

CITY OF VILLA GROVE
DOUGLAS COUNTY, ILLINOIS

ORDINANCE NO. 2019-MC12

**AN ORDINANCE AMENDING SECTION 53.01 OF TITLE V,
CHAPTER 53 OF THE MUNICIPAL CODE OF THE CITY OF VILLA GROVE
(REGARDING BULK WATER SALES)**

PASSED BY THE CITY COUNCIL AND
APPROVED BY THE MAYOR OF THE
CITY OF VILLA GROVE, ILLINOIS
THIS FIFTEENTH DAY OF OCTOBER 2019

THIS ORDINANCE IS HEREBY PUBLISHED IN PAMPHLET FORM BY THE AUTHORITY OF THE MAYOR AND CITY COUNCIL OF THE CITY OF VILLA GROVE, DOUGLAS COUNTY, ILLINOIS, THIS SIXTEENTH DAY OF OCTOBER 2019.

CITY OF VILLA GROVE
DOUGLAS COUNTY, ILLINOIS

ORDINANCE NO. 2019-MC12

October 15, 2019

**AN ORDINANCE AMENDING SECTION 53.01 OF TITLE V,
CHAPTER 53 OF THE MUNICIPAL CODE OF THE CITY OF VILLA GROVE
(REGARDING BULK WATER SALES)**

WHEREAS, the City of Villa Grove, Douglas County, Illinois, is a municipality as contemplated under Article VII, Section 7 of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of City's powers and functions as granted in the same; and

WHEREAS, the City previously adopted the Villa Grove Municipal Code which contains Chapter 53 regarding Water and Sewer Rates and Charges; and

WHEREAS, the City Council has considered input and comment from the public concerning water costs in the City; and

WHEREAS, the City has determined that it is advisable, necessary, and in the best interest of the City and its residents to adopt the within ordinance amending the Villa Grove Municipal Code as provided herein.

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL, CITY OF VILLA GROVE, DOUGLAS COUNTY, ILLINOIS, as follows:

SECTION 1: Incorporation Clause. The Mayor and City Council of the City of Villa Grove, Illinois hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this ordinance.

SECTION 2: Purpose. The purpose of this Ordinance is to revise the City's Ordinance to allow for bulk water sales.

SECTION 3: Code Amended. Section 53.01 of Chapter 53 of the Villa Grove Code of Ordinances is hereby amended to additionally include the following 53.01(J):

§ 53.03(J): To the extent that a third party desires to purchase bulk sales of water the size of which exceeds normal existing delivery mechanisms and the City's licensed Water Operator determines that there is sufficient capacity in the water system to allow for such bulk sales of water without compromising customary usage for existing customers, then the City may, at the City Administrator's direction, elect to sell to such third party, subject to the conditions set forth in this Ordinance. Such third parties may not resell said water; additionally, such third party must provide a minimum 48-hour notice to the Public Works department before the water is to be consumed (excluding holidays). The rate to be charged to such users shall be a connection/metering fee of \$50 per connection per day, plus \$1.20 per 100 gallons of water. All sums shall be paid in full at delivery, or corporate billing information shall be provided to the Administrative & Billing Office prior to the scheduling of such delivery.

SECTION 4: Invocation of Authority. This Ordinance is enacted pursuant to the authority granted to the City by the Constitution of the State of Illinois and the Illinois Compiled Statutes.

SECTION 5: 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.

SECTION 6: Approval and Execution of Documents. The Mayor or her designee are hereby authorized and directed to execute any and all other documents necessary to carry out and give effect to the purpose and intent of this Ordinance, whether or not such other documents are attached hereto.

The City Clerk is hereby authorized and directed to attest to, countersign and affix the seal of the City necessary to such documents.

SECTION 7: Other Actions Authorized. The City Administrator and/or her designee are hereby authorized and directed to do all things necessary, essential or convenient to carry out and give effect to the purpose and intent of this Ordinance.

SECTION 8: Acts of City Officials. All acts and doings of the officials of the City, past, present and future which are in conformity with the purpose and intent of this Ordinance, are hereby in all respects, ratified, approved, authorized and confirmed.

SECTION 9: 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 Ordinance nor should they be used in any interpretation or construction of any substantive provisions of this Ordinance.

SECTION 10: 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 City Council 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 11: Superseder. All code provisions, ordinances, resolutions and orders, or parts thereof, in conflict herewith, are to the extent of such conflict hereby superseded.

SECTION 12: Publication. A full, true and complete copy of this Ordinance shall be published in pamphlet form as provided by the Illinois Municipal Code, as amended.

SECTION 12: Effective Date. This Ordinance shall be in full force and effect upon passage, approval and publication, as provided by the Illinois Municipal Code, as amended.

PRESENTED, PASSED, APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VILLA GROVE, ILLINOIS, at its regular meeting on this fifteenth day of October, A.D., 2019, by a roll call vote as follows:

Allen, Bruce D. yea

Griffith, Darrel M. yea

Blaney, Thelma I. yea

Hooker, Anthony L. yea

Eversole-Gunter, Cassandra A. _____

Johnson, Derek S. yea

Garrett, Ryan P. yea

APPROVED:



CASSANDRA A. EVERSOLE-GUNTER
Mayor

ATTEST:



MICHELLE L. OSBORNE
City Clerk

