

ORDINANCE NUMBER: 2026-20

AN ORDINANCE AMENDING SECTION 6-2-4-3 “DELINQUENT PAYMENTS; NSF CHECKS; LIENS” OF THE CODE OF ORDINANCES FOR THE VILLAGE OF POPLAR GROVE REGARDING FEES CHARGEABLE WHEN A LIEN IS RECORDED AGAINST A PARCEL FOR NONPAYMENT OF UTILITY BILLS

WHEREAS, the Village of Poplar Grove (“Village”) had adopted a Code of Ordinances (“Code”); and

WHEREAS, Title VI “Public Ways and Property”, Chapter 2 “Combined Waterworks and Sewerage System”, Section 6-2-4-3 “Delinquent Payments; NSF Checks; Liens” provides for when the Village records a lien upon the real estate for which service is provided and not paid for; and

WHEREAS, the Village wishes to amend Section 6-2-4-3 “Delinquent Payments; NSF Checks; Liens” of Chapter 2 “Combined Waterworks and Sewerage System” of Title VI “Public Ways and Property” of the Code, as set forth herein to outline when fees will be charged regarding the sending of collection letters and recording and release of liens; and

WHEREAS, the Village has determined that it is in the best interest of the Village and its citizens to approve such amendment.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Poplar Grove, Illinois as follows:

1. The above recitals are incorporated herein and made a part hereof.
2. Section 6-2-4-3 “Delinquent Payments; NSF Checks; Liens” of the Code of Ordinances for the Village of Poplar Grove, shall be and hereby is amended, to read as follows (deletions shown as ~~striketroughs~~ and new language as **bold and underlined**):

“6-2-4-3. - DELINQUENT PAYMENTS; NSF CHECKS; LIENS.

A. Delinquent Payments. In the event charges for services are not paid by the (21st) day following rendition of the bill for service, such charges will be deemed and declared to be delinquent, and therefore late fee will be assessed.

B. NSF Checks. In the event a payment is returned for insufficient fees, account payments shall be reversed and appropriate NSF fees applied. All processes regarding termination for non-payment will apply.

C. Liens. In the event the charges for service are not paid according to 6-2-4-2, such charges shall be deemed and are hereby declared to be delinquent, and thereafter such delinquencies shall constitute liens upon the real estate for which service is supplied. A request for a payment plan for an overdue balance may be made to the Billing Clerk. For any account that is not paid in accordance with Section 6-2-4-4 herein, the Village Clerk is hereby authorized and directed to

record a lien, sworn and subscribed in accordance with Section 1-109 of the Illinois Code of Civil Procedure (735 ILCS 5/1-109), showing such delinquencies in the Office of the Recorder of Deeds of Boone County, Illinois, and the recording of such liens in such office shall be deemed constructive notice for the delinquent payment of such charges for such service. **Upon the initiation of the recording such liens, the property owner shall become responsible for applicable administrative fees that will include, but not be limited to, attorney time for the review and drafting of collection letters and a fee for the mailing of such collection letter to all necessary parties via certified mail. Such administrative fees will be in addition to outstanding charges, interest and penalties, and any further costs and fees of the proceedings incurred by the Village. Any costs charged by the Office of the Recorder of Deeds of Boone County, Illinois, to the Village, for the recording and/or release of such lien shall also be the responsibility of the property owner prior to the lien being released.**

3. Except as amended by this Ordinance, all other provisions and terms of the Village Code of Ordinances shall remain in full force and effect as previously enacted except that those ordinances, or parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.
4. This Ordinance shall be in full force and effect after its approval, passage and publication in pamphlet form as required by law.

PASSED UPON MOTION BY _____

SECONDED BY _____

BY ROLL CALL VOTE THIS _____ DAY OF _____, 2026

AS FOLLOWS:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT, ABSTAIN, OTHER _____

APPROVED _____, 2026

PRESIDENT

ATTEST:

VILLAGE CLERK