

CITY OF MONTICELLO
PIATT COUNTY, ILLINOIS

ORDINANCE NO. 2023-07

“AN ORDINANCE AMENDING CHAPTER 51 OF TITLE V
OF THE MUNICIPAL CODE OF THE CITY OF MONTICELLO”

ADOPTED BY THE
CITY COUNCIL
CITY OF MONTICELLO
THIS 23rd DAY OF JANUARY 2023

Published in pamphlet form by authority of the City Council of the City of Monticello, Piatt County, Illinois, this 23rd day of January, 2023.

ORDINANCE NO. 2023 - 07

**“AN ORDINANCE AMENDING CHAPTER 51 OF TITLE V
OF THE CITY OF MONTICELLO MUNICIPAL CODE OF THE CITY OF
MONTICELLO”**

WHEREAS, the City of Monticello owns and operates a potable water production and distribution system serving the community and expends public funds for the construction, operation and maintenance of the water system; and

WHEREAS, the City charges a fee for delivery of water, which fee is used by the City to defray the expenses of operating and maintaining the water system; and

WHEREAS, the City Council has the obligation to perform due diligence as it relates to the cost of operating said water system, and adjusting fees accordingly; and

NOW THEREFORE, BE IT ORDAINED, that Title V: “Public Works,” Chapter 51: “Water Regulations,” is hereby amended to read as follows:

Section 1. RECITALS. The foregoing recitals are incorporated as though fully set forth herein.

Section 2. CHAPTER AMENDED. Chapter 51 of Title V of the City of Monticello Code of Ordinances, titled “Water Regulations,” is hereby amended as follows (additions in **bold and underline**, deletions in ~~**bold and strikeout**~~):

§ 51.01 TURNING ON AND OFF.

No water from the city water supply shall be turned on or off for service into any premises by any person except city administration, city personnel, or having **prior** authorization from city personnel. In order to get water turned on for any reason other than lack of payment by the customer, there **may** be a \$10 turn-on charge. In order to get water turned off for any reason other than lack of payment by the customer, there **may** be a \$10 turn-off charge.

§ 51.02 APPLICATION.

Applications for new or transferred water service shall be made online or in person at the Municipal Building. The application **for utility service** shall contain an agreement by the applicant to abide by and accept all of the provisions of this chapter governing the use of city water supply.

(Am. Ord. 2018-21, passed 5-14-2018)

§ 51.03 DEPOSIT.

A deposit of **\$100** shall be made with each application where the property is not owned by the applicant, this sum to be retained by the city to ensure payment of all bills. When service to the applicant is discontinued permanently, this deposit, less any amount still owed to the city for water service, shall be refunded without interest. No deposit shall be required for any applicant who is the owner of the lot to be served.

(Am. Ord. 2008-59, passed 10-14-2008; Am. Ord. 2018-21, passed 5-14-2018)

§ 51.04 RESALE.

No water shall be resold or distributed by the recipient thereof from the city water supply to any premises other than that for which application has been made and the meter installed, except in case of emergency, or by special agreement with the city council after presentation of written application.

§ 51.16 REPAIRS.

(A) All repairs for service lines and plumbing systems of buildings shall be made by and at the expense of the owner of the premises served. The city shall be responsible for repairs from the city water main up to and including outside water meters, not to include the customer service water line and service water line connection (fitting) to the meter. The owner shall be responsible for all repairs beyond the outside water meter, to include the customer service water line connection (fitting) at the meter.

(B) For customers with inside water meters, the city shall be responsible for repairs from the city water main up to and including the curb stop, not to include the customer service water line and service water line connection (fitting) to the curb stop. The owner shall be responsible for all repairs beyond the curb stop, to include the customer service water line connection (fitting) at the curb stop.

§ 51.17 EXCAVATIONS.

Excavations for installing service lines or repairing the same, which affect or include city property, shall be made in compliance with the provisions of the city ordinances relating to excavations in streets and regulations set by Illinois Department of Labor (OSHA).

§ 51.18 SERVICE CONNECTION.

(A) No connection to a water main shall be made without a tap-in permit being issued by **city administration**. A 48-hour notice must be given to **city administration** at the Municipal Building before a tap is made.

(B) All such connections shall be made by a State of Illinois licensed plumber and under the supervision of city personnel.

(C) Before connection is made with the water distribution system, the premises to be served must be equipped with a meter properly installed, as referred to in § 51.31. Henceforth, water meters that serve more than one dwelling unit shall be prohibited in the city water system. No installation shall be covered or backfilled until it has been inspected by city personnel and found to be satisfactory.

(D) Anyone seeking water service shall be required to hook onto the nearest water main, as approved by city personnel and at the applicant's own expense.

§ 51.19 CONNECTION FEES.

(A) There is a tap-in fee of **\$1,000** for the connection of a 1-inch water service and meter to the city's water distribution system. With the exception of new subdivisions approved after August 28, 2000, this fee will include all necessary parts and materials to complete the tap, excluding copper. For subdivisions approved after August 28, 2000, the tap-in procedure will be covered in the final plat. The user for whom this service is provided shall pay the water connection fee to City of Monticello at the Municipal Building, prior to the tap being made by a State of Illinois **licensed plumber**.

(B) The tap-in fee for any service in excess of 1-inch diameter shall be \$250, which does not include the cost of materials, parts, **or** installation. The user for whom this service is provided shall pay this fee to **City of Monticello** at the Municipal Building prior to the installation of parts and materials by a State of Illinois licensed plumber. However, the city shall perform all water taps. The water user (customer) shall pay for any additional parts required to complete the tapping operation. Plans and specifications must be approved by city personnel prior to installation. This installation shall meet standards specified by city administration.

METERS

§ 51.30 METERS REQUIRED.

All premises using the city water supply must be equipped with an adequate water meter sized and furnished by the city, but paid for by the **property owner.. No meter smaller than 1-inch diameter shall be permitted.**

§ 51.31 INSTALLATION.

Meters shall be installed in a location that is approved by city personnel. Water meters and water meter pits shall be installed as per the Manual of Practice, Standard Detail 8.08K and Standard Detail 8.08L. Water meters, water meter pits, water valves, fire hydrants, and all other related items shall not be obstructed by landscaping, buildings, vehicles, or any other materials preventing access at any time.

§ 51.32 READINGS.

Meter reads will be obtained by city personnel at a frequency required to perform monthly utility billing. If weather or other natural causes prohibit the reading of meters, an estimated reading will be made based upon the previous **two** months. In cases of meters needing repair or replacement, city personnel shall estimate water usage based on the sewer average or the previous two months' water usage if sewer average is not **available .**

§ 51.33 TESTING METERS.

(A) All municipal water meters shall be tested upon the complaint of the consumer **and** payment of a fee of \$30. The test shall be performed by city personnel or a city-approved agency. If the meter test results indicate the meter is registering an amount of water in excess of the actual amount of water being used by the water consumer, the meter will be replaced and the \$30 fee shall be refunded to the consumer. If the test indicates the meter is accurate, the fee shall not be refunded and the subject meter shall be reinstalled.

(B) All meters 2 inches and larger shall be tested, and if necessary, repaired or replaced, by city personnel or city approved agency at the consumer's expense every 5 years. The consumer's expense shall consist of an amount equal to the amount charged to the City of Monticello, by the company designated by the city to perform the test and/or meter replacement.

RATES AND CHARGES

§ 51.45 RATES.

All property which has a connection with the city water system shall pay the following charges:

(A) For all property within the corporate limits of the City of Monticello, Illinois, the water rates shall be as follows:

No. of Units	Charge
No. of Units	
Charge	
0 units	\$7.28
1 unit	\$8.32
2 units	\$10.40
3 units	\$13.52
4 thru 20 units	\$13.52 for first 3 units, plus \$2.08 per additional unit
21 or more units	\$48.88 for first 20 units, plus \$1.82 per additional unit

NOTE:

One unit equals 748 gallons

(B) The water rates set forth in division (A) hereof shall be increased by 4% for all bills rendered after January 1, 2014, and by an additional 4% each January 1 thereafter.

(C) For all water users outside the limits of the City of Monticello, Illinois, the rate shall be **two** times the city rate.

(Ord. 2007-57, passed 10-22-2007; Am. Ord. 2013-66, passed 12-9-2013)

§ 51.46 BILLS.

Water and sewer users shall be billed every month for their usage. Bills are due and payable 15 days after the billing date. A penalty of 10% shall be added to all bills not paid within this 15-day period. The return of any check **or electronic debit** due to insufficient funds **or changes in account** will result in a penalty of \$30.

(Am. Ord. 2018-21, passed 5-14-2018)

§ 51.47 DISCONNECTION FOR NON-PAYMENT.

(A) It is the policy of the city to discontinue utility service to customers by reason of nonpayment of bills only after **written** notice and a meaningful opportunity to be heard on disputed bills. The city's application for utility service and all bills shall contain, in addition to the address and telephone number of the utility billing office, clearly visible and easily readable provisions to the effect:

- (1) That all bills are due and payable on or before the date set forth on the bill;

(2) That if any bill is not paid by or before that date, a second bill will be mailed containing a cut-off notice **stating** that if the bill is not paid within 10 days of the mailing of the second bill, service will be discontinued for nonpayment; and

(3) That any customer disputing the correctness of his or her bill shall have a right to a hearing at which time he or she may be represented in person and by counsel or any other person of his or her choosing and may present orally or in writing his or her complaint and contentions to the **City Administrator**. Any dispute must be made **at least** 48 hours **prior to** the disconnection date. If necessary, this official shall be authorized to order that the customer's service not be discontinued and shall have the authority to make a final determination of the customer's complaint. The customer will be notified as to the determination via a door hanger placed on the front door prior to the disconnection date or where necessary, will be given a new disconnection date of 10:00 a.m. on the date after the hanger is placed on the front door.

(B) Upon written request, at the discretion of the city official in charge of utility billing, an additional 10 days can be allowed for payment of all delinquent charges and penalties. In the absence of payment of the bill rendered or resort to the hearing procedure provided herein, service will be discontinued at the time specified, but in no event until the charges have been due and unpaid for at least 30 days.

(C) When it becomes necessary for the city to discontinue utility service to a customer for nonpayment of bills, service will be reinstated only after all bills for service then due have been paid, along with a shut off charge in the sum of \$50.

(D) The charges or rates as fixed by this section are liens upon the real estate to or for which the water is supplied, and whenever the charges become delinquent, as provided herein, they may be collected either by foreclosure of the lien or by suit against the owner and/or user of the real estate, in accordance with the statutes of the State of Illinois. Notice of delinquencies shall be given to each owner prior to the filing of any such lien.

(Am. Ord. 2008-59, passed 10-14-2008)

§ 51.48 LEAK ADJUSTMENTS.

The City of Monticello will not adjust for any leak, unless the leak is on an underground service line, and the customer repairs the leak within **seven** calendar days of notification. The customer must provide verification of the repair of an underground leak. Once the city verifies the underground leak has been repaired, the city will make a **billing** adjustment. The leak adjustment will **credit the customer for half of the billed water amount and the difference between the billed sewer amount and the customer's sewer average** . No leak adjustments will be given for any leak above ground. Only **one** leak adjustment will be allowed per account per year, **unless special circumstances warrant an exception which may only be granted at the discretion of the city administrator whose determination shall be final**. The year consists of the 12-month period from the date of the leak adjustment.

(Am. Ord. 2018-21, passed 5-14-2018)

BACKFLOW PREVENTION

§ 51.60 BACKFLOW PREVENTION.

All plumbing installed within the City of Monticello shall be installed in accordance with Illinois Plumbing Code, 77 I.A.C. § 890. If, in accordance with the Illinois Plumbing Code or in the judgment of the **City Administrator** or his or her authorized agent, an approved backflow prevention device is necessary for the safety of the public water supply system, the **City Administrator** or his or her authorized agent will give notice to the water customer to install such an approved device immediately. The water customer shall, at his or her own expense, install an approved device at a location and in a manner in accordance with Illinois Plumbing Code and all applicable local regulations, and shall have inspections and tests made of the approved devices upon installation as required by Illinois Plumbing Code and local regulations.

§ 51.61 CROSS-CONNECTION.

No person, firm, or corporation shall establish **or maintain**, or permit to be established or maintained any connection whereby a private, auxiliary, or emergency water supply other than the regular public water supply of the City of Monticello can enter the supply or distribution system of said municipality, unless the private, auxiliary, or emergency water supply and the method of connection and use of that supply shall have been approved by the **City Administrator** or his or her authorized agent and the Illinois Environmental Protection Agency.

Penalty, see § 51.99

§ 51.62 SURVEYS.

It shall be the duty of the **City Administrator** or his or her authorized agent to cause surveys and investigations to be made of industrial and other properties served by the public water supply to determine whether actual or potential hazards to the public water supply may exist. These surveys and investigations shall be made a matter of public record and shall be repeated at least every **two** years, or as often as the **City Administrator** or his or her authorized agent shall deem necessary. Records of the surveys shall be maintained and available for review for a period of at least **five** years.

§ 51.63 RIGHT TO ENTER.

The approved cross-connection control device inspector shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system of the city for the purpose of verifying the presence or absence of cross-connections, and the **City Administrator** or his or her authorized agent shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system of the city for the purpose of verifying information submitted by the customer regarding the required cross-connection control inspection. On demand, the owner, lessees, or occupants of any property so served shall furnish to the **City Administrator** or his or her authorized agent any information which he or she may request regarding the piping system or systems or water use on the property. The refusal of this information when demanded shall, within the discretion of the **City Administrator** or his or her authorized agent, be deemed evidence of the presence of improper connections as provided in this chapter.

§ 51.64 DISCONNECTION.

The **City Administrator** is hereby authorized and directed to discontinue, after reasonable notice to the occupant thereof, the water service to any property wherein any connection in violation of the provisions of this chapter is known to exist, and to take any other precautionary measures as he or she may deem necessary to eliminate any danger of contamination of the public water supply distribution system. Water service to the property shall not be restored until the conditions have been eliminated or corrected in compliance with the provisions of this chapter and until a reconnection fee of \$100 is paid to the City of Monticello. Immediate disconnection with verbal notice can be affected when the **City Administrator** or his or her authorized agent is assured that imminent danger of harmful contamination of the public water supply system exists. This action shall be followed by written notification of the cause of disconnection. Immediate disconnection without notice to any party can be affected to prevent actual or anticipated contamination or pollution of the public water supply, provided that, in the reasonable opinion of the **City Administrator**, his or her authorized agent, or the Illinois Environmental Protection Agency, that action is required to prevent actual or potential contamination or pollution of the public water supply. Neither the City of Monticello, the **City Administrator**, or its agents or assigns shall be liable to any customer for any injury, damages, or lost revenues which may result from termination of the customer's water supply in accordance with the terms of this chapter, whether or not the termination was with or without notice.

§ 51.66 CROSS-CONNECTION REGULATIONS; ADOPTED.

The Municipal Water Regulations on Cross-Connection Control promulgated by the Illinois Environmental Protection Agency are hereby adopted in their entirety. One copy of these Regulations is attached to the ordinance establishing this chapter as Exhibit A; an additional **three** copies of the regulations are on file with the Monticello City Clerk.

§ 51.99 PENALTY.

Any person or entity who shall violate any of the provisions of this chapter shall be fined no less than \$25 **and no** more than \$750 for each offense. Each day that a violation is allowed to exist shall constitute a separate offense.

BE IT FURTHER ORDAINED that this ordinance shall take effect from and after its passage, approval and publication according to law.

PASSED this 23rd day of January, 2023

AYES:

NAYS:

ABSTAIN:

APPROVED by me this 23rd day of January, 2023

Mayor

ATTEST:

City Clerk