

Village of Waterman Property Owners:

This letter is to inform you of the amendment approved at the November 12, 2019 board meeting to the Village of Waterman's ordinance Title 7, Chapter 2, "Water Use and Service," Section 10, "Bills for Water and Sewer Service; Delinquencies." This amendment states all utility service bills will be mailed to the property owner of record and will be the sole responsibility of the property owner to ensure payment is made to the village. Any utility bill that is not paid will be subject to sections C and E of said ordinance. Below is the amended ordinance for your reference.

7-2-10: BILLS FOR WATER AND SEWER SERVICE; DELINQUENCIES:

- A. Rendition of Bills; Due Date; Late Payment:** Water and sewer service charges shall be billed on a quarterly basis. Bills shall be mailed on or about February 1, May 1, August 1 and November 1, and payments shall be due thirty (30) days after the date of such bill. If payment of the entire amount of said bill for water and/or sewer service charges is not received by the village on or before the thirtieth day after the billing date, then a late payment penalty of ten percent (10%) of the current balance of the bill shall be added thereto and become due and payable.
- B. Liability For Payment:** The owner of the premises, shall be liable to pay for such service to such premises, and such service is furnished to the premises by the village only upon the condition that the owner of the premises is liable therefor to the village. (1999 Code § 16.15)
- C. Delinquent Payments A Lien:** In the event the water and/or sewer user service charges, including any penalty then due, are not paid within fifty (50) days after the date of such billing, such charges and penalty shall be deemed and are hereby declared to be delinquent, and thereafter, the village may file a statement of lien claim with the county recorder of deeds. This statement of lien claim shall include the legal description of the property to which water/sewer service was provided, the amount of the unpaid user service charges and penalty, and a notice that the village claims a lien for the stated amount as well as for all water and sewer user charges and penalties subsequent to the period for which the bill was rendered. The failure of the village to record the lien with the county recorder of deeds, or to mail the notice of delinquency and lien to the owner of the property, or failure of the owner to receive such notice shall not affect the right of the village to foreclose the lien for unpaid bills as mentioned herein. (1999 Code § 16.15; amd. Ord. 2012-10, 3-13-2012)
- D. Foreclosure:** Property subject to a lien for unpaid water and/or sewer user service charges shall be sold for nonpayment of the same, and the proceeds of the sale shall be applied to pay the charges, after deducting costs, as is the case in the foreclosure of statutory liens. Such foreclosure shall be by bill in equity in the name of the village. The village attorney is hereby authorized and directed to institute such proceedings in the name of the village in any court having jurisdiction over such matters against any property for which the bill has remained unpaid forty-five (45) days after it has been rendered. (1999 Code § 16.15)
- E. Discontinuance Of Service; Reinstatement Fee; Restoration Of Service:** If the water and/or sewer user service charges, including any penalty then due, are not paid in full thirty (30) days after the date of billing, then the village shall send notice to the owner of the premises that water service shall be discontinued twenty (20) days after the date of such notice and shall not be reinstated until all past due bills, including the penalties thereon, are paid in full. Notice shall be posted at the delinquent address of service a minimum of ten (10) days prior to the disconnection date, stating the disconnection date and the amount due which includes a fee of fifty dollars (\$50.00) for reinstating such services. If the amount has not been paid in full by the date stated on said notice, the service shall be disconnected and not reinstated until the amount due is paid in full. No village employee shall have the authority to extend the discontinuance of service beyond the twenty (20) day notice provided in this subsection and no further extension shall so be granted. It shall be the responsibility of any party requesting the restoration of water service to pay all fees, deposits, and delinquent charges attributable to the property for which water service is provided. When the ownership of property is transferred to a new owner, it shall be the responsibility of the new owner to pay all fees, deposits, and delinquent charges prior to water and sewer service being turned on or otherwise restored to the property. Water service shall not be turned on or otherwise restored to any property until all fees, deposits, and delinquent charges have been paid in full. (Ord. 2012-06, 1-10-2012)

Yours truly,

Board of Trustees
Village of Waterman