for **ninety (90) days** after it has been rendered, the Water Clerk may 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 municipality claims a lien for this amount to the period covered by the bill.

If the consumer of utility services whose bill is unpaid is not the owner of the premises and the Treasurer has notice of this, then notice shall be mailed to the owner of the premises if his address is known to the Clerk whenever such bill remains unpaid for a period of **ninety (90) days** after it has been rendered.

The failure of the Clerk to record such lien or to mail such notice, or the failure of the owner to receive such notice shall not affect the right to foreclose the lien for unpaid utility bills as mentioned herein.

(J)   **Foreclosure of Lien.** Property subject to a lien for unpaid utility charges may be sold for non-payment of the same, and the proceeds of such 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 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 for utility services has remained unpaid **ninety (90) days** after it has been rendered. All reasonable attorney's fees, costs, and expenses incurred by the Village as a result of any failure of a customer to timely pay for utility services shall be paid by such customer in as part of any proceedings instituted in relation to this Chapter and Section.

SECTION 2: This Ordinance shall be effective upon its due publication in pamphlet form as by ordinance and statute otherwise provided.

Passed and adopted by the Board of Trustees of the Village of Mulberry Grove, Bond County, State of Illinois, on this 4th day of April, 2022, upon yea and nay vote as follows:

	AYE	NAY	ABSENT
Jim Blankenship	✓		
Mike Burlingame	✓		
Charles Hall	✓		
Dennis Henrichsmeyer	✓		
Shawna Henrichsmeyer	✓		
David Koonce	✓		

APPROVED:
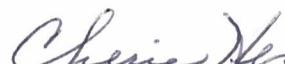
Cherie Henson, Village President

ATTEST:
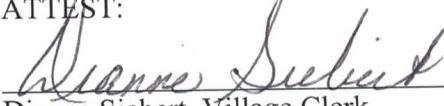
Dianne Siebert, Village Clerk

STATE OF ILLINOIS   )

)   SS

COUNTY OF BOND   )

CERTIFICATION

I, Dianne Siebert, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Mulberry Grove, Bond County, Illinois, and that as such officer, I am the keeper of the records and files of the Village of Mulberry Grove, Illinois.

I do further certify that the foregoing document is a true, correct and complete copy of Ordinance __667 A__ as passed by the Board of Trustees of the Village of Mulberry Grove, Illinois, at the Village Board Meeting held on April 4, 2022, said Ordinance being entitled:

ORDINANCE NO. __667A__

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In witness whereof, I have hereunto affixed my official signature and the seal of the Village of Mulberry Grove, Bond County, Illinois, this 4th day of April, 2022.

Dianne Siebert

Dianne Siebert, Village Clerk
Village of Mulberry Grove, Illinois