

ORDINANCE NO. 17432

**ORDINANCE AMENDING CHAPTER 31 OF THE CODE OF ORDINANCES
IN REGARDS TO USAGE AND WATER AND SEWER RATES AND FEES**

WHEREAS, the Mayor and City Council of the City of Joliet, Illinois (City) has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

WHEREAS, the City owns and operates a combined water and sewer system, and has previously established ordinances for the usage of its water and/or sewer system; and

WHEREAS, the City has identified several codes in need of updating to align with current business practices and administrative policies; and

WHEREAS, the City of Joliet is a home rule unit of local government.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF JOLIET, ILLINOIS, PURSUANT TO ITS STATUTORY AND HOME RULE AUTHORITY, AS FOLLOWS:

SECTION 1: The Mayor and City Council hereby find that the recitals contained in the preamble to this Ordinance are true, correct and complete and are hereby incorporated into this Ordinance by reference.

SECTION 2: Effective November 1, 2015, Chapter 31, Water And Sewers, of the Code of Ordinances is hereby amended as follows:

Delete Sec. 31-52 and replace it with the following:

Sec. 31-52. - Fees.

- (a) The fee for a water service permit shall be forty-five dollars (\$45.00).
- (b) The fee for a sewer service permit shall be forty-five dollars (\$45.00).

Delete Sec. 31-53 and replace it with the following:

Sec. 31-53. - Tapping charges for water mains.

The charge for tapping a water main shall be as follows:

- (1) One-inch tap \$300.00
- (2) One-and-one-half-inch tap 300.00
- (3) Two-inch tap 300.00
- (4) Three-inch or larger tap 500.00

Delete Sec. 31-54 and replace it with the following:

Sec. 31-54. - Connection charges.

- (a) General. No water service permit, sewer connection permit, plumbing permit, building permit, certificate of occupancy or business license shall be issued without full payment of the connection charges as set forth herein. Payments shall be made to the city manager or his designee at the time of permit application. Permit applications which are denied or withdrawn and later resubmitted shall be subject to the connection fee in effect at the date of re-submittal. Notwithstanding the foregoing, when authorized by the mayor and city council, payment of the connection charges may be made in equal monthly installments with the first installment due prior to the issuance of a water service permit, sewer connection permit or plumbing permit for connection. The charge for each water service connection and for each sewer service connection shall be as follows:
- (1) Residential uses.
 - a. The connection charge for a water service connection shall be three thousand five hundred dollars (\$3,500.00) per residential unit and the charge for a sanitary sewer service connection shall be two thousand five hundred dollars (\$2,500.00).
 - b. The charges set forth above shall apply to single family, duplex and multi-family residential dwelling units. Duplex and multi-family residential units will have fee adjustments based on the equivalent single family residential unit.
 - (2) Nonresidential uses.
 - a. The connection charge for a water service connection shall be three thousand five hundred dollars (\$3,500.00) per equivalent residential unit and the charge for a sanitary sewer service connection shall be two thousand five hundred dollars (\$2,500.00) per equivalent residential unit.
 - b. An "equivalent residential unit" shall be defined as the use of three hundred fifty (350) gallons per day of water/sewer service. Nonresidential users shall pay an estimated connection fee at the time of connection based on estimated usage. After fifteen (15) full months of operation by the nonresidential user, water usage records will be reviewed for the previous twelve (12) consecutive months to determine the actual number of equivalent residential users. The connection fee shall be calculated using the actual number of equivalent residential users. Additional fees shall be collected or refunds made as appropriate.
- (b) Pre-existing service. In the case of a new building or addition to an existing building, other than a single family structure, located upon a lot or tract of land which has an existing water or sanitary sewer service connection previously in use, and if all or part of such construction shall be devoted to the use and such use is greater than the previous devoted use, no water service permit, sanitary sewer service permit or plumbing permit shall be issued without payment of the connection charges as computed according to this section. The fee shall be based on increased usage with no credit given for a reduction in usage.

- (c) Exemptions. Connection charges shall not be imposed on any property designated in written agreements between the property owner and the city council as exempt from these or similar charges.

Delete Sec. 31-70 and replace it with the following:

Sec. 31-70. - Date of payment of bill; late charge.

- (a) Date of payment of bill. All bills for water and sewer services shall be due and owing and shall be paid within fifteen (15) days of the date on which the bill is mailed by the city. Any amount not paid within fifteen (15) days of the date on which the bill is mailed by the city shall be considered to be delinquent.
- (b) Late charge. A late charge of ten (10) percent per month shall be imposed upon any delinquent balance. Upon request from the party responsible for payment of the bill and full payment of the remaining invoice, the finance director or designee is authorized to waive the ten (10) percent late charge, provided invoices for the previous twenty-four (24) months have been paid on time and further provided that the city has not yet posted a notice of impending water shutoff at the service location. The ten (10) percent penalty may only be waived once for each account.

Delete Sec. 31-71 and replace it with the following:

Sec. 31-71. - Termination of services for nonpayment of charges; expenses of termination.

- (a) The city manager or his delegate is hereby authorized to terminate water or sewerage service to any customer for which there is a charge outstanding for water or sewerage service which is not less than thirty (30) days delinquent. The cost of terminating such services, including excavation if necessary, shall be assessed against the customer and added to the delinquent bill.
- (b) Water and sewerage services may be shut off and discontinued to any property in which an owner/consumer has become delinquent in payment for penalties, fines, taxes and any other indebtedness due the City of Joliet. Water and sewerage services shall not be turned on or otherwise restored to a property until delinquent payments have been paid in full.

Delete Sec. 31-82 and replace it with the following:

Sec. 31-82. - Usage to be metered.

- (a) All water usage. All water supplied through the city system shall be measured through a water meter as provided in this Code, and the usage charges for combined water and sewer service or water service only shall be based on the meter readings.
- (b) Exception. Persons desiring to use city water for construction purposes where it is impractical to measure the consumption of water by meter shall apply to the city manager or his designee for a permit for that purpose and shall be required to pay for such water at the time of issuance of such permit at the following rate:
 - (1) Water for use during construction, nine dollars and ninety-five cents (\$9.95) per room or six dollars and ninety five cents (\$6.95) per two hundred (200) square feet of floor

space, whichever is greater. The flat rate charge for water supplied for construction under such permit shall terminate when occupancy of the premises begins or within six (6) months after the issuance of the permit, whichever occurs first. Water use under this provision shall only be taken at the intended water service connection for use at said construction site. Any water used after such period shall be metered and charged according to metered rates. In no case shall such permit for water for construction purposes be construed as permitting the use of such water for landscaping or yard preparation, and it shall be unlawful to use water under such arrangement for landscaping or yard preparation.

- (2) All other persons desiring to use city water in any case where it is impractical to measure the consumption by meter shall apply to the city manager or his designee for a permit for that purpose and shall be required to pay for such water at the rate established in section 31-80.

Add Sec. 31-86 as follows:

Sec. 31-86. Final bill.

Any person or party vacating any premises receiving city water shall request a final reading of the water meter by the city before vacating said premises. All requests to the city for a final reading of the water meter shall be made not less than five (5) days prior to the date of the anticipated property transfer or vacation. Upon receiving such a request, the city shall take a final reading of the water meter and prepare a bill to be submitted to the customer for payment. In accordance with section 28-261 of this Code, the city shall not issue any real estate transfer tax stamps for the subject property until said bill is paid. In the event a final reading of the water meter is not possible prior to the transfer of property for which real estate transfer tax stamps are required, the customer shall pay a reasonable estimate of the amount due as determined by the city. In the event the final reading shows the customer still owes the city money, said customer shall promptly pay the city any outstanding sums. In the event the final reading shows the customer has paid in excess of the amount due, the city shall refund said excess to the customer.

Delete Sec. 31-92 and replace it with the following:

Sec. 31-92. - City ownership of meters, privately owned meters; multi-tenant buildings.

- (a) No person directly or indirectly consuming water supplied by the City of Joliet shall use or possess a water meter on premises beneficially owned or controlled by him which has not been furnished and is not owned by the City of Joliet. Private meters shall be turned into the Department of Public Utilities for replacement with a City approved metering device. The cost of the meter shall be paid by the customer in accordance with section 31-93.
- (b)
 - (1) No city supplied water shall be furnished to a multiunit residential building unless it is first measured through a master meter, measuring the total amount of water furnished to all units in such building.
 - (2) City supplied water furnished to individual residential units in multiunit residential buildings may be measured through individual meters only if all individual meters are billed to and paid by the beneficial owner of the multiunit residential building.

Delete Sec. 31-93 and replace it with the following:

Sec. 31-93. - New meters for new service locations.

Where water service is newly established to a location, the applicant shall, prior to connection, pay a service charge equal to the cost to furnish the meter plus ten (10) percent.

Delete Sec. 31-98 and replace it with the following:

Sec. 31-98. - Right of entry, remote registering.

- (a) Consumers of city supplied water shall, at all reasonable hours, permit authorized city officials to enter upon and into their premises for the purposes of inspection, testing or replacement of meters and other fixtures relating to measurement of water consumption and control of supply.
- (b) If entrance to the premises is refused, the city shall send written notice to the customer requesting admittance. If admittance is not provided within fourteen (14) days after the mailing of such notice to the customer, then the city manager or his delegate is hereby authorized to terminate water or sewerage service to the premises.
- (c) If the beneficial owner of the premises fails to pay for the costs imposed pursuant to this section said amount shall become a lien on the premises as provided in this chapter.
- (d) If the beneficial owner of the premises fails to pay for the costs imposed pursuant to this section, then the city manager or his delegate is hereby authorized to terminate water or sewerage service to the premises.

Delete Sec. 31-99 and replace it with the following:

Sec. 31-99. - Testing meters; charges.

The city shall test the accuracy of any city water meter upon the written request of a customer. This request must be accompanied with a deposit of twenty-five dollars (\$25.00) for the first such request in any twelve-month period and a deposit of fifty dollars (\$50.00) for any subsequent tests within the twelve-month period commencing on the date of the first test. If it is found after the test that the meter registers more than one hundred three (103) per cent than has actually passed through it, the charge for the billing period preceding the request for the test will be adjusted to conform to the amount of water passing through the meter, and the deposit will be refunded. If the meter registers ninety-seven (97) per cent to one hundred three (103) per cent of the amount actually passing through the meter, no adjustment shall be made to the previous billing period and the deposit, if any, shall be retained by the city. If the meter registers less than ninety-seven (97) per cent of the amount actually passing through the meter, the deposit shall be credited to the customer account and the charges for the billing period preceding the date of the request shall be adjusted to conform to the amount of water passing through the meter.

After January 1, 2017, the deposit for meter testing shall be calculated based on the actual expenses to the city plus twenty-five (25) per cent overhead.

Delete Sec. 31-100 and replace it with the following:

Sec. 31-100. Water turn-on fee.

- (a) A customer requesting to establish or reestablish water service shall pay a turn-on fee of not less than \$120.00 under any of the following circumstances:
- (1) The customer's water service was interrupted due to unpaid bills for service.
 - (2) A new account for service is being established at the subject address.
 - (3) Service was suspended at the customer's request for a period greater than three (3) days.
- (b) For customer requests to establish or reestablish water service after regular City Hall hours, subject to staff availability, the water turn-on fee shall be double. The water turn-on fee shall also be adjusted annually by the City Manager based on changes in the actual expenses incurred by the City in establishing or reestablishing water service, plus a twenty-five percent (25%) overhead factor.
- (c) It shall be the responsibility of any party requesting the restoration of water and/or sewer service to pay all fees, deposits, and delinquent charges, attributable to the property for which water and sewer service is provided. Water and/or sewer service shall not be turned on or otherwise restored to a property until all fees, deposits, and delinquent charges have been paid in full.
- (d) When the ownership of property is transferred to a new owner, it shall be the responsibility of the new owner to pay all fees, deposits, and delinquent charges prior to water and sewer service being turned on or otherwise restored to property.

Delete Sec. 31-137 and replace it with the following:

Sec. 31-137. - Deposit required for residential unit: Amount; exceptions; disposition of funds.

- (a) Deposit of one hundred twenty-five dollars (\$125.00) shall be made to the city collector with each application from a person who does not have an open account or experience in an account with the city before city water may be turned on to a residential unit; however, if the applicant for water service is the owner of the building, no such deposit will be required.
- (b) The deposit shall be retained by the city to insure payment for all bills for water or sewer services. While the deposit is being retained by the city, the depositor shall not be entitled to interest on the deposit.
- (c) When service to the consumer is discontinued permanently, the deposit, less any amount still due the city for water or sewer service, shall be refunded without interest.

For the purposes of this section, a residential unit shall be deemed to include an apartment unit in a multifamily building

Delete Sec. 31-138 and replace it with the following:

Sec. 31-138. - Deposit required of commercial and industrial consumers; determination of amount; exceptions; disposition of deposit.

- (a) A deposit of two (2) times the amount of the monthly water bill, as estimated by the city for similar uses, but not less than fifty dollars (\$50.00), shall be made with each application before city water may be turned on for a commercial or industrial establishment from persons who do not have an open account or experience in an account with the city; however, if the applicant for the city water service can show that he is the owner of the premises to be served, no deposit shall be required.
- (b) The estimate shall be subject to revision by the director of utilities after three (3) months of water service.
- (c) The deposit shall be retained by the city to insure payment for all bills for water and sewer services. While the deposit is being retained by the city, the depositor shall not be entitled to interest on the deposit.
- (d) When service to the applicant is discontinued permanently, the deposit, less any amount still due the city for water or sewer service, shall be refunded without interest.

Delete Sec. 31-161 and replace it with the following:

Sec. 31-161. Valves required.

An approved locking-type *shut off valve, such as a full port ball valve or approved equivalent*, shall be placed on the inlet side of the water meter. A check valve, *such as an in-line check valve or approved equivalent*, shall be placed on the outlet side of the water meter for residential services. *The minimum size for the shut off valve and the check valve shall be ¾ inch inside diameter. The Owner/Customer shall be responsible for the maintenance and operating condition of the valve.*

SECTION 3: This Ordinance and every provision thereof shall be considered separable and the invalidity of any section, clause, paragraph, sentence or provision of the Ordinance shall not affect the validity of any other portion of this Ordinance. In the event any portion of this Ordinance establishing rates is found to be invalid, the most recently adopted Ordinance adopted prior to this Ordinance which establishes rates for such usage shall apply and be given full force and effect.

SECTION 4: All Ordinances or parts of Ordinances conflicting with any of the provisions of this ordinance shall be and the same is hereby repealed to the extent of such conflict.

SECTION 5: All ordinances or parts of ordinances conflicting with any of the provisions of this Ordinance shall be and the same is hereby repealed.

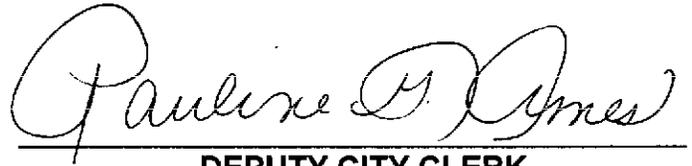
SECTION 6: The City Clerk is hereby directed to publish this Ordinance.

SECTION 7: This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

PASSED this 6th day of October, 2015.



MAYOR



DEPUTY CITY CLERK

VOTING YES: Councilwoman Gavin, Councilmen Hug, McFarland, Morris, Mudron, Councilwoman Quillman and Councilman Turk.

VOTING NO: Mayor Pro-Tem Gerl.

NOT VOTING: Mayor O'Dekirk (absent).

COUNCIL MEMO #526-15

OFFICE OF THE CITY MANAGER
JAMES D. HOCK
CITY MANAGER
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FAX: 815/724-3737

jhock@jolietcity.org



150 WEST JEFFERSON STREET
JOLIET, ILLINOIS 60432-4158

DATE: SEPTEMBER 29, 2015

TO: MAYOR AND CITY COUNCIL

FROM: JAMES D. HOCK, CITY MANAGER

SUBJECT: AN ORDINANCE AMENDING CHAPTER 31 OF THE CODE OF ORDINANCES - WATER & SEWER

BACKGROUND:

The Administration is requesting to update Section 31 of the Code of Ordinances concerning Water and Sewer.

CONCLUSION:

Attached is recommended changes to Chapter 31 of the Code of Ordinances.

Water Permit and Sewer Permit Fees:

The permit fees help cover the costs to process the respective permits in the Building Inspection Department and were last adjusted over 25 years ago. These fees have been increased from \$31.00 each to \$45.00 each.

Water Tap Fees:

These fees help cover the cost for Water Department field crews to provide new service connections to the water distribution system. These increases are intended to cover the cost to perform the services and are comparable to market prices. The new fees are as follows:

Connection	Existing Fee	Proposed Fee
1" Service Tap	\$120.00	\$300.00
1 1/2" Service Tap	\$120.00	\$300.00
2" Service Tap	\$120.00	\$300.00
3" or Larger Tap	\$265.00	\$500.00

Connection Charges:

These fees remain unchanged however the language was updated to explain the calculation method for multiunit buildings and non-residential accounts.

Date of Payment; Late Charge:

The late charge is changed to 10% to reflect the industry standard and language is included to establish process to waive the fee.

Termination of Services:

Language is included to update process to shut off delinquent accounts

Usage to be Metered:

Language of this section has been updated. Likewise, the process and fees for construction water have been updated.

Final Bill:

Section 31-86 has been added to provide basis for City policy to collect past due amounts at time of sale for real estate transactions.

Ownership of Meters/Cost for New Meters:

This section is updated to reflect current City policy for installation of water meters at Multi-unit and single family residences. The customer cost for new meters is the City's cost plus 10%.

Right of Entry, Remote Registering, Testing Meters:

Language and fees are updated to reflect current City policy.

Turn On Fees:

Fee established to allow after hour turn on charges and formalize policy to collect fees at time of sale and prior to re-establishing water service to a property.

Deposits:

The deposit for non-owned buildings is increased from \$60.00 to \$125.00. Commercial account is charged two times estimated usage, but not less than \$50.00.

These proposed water and sewer rate increases position the City of Joliet with comparable water and sewer rates to surrounding communities. The respective Ordinance modifications aligns the Code of Ordinances with current City policy.

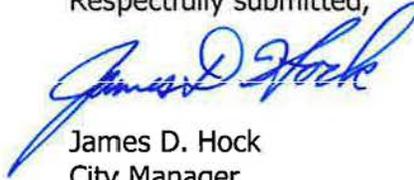
Shut Off Valve Requirements:

Sec. 31-161 has been updated to require locking type full port ball valve for the main shut off valve. The minimum sizing of the service at the meter setting is ¾ inch. The Owner/Customer is liable for maintenance and operating condition of the valve.

RECOMMENDATION:

Based on the above, the Administration recommends that the Mayor and City Council approve the attached ordinance amending Chapter 31 of the Code of Ordinances concerning water and sewer.

Respectfully submitted,



James D. Hock
City Manager

CONCURRENCES:



James E. Eggen
Director of Public Utilities



James Ghedotte
Director of Finance

JDH:JEE:jee

Attachment: Ordinance