

**VILLAGE OF NEW BADEN, ILLINOIS  
ORDINANCE NO. 2012-08-06-G**

**AN ORDINANCE PROVIDING FOR A SEWER CHARGE ADJUSTMENT  
FOR WATER WHICH IS USED BUT DOES NOT ENTER THE  
SANITARY SEWER SYSTEM**

WHEREAS, the Village of New Baden (“Village”), Clinton and St. Clair Counties, 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, the Village desires to provide for a sewer charge adjustment on customers’ sewer bills for water that is used, but does not enter into the sewer system; and

WHEREAS, the Village desires to establish a policy for providing such sewer charge adjustment.

NOW THEREFORE, BE IT ORDAINED by the Mayor and the Board of Trustees of the Village of New Baden, as follows:

1. That the preceding recitations in the upper part of this Ordinance are realleged, restated, and adopted as paragraph one (“1”) of this Ordinance.
2. That a new Section 38-4-22 shall be added to Chapter 38, Article V of the Village of New Baden Revised Code of Ordinances and shall read as follows:

“ **38-4-22**        **SEWER CHARGE ADJUSTMENT.** The Village Administrator shall have authority to allow deductions on sewer bills for water which is used but does not enter the sanitary sewer system. In every case, a request for deduction shall be made by written application on forms provided by the Village of New Baden, and shall be subject to the following regulations:

(a) No deductions shall be granted for users of the sewer system who do not have a metered water supply.

(b) No deductions shall be granted for users of the sewer system who are delinquent in their payment to the Village for such service.

(c) One hundred percent of any used water for which a deduction is requested, must have been prevented from entering the sanitary sewer system.

(d) The Village Administrator, shall determine which used waters are eligible for discharge to some point other than the sanitary sewer system, and shall have the authority to prohibit discharges which he determines to be potentially harmful to the public health, safety, or welfare; provided, however, that no used water which contains suspended matter in any form (organic or inorganic), or which contains any dissolved substances, shall be eligible for discharge to any point other than the sanitary sewer system, including storm sewers or any other watercourse.

(e) Metered deductions. Customers may purchase and install a “deduct meter” at a designated outside water outlet on their property. The meter will measure water not entering the sanitary sewer system, and shall be eligible for deduction of that used water annually.

(1) Any such meter shall be of design approved by the Village, shall be registered with the Village Clerk of the Village of New Baden prior to use, and shall be used only by the user to whom it is registered and at the service location to which it is assigned.

(2) Customers are responsible for installing their meters at the designated service locations each year.

(3) Customers are responsible for removing their meters at an appropriate time in the Autumn season to prevent freezing and damage.

(4) Customers are responsible for providing the meter to the Village for reading between October 1 and October 20 of each year.

(5) The Village Clerk shall then credit the user's sewer account by subtracting the previous reading from the current reading, as taken from the meter, multiplying the difference by the current Basic User Charge, and then deducting 100 percent of that product from the next month's billings.

(6) The Village shall be authorized to inspect meters for accuracy at any time meter readings are suspect and not considered representative of usage.

(7) The user will be charged an annual service fee of \$10.00 to be billed in October.

(f) Special occurrence deduction. Users may apply for a special occurrence deduction in the event that a leak in water service lines allows

metered water to discharge on their property to some point other than the sanitary sewer system.

(1) Following submission of an application for special occurrence deduction, the Village Administrator shall verify the presence of a leak, that said leak was repaired, and that the leak did not enter the sanitary sewer system.

(2) A special occurrence deduction shall be calculated by determining the user's average monthly consumption during the 6 months immediately preceding the billing month during which the leak occurred, and then subtracting that average, from the consumption for said month. The Village Administrator shall then credit the user's sewer account by multiplying that difference by the current basic user charge, and deducting 90 percent of that product from the next monthly billing."

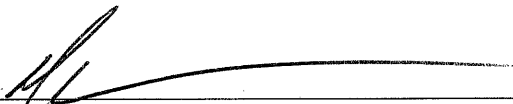
3. This Ordinance shall take full force and effect immediately upon passage by the Village Board of Trustees.

PASSED and APPROVED this 6<sup>th</sup> day of August, 2012.

Yeas: Picard, Nielsen, Gunn, Malina, Linthicum.

Nays: None.

Absent: Oster.

  
David Brandmeyer, Village President

ATTEST:

  
Teri Crane, Village Clerk

STATE OF ILLINOIS )  
 )  
COUNTY OF CLINTON & ST. CLAIR ) ss.

I, Teri Crane, Village Clerk of the Village of New Baden, in the Counties of Clinton and St. Clair and State of Illinois, do hereby certify that the attached and foregoing is a true and correct copy of that certain Ordinance now on file in my Office, entitled:

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which Ordinance was passed by the Board of Trustees of the Village of New Baden at a Special Village Board Meeting on the 6<sup>th</sup> day of August, 2012, at which meeting a quorum was present, and approved by the President of the Village of New Baden on the 6<sup>th</sup> day of August, 2012.

I do further certify that the original Ordinance, of which the foregoing is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Village of New Baden, Illinois, this 6<sup>th</sup> day of August, 2012.

  
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Teri L. Crane, Village Clerk

(Seal)