

ORDINANCE NO. 2025-____

**AN ORDINANCE AMENDING CHAPTER 86 – “UTILITIES”
OF THE CITY OF SANDWICH MUNICIPAL CODE**

Passed by the City Council, November ____, 2025

Printed and Published, November ____, 2025

Printed and Published in Pamphlet Form
By Authority of the City Council

CITY OF SANDWICH
DEKALB AND KENDALL COUNTIES, ILLINOIS

I hereby certify that this document
was properly published on the date
stated above.

City Clerk

ORDINANCE NO. 2025-_____

BE IT ORDAINED by the Mayor and City Council of the City of Sandwich, DeKalb and Kendall Counties, Illinois, THAT:

**AN ORDINANCE AMENDING CHAPTER 86 – “UTILITIES”
OF THE CITY OF SANDWICH MUNICIPAL CODE**

shall be, and is hereby, adopted as follows:

Section 1. BACKGROUND.

The City of Sandwich (“*City*”) has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret, and amend its ordinances, rules, and regulations. The City has the authority to enact ordinances for the preservation of the health, welfare, and safety of the community and the residents of the City. The City desires to amend its current regulations governing the order in which it does business to match its current procedures. The City of Sandwich Municipal Code must be amended to reflect such change.

Section 2. AMENDMENT.

A. Chapter 86 – “Utilities,” Article II – “Water,” Division 2 – “Meters, Rates,” Section 86-61 – “Bills” of the City Code of Ordinances is hereby deleted in its entirety and replaced with the following:

Sec. 86-61. - Bills; Service.

- (a) *Application for service.* Any person desiring the use of and service supplied by the combined waterworks and sewerage system shall make application for either water or sewerage service, or both water and sewerage service, on a form furnished by the city clerk.
- (b) *Security deposit.* Reserved.
- (c) *Bills.* It is hereby made the duty of the city clerk to render bills for service and for all rates and charges in connection therewith and to collect all moneys due thereon. Such rates or charges for service shall be payable quarterly depending on the classification of service for which bills are rendered. Charges for city utilities shall be made against the property using said service. Notice of charges for city utility service shall be mailed only to the property owner at the address as listed on the county tax records for the property using said service.
- (d) *Billing schedule.* All bills for service shall be rendered as of the first day of the month following the month in which the meters are read, and shall be payable not later than the close of business on the 30th day following the date of the bill.
- (e) *Dispute.* The computation of rates and service charges established for user charges shall be made available to a user within ten (10) days of receipt of a written request for same. Any disagreement over the method used or the computation thereof shall be addressed by the city clerk and/or city administrator within thirty (30) days after notification of a formal written appeal outlining the discrepancies.

B. Chapter 86 – “Utilities,” Article II – “Water,” Division 2 – “Meters, Rates,” Section 86-62 – “Nonpayment” of the City Code of Ordinances is hereby deleted in its entirety and replaced with the following:

Sec. 86-62. - Delinquency; Late fees.

(a) *Delinquency.* Whenever a bill for utility rates, charges or benefits remains unpaid for thirty (30) days after it has been rendered, the bill shall be deemed delinquent, and city clerk or their designee shall send a delinquency notice to the owner of record of the property advising that the charges or rates have become delinquent, and that unpaid charges or rates may create a lien on the property.

(b) *Late fees.* A penalty of 20 percent (20%) of the outstanding balance will be added to any delinquent utility bill. Penalty shall be a minimum of twenty dollars and 00/100 (\$20.00) per bill.

C. Chapter 86 – “Utilities,” Article II – “Water,” Division 2 – “Meters, Rates,” Section 86-63 – “Lien; notice of delinquency” of the City Code of Ordinances is hereby deleted in its entirety and replaced with the following:

Sec. 86-63. - Termination of service; Lien; collection.

(a) *Termination of service.* If the charges for water or sewerage service or both are not paid within thirty (30) days after rendering of the delinquency notice for such service, then, following a notice of the service termination date and, if requested, a hearing as hereinafter provided, the city clerk shall add a one hundred dollar (\$100.00) delinquency fee, and will order such service terminated. Delinquency fees are due whether or not water service is terminated. Terminated water service shall not be reinstated until all past bills, including service charges and delinquency fees, are paid in full for reinstating such service between 8:00 a.m. and 3:30 p.m. during normal village business hours. Reinstatement of service at any other time shall be at an additional cost of one hundred dollars (\$100.00).

(b) *Lien.* If the charges for service under this article remain unpaid thirty (30) days after the date of the delinquency notice, the city administrator or their designee may then file a Notice of Lien against said property with the office of the recorder of deeds of DeKalb County or Kendall County. Said notice shall consist of a sworn statement by the city administrator, or such other officer of the city having knowledge of the facts and shall set forth (1) a description of such real estate sufficient for the identification thereof, (2) the amount of money due for such service, (3) the date when such amount became delinquent. The city shall then send a copy of the recorded lien to the property owner. The amount due on the lien shall be inclusive of the amount for unpaid charges, late fees or interest, penalties, disconnection and/or reconnection fees, an administrative fee of One Hundred Dollars (\$100.00), recording fees incurred and current recording fees in effect at the time of recording the release.

(c) *Collection.*

(1) *Foreclose Lien:* Subsequent to the filing of said lien, the city may file a complaint for foreclosure of such lien, or upon becoming a defendant in a pending suit affecting the premises or real estate, by answer to the complaint or in the nature of an intervening petition or cross-complaint, the city may proceed in its corporate name to foreclose such lien.

(2) *Civil Action:* The city may also sue the owner of the property to recover the money due for services rendered, plus reasonable attorney’s fees.

(3) *Other:* The actions authorized by subsections (c)(1) and (2) shall be in addition to, and without waiver of, any other available remedies.

D. Chapter 86 – “Utilities,” Article III – “Sewers,” Division 2 – “User Charge; Industrial Waste Cost Recovery,” Section 86-189 – “Bills generally” of the City Code of Ordinances is hereby deleted in its entirety and replaced with the following:

Sec. 86-189. - Bills generally.

The rates or charges for services under this Article shall be billed as set forth in Article II – “Water.”

E. Chapter 86 – “Utilities,” Article III – “Sewers,” Division 2 – “User Charge; Industrial Waste Cost Recovery,” Section 86-190 – “Delinquent bills” of the City Code of Ordinances is hereby deleted in its entirety and replaced with the following:

Sec. 86-190. - Delinquent bills.

Delinquent bills under this Article shall be handled as set forth in Article II – “Water.”

F. Chapter 86 – “Utilities,” Article III – “Sewers,” Division 2 – “User Charge; Industrial Waste Cost Recovery,” Section 86-191 – “Lien” of the City Code of Ordinances is hereby deleted in its entirety and replaced with the following:

Sec. 86-191. - Collection.

Collection of rates and charges under this Article shall be as set forth in Article II – “Water.”

Section 3. SUPERSEDER.

All sections, ordinances, resolutions, motions, or orders in conflict herewith shall be, and the same hereby are, repealed to the extent of such conflict.

Section 4. EFFECTIVE DATE.

This Ordinance shall be in full force and effect from and after passage, approval, and publication in pamphlet form as provided by law.

PASSED BY THIS CITY COUNCIL of the City of Sandwich, Illinois, at a regular meeting thereof held on the ____ day of November, 2025 and approved by me as Mayor on the same day.

AYE:

NAY:

ABSENT:

Todd Latham, Mayor

ATTEST:

Denise Ii, City Clerk