

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 28, 2021 (COW)(B of T): June 17, 2021

TITLE: AN ORDINANCE AMENDING TITLE V, CHAPTER 51, SECTION 51.15 OF THE LOMBARD VILLAGE CODE IN REGARD TO INACCURATE WATER METERS

SUBMITTED BY: Timothy Sexton, Director of Finance

BACKGROUND/POLICY IMPLICATIONS:


Attached is an ordinance prepared by the Village's attorney to amend the Village Code in regards to billing for inaccurate water meter readings. The Village Code currently states, if a water meter at any time fails to register the quantity of water consumed, the usage shall be determined on the basis of the quantity registered during the corresponding period of the preceding year, or if there is no usage in the corresponding period of the preceding year, then it shall be upon an average charge in relation to the water meter size.

This ordinance amends the language to estimate on the basis of the average of the quantity of water used at the location during the corresponding period for each of the three preceding years. If there was no water usage at the location during the three preceding years, then the estimate shall be based on the average water usage of a similar type and size (residential, commercial, industrial or institutional).

FISCAL IMPACT:

N/A

REVIEW (as needed):

Village Attorney XX	_____	Date	_____
Finance Director XX		Date	5/28/21
Village Manager XX	_____	Date	_____

Cunningham, Jamie

From: Tom P. Bayer <TPBayer@KTJLAW.com>
Sent: Tuesday, May 11, 2021 11:16 AM
To: Sexton, Tim
Cc: Cunningham, Jamie; Gargano, Scott
Subject: Inaccurate Water Meters - Billing for Water Service
Attachments: Ord Amending Code re Inaccurate Water Meters 5-11-2021.DOCX

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Re: Inaccurate Water Meters – Billing for Water Service

Tim –

Per our meeting on April 28, 2021, attached please find the following Ordinance, relative to the above-captioned matter, for approval at a future Village Board meeting:

AN ORDINANCE AMENDING TITLE V, CHAPTER 51,
SECTION 51.15 OF THE LOMBARD VILLAGE CODE
IN REGARD TO INACCURATE WATER METERS

If there are any questions, please feel free to contact me.

Tom Bayer

Klein, Thorpe and Jenkins, Ltd.
20 N. Wacker Drive, Suite 1660
Chicago, Illinois 60606-2903
312-984-6422

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE V, CHAPTER 51,
SECTION 51.15 OF THE LOMBARD VILLAGE CODE
IN REGARD TO INACCURATE WATER METERS**

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 51, Section 51.15 of the Lombard Village Code is amended to read in its entirety as follows:

“§ 51.15 Inaccurate water meter; determination of charges.

If a water meter fails to accurately register the quantity of water consumed at the metered location, until such time as the water meter is repaired or a replacement water meter is installed, the water usage for said metered location shall be estimated on the basis of the average of the quantity of water used at the metered location during the corresponding period for each of the preceding three (3) years. If there was no water usage at the metered location during the corresponding period for each of the three (3) preceding years, then the estimated water usage shall be based upon the average water usage of a similar type and size residential, commercial, industrial or institutional use within the Village, as the case may be, with the same size water meter.”

SECTION 2: 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 _____, 2021.

First reading waived by action of the Board of Trustees this ____ day of _____, 2021.

Passed on second reading this _____ day of _____, 2021,
pursuant to a roll call vote as follows.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this _____ day of _____, 2021.

Keith Giagnorio, Village President

ATTEST:

Elizabeth Brezinski, Village Clerk

Published by me in pamphlet form this _____ day of _____, 2021.

Elizabeth Brezinski, Village Clerk