

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE ADDING CHAPTER 3.21 (SATISFACTION OF MUNICIPAL DEBTS) TO TITLE 3 (REVENUE AND FINANCE) TO THE CITY OF CREST HILL CODE OF ORDINANCES**

---

**WHEREAS**, the Corporate Authorities of the City of Crest Hill, Will County, Illinois, have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

**WHEREAS**, the Corporate Authorities of the City of Crest Hill, Will County, Illinois, have the statutory ability to make, enact, and enforce all needful rules and regulations for the operation and management of its combined waterworks and sewerage system, including the establishment of rates to be charged to users of combined waterworks and sewerage system (65 ILCS 5/11-139-8); and

**WHEREAS**, the Corporate Authorities of the City of Crest Hill, Will County, Illinois have previously exercised said authority by establishing Title 13, Water and Sewer of its Code of Ordinances; and

**WHEREAS**, the City of Crest Hill has encountered problems due to water customers and property owners failing to notify the City of the impending sale of property and thus failing to obtain accurate final water meter reads and final bills issued prior to the sale of property within the City; and

**WHEREAS**, in furtherance of its statutory powers, the Corporate Authorities have now determined that the City of Crest Hill Code of Ordinances should be amended to add a comprehensive set of Ordinances to ensure that all municipal debts, including unpaid water and sewer charges and other delinquent fees are satisfied prior to the transfer of title to property.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CREST HILL, WILL COUNTY, ILLINOIS, PURSUANT TO ITS STATUTORY AUTHORITY, AS FOLLOWS:**

**SECTION 1:** The City Council hereby finds that all the recitals contained in the preamble to this Ordinance are true, correct, and complete and are hereby incorporated by reference hereto and made a part hereof.

**SECTION 2:** That Chapter 3.30 (Satisfaction of Municipal Debts), including Sections 3.21.010, 3.21.020, 3.21.030, 3.21.040, 3.21.050, 3.21.060, 3.21.070, and 3.21.080 are hereby added to Title 3 (Revenue and Finance) of the City of Crest Hill Code of Ordinances, as follows:

## CHAPTER 3.21 SATISFACTION OF MUNICIPAL DEBTS

### § 3.21.010 Purpose.

The purpose of this division is to establish a system to provide for the collection of unpaid water service charges and other delinquent fees and charges owed to the City from individuals or entities upon the sale or other transfer of real estate within the City.

### §3.21.020 Definitions.

The following definitions shall apply to the interpretation and enforcement of this division:

*Beneficial interest* means the interest held by a beneficiary in a trust where the trustee of the trust holds legal title to real estate for the benefit of the beneficiaries of such trust.

*Transferor of the real estate* means the person or persons, entity or entities that transfer the title to real estate or the beneficial interest in a trust that holds title to real estate to another person or persons, entity or entities. The definition shall also include the transfer of control of a property subject to the Illinois Condominium Property Act from the developer to the condominium association board of managers.

*City* means the City of Crest Hill, Illinois.

### § 3.21.030 Satisfaction of municipal debts.

- (a) Unless the transfer is exempt and only to the extent exempted, no real estate located in the City and no beneficial interest of a trust holding title real estate located in the City shall be sold, quitclaimed, exchanged or otherwise transferred unless it has been determined by the City's director of finance that:
  - (1) The City's water, sewer, and refuse collection charges related to the real estate have been paid in full; and
  - (2) The transferor of the real estate is not otherwise in debt to the City.
- (b) Unless exempted, the requirement of obtaining a municipal debt satisfaction certificate shall be mandatory on all transfers of ownership of or beneficial interest in real estate located within the City.

### § 3.21.040 Exempt transfers.

The following transfers are exempt from compliance with the requirement that the City's water, sewer and refuse collection charges related to the real estate have been paid in full:

- (a) The transfer of title or assignment of the beneficial interest of a trust holding title to a condominium unit for which a condominium association pays the water, sewer, and/or refuse collection charges.

**§ 3.21.050 Application.**

- (a) Upon entering into any agreement to transfer the title of real estate located within the City or to assign the beneficial interest of a trust holding title to real estate located within the City, the titleholder or the beneficiary of the trust holding title shall immediately and before the transfer make application to the City's director of finance for a final reading of the water meter serving the real estate and for a municipal debt satisfaction certificate. The application shall be accompanied by the original deed or other document of transfer. Upon the final reading of the water meter's being made and the amount owed being determined, including, but not limited to, any outstanding penalties for delinquent payments and for other monetary obligations owed to the City, the applicant shall make full payment to the City in the amounts then determined to be due. The application for a municipal debt satisfaction certificate shall be submitted to the director of finance during regular business hours not less than seven business days prior to any proposed sale, assignment or other transfer of real estate or of the legal or beneficial interest of a trust holding title to real estate located in the City to allow sufficient time for the director of finance to determine if the applicant has met the requirements for a municipal debt satisfaction certificate.
- (b) If the director of finance determines that the transferor of the real estate has paid in full all water, sewer and refuse collection charges as of the most recent billing, and that the transferor of the real estate is not otherwise in debt to the City, the director of finance shall issue a municipal debt satisfaction certificate. The municipal debt satisfaction certificate shall state that as of the date of the most recent billing, all water, sewer and refuse collection charges have been paid in full and that the transferor of the real estate is not otherwise in debt to the City. Any unbilled charges incurred after the issuance of the municipal debt satisfaction certificate to, and including, the date of the closing of the sale or transfer of the real estate shall remain the responsibility of the transferor of the real estate.
- (c) The municipal debt satisfaction certificate shall be valid for a period of 30 days from the date of issuance.
- (d) The director of finance shall keep a record of all municipal debt satisfaction certificates on file in the office of the department of finance. Copies of any municipal debt satisfaction certificate related to the property shall be furnished, upon request, to any person having a tenancy interest in the property for which the certificate is requested.

- (e) If the director of finance determines that the transferor of the real estate has not paid in full all water, sewer and/or refuse collection charges, or that the transferor of the real estate is otherwise in debt to the City, no municipal debt satisfaction certificate shall be issued. Instead, the applicant will be issued a report in a form adopted by the department of finance which details any water, sewer, refuse collection charges, and/or debts owed by the transferor of the real estate to the City. When, and if, the transferor of the real estate has paid all of the debts noted on the report, the applicant may reapply for a municipal debt satisfaction certificate.

**§ 3.21.060 Appeals.**

- (a) Any person whose application for a municipal debt satisfaction certificate has been denied may file an appeal with the City Administrator to contest the findings contained in the report or request that the requirements of this division be waived in his or her particular circumstances.
- (b) An appeal to the City Administrator must be made by filing a notice of appeal with the City manager. The notice of appeal must be filed within ten days from the date of issuance of the report denying the issuance of the municipal debt satisfaction certificate. The City Administrator may grant a variance from the requirements of the division only when the applicant can prove by a preponderance of the evidence that:
  - (1) Compliance with the requirements of the division will place an extreme hardship on the applicant; or
  - (2) Physical conditions of the real estate make compliance with the requirements of the division impossible.
- (c) The City Administrator shall hold a hearing on the appeal within seven days of the filing of the notice of appeal. The City Administrator shall issue a written decision within seven (7) days of the close of the hearing.

**§ 3.21.070 Fee.**

A fee of \$ \_\_\_\_\_ for the preparation of a municipal debt satisfaction certificate shall be payable upon application for the municipal debt satisfaction.

**§ 3.21.080 Penalty.**

Any person who participates in the sale or transfer of any structure, building or dwelling unit in the City in violation of this division as seller, buyer, broker or agent, shall be subject to a fine of not less than \$200.00 nor more than \$750.00 for such violation.

**SECTION 3:** In the event that any provision or provisions, portion or portions, or clause or clauses of this Ordinance shall be declared to be invalid or unenforceable by a Court of competent jurisdiction, such adjudication shall in no way affect or impair the validity or enforceability of any of the remaining provisions, portions, or clauses of this Ordinance that may be given effect without such invalid or unenforceable provision or provisions, portion or portions, or clause or clauses.

**SECTION 4:** That all ordinances, resolutions, motions, or parts thereof, conflicting with any of the provisions of this Ordinance, are hereby repealed to the extent of the conflict.

**SECTION 5:** That the City Clerk is hereby directed to publish this Ordinance.

**SECTION 6:** That the City Clerk is hereby directed to notify all area Title Insurance Companies of the passage of this Ordinance with a request that their list of Municipalities with transfer taxes or similar final water meter reading ordinances be updated to include this Ordinance.

**SECTION 6:** That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

[Left Intentionally Blank]

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2026.

|                            | Aye   | Nay   | Absent | Abstain |
|----------------------------|-------|-------|--------|---------|
| Alderman Scott Dyke        | _____ | _____ | _____  | _____   |
| Alderman Angelo Deserio    | _____ | _____ | _____  | _____   |
| Alderwoman Claudia Gazal   | _____ | _____ | _____  | _____   |
| Alderman Darrell Jefferson | _____ | _____ | _____  | _____   |
| Aldersperson Tina Oberlin  | _____ | _____ | _____  | _____   |
| Alderman Mark Cipiti       | _____ | _____ | _____  | _____   |
| Alderman Nate Albert       | _____ | _____ | _____  | _____   |
| Alderman Joe Kubal         | _____ | _____ | _____  | _____   |
| Mayor Raymond R. Soliman   | _____ | _____ | _____  | _____   |

\_\_\_\_\_  
Christine Vershay-Hall, City Clerk

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2026.

\_\_\_\_\_  
Raymond R. Soliman, Mayor

ATTEST:

\_\_\_\_\_  
Christine Vershay-Hall, City Clerk