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METRO EAST SANITARY DISTRICT

ORDINANCE NO. 2009-0-002

An Ordinance amending Ordinances No. 665, 686, 687A, 737, 747, 80-0-3, 84-0-8, 87-0-004, 88-0-004, 95-0-001 and 95-0-003 entitled "An Ordinance regulating the use of public and private sewers and drains, private sewage disposal, the installation and connection of building sewers, the discharge of waters and wastes into the public system, and providing penalties for violations thereof; the levying of charges for wastewater services (use charges) in the Metro East Sanitary District Counties of St. Clair and Madison, State of Illinois."

Regarding: Shutting off the water supply of delinquent water users of the sanitary sewer services.

As passed by the Metro East Sanitary District Board of Commissioners on the 3rd day of June, 2009.

ORDINANCE NO. 2009-0-002

AN ORDINANCE AMENDING ORDINANCES NO. 665, 686, 687A, 737, 747, 80-0-3, 84-0-8, 87-0-004, 88-0-004, 95-0-001 AND 95-0-003 ENTITLED "AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SYSTEM, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF; THE LEVYING OF CHARGES FOR WASTEWATER SERVICES (USE CHARGES) IN THE METRO EAST SANITARY DISTRICT COUNTIES OF ST. CLAIR AND MADISON, STATE OF ILLINOIS."

WHEREAS, the Board of Commissioners of the Metro East Sanitary District has passed a Resolution authorizing the Metro East Sanitary District to enter into an Agreement with the Illinois American Water Company, a corporation of the State of Illinois, having an office at 100 North Water Works Drive, Belleville, Illinois, whereby collection of delinquent of sanitary sewer service accounts of the Metro East Sanitary District as previously set forth in the Ordinances of the Metro East Sanitary District are to be supplemented by the additional method of shutting off the water supply of delinquent water users of the sanitary sewer services until payment of the delinquent account is made, and

WHEREAS, it is deemed necessary and advisable and in the best interest of the inhabitants and tax payers within the boundaries of the Metro East Sanitary District that an additional method of collecting delinquent sanitary sewer service charges be instituted resulting in a more efficient and cost saving procedure of collection;

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF COMMISSIONERS OF THE METRO EAST SANITARY DISTRICT, ST. CLAIR AND MADISON COUNTIES, ILLINOIS, AS FOLLOWS:

SECTION 1: That the above ordinances be and the same are hereby amended to add and/or change said ordinances to include the additional terms, processes and procedures of collection set forth in the "Disclosure Agreement" approved by Resolution No. 2009-R-006 and entered into between Metro East Sanitary District and the Illinois American Water Company, a corporation of the State of Illinois, marked as Exhibit "A" attached hereto and made part hereof, as if fully set forth.

SECTION 2: That a service charge of One Hundred Dollars (\$100.00) will be assessed against any customer for whom Metro East Sanitary District has instituted a disconnection of water service in order to cover added costs attributable to invoking this procedure of collecting delinquent accounts.

SECTION 3: All other provisions and terms set forth in the Ordinances hereby amended by adding in or changing the foregoing shall remain in full force and effect unless they are contrary to the provisions of this amendment.

This Ordinance shall be in full force and effect from and after its passage and approval and publication as provided by law. Passed by the Board of Commissioners of the Metro East Sanitary District of Madison and St. Clair Counties of Illinois on the 3rd day of June, 2009.

Metro East Sanitary District by:

Andrew Economy
President

ATTEST:

Sharon Heath
Clerk (Seal)

Ayes Four (4)

Nays None (0)

Absent One (1)

This Ordinance published in pamphlet form pursuant to authority of Illinois Revised Statutes

RESOLUTION NO. 2009-R-016

**A RESOLUTION AUTHORIZING THE
METRO EAST SANITARY DISTRICT
TO ENTER INTO AN AGREEMENT WITH
THE ILLINOIS AMERICAN WATER COMPANY
TO CUT OFF THE WATER SUPPLY OF DELINQUENT
SANITARY SEWER CHARGES OWED BY CUSTOMERS OF
THE METRO EAST SANITARY DISTRICT**

WHEREAS, the Metro East Sanitary District is authorized by Illinois Statutes (Illinois Municipal Code, Section 11-141-7, 65 ILCS 5/11-141/7) to contract with the Illinois American Water Company to shut off the supply of water from the water company system to any premises at which the user charges for sewer services supplied by the Metro East Sanitary District are delinquent for more than thirty (30) days, and

WHEREAS, the Metro East Sanitary District desires to enter into an Agreement with the Illinois American Water Company in order to accomplish material savings in collecting delinquent sewer service charges,

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF
COMMISSIONERS OF THE METRO EAST SANITARY DISTRICT OF ST. CLAIR AND
MADISON COUNTIES, ILLINOIS AS FOLLOWS:**

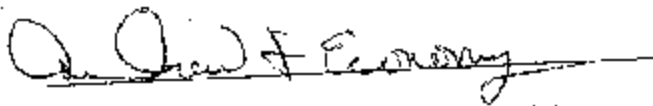
SECTION 1: That the Board of Commissioners of the Metro East Sanitary District of St. Clair and Madison Counties, Illinois, does hereby approve the proposed Disclosure Agreement with the Illinois American Water Company attached hereto as Exhibit "A" and made part hereof.

SECTION 2: That the Board of Commissioners of the Metro East Sanitary District of

St. Clair and Madison Counties, Illinois, authorizes and directs, Bob Shipley, the Executive Director of the Metro East Sanitary District, to sign the proposed Disclosure Agreement with Illinois American Water Company attached hereto and described as Exhibit "A".

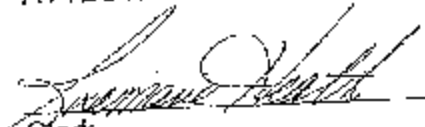
SECTION 3: That an Ordinance be prepared adopting the Disclosure Agreement marked Exhibit "A" and attached hereto as an addition to all Ordinances of the Metro East Sanitary District now in effect regulating collection of sanitary sewer service charges by adding such Agreement with the Illinois American Water Company to said Ordinances.

PASSED AND ADOPTED THIS 3rd DAY OF
June, 2009



President, Metro East Sanitary District

ATTEST:



Clerk

Votes: Four (4) Ayes None (0) Nays
One (1) Absent