

CHAPTER 19
UTILITY SERVICE RATES AND CHARGES
ARTICLE I
RATES AND CHARGES

SECTION 19-1: DEFINITIONS

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

“ACT” The Federal Water Pollution Control Act, as amended, 33 U.S.C. *et seq.*

“ADMINISTRATOR” The Administrator of the U.S. Environmental Protection Agency.

“APPROVING AUTHORITY” The President and Board of Trustees of the Village of Lena acting by and through the Waterworks Superintendent, being their duly authorized agent or representative.

“BASIC USER CHARGE” The basic assessment levied on all users of the public sewer system.

“BILLING” The preparation and mailing of water and/or sewer bills for services provided to premises by the Village Clerk's Office, and the date of billing shall be determined by the date the bill is prepared and mailed by the Village Clerk regardless of when the bill is received.

“COMPATIBLE POLLUTANT” Biochemical oxygen demand, suspended solids, pH and fecal coliform bacteria, plus additional pollutants identified on the NPDES permit.

“CONTROL MANHOLE” A structure located on a site from which industrial wastes are discharged. The purpose of a "control manhole" is to provide access for a Village Representative to sample and/or measure discharges.

“DIRECTOR” The chief administrator officer of the State of Illinois Environmental Protection Agency.

“FEDERAL GRANT” The U.S. government participation in the financing of the construction of treatment works as provided for by Title II - Grants for Construction of Treatment Works of the Act.

“INCOMPATIBLE POLLUTANT” Any pollutant which is not a compatible pollutant as defined in "compatible pollutant."

“INDUSTRIAL USER” Any non-governmental user of publicly owned treatment works that discharge wastes to the sanitary sewer system other than domestic waste or waste from sanitary conveniences. Any user can discharge 30 gallons per day per person employed without that portion being considered industrial waste.

“MAJOR CONTRIBUTING INDUSTRY” An industrial user of the publicly owned treatment works that:

1. Has a flow of 50,000 gallons or more per average workday;
2. Has a flow greater than five percent of the flow carried by the municipal system receiving the waste;
3. Has in its waste, a toxic pollutant in toxic amounts as defined in standards issued under Section 307a of the Act; or

4. Is found by the permit issuance authority, in connection with the issuance of an NPDES permit to the publicly owned treatment works receiving the waste, to have significant impact, either singly or in combination with other contributing industries, on that treatment works or upon the quality of effluent from that treatment works.

"MILLIGRAMS PER LITER" A unit of the concentration of water or wastewater constituent. It is 0.001 g of the constituent in 1,000 ml of water. It has replaced the unit formerly used commonly, parts per million, to which it is approximately equivalent, in reporting the results of water and wastewater analysis.

"NPDES PERMIT" Any permit or equivalent document or requirements issued by the Administrator, or, where appropriate by the Director, after enactment of the Federal Water Pollution Control Amendments of 1972, to regulate the discharge of pollutants pursuant to Section 402 of the Act.

"Ppm" Parts per million by weight.

"POPULATION EQUIVALENT" A term used to evaluate the impact of industrial or other waste on a treatment works or stream. One population equivalent is 100 gallons of sewage per day, containing 0.17 pounds of BOD and 0.20 pounds of suspended solids. The impact on a treatment works is evaluated as the equivalent of the highest of the three parameters. Impact on a stream is the higher of the BOD and suspended solids parameters.

"PRETREATMENT" The treatment of wastewaters from sources before introduction into the wastewater treatment works.

"REPLACEMENT" Expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the service life of the treatment works to maintain the capacity and performance for which such works were designed and constructed. The term "operation and maintenance" includes replacement.

"SERVICE" Water and/or sewer service provided to individual premises by the Village and the term shall be inclusive of whatever service or services may be provided to the premises whether water service alone, sewer service alone, or both services, as the case may be.

"STANDARD METHODS" The examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water, Sewage, and Industrial Wastes," published jointly by the American Public Health Association, the American Water Works Association and the Federation of Sewage and Industrial Wastes Associations.

"STORMWATER RUNOFF" That portion of the rainfall that is drained into the sewers.

"SURCHARGE" The assessment in addition to the basic user charge and debt service charges which is levied on those persons whose wastes are greater in strength than the concentration values established in Section 19-3.

"USEFUL LIFE" The estimated period during which the treatment works will be operated shall be 20 years from the date of start-up of any wastewater facilities constructed with a federal grant.

"USER CHARGE" A charge levied on users of treatment works for the cost of operation and maintenance including replacement, and shall consist of both basic user charges and surcharges as defined above.

"USER CLASS" The type of user either "residential or commercial" or "industrial" as defined in "industrial user."

“WATERWORKS and SEWERAGE FUND” The principal accounting designation for all revenues received in the operation of the waterworks and/or sewerage system. These revenues shall be segregated so that water system revenues shall be credited the waterworks account of the waterworks and sewerage fund and revenues of the sewerage system shall be credited to the sewerage account of the waterworks and sewerage fund.

“VILLAGE” The Village of Lena and any reference to "within the Village" shall mean all territory within the perimeter of the Village of Lena Boundaries.

SECTION 19-2: WATER SERVICE CHARGES AND CONNECTION FEES

(A) *Water service charges.* There shall be and there are hereby established rates or charges for the use of and for the services supplied by the waterworks system of the Village:

1. Within the corporate limits the residential, commercial, and industrial water service charge per monthly period shall be as follows: \$0.36 per 100 gallons from 1,200 up to 15,000; then \$0.34 per 100 gallons for 15,001 to 25,000; then \$0.31 per 100 gallons for 25,001 or more. The minimum charge for water service shall be \$17.55 per user for up to 1,200 gallons. A \$4.50 water capital improvement and emergency maintenance fund fee shall be assessed monthly per user. Each June, the water rates and minimum charge will automatically raise according to the municipal price index, not to exceed 5% nor less than 1%. (Passed 07/11/05) (Amended 02/12/07, 09/10/07) (Amended 10/13/08) (Amended 12/14/09) (Amended 12/13/10) (Amended 08/09/21) (Amended 8/23/22) (Amended 6/28/23)

2. Outside the corporate limits each user of the waterworks system for the Village located outside the corporate limits shall have a surcharge of 100% added to the bill rendered for any service described above.

(B) *Water Connection fee.* All new water connections to the Village water system shall pay a \$900 connection charge for each new connection made to the Village's water system. This connection fee shall be paid to the Village before any building permit shall be issued. Provided, however, that the fee required under this section shall be waived in the event the proposed connection is eligible for a combined fee under Section 19-4 of this Code.

SECTION 19-3: WASTEWATER SERVICE CHARGES AND CONNECTION FEES

(A) *Basis for wastewater service charges.*

1. The wastewater service charge for the use of and for service supplied by the wastewater facilities of the Village shall consist of a basic user charge for operation and maintenance plus replacement, and a surcharge, if applicable.

2. The basic user charge shall be based on water usage as recorded by water meters and/or sewage meters for wastes having the following normal concentrations.

(a) A five-day 20 degree centigrade (20°C) biochemical oxygen demand (BOD) of 200 mg/l.

(b) A suspended-solids content of 250 mg/l.

3. It shall consist of operation and maintenance costs plus replacement and shall be computed as follows:

(a) Estimate the projected annual revenue required to operate and maintain the wastewater facilities, including a replacement fund, for the next fiscal year for all works categories.

(b) Proportion the estimated costs to wastewater facility categories by volume, suspended solids and BOD₅.

(c) Estimate wastewater volume, pounds of SS and pounds of BOD₅, to be treated.

(d) Compute unit costs for volume (dollars per 1,000 gal.) for SS (dollars per lbs.) and for BOD₅, (dollars per lb.).

(e) Compute costs per 1,000 gal. for volume, SS, and BOD at normal sewage strength. Add these costs to determine the charge for operation and maintenance including replacement.

4. A surcharge will be levied to all users whose waste exceeds the normal concentrations for BOD (200 mg/l) and SS (250 mg/l). The surcharge will be based on water usage as recorded by water meters and/or sewage meters for all wastes which exceed the 200 mg/l and 250 mg/l concentration for BOD and SS respectively. This subchapter specifies the procedure to compute a surcharge. The wastewater service charge shall be reviewed annually by certified public accountants to the Village in their audit report. It shall be revised periodically to reflect a change in debt service or a change in operation and maintenance including replacement costs.

(B) *Measurement of flow.*

1. The volume of flow used for computing basic user charges and surcharges shall be the metered water consumption read to the lowest even increments of 100 gallons.

2. If the person discharging waste into the public sewers procures any part, or all, of his water from sources other than the public waterworks system, all or part of which is discharged into the public sewers, the person shall install and maintain, at his expense, water meters of a type approved by the Superintendent for the purpose of determining the volume of water obtained from these other sources.

3. Devices for measuring the volume of waste discharged may be required by the Superintendent if these volumes cannot otherwise be determined from the metered-water consumption records. Metering devices for determining the volume of waste shall be installed, owned and maintained by the person. Following approval and installation, such meters may not be removed without the consent of the Superintendent.

(C) *Wastewater service charge.* There shall be and there is hereby established a minimum charge and a basic user rate for the use of and for the service supplied by the wastewater system of the Village:

1. The wastewater charge per monthly period shall be \$0.62 per 100 gallons of wastewater used above 1,200 gallons. The minimum monthly charge for wastewater service shall be \$16.25 per user for up to 1,200 gallons. A \$4.00 wastewater capital improvement and emergency maintenance fund fee shall be assessed monthly per user. Each June, the wastewater rates and minimum charge will automatically raise according to the municipal price index, not to exceed 5% nor less than 1%. (Passed 07/11/05) (Amended 02/12/07, 9/10/07) (Amended 10/13/08) (Amended 12/14/09) (Amended 12/13/10) (Amended 03/11/19) (Amended 08/09/21) (Amended 8/23/22) (Amended 6/28/23)

2. If the user is billed a combined water and wastewater service charge, the monthly charge for service shall be a minimum of \$33.80 for up to 1,200 gallons starting with the May 2019 billing. (Amended 02/12/07) (Amended 10/13/08) (Amended 12/14/09) (Amended 12/13/10) (Amended 03/11/19) (Amended 8/23/22) (Amended 6/28/23)

3. Outside the corporate limits each user of the waterworks system of the Village located outside the corporate limits shall have a surcharge of 100% added to the bill rendered for any service described above. In the event any debt is owed as a result of any improvement to the waterworks system, any such surcharge shall be allocated to debt service only and shall not be used for operation, maintenance, or replacement costs, until such debt is fully paid.

4. The users of wastewater treatment services will be notified annually, in conjunction with a regular billing, of the rate and that portion of the user charges which are attributable to the wastewater operation, maintenance, and replacement.

5. The Illinois Environmental Protection Agency, United States Environmental Protection Agency, or an authorized representative of either of the aforementioned organizations, shall have access to any books, documents, papers and records of the Village which are applicable to the Village system of user charges for the purpose of making audits, examinations, excerpts, and transcriptions thereof to insure compliance with the terms of the special and general conditions to any state grant, and/or federal regulations and conditions of a federal grant.

(D) *Wastewater connection fee.* All new sewer connections to the Village sanitary sewer system shall pay a \$900 connection charge for each new connection made to the Village's sanitary sewer system. This connection fee shall be paid to the Village before any building permit shall be issued. Provided, however, that the fee required under this Section shall be waived in the event the proposed connection is eligible for a combined fee under Section 19-4 of this Code. All sanitary sewer shall be installed in compliance with regulations and specifications of the Village and state at the connecting party's expense.

(E) *Computation of surcharge.*

1. The surcharge per person shall be computed by the following formula:

$$S = V (0.00834) (A(BOD-200) + B(SS-250))$$

Where:

S	=	Amount of surcharge (\$)
V	=	Wastewater volume in thousand gallons per billing period
0.00834	=	Unit weight of water x 10 ⁻⁶ per thousand gallons
A	=	Unit charge per lb. for BOD ₅ , per lb.
BOD ₅	=	5-day biochemical oxygen demand, mg/l
200	=	Allowable BOD ₅ , strength
B	=	Unit charge per lb. of SS, mg/l
250	=	Allowable SS, mg/l

2. The concentration of wastes used for computing surcharges shall be established by waste sampling. Waste sampling shall be performed as often as may be deemed necessary by the Superintendent and shall be binding as a basis for surcharges. Sampling stations shall be provided and maintained by the person.

(F) *Computation of wastewater service charge.* The wastewater service charge per person shall be computed by the following formula:

$$W = VR+S$$

Where:

W	=	Amount of wastewater service charge (\$) per billing period
V	=	Wastewater volume in 100 gallons per billing period
R	=	Basic user rate for operation, maintenance and replacement
S	=	Amount of surcharge

SECTION 19-4: COMBINED FEE

A combined building, water connection and sewer connection fee shall be available to all owners of property within the Village who propose to construct a new single-family residential structure. If the owner so elects, a combined fee of \$500.00 shall be payable to the Village, as and for a water connection fee (as required by Section 19-2 of this Code), sanitary sewer connection fee (as required by Section 19-3 of this Code), and building permit fee (as required by Section 23-134 of this Code). Payment of the combined fee shall be deemed payment in full of all three of said individual fees.

This Section 19-4 shall be in force and effect for all applications submitted from January 1, 2005 through December 31, 2007. After December 31, 2007, this section shall be of no effect unless otherwise extended by action of the Village Board, and no application submitted after said date shall be eligible for the combined fee provided hereby. (Passed 12/13/04)

SECTION 19-5: BILLS

(A) All charges for water and sewer service shall be payable monthly. The owner of the premises, the occupant thereof and the user of the service shall be jointly and severally liable for the water and sewer service furnished to such premises, and the service is furnished to the premises by the Village only upon the condition that the owner of the premises, occupant and user of the services are jointly and severally liable for such services to the Village.

(B) Bills for water and/or sewer service shall be sent out by the Village Clerk once a month, and shall cover the immediate previous month for which service was furnished plus any unpaid bills and/or charges. All water and/or sewer bills are due and payable the first day of the month following billing. A penalty of ten percent shall be added to all bills not paid by the first day of the month when due. The Village's receipt of partial payment for a water and sewer bill from an occupant, owner or user of water and sewer services shall not bar the Village from terminating service to the premises for sums due and owing longer than 60 days and/or seeking the remaining balance due through the means set forth in this subchapter.

(C) A \$25 charge shall be assessed against any owner, occupant or user of water and sewer utilities who tenders a check to the Village which is returned NSF (insufficient funds) by any financial institution. The \$25 charge shall be considered a part of the unpaid charges and recoverable by the Village in like manner. (Amended 02/12/07)

(D) A fee of \$50.00 will be charged for the water/sewer service to be shut-off at the premises along with a \$50.00 fee to turn-on the water/sewer service at the premises. (Amended 10/08/18)

SECTION 19-6: DISCONNECTION FOR LATE PAYMENT

(A) It is the policy of the Village to discontinue utility service to customers by reason of nonpayment of bills only after notice and a meaningful opportunity to be heard on disputed bills. The Village's form for application for utility service and all bills shall contain, in addition to the title, address, room number, and telephone number of the official in charge of billing, clearly visible and easily readable provisions to the effect:

1. That all bills are due and payable on or before the date set forth on the bill; and
2. That if any bill is not paid by or before the date, a second bill will be mailed containing a cutoff notice that if the bill is not paid within ten days of the mailing of the second bill, service will be discontinued for nonpayment; and
3. That any customer disputing the correctness of his bill shall have a right to a hearing at which time he may be represented in person and by counsel or any other person of his choosing and may present orally or in writing his complaint and contentions to the city official in charge of utility billing. This official shall be authorized to order that the customer's service not be discontinued and shall have the authority to make a final determination of the customer's complaint.

(B) Request for delays or waiver of payment will not be entertained; only questions of proper and correct billing will be considered. In the absence of payment of the bill rendered or resort to the hearing procedure provided herein, service will be discontinued at the time specified, but in no event until the charges have been due and unpaid for at least 30 days.

(C) When it becomes necessary for the Village to discontinue utility service to a customer for non-payment of bills, there will be a charge in the amount of \$50.00 to shut-off the service and service will be reinstated only after all bills for service then due have been paid along with a turn-on charge in the amount of \$50.00 has been paid. (Amended 10/08/18)

SECTION 19-7: CONSTRUCTION CONTRACTORS

During construction of any building, and before any water meter is installed, as is herein provided, the contractor so constructing such building may be permitted to use the Village water supply by making application therefore, and paying the flat fee prescribed by the Board of Trustees.

SECTION 19-8: REMEDIES FOR DELINQUENCY

(A) If charges for services are not paid within 60 days for monthly service, the Village may exercise its option as set forth in ILCS Ch. 65, Act 5, § 11-139-8, as amended, to sue the consumer, occupant or user of the utility services to recover all monies due for the water and sewer services provided to the premises, plus reasonable attorney's fees. This remedy shall be in addition to any termination of water and sewer services pursuant to Sec. 19-6 of this chapter.

(B) (1) The Village shall be authorized to file a property lien for delinquent charges against the subject real estate with the Stephenson County Clerk and Recorder according to the provisions set forth in ILCS Ch. 65, Act 5, § 11-139-8. However, prior to filing such lien, the owner of the real estate, as referenced by the taxpayer's identification number, shall be sent a notice by registered mail to the mailing address of record for property tax bills, which sets forth the amount of the delinquency and the period of time for which water and sewer services were rendered along with notice of the identity of the person or entity to whom prior notice of a delinquency in payment for water and sewer service was sent; notice that unpaid utility charges may create a lien on the real estate pursuant to ILCS Ch. 65, Act 5, S 11-139-8.

The Village shall also apprise the owner(s), as identified by the taxpayer's identification number, that the owner has 14 days in which to remedy the delinquency, and that a property lien is in addition to, not in lieu of, other remedies which the Village may utilize to recover monies due for services rendered.

(2) Pursuant to the provisions of ILCS Ch. 65, Act 5, § 11-139-8, any property lien filed shall contain a legal description of the real estate, a statement as to the amount of money due the Village for the services provided, and the date when such amount became delinquent. Notice of the lien shall be provided to the owner or owners of record of the real estate, as referenced by the taxpayer's identification number.

SECTION 19-9: FORECLOSURE OF LIEN

Property subject to a lien for unpaid charges shall be sold for nonpayment of the same, and the proceeds of the sale shall be applied to pay the charges, after deducting costs, pursuant to the provisions of ILCS Ch. 65, Act 5, § 11-139-8 regarding foreclosure of liens upon real estate for which water and sewer charges or rates have been furnished. Such foreclosure shall be brought in the name of the Village as provided by state statute. The Village Attorney is hereby authorized and directed to institute such proceedings in the name of the Village in a court of proper jurisdiction over such matters against any property against which a lien has been filed.

SECTION 19-10: REVENUES

(A) All revenues and moneys derived from the operation of the waterworks system shall be deposited in the waterworks account of the combined waterworks and sewerage fund and all revenues and moneys derived from the operation of the sewerage system shall be deposited in the sewerage account of the waterworks and sewerage fund. All such revenues and moneys shall be held by the Village Treasurer separate and apart from his private funds and separate and apart from all other funds of the Village, and all of said sum, without any deductions whatever, shall be delivered to the Village Treasurer not more than ten days after receipt of the same, or at such more frequent intervals as may from time to time be directed by the President and Board of Trustees.

(B) The Village Treasurer shall receive all such revenues from the waterworks and sewerage system and all other funds and moneys incident to the operation of such system as the same may be delivered to him and deposit the same in separate accounts of the fund designated as the "Waterworks and Sewerage Fund to the Village of Lena," said Treasurer shall administer such fund in every respect in the manner provided by the Illinois Municipal Code, ILCS Ch. 65, Act 5.

SECTION 19-11: ACCOUNTS

(A) The Village Treasurer shall establish a proper system of accounts and shall keep proper books, records, and accounts in which complete and correct entries shall be made of all transactions relative to the waterworks and sewerage system, and at regular annual intervals he shall cause to be made an audit by an independent auditing concern of the books to show the receipts and disbursements of the waterworks and sewerage system.

(B) In addition to the customary operating statements, the annual audit report shall also reflect the separate revenues and operating expenses of the wastewater facilities, including a replacement cost, to indicate that sewer service charges under the wash cost recovery system and capital amounts required to be recovered under the industrial cost recovery system due in fact meet these regulations. In this regard, the financial information to be shown in the audit report shall include the following:

1. Flow data showing total gallons received at the wastewater plant for the current fiscal year.
2. Billing data to show total number of gallons billed.
3. Debt service for the next succeeding fiscal year.

4. Number of users connected to the system.
5. Number of non-metered users.
6. A list of users discharging non-domestic wastes (industrial users) and volume of waste discharged.

(C) The annual audit report shall contain such other financial information consistent with future guidelines to be promulgated by the U.S. Environmental Protection Agency.

SECTION 19-12: INJUNCTIVE REMEDIES

The Village shall have the right to seek a civil action for an injunction to restrain violations of this subchapter and to require compliance with all Village and state laws, rules and regulations. The Village shall also have the right to reasonable attorney's fees for maintaining such a civil action. The Village shall not seek injunctive relief to restrain violations of this subchapter or to require affirmative action on the part of an occupant, user or property owner to bring the property into compliance with state or Village statutes, rules and/or regulations unless the Village has first advised the owner of record of the property, as referenced by the taxpayer's identification number for the real estate, by registered letter or a notice posted on the premises of the violation(s) of the violation which the Village seeks to remedy.

SECTION 19-13: INJUNCTIVE RELIEF FOR DISCHARGE OF POLLUTANTS

The Village may, upon discovering an ongoing or potential discharge of pollutants into the Village water and sewer system which appears to present an imminent danger to the health or welfare of persons, seek and obtain from the Circuit Court of Stephenson County a temporary restraining order or preliminary injunction to halt or prohibit such discharge. Prior to the filing of such petition, the Village shall use reasonable means to give the offending party informal notice of the Village's intention to seek injunctive relief, unless an emergency exists. Methods of informal notice may include, but need not be limited to, a personal conversation with the discharger, telephone calls, letters, hand-delivered messages or notices posted at the discharger's premises. However, notice, whether formal or informal, shall not be a condition precedent to the Village's right to seek and obtain injunctive relief.

ARTICLE II ADMINISTRATION AND ENFORCEMENT

SECTION 19-14: RIGHT OF ENTRY

The Superintendent and other duly authorized employees of the Village bearing proper credentials and identifications shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing pertinent to discharge to the community system in accordance with the provisions of this chapter.

SECTION 19-15: COLLECTION INFORMATION

The Superintendent or other duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The industry may withhold information considered confidential. The industry must establish that the revelation to the public of the information in question might result in an advantage to competitors.

SECTION 19-16: OBSERVANCE OF SAFETY RULES

While performing the necessary work on private properties referred in § 19-14, the Superintendent or duly authorized employees of the Village shall observe all safety rules applicable to the premises established by the company, and the company shall be held harmless for injury or death to the employees, and the Village shall indemnify the company against loss or damage to its property by Village employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in § 17-12.

SECTION 19-17: ENTRY AND WORK IN CONFORMANCE WITH EASEMENT

The Superintendent and other duly authorized employees of the Village bearing proper credential and identification shall be permitted to enter all private properties through which the Village holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the wastewater facilities lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

SECTION 19-18: NOTICE OF VIOLATION; STOP WORK

Whenever it is found that any party is violating any of the provisions or requirements set out in this chapter, a written notice, stating the offense and setting a time limit not to exceed 30 days for the correction thereof, shall be served upon the offender by the Village Marshall of the Village. The offender shall within the time limit stated in the notice served upon him, forever cease all violations. The Village may recover costs and reasonable attorney's fees incurred to enforce this chapter.

**ARTICLE III
ESTABLISHMENT OF A STORMWATER UTILITY AND STORMWATER FUND
(Ordinance 17-363 Passed 10/9/2017)**

SECTION 19-19: ESTABLISHMENT OF A STORMWATER UTILITY AND STORMWATER FUND

- (A) The Village hereby establishes a stormwater utility to provide for the management, protection, control, regulation, use and enhancement of the stormwater and drainage systems and to facilities owned or operated by the Village.
- (B) The management and supervision of the stormwater utility shall be under the direction of the Water/Sewer Department.
- (C) The Village hereby establishes a stormwater and drainage fund. All revenues of the stormwater and drainage utility shall be deposited into the stormwater and drainage fund and used for purposes of the stormwater and drainage utility as deemed appropriate by the Village Board of Trustees.

SECTION 19-20: SCOPE OF RESPONSIBILITY FOR THE STORMWATER AND DRAINAGE UTILITY

The stormwater and drainage utility shall be responsible for the operation, maintenance, management and improvement of the stormwater and drainage system owned by the Village.

SECTION 19-21: DETERMINATION OF SERVICE CHARGES

Stormwater and drainage service charges are established by this Chapter and the revenue generated by stormwater and drainage service charges together with any other sources of revenue that may be made available to the stormwater and drainage utility will be sufficient to meet the obligations of the stormwater and drainage utility.

SECTION 19-22: SERVICE CHARGES

- (A) Commencing on January 1, 2018, and continuing thereafter, stormwater and drainage utility service charges are hereby imposed upon all parcels and shall be based upon a monthly period or any portion thereof. The owner of the parcel and the occupant thereof shall be jointly and severally liable to pay for the charges to such parcel.
- (B) For residential/commercial parcels the service charge shall be as follows:
 - a. For each single family residential parcel or commercial parcel: Four Dollars (\$4.00) per month.
 - b. For apartment buildings or other multifamily dwellings served by one water meter, a service charge shall be charged of Four Dollars (\$4.00) per month for each apartment unit or dwelling unit served by the water meter whether occupied or not.

SECTION 19-23: SERVICE CHARGES BILLED IN COMMON

The stormwater and drainage charge shall be billed on a common statement and collected along with water and sewer system charges in accordance with Section 19-5 of this Chapter. If payment is insufficient to pay the total of all portions of the statement, the payment will be applied first to the water service charges.

SECTION 19-99: PENALTY

- (A) Any person who shall continue to violate any of the provisions of this chapter shall be guilty of a misdemeanor, and upon conviction thereof, be fined in any sum not less than fifty dollars (\$50.00) and not greater than five hundred dollars (\$500.00) per day. Each day in which any such violation may continue shall be deemed a separate offense.
- (B) Any person, firm or corporation violating any provisions of §§ 19-1 through 19-13 of this chapter shall be fined not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for each offense.