

**AN ORDINANCE AMENDING CERTAIN PRIOR RATE ORDINANCES FOR
THE USE AND SERVICE OF CERTAIN WATERWORKS AND SEWERAGE
SYSTEMS OF THE COUNTY OF LAKE IN THE STATE OF ILLINOIS**

BE IT ORDAINED by this County Board of Lake County, State of Illinois, as follows:

SECTION 1. WATERWORKS AND SEWERAGE SYSTEM RATES

The rates, fees and charges for the use and service of certain Waterworks and Sewerage Systems of the County of Lake, billed on a quarterly or bimonthly basis, shall be established as follows:

- (a.) Metered water, 3000 gallons per month minimum:
 - (1.) General Service Areas \$ 3.23 per 1,000 gallons
 - (2.) CLCJAWA Service Areas* \$ 5.79 per 1,000 gallons
 - (3.) Hawthorn Woods – Glennshire/Forest Lake* \$ 7.05 per 1,000 gallons

- (b.) Metered sewer, 3000 gallons per month minimum:
 - (1.) General Service Areas \$ 4.46 per 1,000 gallons
(Northeast, Southeast, South Central, Central, Northwest)
 - (2.) Countryside Manor, North Libertyville Estates,
Terre Faire \$ 4.96 per 1,000 gallons
 - (3.) Arbor Vista \$ 6.92 per 1,000 gallons
 - (4.) Northeast Central \$ 4.88 per 1,000 gallons

- (c.) Un-metered water, per single family residence or equivalent:
 - (1.) Arden Shores \$ 33.42 per month
 - (2.) Countryside Lake \$ 29.52 per month
 - (3.) Forest Lake* \$ 41.31 per month
 - (4.) Oak Terrace \$ 16.71 per month

- (d.) Un-metered sewer, per single family residence or equivalent:
- (1.) General Service Areas \$ 35.68 per month
(Southeast, South Central, Diamond/Sylvan Lake)
 - (2.) Countryside Manor, North Libertyville Estates,
Terre Faire \$ 39.68 per month
 - (3.) Northwest \$ 33.45 per month
 - (4.) Northeast Central \$ 39.04 per month
 - (5.) Ravenna/Royal Melbourne \$ 44.60 per month
 - (6.) Riverside Preserve \$ 56.60 per month

* Revised user fees, effective July 1, 2013.

SECTION 2. EFFECTIVE DATE OF RATES

The aforementioned water and sewer rates shall become effective at the end of the appropriate billing cycles, unless otherwise determined by the Director of Public Works.

SECTION 3. ILLEGAL CONNECTION OR TURN-ON

No person shall connect to or turn water or sewer on to any premises without permission from the County or after it has been shut off by the County.

SECTION 4. LIABILITY, ENFORCEMENT AND PENALTIES

SECTION 4.1 ENFORCEMENT OFFICER

All sections of this ordinance shall be enforced by the Director of the Lake County Public Works Department, or his or her designees.

SECTION 4.2 LIABILITY

The owner of the premises, the occupant thereof, or the user of the service shall be jointly and severally liable to pay for all service to such premises, and service is furnished to the premises by the County only upon the condition that the owner of the premises, occupant, or user of any service are jointly and severally liable therefore to the County of Lake.

SECTION 4.3 LIABILITY FOR UNDERCHARGES

In the event that there is an undercharge for service by reason of either an error involving billing procedures or metering equipment discrepancies, such undercharge shall be billed to the user, owner or occupant and collected by the County, provided, however, that the period of undercharge accumulation shall not exceed 12 months.

SECTION 4.4 LATE PAYMENTS, PENALTY

If payment of the entire amount of a bill for sewer and/or water service is not received by the County of Lake on or before the twentieth (20th) day after the billing date, then a late payment penalty of ten percent (10%) of the unpaid balance of the bill shall be added thereto and become due and payable.

SECTION 4.5 DELINQUENCY

In the event the sewer and/or water service charges including any penalty then due are not paid within sixty (60) days after the date of billing, such charges and penalty shall be deemed and are hereby declared to be delinquent. Such delinquency shall be a violation of this Ordinance and subject to enforcement and imposition of fines.

SECTION 4.6 SHUT OFF

If sewer and/or water service charges are determined to be delinquent or an unauthorized connection is made, the water or sewer service may be shut off by the Director of the Lake County Department of Public Works. Water and/or sewer service will not be turned on until all payment, penalties and fees have been paid.

SECTION 4.7 WARNING OF ORDINANCE VIOLATION

If any charges and/or penalties are declared to be delinquent the Enforcement Officer shall have the authority to issue a Warning of Ordinance Violation. The Warning shall, at a minimum, identify the violation for which it is being issued, shall include the address at which the violation has occurred, shall allow the Respondent to elect to pay all outstanding charges and/or penalties to abate the violation(s) within a reasonable time, and shall state that a Notice of Ordinance Violation may be issued if the Warning is not adhered to as specified.

SECTION 4.8 NOTICE OF ORDINANCE VIOLATION, ADMINISTRATIVE ADJUDICATION

If an individual has previously been issued a Warning of Ordinance Violation or is in violation of Section 3 and the individual fails to pay all outstanding charges and/or penalties by the date specified in the Warning, the Enforcement Officer shall have authority to issue a Notice of Ordinance Violation. If Administrative Adjudication is found to be the appropriate remedy to resolve the violation, the Notice must be served in accordance with and shall contain all information specified and required in the Lake County Administrative Adjudication Ordinance. Prior to the hearing date documented on the Notice of Ordinance Violation, the Respondent may elect to pay all outstanding charges and/or penalties deemed delinquent, pay the fine listed on the Notice of Ordinance Violation, and not participate in the hearing.

SECTION 4.9 LIENS

In the event the sewer and/or water service charges, including any penalty, are declared to be delinquent, the County of Lake shall commence with proceedings to create a lien upon the real estate to which water or sewerage service is supplied through the delinquent account in accordance with the County's authority pursuant to 55 ILCS 5/5-15021. To create this lien, the County shall send to the delinquent owner or owners of record of the real estate, as referenced by the taxpayer's property identification number, (1) a copy of each delinquency notice sent to the person who is delinquent in paying the charges or other notice sufficient to inform the owner or owners of record; and (2) a notice that unpaid charges or rates may create a lien on the real estate pursuant to 55 ILCS 5/5-15021.

In addition, the County shall file a notice of such lien in the office of the Lake County Recorder of Deeds. This notice shall consist of a statement sworn to by an authorized officer or employee of Lake County setting out (1) a description of such real estate sufficient for the identification thereof, (2) the amount of money due for such water or sewerage service, and (3) the date when such amount became delinquent. The County shall also send a copy of the notice of lien to the owner or owners of record of the real estate, as referenced by the taxpayer's property identification number. If all of the above requirements are met, the County shall have the power to foreclose this lien in the same manner and with the same effect as in the foreclosure of mortgages on real estate.

SECTION 5. CONNECTION RATES

The basic rates for connection of residential users, per dwelling unit or equivalent thereto, to certain Waterworks and Sewerage Systems of the County of Lake shall be established as follows:

- (a.) Water system connection:
 - (1.) General Service Areas \$1,500.00
 - (2.) Countryside Lake \$1,700.00
 - (3.) Grandwood Park \$5,850.00

- (b.) Sewer System connection:
 - (1.) General Service Areas \$4,560.00
 - (2.) Northeast Central (General) \$3,468.00
 - (2A.) Northeast Central (Third Lake) \$4,180.00
 - (2B.) Northeast Central (Highland Lake) \$4,480.00
 - (3.) Northwest \$3,520.00
 - (4.) Southeast Central \$3,200.00
 - (5.) Southeast (General) \$3,600.00
 - (5A.) Southeast (Ela Sector) \$5,910.00
 - (5B.) Southeast (Portwine Sector) \$5,738.00
 - (6.) Diamond/Sylvan Lake \$7,220.00
 - (7.) Northeast \$5,900.00

Connection charges for Commercial, Industrial, and Institutional users shall be based on the foregoing rates for each 250 gallons per day of usage in accordance with U.S. Department of the Interior data or as approved by the Director of Public Works. Connection charges in the Northeast Sewer System shall be based on 350 gallons of daily usage. The foregoing connections fees shall also be applicable and charged on a pro-rata basis whenever an existing use is changed or modified to the extent that it results in significantly higher daily usage.

SECTION 6. ADDITIONAL RATES

The following rates and charges, for services, in addition to and supplementing those previously described by ordinance, be and are hereby established:

- (a.) General Inspection Fee: \$100.00 per connection
- (b.) Construction Water: \$50.00 per Dwelling Unit or Equivalent thereof
- (c.) Seasonal Removal & Replacement of Water Meter: \$100.00
- (d.) Force Account work, Contract Operation and Maintenance: \$60.00 per man hour, regular; \$90.00 per man hour, overtime; plus support equipment
- (e.) Water Meter Charges:
 - (1.) 5/8" meter \$ 200.00
 - (2.) 1" meter \$ 250.00
 - (3.) 1 1/2" meter \$ 450.00
 - (4.) 2" disc \$ 600.00
 - (5.) 2" compound \$1,400.00
 - (6.) 3" compound \$1,600.00
 - (7.) 4" compound \$2,700.00
 - (8.) 6" compound \$4,000.00
- (f.) Automatic Sprinkler Systems \$0.35 per head per quarter
- (g.) Hydrant Meter Deposit: As determined by the Director of Public Works.
- (h.) Septage Disposal Fee \$40.00 per 1,000 gallons
- (i.) Septage Decant \$7.00 per 1,000 gallons
- (j.) Drying Pad Fee \$150.00 per truckload
- (k.) Hydrant Flow Test \$250.00 per hydrant
- (l.) Laboratory Test Fees per Attachment A

SECTION 7. REPEALER, SURVIVAL

All ordinance or parts of ordinances, in conflict herewith are hereby repealed.

The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance, which can be given effect without such invalid part or parts.

SECTION 8. EFFECTIVE DATE OF ORDINANCE

This ordinance shall be published and take effect as provided by law.

Adopted by the County Board on July 9, 2013.

County Board Chair
The County of Lake, Illinois

ATTEST: (SEAL)

County Clerk
The County of Lake, Illinois