

CITY OF LE ROY  
COUNTY OF McLEAN, STATE OF ILLINOIS

**ORDINANCE NO. 23-02-01-10**

**AN ORDINANCE AMENDING THE CITY CODE –  
UTILITY BILLING PRACTICES**

---

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS

**6<sup>th</sup> Day of February, 2023**

PRESENTED: **February 6, 2023**

PASSED: **February 6, 2023**

APPROVED: **February 6, 2023**

RECORDED: **February 6, 2023**

PUBLISHED: **February 6, 2023**

In Pamphlet Form

Voting "Aye" 8

Voting "Nay" 0

---

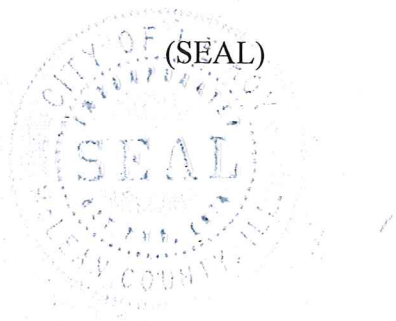
The undersigned being the duly qualified and acting City Clerk of the City of LeRoy does hereby certify that this document constitutes the publication in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned **ordinance** and that such **ordinance** was presented, passed, approved, recorded and published as above stated.



---

Anita Corso  
City Clerk of the City of  
Le Roy, McLean County, Illinois

Dated: **February 6, 2023**



**ORDINANCE NO. 23-02-01-10**

**AN ORDINANCE AMENDING THE CITY CODE –  
UTILITY BILLING PRACTICES**

**WHEREAS**, the City of Le Roy is a municipal corporation organized and existing under the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et seq.*; and

**WHEREAS**, the Illinois Municipal Code, 65 ILCS 5/1-2-1 provides that the corporate authorities of each municipality may pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities, with such fines or penalties as may be deemed proper; and

**WHEREAS**, the Illinois Municipal Code, 65 ILCS 5/1-2-1 further provides that a municipality may collect, by any means authorized for the collection of monetary judgments, a fine, penalty, or an installment of a fine or penalty; and

**WHEREAS**, the Illinois Uniform Commercial Code provides that a person who issues a check that is not honored upon presentment due to insufficient funds shall be liable to the collecting entity for \$30; and

**WHEREAS**, the City of Le Roy finds it important and desirable to impose a penalty for the passing of an underfunded check to the City; and

**WHEREAS**, the City of Le Roy finds it important and desirable to provide for the holding of a specified deposit for individuals who have been deemed delinquent for non-payment of their utility bills; and

**NOW THEREFORE, BE IT ORDAINED** by the City Council for the City of Le Roy, McLean County, Illinois, as follows:

**Section 1.     Recitals.** The foregoing Recitals are incorporated herein and form a part

of this Ordinance.

**Section 2. Amendment.** That a new subsection 6 is hereby added to Chapter 1-4, entitled “General Penalty,” of Title 1, entitled “Administration,” of the Le Roy Municipal Code (additions in **bold and underline**, deletions in ~~**bold and strikethrough**~~):

**§ 1-4-6 Charge For Insufficiently Funded Checks.**

**Any person who presents an insufficiently funded check to the City, or any of its departments, shall be assessed an additional charge of \$30.00 for every insufficiently funded check presented.**

**Section 3.** Section 8, entitled “Service And Equipment Costs; Delinquencies,” of Chapter 8-1, entitled “Water Use and Service,” of Title 8, entitled “Water and Sewer” of the Le Roy Municipal Code is hereby amended, in part, as follows (additions in **bold and underline**, deletions in ~~**bold and strikethrough**~~):

- A. Payment of Bills; Late Penalty; Shut Off Of Water: Water meters shall be read on a monthly basis, with all water meters on the City water system being read each month. Statements for the amount due will be issued to water customers within 30 days of the date the meters are read and shall be due and payable within 30 days after date of statement. A penalty of 10% will be added to the stated amount if not paid by the due date, and the City may at once shut off the water supply until the arrearage has been paid., plus the amount of \$20 for the cost of turning water off and \$20 for the cost of turning water on. ~~All water accounts are payable only at the office of the City Clerk, and all City officials are prohibited from extending credit to any water customer.~~

*[1] Editor's Note: See also Subsection 8-1-9B of this chapter and Subsection 8-3-10A of this title.*

**Utility deposits are required of City of LeRoy utility customers if one or more of the following occurs:**

1. **A customer is late (4) four or more times in the last (12) twelve months, or if the customers wires, pipes, meter or other service equipment has been tampered with.**
2. **The customer's account has an undisputed past due balance that has remained unpaid for over (30) thirty days beyond the due date.**
3. **The utility has disconnected service within the last (12) twelve month period for violation of the provisions within the City of Le Roy code.**

4. A customer has (2) two or more checks returned by their bank in the past (12) twelve months.
5. If after review of its own past service records, the applicant has failed to pay for past due utility service for the same class of service furnished to him/her at the same or at another address, pays any past due bill and/or submits a deposit.

The deposit will not exceed 1/6 of the estimated annual charge for service. The city will require payment equaling 1/3 of the applicable deposit by including that amount on the first bill statement sent to the customer after the issuance of the deposit. The remaining 2/3 of the deposit shall be paid in equal installment amounts included on the next two bill statements. However, a deposit assessed under this section may be collected in a single amount prior to service activation. Deposits plus interest shall be refunded upon the discontinuance of service for more than (30) thirty days less the amount of unpaid bills, if any for the service. A transfer of service from one premise to another within the area served by the utility need not be deemed a discontinuance of service. When a deposit plus interest is applied to the liquidation of unpaid bills, the City of Le Roy will provide the customer with a statement showing the amount of deposit, the amount of any accrued interest, the amount of the unpaid bills liquidated by the deposit plus interest and the balance remaining due either the customer or City of Le Roy. Interest on deposits shall be the rate existing for the average one-year yield on U.S. Treasury securities for the last full week of November. The interest rate will be rounded to the nearest .5%. The city shall refund the deposit plus accumulated interest, less any unpaid utility service bill amount, when the customer voluntarily ends service and is not transferring service to another location. The refund shall be made at the time the final bill for service is issued. At the option of the city, a deposit plus interest may be refunded, in whole or in part, at any time earlier than the time the final bill for service is issued.

**Section 5. Publication.** The City Clerk be and is hereby authorized and directed to publish this Ordinance in pamphlet form as provided by law.

**Section 6. Severability.** In the event any part of this Ordinance shall be found and determined to be invalid by a Court of competent jurisdiction, all valid parts that are severable from this invalid part shall remain in full force and effect.

**Section 7. Repealer.** All ordinances or parts of ordinances in conflict herein, are hereby repealed, provided, however, that nothing herein contained shall affect any rights, action,

or causes of action, which have accrued to the City of Le Roy, prior to the effective date of this Ordinance.

**Section 8. Effective Date.** This Ordinance shall be in full force and effect ten (10) days following its publication in pamphlet form as provided by law.

**PASSED** by the City Council of the City of Le Roy, Illinois, upon the motion made by Matt Steffen and seconded by Dawn Hanafin by roll call vote on the 6<sup>th</sup> day of February, 2023 as follows

Aldermen elected 8

Aldermen Present 8

Voting Aye:

Justin Morfey, Kelly Lay, Patti Welander, Matt Steffen, Kyle Merkle, Ron Legner, Sarah Welte, Dawn Hanafin

Voting Nay:

None

Absent: None

Abstain:

None

Other:

None

And deposited and filed in the office of the City Clerk in said municipality on the 6<sup>th</sup> day of February, 2023.



\_\_\_\_\_  
Anita Corso, City Clerk of the  
City of Le Roy  
Mc Lean County, Illinois

**APPROVED BY** the Mayor of the City of Le Roy, Illinois, this 6<sup>th</sup> day of February, 2023.



\_\_\_\_\_  
Steven M. Dean, Mayor of the City of Le Roy,  
Mc Lean County, Illinois



\_\_\_\_\_  
Anita Corso, City Clerk of the City of Le Roy  
Mc Lean County, Illinois



**CERTIFICATE**

I, Anita Corso, certify that I am the duly appointed and acting municipal clerk of the City of Le Roy, of McLean County, Illinois.

I further certify that on **February 6, 2023** the Corporate Authorities of such municipality passed and approved **ORDINANCE NO. 23-02-01-10**.

**AN ORDINANCE AMENDING THE CITY CODE – UTILITY BILLING PRACTICES**

Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of **Ordinance No. 23-02-01-10**, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on **February 6, 2023** and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at Le Roy, Illinois this 6<sup>th</sup> day of February, 2023.

(SEAL)



A handwritten signature in blue ink that reads "Anita Corso".

\_\_\_\_\_  
Anita Corso  
City Clerk of the City of  
Le Roy, McLean County, Illinois

STATE OF ILLINOIS        )  
  ) SS:  
COUNTY OF MCLEAN     )

I, Anita Corso, do hereby certify that I am the duly qualified and acting City Clerk of the City of Le Roy, McLean County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

I do further certify that the foregoing is a true, correct and complete copy of an ordinance entitled:

**AN ORDINANCE AMENDING THE CITY CODE – UTILITY BILLING PRACTICES**

I do further certify said ordinance was adopted by the City Council of the City of Le Roy at a regular meeting on the 6<sup>th</sup> day of February, 2023, and prior to the making of this certificate the said ordinance was on file with the permanent records of said City where it now appears and remains as a permanent record of said ordinance in the record books.

Dated this 6<sup>th</sup> day of February, 2023

(SEAL)



\_\_\_\_\_  
Anita Corso, City Clerk of the  
City of Le Roy,  
McLean County, Illinois

