

VILLAGE OF LAKE ZURICH



ORDINANCE NO. 2017-10-____

**AN ORDINANCE AMENDING TITLE 7, CHAPTER 5, SECTION 6 OF THE
VILLAGE OF LAKE ZURICH MUNICIPAL CODE RELATED TO WATER
METER REGULATIONS AND FINES**

WHEREAS, Section 6, Chapter 5, Title 7 of the Lake Zurich Municipal Code establishes standards, rules and regulations for the use, operation, and ownership of municipal water meters; and

WHEREAS, all premises using the Village of Lake Zurich ("the Village") water supply must be equipped with an adequate water meter furnished by the Village; and

WHEREAS, the Village has conducted an analysis of the water billing system and revealed a 20% difference between the amount of water produced versus the amount of water billed; and

WHEREAS, the average age of water meters in the Village is 23 years, resulting in meters failing to provide accurate readings of actual water consumption; and

WHEREAS, the Village has worked in conjunction with Siemens Corporation to develop a Village-wide water meter replacement and wireless meter read program; and

WHEREAS, water meters and remote readers are the property of the Village and removing, tampering or disabling the meter shall result in a \$750 tampering fee, charges for the new water meter and restoration of service being added to the water bill; and

WHEREAS, obstructing a water meter or remote reader may result in a \$250 obstruction fee for each occurrence being added to the water bill; and

WHEREAS, failure to schedule a meter replacement with the Village or failure to provide access on two consecutive scheduled meter replacement or repair

appointments may result in a monthly old-meter fee of \$95 being added to the water bill until the meter is replaced.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Lake Zurich, Lake County and the State of Illinois, as follows:

Section 1. Recitals. The foregoing recitals are hereby incorporated into this Ordinance as findings of the President and Board of Trustees.

Section 2. Water Meter Regulations. Title 7, Chapter 5, Section 6 of the Village Code shall hereby be amended as shown in **Exhibit A** of this Ordinance.

Section 3. Severability. If any paragraph, section, clause or provision of this Ordinance is held invalid, the remainder shall continue in full force and effect without affecting the validity of the remaining portions of the Ordinance.

Section 4. Effective Date. This Ordinance shall become effective upon its passage and approval, and shall be published in pamphlet form as may be required by law.

PASSED this ____ day of October, 2017.

AYES:

NAYS:

ABSENT:

APPROVED this ____ day of October, 2017.

By: _____
Thomas Poynton, Village President

SEAL

ATTEST:

Kathleen Johnson, Village Clerk

DRAFT 9/25/17

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7-5-6: WATER METERS:

A. Meters Required:

- 1) All premises using the village water supply must be equipped with an adequate water meter furnished by the village, but paid for by the consumer; provided, that such water service may be supplied by the village at a flat rate of charge until such meter is installed.
- 2) During the construction of any building and before any water is installed as is herein provided, the contractor so constructing such building may be permitted to use the village water supply by making application therefor and paying the flat fee prescribed by the board of trustees.
- 3) Before any premises are occupied, a water meter shall be installed therein as herein required, or application be made for such water service at the flat rate of charge until the meter can be installed, or no water shall be furnished such premises.
- 4) Water meters and remote readers are the property of the village. Removing, tampering or disabling the meter shall result in a \$750 tampering fee, charges for the new water meter and restoration of service being added to the water bill.
- 3) Village personnel must have access to the water meter and remote reader, consumers are prohibited from blocking access to the meter or remote reader. Keep shrubs and vegetation from the remote reader. Obstructing a meter or remote reader may result in a \$250 obstruction fee for each occurrence being added to the water bill.

- B. ~~Type of~~ Meter: All meters and metering configurations shall be approved by the superintendent of water. The American Water Works Association (AWWA) standards for metering devices shall apply as a minimum standard.
- C. Reading Meters: The superintendent of water shall read or cause to be read every water meter used in the village at such times as are necessary, but not less than once annually to determine accuracy of village records as they relate to actual meter readings. (1989 Code)
- D. Testing Meters: Any customer may request that the village test that customer's municipal water meter. If such test indicates that the water meter is not within plus or minus two percent ($\pm 2\%$) of being accurate, then the village, in the exercise of its sole discretion and without charge, either shall repair and reinstall the water meter or shall install a new water meter. If such test indicates that the water meter is accurate within plus or minus two percent ($\pm 2\%$), a one hundred dollar (\$100) testing fee shall be added to the customer's water bill, then the customer shall pay to the village, within fifteen (15) days after the village mails the customer an invoice therefor, a fee of forty dollars (\$40.00) one hundred dollars (\$100.00) for such test; provided, however, that no fee shall be required for the first test in any thirty six (36) month period. The village shall notify the customer of such test results in writing within fifteen (15) days after the village receives written test results, and the village shall provide the customer with a copy of the report documenting such test results. Nothing in this section shall be construed or applied to require the village to reimburse to any

customer any fees or charges paid by such customer for water, and the village shall not be required to so reimburse any customer.

E. Temporary Metering: On request and in the exercise of the village's sole discretion based on factors such as the proposed use of the water, the availability of a sufficient supply of water to satisfy the request, the capability of the water supply system to satisfy the request without adverse impact on customers of the water supply system, the timing of the request, the overall effects on the village's water system if water is supplied as requested, the potential impacts on the general public health, safety, and welfare from satisfying the request, and other factors as the village reasonably may determine, the village may authorize temporary use of the village's fire hydrants and other water supply sources and temporary placement of water meters to measure water flow from such sources. No such temporary use shall be allowed, and no water meter shall be placed, except after payment of a fee of ~~thirty-five~~thirty-five dollars (~~\$50~~\$35.00). The required fee shall apply each time a water meter is placed, moved, or replaced up to a maximum of three (3) times the required fee in any day. The cost of the water thereby supplied shall be as determined by the board of trustees from time to time, but in no event shall be less than the highest cost of water supplied by the village to a regular customer, ~~or four dollars seventeen cents (\$4.17) per one thousand (1,000) gallons, whichever is more. (Ord. 97-05-851, 5-19-1997).~~

F. Meter replacement: From time to time it may become necessary to replace water meters throughout the village. As part of a large-scale water meter replacement:

- 1) The village shall introduce the meter replacement program through press releases, mailings and information posted on the village website and social media outlets.
- 2) Consumers are to cooperatively schedule replacement of the meter with the village or its designee.
- 3) Failure to schedule a meter replacement within 45 days of the introduction of the large-scale program shall result in a monthly old-meter fee of \$95 being added to the water bill until the meter is replaced.
- 4) Failure to provide access on two consecutive scheduled meter replacement or repair appointments shall result in a monthly old-meter fee of \$95 being added to the water bill until the meter is replaced.

E-5) Consumers that have incurred the old-meter fee for 6 consecutive months shall be added to the shut-off list.

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