

LEGISTAR # 170242
(DISTRICTS ALL)

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

 X Resolution or Ordinance (Blue) X Waiver of First Requested
____ Recommendations of Boards, Commissions & Committees (Green)
____ Other Business (Pink)

TO: President and Village Board of Trustees

FROM: Scott Niehaus, Village Manager

DATE: May 25, 2017 (COW)(B of T): June 15, 2017

TITLE: Ordinances to Amend the Lombard Village Code in Regard to Water and Sanitary Sewer Billing and Services

SUBMITTED BY: Timothy Sexton, Director of Finance

BACKGROUND/POLICY IMPLICATIONS:

Attached are proposed ordinances to amend the Lombard Village Code in regard to water and sanitary sewer billing and services. The changes requested are detailed in the attached memo and a summary of the changes are listed below.

1. Updates are proposed in order to accurately reflect the current billing and delinquent notice schedule.
2. Due to the change in nighttime hours at the Police Department, staff is proposing reconnection for non-payment shut offs occur during Village Hall business hours.
3. A new section to the Village Code is proposed to add a \$50.00 shut-off fee and a \$50.00 reconnection fee when a property owner requests a voluntary shut-off or reconnection during Village Hall business hours.

Staff recommends the Village Board of Trustees approve the attached ordinances with a waiver of first requested to prepare for the new Police Department nighttime hours that will change this summer.

FISCAL IMPACT:

N/A

REVIEW (as needed):

Village Attorney XX _____

Date _____

Finance Director XX _____

Date 5/23/17

Village Manager XX _____

Date _____



To: Village President and Board of Trustees
Scott Niehaus, Village Manager

From: Timothy Sexton, Director of Finance

Date: May 25, 2017

Subject: Amendments to the Lombard Village Code in Regard to Water and Sanitary
Sewer Sewer Billing and Services

The attached ordinances prepared by our the Village Attorney provide proposed ammenments to the Village of Lombard Water and Sewer code. Below outlines the changes requested.

1. Currently, Title V, Chapter 50, Section 50.103 of the Lombard Village Code states the billing period is hereby established as once each month. It should read, "The billing period is hereby established as bi-monthly."
2. Currently, Title V, Chapter 50, Section 50.117 of the Lombard Village Code states all bills for such services shall be due and payable within 21 days of the date of the bill. The ordinance revises the reference therein to "21 days" to read "thirty (30) days in order to reduce the number of delinquent accounts."
3. Changes to Title V, Chapter 50, Section 50.118 of the Lombard Village Code are needed in order to align with the current billing and delinquent notice schedule. Below lists the current process/procedures for billing and notices.
 - a. All water and sanitary sewer bills shall be deemed delinquent if not paid on or before their due date. Notice of the unpaid delinquent balance shall be provided pursuant to a reminder notice of unpaid charges issued five (5) days after the due date. If the past due balance remains unpaid, as of seven (7) days from the date of the reminder notice, another notice shall be mailed to the user, and a copy of the notice shall be sent to the taxpayer whose name appears on the tax bill as owner or owners of record for the parcel in question.
 - b. If the user would like to dispute or discuss the bill, a hearing is scheduled on the tenth (10th) day following the date of the mailing of the notice.
 - c. If the bill remains unpaid, and if the individual fails to show up at the hearing, or shows up at the hearing and does not successfully dispute the bill or come to a settlement in relation to the bill, water and/or sanitary sewer service will be disconnected on the sixth (6th) day following the hearing date.
 - d. Unpaid water or sanitary sewer charges may create a lien against the owner's property.

4. Staff recommends the following change to Title V, Chapter 50, Section 50.112 Title V, Chapter 50, Section 50.115 of the Lombard Village Code due to the change in nighttime hours at the Police station.
 - a. Unless there is an emergency situation, Public Works will not be dispatched after the Village Hall closes to turn on a residence that was shut off for non-payment. Shut off for non-payment usually occurs on Wednesdays.
 - b. In regard to non-payment shut-offs, water service shall only be turned on between 8:00 a.m. and the end of the business day for business at the Village Hall, Monday through Friday, and only on days when the Village Hall is open, provided the water bill has been brought current and paid in full, and provided the following reconnection fees have been paid:
 - i. If the reconnection occurs between 8:00 a.m. and 3:30 p.m., a fee of fifty and no/100 dollars (\$50.00) shall be paid to the Village; and
 - ii. If the reconnection occurs after 3:30 p.m. and before the end of the business day at the Village Hall, a fee of ninety and no/100 dollars (\$90.00) shall be paid to the Village.”
5. A new section to the Village Code is proposed, Title V, Chapter 50, Section 50.116, to add a shut-off fee of \$50.00 when a property owner requests a voluntary shut-off of water service to the property, through no fault of the Village. The shut-off shall only occur between 8:00 a.m. and 3:30 p.m., Monday through Friday, on days when the Village Hall is open. Once the water has been shut-off, any reconnection of water service to the property shall only occur between 8:00 a.m. and 3:30 p.m., Monday through Friday, on days when the Village Hall is open, and provided a reconnection fee of fifty and no/100 dollars (\$50.00) has been paid to the Village.

Please contact Assistant Director of Finance Jamie Cunningham for any questions or concerns on the proposed ordinance changes. Staff recommends the Village Board of Trustees approve the attached ordinances with waiver of first requested in order to prepare for the change in Police station nighttime hours this summer.

ORDINANCE NO. _____
AN ORDINANCE AMENDING TITLE V, CHAPTER 50 OF
THE LOMBARD VILLAGE CODE IN REGARD TO
WATER AND SANITARY SEWER BILLING

BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

SECTION 1: That Title V, Chapter 50, Section 50.103 of the Lombard Village Code is amended by revising the first sentence thereof to read in its entirety as follows:

“The billing period is hereby established as bi-monthly.”

SECTION 2: That Title V, Chapter 50, Section 50.117 of the Lombard Village Code is amended by revising the reference therein to “21 days” to read “thirty (30) days.”

SECTION 3: That Title V, Chapter 50, Section 50.118 of the Lombard Village Code is amended to read in its entirety as follows:

“§ 50.118 Delinquency.

All water and sanitary sewer bills shall be deemed delinquent if not paid on or before their due date. Notice of the unpaid delinquent balance shall be provided pursuant to a reminder notice of unpaid charges issued five (5) days after the due date. If the past due balance remains unpaid, as of seven (7) days from the date of the reminder notice, another notice shall be mailed to the user, and a copy of the notice shall be sent to the taxpayer whose name appears on the tax bill as owner or owners of record for the parcel in question, which shall state as follows:

- A. That the bill is delinquent;
- B. That if the user would like to dispute or discuss the bill, a hearing is scheduled on the tenth (10th) day following the date of the mailing of the notice;
- C. That if the bill remains unpaid, and if the individual fails to show up at the hearing, or shows up at the hearing and does not successfully dispute the bill or come to a settlement in relation to the bill, water

and/or sanitary sewer service will be disconnected on the sixth (6th) day following the hearing date; and

- D. That unpaid water or sanitary sewer charges may create a lien against the owner's property."

SECTION 4: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form, as provided by law.

Passed on first reading this _____ day of _____, 2017.

First reading waived by action of the Board of Trustees this ___ day of _____, 2017.

Passed on second reading this _____ day of _____, 2017, pursuant to a roll call vote as follows.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this _____ day of _____, 2017.

Keith Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published by me in pamphlet form this _____ day of _____, 2017.

Sharon Kuderna, Village Clerk

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE V, CHAPTER 50
OF THE LOMBARD VILLAGE CODE IN REGARD TO
WATER SERVICE AND SANITARY SEWER SERVICE
DISCONNECTIONS AND RECONNECTIONS**

BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

SECTION 1: That Title V, Chapter 50, Section 50.112 of the Lombard Village Code is amended to read in its entirety as follows:

“§ 50.112 Sanitary sewer only service reconnections and reconnection fees.

In the event sanitary sewer only service has been disconnected, sanitary sewer service shall only be reconnected between 8:00 a.m. and the end of the business day for business at the Village Hall, Monday through Friday, and only on days when the Village Hall is open, provided:

- (A) the sanitary sewer bill has been brought current and paid in full;
- (B) the user has paid the estimated cost for the reconnection work to be undertaken by the Village, based on an estimate to be provided to the user by the Village; and
- (C) the following reconnection fees have been paid:
 - (1) If the reconnection occurs between 8:00 a.m. and 3:30 p.m., a fee of fifty and no/100 dollars (\$50.00) shall be paid to the Village; and
 - (2) If the reconnection occurs after 3:30 p.m. and before the end of the business day at the Village Hall, a fee of ninety and no/100 dollars (\$90.00) shall be paid to the Village.

Any overpayment relative to the estimated reconnection cost shall be credited to the user on his/her/its account after the reconnection work has been completed. Any underpayment shall be billed to the user and paid within thirty (30) days of the billing.”

SECTION 2: That Title V, Chapter 50, Section 50.115 of the Lombard Village

Code is amended to read in its entirety as follows:

“§ 50.115 Water service reconnections and reconnection fees in regard to non-payment shut-offs.

After water service has been disconnected for non-payment of the water bill, water service shall only be turned on between 8:00 a.m. and the end of the business day for business at the Village Hall, Monday through Friday, and only on days when the Village Hall is open, provided the water bill has been brought current and paid in full, and provided the following reconnection fees have been paid:

- (A) If the reconnection occurs between 8:00 a.m. and 3:30 p.m., a fee of fifty and no/100 dollars (\$50.00) shall be paid to the Village; and
- (B) If the reconnection occurs after 3:30 p.m. and before the end of the business day at the Village Hall, a fee of ninety and no/100 dollars (\$90.00) shall be paid to the Village.”

SECTION 3: That Title V, Chapter 50 of the Lombard Village Code is amended

by adding a new Section 50.116 thereto, which shall read in its entirety as follows:

“§ 50.116 Voluntary water shut-offs and reconnections.

Where a property owner requests a voluntary shut-off of water service to the property, through no fault of the Village, said shut-off shall only occur between 8:00 a.m. and 3:30 p.m., Monday through Friday, on days when the Village Hall is open, and provided a shut-off fee of fifty and no/100 dollars (\$50.00) has been paid to the Village. Once the water has been shut-off, any reconnection of water service to the property shall only occur between 8:00 a.m. and 3:30 p.m., Monday through Friday, on days when the Village Hall is open, and provided a reconnection fee of fifty and no/100 dollars (\$50.00) has been paid to the Village.”

SECTION 4: That this Ordinance shall be in full force and effect from and after

its passage, approval and publication in pamphlet form, as provided by law.

Passed on first reading this _____ day of _____, 2017.

First reading waived by action of the Board of Trustees this ___ day of _____, 2017.

Passed on second reading this _____ day of _____, 2017,
pursuant to a roll call vote as follows.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this _____ day of _____, 2017.

Keith Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published by me in pamphlet form this _____ day of _____, 2017.

Sharon Kuderna, Village Clerk