

ORDINANCE

AN ORDINANCE TEMPORARILY WAIVING AND SUSPENDING THE LATE PAYMENT PENALTY FOR DELINQUENT WATER CHARGES TO PROVIDE EMERGENCY ASSISTANCE DUE TO THE OUTBREAK OF COVID-19 DISEASE

WHEREAS, the Village of Oak Park ("Village") is a home rule unit of government as provided by the provisions of Article VII, Section 6 of the Illinois Constitution of 1970; 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, Section 26-2-3 of the Oak Park Village Code ("Village Code") provides for a late payment penalty for overdue payment of charges for delinquent water account balances; and

WHEREAS, Section 2-27-9 of the Oak Park Village Code provides that the Village may "provide emergency assistance to victims in the case of any manmade or natural disaster;" and

WHEREAS, the Village Board previously adopted Ordinance Number 20-033 on April 6, 2020 temporarily waiving and suspending the late payment penalty for delinquent water charges set forth in Section 26-2-3 of the Village Code through December 31, 2020 due to the COVID-19 pandemic in the State of Illinois; and

WHEREAS, Illinois Governor JB Pritzker issued a Disaster Proclamation on September 18, 2020 due to the COVID-19 pandemic in the State of Illinois through October 17, 2020; and

WHEREAS, pursuant to said pandemic, the President and Board of Trustees have determined to adopt this Ordinance to provide emergency assistance for its water and sewer service customers by temporarily waiving and suspending the late payment penalty for delinquent water charges set forth in Section 26-2-3 of the Village Code for bills due for payment on or before February 16, 2021.

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

Section 1. Recitals Incorporated. The above recitals are incorporated into this Ordinance and shall have the same force and effect as though fully set forth herein.

Section 2. Late Payment Penalty for Delinquent Water and Sewer Service Accounts Temporarily Waived and Suspended. The Village waives and suspends the late payment penalty set forth in Section 26-2-3 of the Oak Park Village Code for overdue payment of charges for delinquent water account balances to provide its water and sewer service customers with emergency assistance due to the outbreak of COVID-19 disease in the State of Illinois for bills due for payment on or before February 16, 2021.

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.

ADOPTED this 19th day of October, 2020, pursuant to a roll call vote at follows:

Voting	Aye	Nay	Abstain	Absent
President Abu-Taleb				
Trustee Andrews				
Trustee Boutet				
Trustee Buchanan				
Trustee Moroney				
Trustee Taglia				
Trustee Walker-Peddakotla				

APPROVED this 19th day of October, 2020.

Anan Abu-Taleb, Village President

ATTEST

Vicki Scaman, Village Clerk

Published in pamphlet form this 19th day of October, 2020.

Vicki Scaman, Village Clerk