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**VILLAGE OF MELROSE PARK  
COOK COUNTY, ILLINOIS**

**ORDINANCE NO. 1160**

**AN ORDINANCE AMENDING CHAPTER 13.04, OF THE VILLAGE  
OF MELROSE PARK MUNICIPAL CODE, WATER SERVICE, FOR  
THE VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE  
OF ILLINOIS.**

**ADOPTED BY THE  
PRESIDENT AND BOARD OF TRUSTEES  
OF THE  
VILLAGE OF MELROSE PARK**

**THIS 10<sup>TH</sup> DAY OF MARCH 2008**

**RONALD M. SERPICO, Village President  
MARY ANN PAOLANTONIO SALEMI, Village Clerk**

**Board Of Trustees**

**JOHN S. CONTEDEUCA  
CATHLEEN COSSIDENT ITALIA  
ARTURO J. MOTA  
ANTHONY J. PRIGNANO  
MARY RAMIREZ TACONI  
JAIME ANGUIANO**

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**Published by authority of the  
President and Board of Trustees  
Of the Village of Melrose Park,  
Cook County, Illinois on  
This 11<sup>TH</sup> day of MARCH 2008**

**ORDINANCE NO. 1160**

**AN ORDINANCE AMENDING CHAPTER 13.04 OF THE VILLAGE OF MELROSE PARK MUNICIPAL CODE, WATER SERVICE, FOR THE VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS.**

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**WHEREAS**, the Village of Melrose Park, County of Cook, State of Illinois (the “Village”) is a duly organized and existing village created under the provisions of the laws of the State of Illinois, and is operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto, with full powers to enact ordinances and adopt resolutions for the benefit of the residents of the Village; and

**WHEREAS**, the Village President (the “President”), the Honorable Ronald M. Serpico, the Village Clerk, the Honorable Mary Ann Paolantonio Salemi, having taken office on May 2, 2005, and the Board of Trustees of the Village (the “Village Board”), the Honorable John S. Conteduca, Cathleen Cossident Italia, Arturo J. Mota, Anthony J. Prignano, and Mary Ramirez Taconi, having taken office on May 14, 2007, and the Honorable Jaime Anguiano, having taken office on March 10, 2008, constitute the duly elected, qualified and acting officials of the Village; and

**WHEREAS**, the Village Board deems it advisable and necessary for the benefit of the Village and the health, safety, and welfare of its residents to amend the Village of Melrose Park Municipal Code (the “Village Code”) by comprehensively deleting and replacing Chapter 13.04 regarding water service in order to comply with state law, to reflect current industry practices, to codify all prior amendments to this Chapter, and to correct certain technical, non-substantive matters; and

**NOW, THEREFORE, BE IT ORDAINED** by the President and the Board of Trustees

of the Village of Melrose Park, County of Cook, State of Illinois, as follows:

**ARTICLE I.  
IN GENERAL**

**Section 01. Incorporation Clause.**

All of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct, and the Village Board does hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

**Section 02. Purpose.**

The purpose of this Ordinance is to amend the Village Code by comprehensively deleting and replacing Chapter 13.04 regarding water service in order to comply with state law, to reflect current industry practices, to codify all prior amendments to this Chapter, and to correct certain technical, non-substantive matters.

**Section 03. Invocation of Authority.**

This Ordinance is enacted pursuant to the authority granted to the Village by the Constitution of the State of Illinois and the Illinois Compiled Statutes.

**Section 04. State Law Adopted.**

All applicable provisions of the Illinois Compiled Statutes, including the Illinois Municipal Code, as may be amended from time to time, relating to the purposes of this Ordinance are hereby incorporated herein by reference.

**Sections 05-09 Reserved.**

**ARTICLE II.  
AMENDMENT TO CHAPTER 13.04, WATER SERVICE.**

**Section 10.00 Amendment to Chapter 13.04, Water Service.**

That Chapter 13.04 of the Village Code is hereby deleted in its entirety, notwithstanding

any provision, ordinance, resolution, or Village Code section to the contrary, by deleting the entire Chapter including its title and replacing such with the following language:

**Chapter 13.04**

**WATER  
SERVICE SYSTEM**

**Sections:**

- 13.04.010 Purpose.
- 13.04.020 Definitions.
- 13.04.030 Service requirements.
- 13.04.040 Applications for water service.
- 13.04.050 Infrastructure improvements.
- 13.04.060 Connection fee.
- 13.04.070 Reconnection fee.
- 13.04.080 Deposit requirements of New Applicants with past unpaid Village water bills or unsatisfactory credit.
- 13.04.090 Deposits requirements for late-paying Customers.
- 13.04.100 Deposits.
- 13.04.110 Meters.
- 13.04.120 Rates-Commercial, industrial or institutional Customers.
- 13.04.130 Rates-Residential Customers.
- 13.04.140 Rates-Senior citizens.
- 13.04.150 Limitation on rate increases.
- 13.04.160 Minimum charges.
- 13.04.170 Liability for charges.
- 13.04.180 Water rate review.
- 13.04.190 Rates for fire protection systems.
- 13.04.200 Billing cycles.
- 13.04.210 Estimated bills.
- 13.04.220 Refunds.
- 13.04.230 Past due bills.
- 13.04.240 Late payment charges.
- 13.04.250 Discontinuance of service-Notice.
- 13.04.260 Discontinuance of service-Hearing.
- 13.04.270 Discontinuance of service-Procedures.
- 13.04.280 Discontinuance of service to residential Customers with serious illness.
- 13.04.290 Discontinuance of service for other reasons.

- 13.04.300 Discontinuance fee.
- 13.04.310 Reservation of rights.
- 13.04.320 Authorization to enter property.
- 13.04.330 Revenues.
- 13.04.340 Accounts.
- 13.04.350 Access to records.

**13.04.010 Purpose.**

The purpose of this chapter is to establish the charges and regulations for the provision of water service within the Village.

**13.04.020 Definitions.**

For purposes of this chapter, the following terms shall be given the respective definitions set forth below:

“Customer” means a Person who receives water service at a location within the Village’s corporate limits.

“New Applicant” means a Person who applies for the provision of water service to a location within the Village’s corporate limits after the effective date of this ordinance.

“Person” means a natural person, corporation, real estate trust, partnership, association or other legal entity.

“Village” means the Village of Melrose Park, Cook County, Illinois.

**13.04.030 Service requirements.**

No structure within the Village shall be certified for occupancy or otherwise occupied unless that structure is connected to the Village’s water system. No structure within the Village shall be connected to the Village’s water system unless the owner or user of said structure has applied to the Village for such service pursuant

to the provisions of this chapter and the New Applicant complies with all applicable legal requirements. No Person shall make any connection to the Village's water system without the Village's permission. No Person shall receive water at any location within the Village by any means or source other than the Village's water system.

**13.04.040 Applications for water service.**

Persons shall apply for Village water service on an application provided by the Village and pursuant to procedures set forth in regulations prescribed by a designee of the Village Mayor and Board of Trustees. Such regulations shall, without limitation, describe the: (a) infrastructural prerequisites, construction and installation standards and all other specifications for the connection of a structure to the Village's water system; (b) water meter installation standards and specifications; (c) procedures employed by the Village to determine whether a New Applicant has failed to make prior payments to the Village for water service; and (d) procedures for establishing satisfactory credit references for a New Applicant.

**13.04.050 Infrastructure improvements.**

All infrastructure necessary for the Village's provision of water service to a structure within the Village shall be constructed and/or installed according to plans and specifications approved by the Village, which plans and specifications shall be completed prior to the Village's provision of such service to the structure. Provision of such service shall further be conditioned upon the Village's approval of such construction and/or installation after such is completed and operational. All costs for such infrastructure shall be borne by the New Applicant.

**13.04.060 Connection fee.**

A. Connections or tap-ins to the Village's water system via a line measuring two inches or less in diameter shall only be made through the use of a tap or other device acceptable to the

Village. Such tap or other device shall be installed by authorized Village personnel. The New Applicant applying for a connection or tap-in shall pay the following fee for installation, as applicable:

Diameter of Line	Fee for Single-Family Residences	Fee for All Other Structures
1" and 1 1/4"	\$600.00	\$900.00
1 1/2" and 2"	\$700.00	\$1,000.00
3" and 4"	\$800.00	\$1,200.00
6" and 8"	N/A	\$2,400.00
10" and 12"	N/A	\$3,600.00

B. Connections to tap-ins to the Village's water system via a line measuring more than two inches in diameter shall be made through a tap or other device acceptable to the Village. Such tap or other device shall be installed by a qualified master plumber and that installation shall be inspected by authorized Village personnel. The New Applicant for such connection or tap-in shall pay the following fee for such inspection, as applicable:

Single-family residences	\$200.00
All other structures	\$400.00

**13.04.070 Reconnection fee.**

Each New Applicant shall pay the Village a minimum fee of one hundred dollars (\$100.00), plus all actual costs that the Village incurs in excess of one hundred dollars (\$100.00), for the reconnection of a structure within the Village to the Village's water system if the Village water to the structure was disconnected.

**13.04.080 Deposit requirements of New Applicants with past unpaid Village water bills or unsatisfactory credit.**

A. If, after a review of its records, the Village determines that a New Applicant has failed to pay for past water service furnished to the New Applicant at any location, the Village may refuse to provide water service to the New Applicant until the New Applicant pays the past

due bill and agrees to provide a deposit to the Village pursuant to Section 13.04.100.

B. If the Village is unable to establish satisfactory credit references for the New Applicant, the Village may refuse to provide water service to the New Applicant until the New Applicant agrees to provide a deposit to the Village pursuant to Section 13.04.100.

**13.04.090      Deposit requirements for late-paying Customers.**

The Village may require a Customer to pay a deposit to the Village pursuant to Section 13.04.100 if the Customer, during any consecutive twenty-four (24) month period, fails to timely pay its bill for Village water service on two or more occasions.

**13.04.100      Deposits.**

A. Amount. Deposits required pursuant to this chapter shall be equal to one-quarter of an estimated annual charge for the Village's provision of water service to the New Applicant or Customer being required to make the deposit or one hundred dollars (\$100.00), whichever is greater. In the case of a New Applicant, the estimated annual charge shall be based upon the volume of water provided by the Village during the most recent three-year period to a Customer that is in a situation similar to the New Applicant. In the case of a Customer, the estimated annual charge shall be based upon the volume of water provided by the Village during the most recent three-year period to the Customer.

B. Payment of Deposits. Deposits must be paid within thirty (30) days of the Village's issuance of a request for a deposit. Such request shall specify the amount of the deposit, reason for the request for deposit, method and place for payment of the deposit, deadline for payment of the deposit and consequences of nonpayment of deposit. A request for deposit shall be considered issued by the Village when mailed or personally delivered to the New Applicant or Customer being required to make the deposit. A

request for deposit shall be dated when issued. The Village may, at its sole discretion, require a New Applicant to provide a deposit prior to providing water service.

C. Adjustment of Deposits. The Village may adjust the amount of a deposit any time when the character and/or degree of use of the Village's water service by the New Applicant or Customer being required to make the deposit changes or when it is clearly established that such use will materially change in the immediate future. The Village may make such an adjustment on its own accord or upon the request of the New Applicant or Customer being required to make a deposit.

D. Investment of Deposits. The Village shall place all deposits in interest-bearing accounts of financial institutions authorized to operate by the United States or the State of Illinois.

E. Refund of Deposit. A deposit shall be refunded after the New Applicant or Customer making the deposit has timely paid its bills for water service to the Village for a consecutive twelve (12) month period. No deposit shall be refunded until all amounts owed to the Village for water service by the Customer or New Applicant making the deposit have been paid. The amount of the deposit refunded shall include all interest earned on the deposit, less reasonable administrative costs incurred by the Village as a result of the deposit.

F. Use of Deposit upon Disconnection. A deposit may be used to offset any amount due from a Customer for Village water service upon discontinuance of that service.

**13.04.110      Meters.**

A. All structures connected to the Village's water system shall be equipped with a meter furnished by the Village but paid for by the Customer receiving such water service. Such meter shall accurately measure the amount of water provided to the structure by the Village. Procedures for reading and testing of meters

shall be prescribed in regulations promulgated by a designee of the Village's Mayor and Board of Trustees.

B. Tampering with Meters. No Person shall tamper in any way with a meter installed pursuant to this chapter. Any Person found to have violated this subsection shall be fined not less than Two Hundred Fifty dollars (\$250.00) and not more than Five Hundred dollars (\$500.00) per violation. A separate violation shall be deemed to have occurred on each day a Person violates this subsection. Notwithstanding any provisions of this subsection, the Village reserves the right to pursue all other civil and criminal remedies available to it for tampering with meters installed pursuant to this chapter.

**13.04.120 Rates-Commercial, industrial or institutional Customers.**

The following rates for the Village's provision of water and sewer service to a commercial, industrial, or institutional Customer are hereby established as follows: Seven dollars and ninety-seven cents (\$7.97) for each one hundred (100) cubic feet of water transmitted to such Customer, based upon meter readings.

**13.04.130 Rates-Residential Customers.**

The following rates for the Village's provision of water and sewer service to a residential Customer are hereby established as follows:

A. Residential Customer (Less than Four). For each residential Customer possessing less than four (4) residential dwelling units on a single parcel, the amount of Two dollars and fifty-nine cents (\$2.59) for each one hundred (100) cubic feet of water transmitted to such Customer, based upon meter readings;

B. Residential Customer (Four or More). For each residential Customer possessing four (4) or more residential dwelling units on a single parcel, the amount of Three dollars and seventy-five cents (\$3.75) for each one hundred (100)

cubic feet of water transmitted to such Customer, based upon meter readings.

C. Residential Customer (Trailer Courts). For each residential Customer residing in a dwelling unit located in a trailer court, or a Customer owning a trailer court, the amount of Two dollars and eighty-five cents (\$2.85) for each one hundred (100) cubic feet of water transmitted to such Customer, based upon meter readings.

**13.04.140 Rates-Senior citizens.**

Notwithstanding Section 13.04.130, the following rates for the Village's provision of water and sewer service to a Customer whose property receiving such service has been granted a senior citizen's homestead exemption pursuant to Section 15-170 of the Property Tax Code, 35 ILCS 200/15-170 ("Senior Citizen Customer") are established as follows:

One dollar and eighty-one cents (\$1.81) for each one hundred (100) cubic feet of water transmitted to such a Customer, based upon meter readings.

No Person shall be charged rates pursuant to this section until he or she has provided the Village with reasonably acceptable evidence that the Person's property receiving Village water service has been granted such a senior citizens homestead exemption.

**13.04.150 Limitation on rate increases.**

The rates for provision of Village water service set forth in this chapter shall not be increased, except as necessary to pay the Village for its costs pertaining to its provision of water service.

**13.04.160 Minimum charges.**

During each billing cycle, each commercial, industrial and/or institutional Customer shall pay the Village a minimum per unit service charge of Seventy-Nine dollars and seventy cents (\$79.70) for providing water and sewer service

to each unit. During each billing cycle, each residential Customer possessing less than four (4) residential dwelling units on a single parcel shall pay the Village a minimum per dwelling unit service charge of Twenty dollars and seventy cents (\$20.70) for providing water and sewer service to each unit. During each billing cycle, each residential Customer possessing four (4) or more residential dwelling units on a single parcel shall pay the Village a minimum per residential dwelling unit service charge of Twenty-Nine dollars and ninety-nine cents (\$29.99) for providing water and sewer service to each unit. During each billing cycle, each residential Customer residing in a dwelling unit located in a trailer court, or a Customer owning a trailer court, shall pay the Village a minimum per residential dwelling unit service charge of Twenty-Two dollars and eighty cents (\$22.80) for providing water and sewer service to each unit. Notwithstanding anything hereinabove, during each billing cycle, each Senior Citizen Customer, as defined by Section 13.04.140, shall pay a Fourteen dollar and thirty-five cents (\$14.35) minimum charge to the Village for water and sewer service.

**13.04.170 Liability for charges.**

The owner of any structure connected to the Village's water and sewer system and the Customer for that structure (if that Customer is different from the owner) shall be jointly and severally liable for Village charges for the provision of water and sewer service to the structure and the Village's provision of such service to the structure is conditioned upon such joint and several liability.

**13.04.180 Water rate review.**

The adequacy of the water service rate charges set forth in this chapter shall be reviewed, not less often than annually, by certified public accountants for the Village in their annual audit report. The water service rate charges shall be revised periodically to reflect changes in local capital costs or operations, maintenance, and reserve costs.

**13.04.190 Rates for fire protection systems.**

Commercial, industrial or institutional Customers with fire protection systems utilizing Village water supplies on a separate, unmetered line, other than that of regular domestic water service, shall pay a service charge of Seventy-Nine dollars and seventy cents (\$79.70) each billing cycle, per separate line supplying such fire protection system, for the provision and use of water in such fire protection system.

**13.04.200 Billing cycles.**

Bills for the Village's provision of water and sewer service shall be issued and mailed at such regular intervals as may be directed by the Village's Mayor and Board of Trustees or their designee. Payment on such bills shall be due no less than twenty-one (21) days after they are mailed to a Customer. Such bills shall be dated with the date on which they are mailed.

**13.04.210 Estimated bills.**

A. The Village may require a Customer to pay an estimated bill for water and sewer service if the Village has been unable to read the Customer's water meter under the following circumstances:

1. The Village has taken appropriate and reasonable measures to read the meter including, without limitation, attempting to make an appointment with the Customer, scheduling readings for times other than normal business hours, and/or providing postal cards on which the Customer may record the reading and mail it to the Village;

2. The Customer has knowingly and willfully denied reasonable access to the Village's representative for the purpose of taking an actual reading of the meter;

3. The Customer has otherwise made an actual reading of the meter unnecessarily difficult; or



4. Circumstances beyond the control of the Village make an actual reading of the meter extremely difficult or impossible.

B. Basis for Estimated Bills. Estimated bills shall be calculated according to reasonable and commonly accepted standards which shall be specified in regulations promulgated by a designee of the Village's Mayor and Board of Trustees.

**13.04.220 Refunds.**

The Village shall pay a Customer any amount for which the Customer is overcharged for the Village's provision of water and sewer service as a result of an error by the Village, with interest actually earned by the Village on the amount of the overcharge from the date of payment of the overcharge by the Customer.

**13.04.230 Past due bills.**

The Village shall not consider a Customer's bill for Village water and sewer service, past due unless the payment is received by the Village after the due date printed on the bill.

**13.04.240 Late payment charges.**

A Customer shall be liable for and pay the Village a late payment charge in an amount equal to ten (10) percent of the amount of the current bill for water and sewer service when the bill becomes past due pursuant to this chapter.

**13.04.250 Discontinuance of service- Notice.**

A. The Village may discontinue water service to a Customer when the Customer fails to do any of the following:

1. Make a deposit or increase a deposit required pursuant to Section 13.04.100;

2. Pay a past due bill owed to the Village for water and sewer service for more than thirty (30) days after the due date printed on the bill; or

3. Provide the Village with access to the Customer's meter within ten (10) days after the Village has sent the Customer an estimated bill and/or the Village makes a written request to the Customer for access to the meter.

B. Notice of Discontinuance.

1. The Village may discontinue water service to a Customer only after it has mailed or personally delivered to that Customer a written notice of discontinuance. Any notice required to be mailed or delivered to a Customer prior to discontinuance of service shall be mailed or delivered separately from any bill to that Customer.

2. The Village shall also mail a copy of the notice described in subsection (B)(1) of this section of a third party designated by a Customer, should the Customer make a written request to the Village for such third-party notice.

**13.04.260 Discontinuances of service- Hearing.**

A. A Customer, or at the Customer's request, a duly authorized representative of the Customer, shall be given an opportunity to be heard by the Village's Mayor or his or her designee, to challenge the Village's discontinuance of water service to the Customer or present other reasons for the continuation of such service to the Customer. The Customer shall make a request for such hearing in writing, mailed to the Mayor at the Village Hall, within ten (10) business days after the mailing or personal delivery to the Customer of the notice required by Section 13.04.250(B). Such request shall state, at a minimum, that the Customer seeks such a hearing and the Customer's name, address and telephone number.

B. A hearing pursuant to such a request shall be held before the Village Mayor or his or her designee, at the Village Hall, during regular business hours. The hearing shall be held no less than five (5) business days after the mailing or personal delivery to the Customer of a notice

stating the date, time and place of the hearing. Such mailing or personal delivery shall be made to the Customer at the address listed in the Customer's request for a hearing.

C. At such a hearing, the Customer or his or her duly authorized agent shall be given a reasonable period of time to make any presentation he or she desires. The Mayor or his or her designee shall consider the Customer's presentation and shall explain the Customer's account and the Village's contentions in connection with that account. The rules of evidence shall not be applied in such hearing.

D. Promptly after the hearing, the Mayor or his or her designee shall make a written report summarizing matters discussed at such a hearing and his or her conclusions regarding such discontinuance. A copy of this report shall be mailed or personally delivered to the Customer at the address listed in the Customer's request for a hearing. This report shall constitute a final decision of an administrative agency pursuant to Article III of the Illinois Code of Civil Procedure, 735 ILCS 53-101, et seq., as amended. Such decision shall be subject to judicial review pursuant to Article III of the Illinois Code of Civil Procedure, 735 ILCS 5/3-101, et seq., as amended. The report shall state that the Customer has a right to such judicial review of the decision set forth in the report.

**13.04.270 Discontinuance of service-Procedures.**

A. The Village may discontinue water service to a Customer:

1. Not less than ten (10) business days after the mailing of the report described in Section 13.04.260, if the Customer has properly requested a hearing pursuant to that section; or

2. Not less than ten (10) business days after the mailing of the notice described in Section 13.04.250(B), if the Customer has not properly requested a hearing pursuant to that section.

B. The Village shall also attempt to advise the Customer that water service is being discontinued by directing its employee making the disconnection to contact the Customer at the time such service is being discontinued. When the Village is unable to discontinue such service during a call made to the Customer's premises, the Village shall attempt to leave a notice at the premises or billing address informing the Customer that an attempt to discontinue such service has been made and that such service continues to be subject to discontinuance.

C. The Village shall make a good faith effort to engage in collection activity with a Customer before delivering more than two (2) notices of discontinuance in any consecutive twelve (12) month period.

D. The Village shall not discontinue service at the meter subsequent to two p.m. unless it is prepared to reconnect the same day. The Village shall not discontinue service on a holiday or weekend day unless it is prepared to reconnect on that same holiday or weekend day.

**13.04.280 Discontinuance of service to residential Customers with serious illness.**

Notwithstanding any of the provisions of this chapter, discontinuance of Village water service to residential Customers is prohibited for up to sixty (60) days when discontinuance of such service will aggravate an existing serious illness of any Person who is a permanent resident of the premises where such service is rendered and the Customer for such service complies with the following requirements:

A. The illness must be certified to the Village by a registered physician or local board of health. The certification shall be in writing and shall include the name of the ill Person, a statement that he or she is a permanent resident of the premises in question, the name, business address, and telephone number of the certifying party, the nature of the illness, and the period of time during which termination will aggravate the illness.

B. Initial certification by the certifying party may be by telephoned to the Mayor or his or her designee, if written certification is forwarded to the Village within five (5) business days.

C. Initial certification shall prohibit discontinuance of Village water service to the applicable premises for thirty (30) days. The certification may be renewed by the Customer for such premises for an additional thirty (30) days by providing another certificate to the Village. Failure to so renew the certificate shall entitle the Village to initiate procedures for discontinuance of such service.

D. The Customer must enter into an agreement with the Village for the retirement of the unpaid balance of the account for Village water and sewer service to the Customer within the first thirty (30) days and keep the current account paid during the period that the unpaid balance is to be retired.

E. In the event Village water service is terminated within fourteen (14) days prior to certification of illness by or for a qualifying resident, service shall be restored to that residence if a proper certification is thereafter made in accordance with this section.

**13.04.290      Discontinuance of service for other reasons.**

Nothing in this chapter shall prevent the Village from discontinuing water service to any Person and/or location for reason of safety, health or cooperation with civil authorities.

**13.04.300      Discontinuance fee.**

Each Customer shall pay the Village a minimum fee of One Hundred dollars (\$100.00) plus all actual costs the Village incurs in excess of One Hundred dollars (\$100.00) upon the discontinuance of Village water service to the Customer's structure.

**13.04.310      Reservation of rights.**

Nothing in this chapter shall prevent the Village from pursuing any other legal remedies available to it for obtaining payment for its provision of water and sewer service.

**13.04.320      Authorization to enter property.**

All Persons with an interest in a property connected to the Village's water and sewer system authorize the Village to enter that property for meter readings, repairs, maintenance and discontinuance relating to such system, and the Village's provision of water and sewer service to the property is conditioned upon such authorization.

**13.04.330      Revenues.**

All revenues and moneys derived from the operation of the Village's water and sewer systems shall be deposited in the water account of the water fund. All such revenues and moneys shall be held by the Village treasurer separate and apart from his or her private funds and separate and apart from all other funds of the Village treasurer not more than ten (10) days after receipt of the same, or at such more frequent intervals as may from time to time be directed by the Village Mayor and Board of Trustees.

The Village treasurer shall receive all such revenues from the Village's water and sewer systems and all other funds and moneys incident to the operation of such system as the same may be delivered to him or her and deposit the same in the account designated as the water fund of the Village. The treasurer shall administer such fund in every respect in the manner provided by the Illinois Municipal Code, as amended.

**13.04.340      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 Village's water and sewer systems and at regular annual intervals he

or she shall cause to be made an audit by an independent auditing concern of the books to show the receipts and disbursements of the water and sewer systems.

B. In addition to the customary operating statements, the annual audit report shall also reflect the revenues and operating expenses of the water and sewer facilities, including a replacement cost. The financial information to be shown in the audit report shall include the following:

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

**Section 11.00 Other Actions Authorized.**

The officers, employees and/or agents of the Village shall take all action necessary or reasonably required to carry out, give effect to and consummate the amendments contemplated by this Ordinance and shall take all action necessary in conformity therewith including, without limitation, the execution and delivery of any and all documents required to be delivered in connection with this Ordinance.

**Sections 12.00 – 15.00. Reserved.**

**ARTICLE III.  
HEADINGS, SAVINGS CLAUSES,  
PUBLICATION, EFFECTIVE DATE**

**Section 16.00 Headings.**

The headings for the articles, sections, paragraphs and sub-paragraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this

4. Number of users connected to the system;

5. Number of nonmetered users.

**13.04.350 Access to records.**

The Illinois Environmental Protection Agency and/or the United States Environmental Protection Agency, or either agency's authorized representative shall have access to any books, documents, papers and records of the Village which are applicable to the Village's system of user charges for the purpose of making an audit, examination, excerpts and transcriptions thereof to ensure compliance with the terms of any loan agreement or grant and rules of any such loan or grant made by or through either agency in regard to the Village's water and sewer systems.

Ordinance nor should they be used in any interpretation or construction of any substantive provisions of this Ordinance.

**Section 17.00 Severability.**

The provisions of this Ordinance are hereby declared to be severable and should any provision, clause, sentence, paragraph, sub-paragraph, section, or part of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision, clause, sentence, paragraph, sub-paragraph, section, or part shall be excluded and deemed inoperative, unenforceable, and as though not provided for herein, and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect. It is hereby declared to be the legislative intent of the Village Board that this Ordinance would have been adopted had not such unconstitutional or invalid provision, clause, sentence, paragraph, sub-paragraph, section, or part thereof been included.

**Section 18.00 Superseder.**

All code provisions, ordinances, resolutions and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

**Section 19.00 Publication.**

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

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**Section 20.00 Effective Date.**

This Ordinance shall be in full force and effect ten (10) days following its passage, approval and publication, as provided by law.

On The Individual Poll And Voice Vote Of The Board of Trustees:

AYE VOTES: Trustee Italia, Trustee Mota, Trustee Prignano,  
Trustee Taconi, Trustee Anguiano


NAY VOTES:

ABSTAIN:

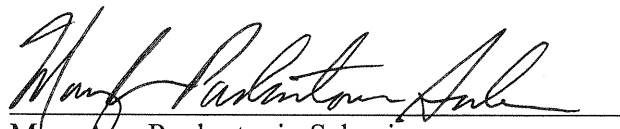
ABSENT: Trustee Conteduca

SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE VILLAGE  
OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS, THIS TENTH DAY OF  
MARCH, 2008, A.D.

APPROVED:

  
\_\_\_\_\_  
RONALD M. SERPICO  
VILLAGE PRESIDENT

ATTEST:

  
\_\_\_\_\_  
Mary Ann Paolantonio Salemi  
Village Clerk

(SEAL)

Recorded in the Municipal Records: March 10, 2008  
Published in Pamphlet Form: March 11, 2008