

**ORDINANCE NO. 13-37**

**AN ORDINANCE AMENDING TITLE 6, PUBLIC WAYS AND PROPERTY, CHAPTER 4, SEWERAGE SYSTEM, BY CHANGING SECTION 6-4-3, RATES AND CHARGES, SECTION 6-4-5, DELINQUENCY, SECTION 6-4-7, TREASURER TO RENDER BILLS, AND BY ADDING SECTION 6-4-13, NON-SUFFICIENT FUNDS, OF THE MUNICIPAL CODE FOR THE VILLAGE OF MANTENO**

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

**Section 1**

That Title 6, Public Ways and Property, Chapter 4, Sewerage System, be amended by changing Section 6-4-3, Rates and Charges, to read as follows:

“6-4-3:       **RATES AND CHARGES:** There shall be and there are hereby established rates and charges for the use of and for the services supplied by the sewerage system of the Village, as hereinafter set forth:

...

- (E)   Bills Due; Late Fee: Bills shall be rendered monthly and shall be payable within twenty eight (28) days after the last date of service referenced on the bill. Failure to receive a bill shall not excuse a customer from his or her obligation to pay within the time period specified. A ten percent (10%) penalty shall be added to the bill if not paid within said twenty eight (28) days.

...”

**Section 2**

That Title 6, Public Ways and Property, Chapter 4, Sewerage System, be amended by changing Section 6-4-5, Delinquency, to read as follows:

6-4-5:       **DELINQUENCY:** In the event said rates or charges for the sewerage service are not paid within twenty eight (28) days after the last date of service referenced on the bill, such charges shall be deemed and are hereby declared delinquent, and thereafter such delinquency shall constitute a lien upon the real estate for which such services are supplied. The village clerk is hereby authorized and directed to issue all notices, and record sworn statements showing such delinquencies in the office of the recorder of deeds of Kankakee County, Illinois, pursuant to section 11-141-7 of the Illinois Municipal Code (65 ILCS 5/11-141-7). Property subject to a lien for unpaid charges shall be subject to foreclosure as is the case in the foreclosure of mortgages on real estate. The village attorney is hereby authorized and directed to institute such

proceedings in the name of the village when the bill has remained unpaid for forty five (45) days and a lien has been recorded. The village attorney is also authorized to sue the owner, occupant, and/or user of the real estate in a civil action to recover monies due for sewerage services, including reasonable attorney fees, which the owner, occupant, and/or user hereby agree to as a condition for the village having furnished sewerage services.

### **Section 3**

That Title 6, Public Ways and Property, Chapter 4, Sewerage System, be amended by changing Section 6-4-7, Treasurer to Render Bills, to read as follows:

6-4-7:       **TREASURER TO RENDER BILLS:** It is hereby made the duty of the village treasurer to render bills for sewerage service and all other charges in connection therewith, and to collect all monies due thereon. If the resident of the property wishes to contest the amount of usage or charges for sewerage service, the resident must request a redetermination from the village clerk and submit the request within twenty eight (28) days after the rendition of the bill.

### **Section 4**

That Title 6, Public Ways and Property, Chapter 4, Sewerage System, be amended by adding Section 6-4-13, Non-Sufficient Funds, to read as follows:

6-4-13:       **NON-SUFFICIENT FUNDS:** Any person issuing a check or other draft, including credit or debit card payment, to the Village of Manteno that is not honored upon presentation because the payee does not have an account, or does not have sufficient funds in his account, shall be assessed a \$25.00 non-sufficient funds fee. Any obligation paid in such manner shall remain outstanding, and any penalties, interest or fees will continue to accrue until the Village receives funds for the outstanding amount plus the non-sufficient funds fee. If payment was made in response to a disconnection or lien notice, such action shall proceed as if no payment had been made.

### **Section 5**

If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this ordinance.

### **Section 6**

This ordinance shall be immediately in full force and effect after its passage and approval as provided by law.

PASSED by the President and Board of Trustees of the Village of Manteno, Illinois and deposited in the office of the Village Clerk this 7<sup>th</sup> day of April, 2014.

DEPOSITED with the Village Clerk  
this 7<sup>th</sup> day of April, 2014.

  
ALISA BLANCHETTE, Village Clerk

APPROVED by me this 7<sup>th</sup>  
day of April, 2014.

  
TIMOTHY O. NUGENT, Village President