

AMENDMENT TO ORDINANCE NO. 405.05

AN ORDINANCE DEALING WITH PAYMENT PROCEDURES AND WATER SERVICE SHUT OFF IN THE CITY OF WHEATON

Findings.

1. The City of Wheaton currently has an Ordinance which provides, in part, for procedures to shut off water service to a property for failure to timely pay the monthly bill for water, sewer, and sanitary service.
2. The existing Ordinance does not have a provision concerning what will happen if the City is presented with a dishonored check for water service, and there are formatting changes that the City believes could make the Ordinance easier for residents to read.
3. It is in the best interests of the residents of the City of Wheaton to contain a provision concerning the City's receipt of a dishonored check for water service and to modify the formatting of the Ordinance to make it easier for residents to read.

THE CITY COUNCIL OF THE CITY OF WHEATON ORDAINS:

That Ordinance No. 405.05 of the Code of Ordinance for the City of Wheaton is hereby amended to read as follows:

"405.05 Providing Procedures for Payment of Utility Bills and Water Service Shut Off.

1. Applications for utility service shall be made on forms prescribed by the City and accounts for utility service shall be made in the name of the owner. The owner shall be liable for water, sewer, and sanitary service supplied to the owner's property, whether or not the owner is occupying the property, and any unpaid charges shall become a lien on the property.
2. Utility charges shall be rendered monthly and consist of water, sewer, sanitary service, sales tax and penalty charges.
3. In the event said charges are not paid within twenty (20) days after the billing date, the bill will be considered delinquent and a penalty applied. The penalty shall be computed as 10% of the original bill and shall be increased the same 10% for every month the bill is outstanding.
4. The City shall cause notice to be served in writing, to the property address of the premises involved, stating that if payment is not made within seven (7) days after the date on which the notice is given, the water supply to the premises will be shut off.
 - A. Said notice shall clearly inform the customer of the available opportunities to present to the city objections to the bill, and shall identify the telephone number, address and officer or employee who will handle the customer's complaint, and who has the authority to review the facts and files, and to correct any errors in the billing and to arrange for credit terms.

- B. The notice shall further state that the occupant or owner may before such date demand a hearing on the matter and in this event the supply will not be shut off until after the hearing is held.
 - C. If the customer requests a hearing before the date specified on the notice, a hearing shall be held at least one (1) week after the date on which the request is made and shall be held by the City Council and if, as a result of the hearing, the City Council finds that the amount claimed to be due and owing is actually due and unpaid and that there is no legal reason why the water supply of the delinquent customer may not be shut off in accordance with this ordinance, the City may shut off the supply.
- 4. In the event water service is shut off due to non-payment of utility charges the owner shall, before water service is reconnected, pay the entire utility charge, which shall include the current and delinquent charges, as well as a \$50 reconnect charge and a \$100.00 deposit to be held as security for future charges.
 - 5. In the event water service is shut off due to the City's receipt of a dishonored check, the owner shall, before water service is reconnected, pay the delinquency charges and fees described in the preceding paragraph in the form of cash or a money order. No other form of payment will be accepted.
 - 6. For all new utility accounts an applicant must pay a \$100.00 deposit to be held as security for future charges.

PASSED AND ADOPTED this 23rd day of February, 2026.

WHEATON CITY COUNCIL

Steven Lundquist, Mayor

ATTEST:

Amy Olson, City Administrator