

ORDINANCE NO. 2013-0-003

AN ORDINANCE AMENDING ORDINANCES NO. 665, 686, 687A, 737, 747, 80-0-3, 84-0-8, 87-0-004, 88-0-004, 95-0-001, 95-0-003, 2008-0-008 AND 2009-0-002 ENTITLED "AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SYSTEM, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF; THE LEVYING OF CHARGES FOR WASTEWATER SERVICES (USE CHARGES) IN THE METRO EAST SANITARY DISTRICT, COUNTIES OF ST. CLAIR AND MADISON, STATE OF ILLINOIS."

WHEREAS, the Board of Commissioners of the Metro East Sanitary District has passed a Resolution authorizing the Metro East Sanitary District to enter into an Agreement with the Illinois American Water Company, a corporation of the State of Illinois, having an office at 100 North Water Works Drive, Belleville, Illinois, whereby collection of delinquent sanitary sewer service accounts of the Metro East Sanitary District as previously set forth in the Ordinances of the Metro East Sanitary district are to be supplemented by the additional method of shutting off the water supply of delinquent water users of the sanitary sewer services until payment of the delinquent accounts is made, and

WHEREAS, it is deemed necessary and advisable and in the best interest of the inhabitants and tax payers within the boundaries of the Metro East Sanitary District that an additional method of collecting delinquent sanitary sewer service charges be instituted resulting in a more efficient and cost saving procedure of collection;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF COMMISSIONERS OF THE METRO EAST SANITARY DISTRICT, ST. CLAIR AND MADISON COUNTIES, AS FOLLOWS:

SECTION 1: That the above Ordinances be and the same are hereby amended to add and/or change said Ordinances to include the additional terms, processes and procedures of collection set forth in the "Disclosure Agreement" approved by Resolution No. 2009-R-006 and entered into between Metro East Sanitary District and the Illinois American Water Company, a corporation of the State of Illinois, marked as Exhibit "A" attached hereto and made part hereof, as if fully set forth.

* **SECTION 2:** That a service charge of One Hundred Dollars (\$100.00) will be assessed against any customer for whom Metro East Sanitary District has instituted a disconnection of water service in order to cover added costs attributable to invoking this procedure of collecting delinquent accounts.

SECTION 3: In the event the Metro East Sanitary District files a lawsuit for collection of a delinquent account against an owner, occupant, user of the real estate upon which sewage treatment services are supplied or against the person or corporation receiving any direct or indirect benefit from such services, the Metro East Sanitary District shall be entitled to and shall seek the balance due and all associated costs, fees and expenses allowed by law and pursuant to the Ordinances of the Metro East Sanitary District in full force and effect.

SECTION 4: All other provisions and terms set forth in the Ordinances hereby amended by adding in or changing the foregoing shall remain in full force and effect unless they are contrary to the provisions of this amendment.

This Ordinance shall be in fully force and effect from and after its passage and approval and publication as provided by law.

PASSED by the Board of Commissioners of the Metro East Sanitary District of Madison and St. Clair Counties of Illinois on the 20th day of March, 2013

APPROVED this 20th day of March, 2013.

Metro East Sanitary District by:

Andrew Economy
President

ATTEST:

Sumana Nath
Clerk (Seal)

Ayes Five (5)

Nays None (0)

Absent None (0)