

ORDINANCE

AN ORDINANCE AMENDING CHAPTER 26 ("WATER") ARTICLE 2 ("CHARGES AND COLLETIONS"), SECTION 26-2-2 ("METER CHARGES") OF THE OAK PARK VILLAGE CODE REGARDING THE RATES FOR WATER AND SEWER SERVICES

WHEREAS, the Village of Oak Park ("Village") as a home rule unit of local government as provided by Article VII, Section 6 of the Illinois Constitution of 1970 has the authority to exercise any power and perform any function pertaining to its government and affairs except as limited by Article VII, Section 6 of the Illinois Constitution of 1970; and

WHEREAS, as a home rule unit, the Village of Oak Park's powers shall be construed liberally as held by the Illinois Supreme Court in the case of *Scadron v. City of Des Plaines*, 153 Ill.2d 164 (1992); and

WHEREAS, the Village operates a combined waterworks and sewerage system pursuant to Division 139 ("Combined Waterworks and Sewerage System") of the Illinois Municipal Code, 65 ILCS 5/11-139-1 *et seq.*; and

WHEREAS, the Village is authorized pursuant to its home rule powers and Section 11-139-8 of the Illinois Municipal Code, 65 ILCS 5/11-139-8, to charge the inhabitants of the Village thereof "a reasonable compensation for the use and service of the combined waterworks and sewerage system and to establish rates for that purpose;" and

WHEREAS, the Village has determined to amend the rates set forth herein for its combined waterworks and sewerage system pursuant to the Village's authority as set forth above.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois, in the exercise of their home rule powers, as follows:

Section 1. Recitals Incorporated. The above recitals are incorporated herein by reference as though fully set forth.

Section 2. Village Code Amended. Chapter 26 ("Water"), Article 2 ("Charges and Collections"), Section 26-6-2 ("Meter Charges") of the Oak Park Village Code is amended to add the underlined language and delete overstricken language to read as follows:

26-2-2: METER CHARGES:

A. Water Charge: The charge for water supplied through meters shall be fixed as set forth in this section.

B. Utility Tax: The five percent (5%) Utility Tax established by the Village shall be paid by the Village from the water charges set forth herein.

C. Fire Suppression Charge: Effective January 1, 1999, a monthly minimum charge of five dollars (\$5.00) per month shall be assessed to all customers who own or lease a premises that has a meter to record fire suppression water usage.

D. Customer Unit Charges: The customer unit charges per one thousand (1,000) gallons of water and sewer service shall be as follows:

Volume Rate Per 1,000 Gallons	Rate On January 1, 2024
Water	\$10.51 <u>\$10.93</u>
Sewer	\$3.01 <u>\$3.13</u>

Section 3. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. Effective Date. This Ordinance shall be in full force and effect after its approval, passage and publication as provided by law on January 1, 2024.

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ADOPTED this 20th day of November, 2023 pursuant to a roll call vote as follows:

Voting	Aye	Nay	Abstain	Absent
President Scaman				
Trustee Buchanan				
Trustee Enyia				
Trustee Parakkat				
Trustee Robinson				
Trustee Straw				
Trustee Wesley				

APPROVED this 20th day of November, 2023.

Vicki Scaman, President

ATTEST

Christina M. Waters, Village Clerk

Published in pamphlet form this 20th day of November, 2023.

Vicki Scaman, Village Clerk