

CITY OF LE ROY
COUNTY OF McLEAN, STATE OF ILLINOIS

ORDINANCE NO. 23-02-02-42

**AN ORDINANCE AMENDING SECTION 8-1-14
OF THE LEROY CODE OF ORDINANCES –
RIGHT OF ENTRY**

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

6th 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**



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WHEREAS, the City of Le Roy, has authority, pursuant to the Illinois Municipal Code, to own and operate a potable water system; and

WHEREAS, the City of Le Roy currently provides potable water to the residents of the City of Le Roy; and

WHEREAS, the City of Le Roy is undertaking a water meter improvement program, which will necessitate the installation of new equipment and water meters to all water customers within the City of Le Roy; and

WHEREAS, it is in the best interests of the health, safety and welfare of the citizens of Le Roy to amend the City Code of Ordinances in order to specify the authority of the City to enter into private property for the purpose of improving and replacing water meters and providing consequences for the failure of water customers to allow the installation of such new equipment.

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

Section 1. That Section 8-1-14 of the Le Roy Code of Ordinances be and the same is hereby amended to read as follows:

Section 8-1-14 Right of Entry.

- (a) The water superintendent or any person authorized by him shall, at all reasonable hours in the daytime, have the right to enter into and upon any premises wherein a water meter may be located in the City for the purpose of reading, inspection, examination, removal, renewal, replacement, repairing or testing said meter, and it

shall be unlawful for any person to interfere with, prevent, or obstruct the superintendent's or designee's work.

- (b) No person shall, in any manner, obstruct or cause to be obstructed the free access of any duly authorized officer or employee of the city to any stopcock, water meter, buffalo or shut-off box or connection with any water main or service pipe by any means or device, or to use or prevent free access thereto by such officer or employee whenever such officer or employee shall desire access thereto.
- (c) In the event that the owner and/or customer fails or refuses to allow the city access to any premises for the purpose of reading, examining, testing, maintaining, repairing, or replacing any meter, the City shall be authorized, after written notice to the account holder, to take any and all actions to enforce the violation, including imposing a fine as permitted by this code, shutting off water service to the premises until such time as access to the meter is provided, and/or bringing an action in court or the local administrative hearing process. In the event of a water shut-off, service will not be resumed to the premises until the City has been provided access to the meter. The owner or customer, as the case may be, can appeal a penalty imposed by this section by filing a notice of appeal with the city administrator within seven days of imposition of any such penalty.
- (d) Notice shall be mailed to the water customer and occupant of the premises., if different than the water customer, stating that water service shall be terminated due to the failure to permit access to the property's water meter. The notice shall inform the customer and/or occupant that access to the water meter is required by the City to prevent termination of service, and the date by which such access must be granted to avoid termination of service (which shall not be less than ten days from the date such notice is mailed).

Water service shall not be discontinued to any building in which where are three or more multiple residential units which are served through a common meter until the City has mailed, delivered or posted on the premises the notice required above to all tenants or occupants.

Section 2. Recitals. The foregoing Recitals are incorporated herein and form a part of this Ordinance.

Section 3. Publication. The City Clerk be and is hereby authorized and directed to publish this Ordinance in pamphlet form as provided by law.

Section 4. 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 5. 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 6. 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 Dawn Hanafin and seconded by Kelly Lay by roll call vote on the 6th 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

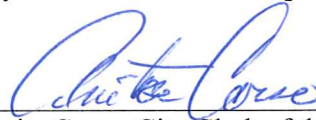
Abstain:

None

Other:

None

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

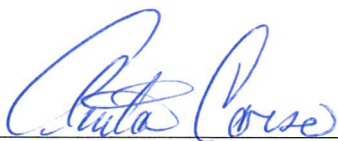


Anita Corso, City Clerk of the
City of Le Roy
Mc Lean County, Illinois

APPROVED BY the Mayor of the City of Le Roy, Illinois, this 6th 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

ATTEST: (SEAL)



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. 23-02-02-42**.

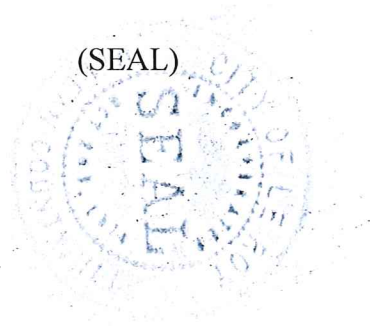
**AN ORDINANCE AMENDING SECTION 8-1-14
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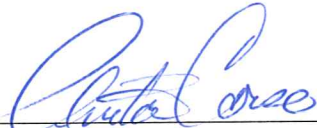
Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of **Ordinance No. 23-02-02-42**, 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 6th day of February, 2023.

(SEAL)





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 SECTION 8-1-14
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I do further certify said ordinance was adopted by the City Council of the City of Le Roy at a regular meeting on the 6th 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 6th day of February, 2023

(SEAL)



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