

**VILLAGE OF HANNA CITY
PEORIA COUNTY, ILLINOIS**

ORDINANCE NO. 21-03-05

AN ORDINANCE AMENDING TITLE V, CHAPTER 51 OF THE VILLAGE CODE OF THE
VILLAGE OF HANNA CITY TO ESTABLISH FEES FOR DISCONNECTION COSTS
INCURRED BY THE VILLAGE

WHEREAS, the Village Board of the Village of Hanna City has the authority to adopt ordinances and to promulgate rules and regulations that protect the public health, safety and welfare of its citizens;

WHEREAS, pursuant to 65 ILCS 5/11-141-7, the corporate authorities of the Village of Hanna City are authorized to make, enact, and enforce all needful rules, regulations, and ordinances for the improvement, care, and protection of its sewerage system which may be conducive to the preservation of the public health, comfort, and convenience; and

WHEREAS, pursuant to 65 ILCS 5/11-141-7, the corporate authorities of the Village of Hanna City are authorized, by ordinance, to charge the Village's inhabitants for the use and service of its sewerage system and may establish charges or rates for such purpose; and

WHEREAS, there are various properties located within the Village of Hanna City which have delinquent water and sewer bills and require service disconnections thereon; and

WHEREAS, the Village incurs costs from its water service provider for service disconnections; and

WHEREAS, the Village deems it necessary for the improvement, care, and protection of its sewerage system to establish charges related to service disconnections; and

WHEREAS, the Village finds the imposition of such charges to be beneficial to the health, safety and welfare of its citizens; and

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Hanna City, Peoria County, Illinois, as follows:

Section 1. The foregoing recitals are hereby incorporated herein as if fully set forth.

Section 2. Title V, Chapter 51, Section 8 of the Village Code of the Village of Hanna City is hereby amended by the addition of Subsection (C) which shall read as follows:

(C) *Disconnection fees for unpaid sewer charges.* In the event that the Village must request a water shutoff from a public utility after due notice and an opportunity to be heard is provided to a delinquent customer pursuant to this Chapter and any applicable public utility contract, such delinquent customer shall be assessed a charge of \$75.00 for the first instance of a sewer-only water shutoff. If a second shutoff is required after


restoration of services, the delinquent customer shall be assessed a charge of \$100.00 for said second shutoff. If a third shutoff is required following two service restorations, the delinquent customer shall be assessed a charge of \$150.00 for said third shutoff. Such charges must be paid by the delinquent customer, together with full payment of the arrearage amount before water and sewer services are restored. When the arrearage amount and the shutoff charges total \$500.00 or more, the Village shall send the owner(s) of record a notice advising such owner(s) that the unpaid charges and/or rates may create a lien on the real estate pursuant to state statute and may file a notice of such lien with the Peoria County Recorder's Office. Such notice shall consist of a sworn statement setting forth (1) a description of such real estate sufficient for the identification thereof, (2) the amount due for such services, (3) the date on which such amount became delinquent, and (4) the owner(s) of record of the premises. The Village may also opt to exercise its authority to sue the occupant of the real estate in a civil action to recover the money due for sewerage services rendered, plus a reasonable attorney's fee, to be fixed by the court.

Section 3. Should any portion of this Ordinance be held invalid or illegal, the remaining portions hereof shall continue in full force and effect.

Section 4. This Ordinance shall be in full force and effect 10 days following its passage, publication and approval as required by law.

PASSED, PUBLISHED IN PAMPHLET FORM AND APPROVED THIS 16th DAY
OF March, 2021, by a vote of 6 ayes and 0 nays.

APPROVED:


Fred Winterroth, Mayor

SEAL:

ATTEST:


Myrna Klatt, Village Clerk

PUBLISHED in pamphlet form in my office the 16th day of March, 2021.


Myrna Klatt, Village Clerk

COUNTY OF PEORIA

VILLAGE OF HANNA CITY

CERTIFICATE

I, Myrna Klatt, being the duly elected, qualified and acting Village Clerk in and for the Village of Hanna City in the County of Peoria in the State of Illinois, and keeper of the records and files thereof, do hereby certify that the foregoing is a true and accurate original copy from the records of the Village.

In testimony whereof, I have hereunto set my hand and affixed the seal of the Village of Hanna City at my office this 16th day of March, 2021.

SEAL


Myrna Klatt, Village Clerk

