



ORDINANCE AMENDING THE CRYSTAL LAKE CITY CODE

BE IT ORDAINED by the Mayor and City Council of the City of Crystal Lake, McHenry County and State of Illinois, as follows:

Section 1: Amendment of City Code § 515-15, Rates and Charges, of Chapter 515, Water and Sewer, of the City Code is hereby repealed and replaced in its entirety with the following:

§ 515-15. Rates and Charges.

The consumer or user on all property or premises upon which any building or structure has been or may hereafter be erected having connection with any mains or pipes which exist or may hereafter be constructed and used in connection with the water and sewage or water or sewage systems of the City of Crystal Lake shall pay the following rates according to the following schedule:

A. Water rate. Beginning September 1, 2024, the following rates shall apply:

(1) Monthly service charge: \$8.68.

(2) Each 1,000 gallons: \$5.91.

B. Sewer rate. Beginning September 1, 2024, the following rates shall apply:

(1) Monthly service charge: \$10.36

(2) Each 1,000 gallons: \$5.92

C. The rates and charges herein established shall be collected from owners, occupants, consumers and users of the premises for all such use from and after each scheduled rate adjustment. The minimum rate for water and sewer monthly billing shall be equal to the combined water and sewer monthly service charge for the rate period covered. The fee paid for sewer use shall be determined by the water meter reading. No discounts shall be allowed for any difference between the water meter reading and actual sewer use.

D. Senior citizens may qualify for a water and sewer rate discount of 20% for the first 5,000 gallons billed each month by requesting the discount and registering with the Finance Department. To receive the discount, a senior citizen must be 65 years of age, and must reside at the address and the account must be in his/her name.

E. Water users outside corporate limits of the City of Crystal Lake shall pay 1 1/3 times the fee charged for the same services within the City (except those users covered by contractual agreements whose fees should be determined in accordance with such contracts).

F. Bulk water sales made by metered connections to secondary community water supplies or via metered hydrant for on-site use or via metered hydrant to a tanker for transport to an end user (except those users covered by contractual agreements) shall be billed monthly and pay the following rates according to the following schedule:

- (1) Bulk water rate (except those users covered by contractual agreements). Beginning September 1, 2024, and continuing until further adjusted by the Mayor and City Council of the City of Crystal Lake:
 - (a) Monthly service charge: \$46.41.
 - (b) Each 1,000 gallons: \$18.07.

G. Water used during construction of new buildings. Beginning September 1, 2024, and continuing until further adjusted by the Mayor and City Council of the City of Crystal Lake:

- (1) One- and two-family residences: \$112.79.
- (2) Multifamily, commercial, industrial:
 - (a) Under 2,000 square feet, minimum fee: \$112.79.
 - (b) Each additional square foot over 2,000 to 10,000: \$0.066.
 - (c) Each additional square foot over 10,000 to 50,000: \$0.022.
 - (d) Each additional square foot over 50,000: \$0.012.

H. Temporary hydrant connection. In those instances in which temporary hydrant connections are intended, the following regulations shall apply:

- (1) User Fees
 - (a) The user shall pay to the City:
 - [1] A monthly service charge of \$46.41 regardless of the length of rental during the course of a month.
 - [2] \$18.07 per 1,000 gallons of water used. The fee is charged in 1,000 gallon increments and shall be billed at the time the meter is returned.
 - [3] A daily hydrant meter/RPZ unit rental fee of \$9.20.
 - (b) Upon the return of the meter, a meter reading shall be taken and the user shall be billed these fees. The minimum billing shall be for 1,000 gallons with a minimum rental fee of one (1) week in addition to the service fee of \$46.41.
- (2) Deposit. As a condition precedent to the issuance of the hydrant meter/RPZ unit for such temporary connection, the applicant shall deposit with the City the sum of one thousand five hundred dollars (\$1,500.00) for a ¾ inch hydrant meter/RPZ unit rental or three thousand five hundred dollars (\$3,500.00) for a 2" inch hydrant meter/RPZ unit rental to secure the payment of fees related to such connection. This deposit will be used to offset the hydrant meter rental charges as outlined in Section H (1) and any damage.

Deposits shall be refunded upon return and inspection of all equipment in good operating condition, which shall include the successful testing of the RPZ.

(3) Hydrant meter/RPZ unit rentals may be rented throughout the year dependent on availability, and all units shall be returned by December 31st of each year, unless alternate arrangements have been made with the Public Works Department. Units not returned by December 31st shall result in the forfeiture of the deposit. Customers who have forfeited their deposits shall be prohibited from using the hydrant meter/RPZ unit and to draw any water from the City's fire hydrants until such time as the account has been paid in full for the water used and a new meter/RPZ unit deposit has been paid. A re-certified unit will then be provided to the customer.

(4) The user of any temporary hydrant meter/RPZ unit is responsible for the replacement cost in the event the unit is lost, stolen, or damaged in any way.

I. Surcharge for industrial users. When the average concentrations of BOD and/or suspended solids exceeds 300 mg/l or 350 mg/l, respectively, a surcharge shall be \$0.73 per pound of BOD, and \$0.36 per pound of suspended solids. All measurements, tests, and analysis of the characteristics of water and wastes to determine the industrial user surcharge factors shall be conducted in conformance with § 515-13. All commercial and institutional users shall be reclassified "industrial" as per the Office of Management and Budget's "Standard Industrial Classification Manual," 1972 Edition, under the category "Division D Manufacturing," when any of their wastes exceed the concentration of § 515-13 of this article.

J. New Account Deposit.

(1) Upon the establishment of a new water/sewer account, a deposit shall be made to such account prior to any water/sewer service being received at the property associated with the new account. Upon application for service, all new customers must indicate whether the service is being requested for property that is owned or rented.

(2) The new customer deposit shall be fifty dollars (\$50.00) for water/sewer service.

(3) New account deposits shall be credited to water/sewer service customers in "good standing" for a period of 24 consecutive months with a minimum of 22 timely payments and no payments or drafts having been returned for insufficient funds. Such credits shall be applied to the customer's next bill following the 24th consecutive month of timely payments. No deposits to current accounts shall be refunded directly to the customer until account closure.

(4) The Finance Director is authorized to waive the deposit requirement in the event that the City has received an executed application for participation in the City's Direct Debit program from the new account applicant prior to the first billing cycle. Such waiver shall remain in effect during such time as the customer is enrolled in the Direct Debit Program and the account remains in good standing. An account in good standing is one that has no had direct debit payments returned to the City for insufficient funds on two consecutive billing periods. Should the account not remain in good standing at any point during the first 24 months following the establishment of the new account, the new account deposit will be added to the customer's account,

regardless of enrollment in the Direct Debit Program. The Finance Director is authorized to process a refund of deposits held by the City on behalf of water and sewer customers who participate in the Direct Debit Program. Refunds shall be processed in the form of an account billing credit.

- (5) The deposit requirement shall be waived for any existing customer relocation to a new location and establishing a new account, or adding an account for an additional property within the City service area, provided that during the preceding 24 consecutive months such customer's existing account has been kept in good standing.

K. Terms of Payment

- (1) **Liability For Payment Of Fees For Water/Sewer Service:** The user of the City's water/sewer service and the occupant and owner of the property, or the owner's agent, if different from the user, shall be jointly and severally liable for the payment of any user fees, penalties, or special assessments billed for water/sewer service.
- (2) **Owner Notified If Tenant Delinquent:** After the account has been delinquent for sixty (60) days, if the owner has provided the City with the owner's name and address, the City shall deliver notice of the tenant's or occupant's delinquency to the owner. Depositing the required notice in the mail, addressed to the owner at the address listed in the City's records, postage prepaid, shall constitute delivery.
- (3) **Manner Of Correcting Inaccurate Bills:** In any instance where a customer's bill has been incorrectly calculated or stated for any reason except unlawful use of utility services, the City shall correct the billing for any period of time not exceeding twelve (12) months during which incorrect bills were rendered for under-billed accounts and twelve (12) months for credits due to an error which caused the account to be overbilled.
- (4) **Deferred Payment Plan:** Where a customer has been under-billed, the City may enter into a written deferred payment agreement with the customer, whereby the amount due to the billing error may be paid in equal installments over a period not to exceed twelve (12) months from the date on which the agreement is signed.
- (5) **Termination Of Service:** The City shall have and hereby reserves the right, power and authority to suspend or terminate water/sewer service as provided for in § 515-16 to any customer at any time without incurring any liability or cause of action for damages of any kind.
- (6) **Resumption Of Service:** If service is discontinued because the customer's bills for service are in arrears, or for violation of any provisions of this Article after notice, such service shall not be restored until all charges, costs and damages, if any, shall have been paid to the Finance Department; or the violation has been corrected; and any charges for reinstatement of service pursuant to this Chapter have been paid to the Finance Department.
- (7) **Voluntary Water Shutoff:** The City provides a water shutoff service to residents who are on vacation or away for an extended period. The fee for voluntary water shutoff shall be \$100. The fee shall cover the cost of water shut-off at the valve box in the City's right-of-way (the valve the City has installed to access water service) and then

turned back on upon request. The fee shall not be applicable to any school districts or any unit of local government.

- (8) Responsibility for Meter with Customer: If water service is terminated pursuant to this Section, the customer shall remain liable for protecting the water meter from damage from freezing or other causes. If the meter is damaged, the customer shall be required to return the damaged meter to the City, purchase a new meter, and have the new meter installed in accordance with City Code requirements, all at his/her own expense.
- (9) Collection: The City may take all legal action necessary to collect fees from delinquent accounts including, without limitation, termination of service, recording a lien against the property, foreclosing on such lien, hiring a collection agency, refusing to grant any other utility service, or to issue any City permit or license to the delinquent customer until the delinquent account has been paid in full, including any penalties, costs incurred to record liens or releases of lien, or costs of collection.
- (10) Blanket Policy: The City shall also have the right to disconnect or refuse service to any customer with one or more installations if the bills are not paid at any one installation.
- (11) Charges And Discounts Prorated: The charges and discounts established in this Article shall be prorated by the Finance Department for customers receiving service for less than a full billing period.

L. Periodic review of charges. The adequacy of the water and sewer charge shall be reviewed by the City Manager at least annually as part of the annual budget process. The water and sewer service charge shall be revised periodically to reflect change in local operation, maintenance and repair costs, including capital replacement costs.

M. Disposition of revenues. All revenues and moneys derived from the operation of the water and sewer system shall be deposited in the Water and Sewer Fund. The Director of Finance shall receive all such revenues from the water and sewer system and all other funds and moneys incidental to the operation of such system as the same may be delivered to him/her and deposit the same in the account of the fund designated as the Water and Sewer Fund of the City of Crystal Lake.

N. Accounts. The Director of Finance 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 water and sewer system, and at regular annual intervals he/she shall cause to be made an audit by an independent auditing concern of the books to show the receipts and disbursements of the sewerage system.

Section 3: Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval according to law.

DATED at Crystal Lake, Illinois, this 16th day of April 2024.

APPROVED:


Haig Haleblian, MAYOR

ATTEST:

Nick Kachiroubas by Nick Hammond, Deputy City Clerk
Nick Kachiroubas, CITY CLERK

PASSED: April 16, 2024

APPROVED: April 16, 2024

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