

When recorded return to:
Boyle Brasher LLC
ATTN: David B. Schneidewind
5000 West Main Street
P.O. Box 23560
Belleville, IL 62223-0560

ORDINANCE NO. 18-12

**AN ORDINANCE AMENDING THE REVISED CODE OF ORDINANCES OF THE
VILLAGE OF DUPO, ILLINOIS, CHAPTER 32, ARTICLE III
AMENDING THE VILLAGE'S SEWER RATES AND CHARGES**

VILLAGE OF DUPO, ILLINOIS

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ADOPTED BY THE
VILLAGE BOARD OF TRUSTEES
OF THE
VILLAGE OF DUPO, ILLINOIS
THIS 20th 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 20th day of August 2018.

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WHEREAS, the Village of Dupou, St. Clair County, Illinois ("Village"), 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 Dupou, Illinois at the Dupou Village Hall, 107 N. Second Street, on August 20, 2018 at 7:00 pm, before the Village Board of Dupou and notice of said meeting was duly given; and

WHEREAS, pursuant to the Village's Revised Code of Ordinances, Sections 32-3-3 (Debt Service Charge) and 32-3-4 (Basic User Rate), the Village has established certain charges and rates for the use of the Village's public wastewater system; and

WHEREAS, the Mayor and the Board of Trustees of the Village have determined that the costs of periodically upgrading, repairing, and maintaining the public wastewater system of the Village has increased; and

WHEREAS, the Mayor and the Board of Trustees of the Village have determined that the Debt Service Charge as set forth in Section 32-3-3 is no longer applicable and the debt referred to therein has been retired; and

WHEREAS, after careful investigation, the Mayor and the Board of Trustees of the Village have determined that it is necessary and in the best interest of the Village to amend certain sections of Chapter 32, Article III of the Village's Revised Code of Ordinances, by deleting therefrom the Debt Service Charge contained in Section 32-3-3, and increasing the Basic User Rates as contained in Section 32-3-4, as follows: a 5% increase of the current Basic User Rate and a 5% increase of the rate for usage in excess of 2,000 gallons; and

WHEREAS, the Mayor and the Board of Trustees desire that Section 32-3-3, shall be amended to read as follows:

32-3-3 DEBT SERVICE CHARGE. ~~A debt service charge of Eight Dollars Thirty Three Cents (\$8.33) per month to each user of the wastewater facility of the Village is hereby established. (Ord. No. 08-01; 03-03-08)~~ **RESERVED.**

WHEREAS, the Mayor and the Board of Trustees desire that Section 32-3-4, shall be amended to read as follows:

32-3-4 BASIC USER RATE. In addition to the debt *any other* service charge(s) as required by the Village's Revised Code Ordinances, a user of the wastewater facility shall pay (a) the sum of Six Dollars Eighty Cents (\$6.80) *Nineteen Dollars and Seven Cents (\$19.07)* per month as a minimum charge and (b) for each month that the users water consumption exceeds two thousand (2,000) gallons, such user shall pay the sum of Three Dollars Sixty Cents (\$3.60) *Four Dollars and Forty-one Cents (\$4.41)* for each one thousand (1,000) gallons used in excess of two thousand (2,000) gallons.

All non-metered residential users of the wastewater facilities shall pay a minimum flat rate charge of Fifteen Dollars Thirteen Cents (\$15.13) per month to cover the debt service charge and basic user rate.

In the event use of the wastewater facilities is determined by the Superintendent to be in excess of four thousand (4,000) gallons per month, the Superintendent may require such flat rate user to install metering devices on the water supply or sewer main to measure the amount of service supplied.

The foregoing charges do not alter or modify the requirement for customers of Pittmann Estates for payment of the Eight Hundred Forty Dollar (\$840.00) surcharge upon all lots served by the extension to Pittmann Estates. (Ord. No. 08-06; 04-21-08)

WHEREAS, the Mayor and the Board of Trustees have determined that the aforementioned amendments to the Debt Service Charge (32-3-3) and the Basic User Rate (32-3-4) are to take effect as follows: the deletion of the Debt Service Charge effective September 1st, 2018, and the increases in the Basic User Rate effective September 1st, 2018; and

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

WHEREAS, the Village Board of Dupu, Illinois has recommended the approval of said amendments to the Village's Revised Code of Ordinances of Dupu, 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: Amendments. Chapter 32 (Sewer System), Article III, Sections 32-3-3 (Debt Service Charge) and 32-3-4 (Basic User Rate) shall now hereinafter read as follows:

32-3-3 RESERVED.

32-3-4 BASIC USER RATE. In addition to any other service charge as required by the Village's Revised Code Ordinances, a user of the wastewater facility shall pay (a) the sum of Nineteen Dollars and Seven Cents (\$19.07) per month as a

minimum charge and (b) for each month that the users water consumption exceeds two thousand (2,000) gallons, such user shall pay the sum of Four Dollars and Forty-one Cents (\$4.41) for each one thousand (1,000) gallons used in excess of two thousand (2,000) gallons.

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; however, the deletion of Debt Service Charge (32-3-3) shall be effective on the Village's sewer customers/users as of September, 1st, 2018, and the increases in the Basic User Rates (32-3-4) shall be effective on the Village's sewer customers/users as of September, 1st, 2018.

PASSED this 20th of August 2018 by the Village Mayor and the Village Board of Trustees of the Village of Dupu, 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	✓	—	—	—
Ben Kenner	—	—	X	—
James Smith	✓	—	—	—
Joe Basinski	✓	—	—	—
Ken Phillips	✓	—	—	—
Kerry Foster	✓	—	—	—

APPROVED AND PASSED by the Mayor of the Village of Dupu, Illinois this 20th day of August 2018.


 Jerry Wilson, Mayor
 Village of Dupu, 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 20th day of August 2018, the Corporate Authorities of the Village of Dupu, Illinois, passed and approved Ordinance No. 18-12, entitled:

**AN ORDINANCE AMENDING THE REVISED CODE OF ORDINANCES OF THE
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which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 18-12, 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 20, 2018 and continuing for at least ten (10) days thereafter, and filed with the St. Clair County Recorder of Deeds pursuant to Section 32-3-10 of the Village's Revised Code of Ordinances. 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 20th day of August 2018.



MARK NADLER, Village Clerk

(SEAL)

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

CERTIFICATE OF TRUE COPY

I, Mark Nadler, certify that I am the duly elected and acting Village Clerk of the Village of Dupu, Illinois, and as such I am the keeper of the books, records, files and corporate seal of said Village.

I do further certify that Ordinance No. 18-12, entitled:

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to which this certificate is attached, is a true, perfect, complete and correct copy of said ordinance as adopted at a regular meeting of the Dupu, Illinois Village Council held on the 20th day of August 2018.

IN WITNESS WHEREOF, I have made and delivered this certificate for the uses and purposes hereinabove set forth this 20th day of August 2018.



MARK NADLER, Village Clerk

(SEAL)