

VILLAGE OF DUPO, ILLINOIS

ORDINANCE NO 18-11

AN ORDINANCE AMENDING CHAPTER 17, ARTICLE I, DIVISION I
OF THE VILLAGE OF DUPO, ILLINOIS' REVISED CODE OF ORDINANCES

ADOPTED BY THE
VILLAGE BOARD OF TRUSTEES
OF THE
VILLAGE OF DUPO, ILLINOIS
THIS 6th DAY OF AUGUST 2018

Published in pamphlet form by
authority of the Village Board
of Trustees of the Village of
Dupo, St. Clair County, Illinois,
this 6th day of August 2018.

**AN ORDINANCE AMENDING CHAPTER 17, ARTICLE I, DIVISION I
OF THE VILLAGE OF DUPO, ILLINOIS' REVISED CODE OF ORDINANCES**

WHEREAS, the Village of Dupu, St. Clair County, Illinois, is a duly created, organized and validly existing municipality of the State of Illinois under the 1970 Illinois Constitution and the laws of the State of Illinois, including particularly the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto; and

WHEREAS, a public meeting was held in the Village of Dupu, Illinois at the Dupu Village Hall, 107 N. Second Street, on August 6, 2018 at 7:00 pm, before the Village Board of Dupu and notice of said meeting was duly given; and

WHEREAS, it was brought before the Village Board that it would be in the best interests of the Village of Dupu to consider amending of Chapter 17, Article I, Division I (Gas System) of the Village's Revised Code of Ordinances, specifically, Section 17-1-10, to be in harmony and consistency with similar provisions contained in Chapter 32 (32-2-3) and Chapter 38 (38-2-3); and

WHEREAS, Section 17-1-10 does not provide for the joint and several liability of an owner of any lot or parcel of land, and the occupant of such premises, unless the property owner countersigns for the application for gas service on the premises:

WHEREAS, Sections 32-2-3 (Sewer System) and 38-2-3 (Water System) provides for joint and several liability between the owner of the land or premises and the user of services (occupant), but Section 17-1-10 does not require the owner of the land or premises to countersign for the application of the service and it does not provide for joint and several liability; and

WHEREAS, the Mayor and the Board of Trustees desire that Section 17-1-10 be amended to be consistent and in harmony with similar Sections of Chapters 32 and 38 of the Village's Revised Code of Ordinances; and

WHEREAS, the Mayor and the Board of Trustees desire that Section 17-1-10, shall be amended as follows:

17-1-10 **PROPERTY OWNER LIABLE.** ~~The property owner shall be held liable for all charges left unpaid by any tenant where the property owner has countersigned the application for service on the premises and the Village reserves the right to shut off any gas service where said delinquent charges are not paid for by said owner.~~ *The owner of any lot, parcel of land, or premises receiving gas utility services, the occupant of such premises, and the user of the gas utility services shall be jointly and severally liable for the payment of the services to*

such lot, parcel of land, or premises, and all gas utility services rendered to the premises by the Village only on the condition that such owner, occupant, and user shall be jointly and severally liable therefor to the Village. The Village reserves the right to shut off any gas service where any delinquent charges are not paid for by said owner.

WHEREAS, the Mayor and the Board of Trustees believe that the aforementioned amendment to be in the best interests of the Village and its citizens; and

WHEREAS, the Village Board of Dupo, Illinois has recommended the approval of said amendment to the Revised Code of Ordinances of Dupo, Illinois;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE BOARD OF TRUSTEES OF THE VILLAGE OF DUPO, ILLINOIS:

Section 1: Recitals. The aforementioned recitals are hereby adopted as findings by the Village Board and incorporated herein.

Section 2: Amendment. Chapter 17 (Gas System), Article I, Division I, Section 17-1-10, shall now hereinafter read as follows:

17-1-10 PROPERTY OWNER LIABLE. The owner of any lot, parcel of land, or premises receiving gas utility services, the occupant of such premises, and the user of the gas utility services shall be jointly and severally liable for the payment of the services to such lot, parcel of land, or premises, and all gas utility services rendered to the premises by the Village only on the condition that such owner, occupant, and user shall be jointly and severally liable therefor to the Village. The Village reserves the right to shut off any gas service where any delinquent charges are not paid for by said owner.

Section 3: Severability of Provisions. Each section, paragraph, sentence, clause and provision of this Ordinance is severable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of the Ordinance, nor any part thereof, other than that part affected by such decision.

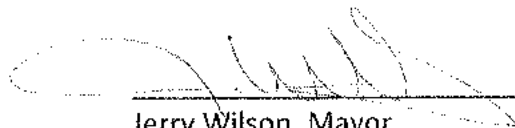
Section 4: Conflict. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 5: Effective. This Ordinance shall take full force and effect immediately upon passage by the Village Board of Trustees.

PASSED this 6th of August 2018 by the Village Mayor and the Village Board of Trustees of the Village of Dupo, St. Clair County, Illinois, and deposited and filed in the office of the Village Clerk in said Village on that date.

<u>Trustees</u>	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Chris Ragsdale	X	---	---	---
Ben Kenner	X	---	---	---
James Smith	---	---	X	---
Joe Basinski	X	---	---	---
Ken Phillips	X	---	---	---
Kerry Foster	X	---	---	---

APPROVED AND PASSED by the Mayor of the Village of Dupo, Illinois this 6th day of August 2018.



 Jerry Wilson, Mayor
 Village of Dupo, Illinois

ATTEST:



 MARK NADLER, VILLAGE CLERK

(SEAL)

STATE OF ILLINOIS)
) SS
COUNTY OF ST. CLAIR)

CERTIFICATE OF PUBLICATION

I, Mark Nadler, certify that I am the duly elected and acting Village Clerk of the Village of Dupu, Illinois.

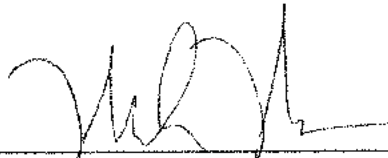
I further certify that on the 6th day of August 2018, the Corporate Authorities of the Village of Dupu, Illinois, passed and approved Ordinance No. 18-11, entitled:

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which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 18-11, including the ordinance and a cover sheet thereof, was prepared, and a copy of such ordinance was posted in the Dupu Village Hall, commencing on August 6, 2018 and continuing for at least ten (10) days thereafter. Copies of such ordinance were also made available for public inspection upon request in the office of the Village Clerk.

DATED at Dupu, Illinois this 6th day of August 2018.



MARK NADLER, Village Clerk

(SEAL)