

ORDINANCE 2026- 03

AMENDMENT TO THE WATER SYSTEM ORDINANCE

WHEREAS, the Village of Mansfield (the "Village") is a municipal corporation in accordance with Article VII of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, rules and regulations as permitted by the Illinois Municipal Code and the Illinois Constitution; and

WHEREAS, the water usage charges have not increased since 2024; and

WHEREAS, the Corporate Authorities wish to revise current water system ordinance, increasing the rates to accurately reflect the Villages' rise in expenses and changed circumstances; and

WHEREAS, based upon the foregoing, the Corporate Authorities have determined that is necessary, advisable, and in the best interests of the Village and its residents to amend Chapter 38, Article I & Article II of the Municipal Code, Village of Mansfield, Illinois (the "Village Code") as set forth below;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MANSFIELD, PIATT COUNTY, ILLINOIS, AS FOLLOWS:

SECTION I

This ordinance shall amend Chapter 38, Article I & Article II of the Mansfield Village Code and any ordinance passed heretofore relating to such operation is hereby repealed to the extent that such ordinance is in conflict with the provisions hereof.

SECTION II – Amending of Chapter 38, Article I

The following sections of the Village Code are hereby AMENDED notwithstanding any provision, ordinance, resolution, or Village Code to the contrary, as follows:

38-1-1 DEFINITIONS. For the purpose of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

“Non-Resident Service”. Water service provided to a Non-Resident Unit primarily for use in connection with or incidental to the business, commercial or professional enterprise conducted therein. *Non-Resident Service* shall not mean water service provided to a dwelling unit in which a home occupation is lawfully conducted unless water is consumed in the course and conduct of the home occupation. Where one or more business, commercial or professional enterprises are conducted in separate units contained in a single structure or located upon one lot of real estate, then each such enterprise shall constitute a separate service.

“Non-Resident Unit”. The premises occupied by and used in the course of a separate business, commercial or professional enterprise.

“Dwelling Unit”. A separate single-family residence, apartment, suite of rooms, house, mobile home or other structure used as a permanent residence for one or more people living as a family whether or not the persons are related.

“Industrial Service”. Any water service connection to a premises used for industrial purposes or Non-Resident Services in which the water usage is reasonably expected to exceed **three thousand (3,000) gallons** per month or in which the consumption of water is an integral part of the industrial use or the Non-Resident Service provided. *Industrial Service* includes, but is not limited to, agricultural chemical plants, car washes, automobile service stations and repair shops, and self-service or custom laundries. Meters will be required to be installed for all such services.

“Residential Service”. Water service provided to a dwelling unit primarily for the domestic use of the person residing therein and/or the pipes and equipment used to provide such service where one or more dwelling units are contained within a structure or located upon one lot of real estate. Each such dwelling unit shall constitute a separate residential service.

“Water Service Connection”. The supply pipe connected to the main water distribution system; a reverse check-valve and shut-off valve. *Water Service Connection* shall not include pipes extending between the shut-off valve and the premises served.

38-1-2 CONNECTION TO WATER SYSTEM.

(A) **Application.** A person seeking to make such a water service connection shall first make written application for a permit, on the form hereby adopted by the Village, and attached to this Chapter as Appendix A; shall pay a non-refundable application fee of **Twenty-**

Five Dollars (\$25.00); shall also tender **One Thousand Two Hundred Dollars (\$1,200.00)** for the water service connection fee and (current cost of water meter) if applicable for the water meter fee, which water service connection fee and water meter fee shall be refunded should the application not be approved. A water service application must be filed at the time of application for a building permit.

(B) **Connection Components.** All water service connections shall consist of a supply pipe attached to the main water distribution system and an approved shut-off valve and such other components as may be required for the protection of the water supply of the Village. All components of the water service connection shall meet or exceed the specifications as from time to time are adopted by resolution of the Board of Trustees. The shut-off valve shall be installed so as to be protected from damage due to frost or freezing conditions and shall be located in so far as is feasible within the street right-of-way of the Village and/or between the curb of any street right-of-way of the Village and the adjacent sidewalk. In no case shall any shut-off valve be located beneath any driveway, pavement or sidewalk. The applicant shall be responsible for the expense of materials required for connection. After the water service connection has been inspected and approved, the water service connection and its component parts shall be the property of the Village and shall be maintained by the Village. The Village shall have an irrevocable easement to go upon the premises served by the water service connection and shall not be liable to the owner of the premises for any damage to property or persons resulting from the maintenance of the water service connection. **(Ord. No. 2017-11; 12- 04-17)**

(C) **Installation Criteria.** A water service connection shall be installed in a trench or excavation separate from any trench or excavation containing any utility lines and shall be separated from any sewer or drain as required by any applicable regulations of any state, federal or public health district regulation. All water service connections shall be installed under the supervision of the Village or its authorized representative and shall not be covered until inspected and approved by the Village Building Inspector or Water Committee or their authorized representatives.

(D) **Supply Pipes Maintained.** All supply pipes extending between the water service connection and the premises served shall be the property of and shall be maintained by the record owner of the premises served.

(E) **Resale of Water.** No person shall resell or distribute water received through the water supply of the Village to premises other than that served by a water service connection. Nothing in this Division shall be interpreted as preventing the owner of a premises containing one or more separate dwellings or Non-Resident Units from passing on the charge made for water service to the tenant of the unit, provided that no additional charge is made therefore.

(F) **Shut-Off Valve.** No person, except with authorization of the Board of Trustees of the Village, shall operate the shut-off valve on any water connection service. **(Ord. No. 04-06; 10-04-04)**

(G) **Water Leak Repair.** The owner of the premises served by the water system or person in lawful possession of premises shall have twenty-four (24) hours to repair any water leak detected by the Village. Upon failure to repair the water leak by owner of premises or person in lawful possession of premises, the Village will shut-off water to the premises until it is properly repaired and there no longer is a leak on the premises. Water shut off or turn on outside of normal working hours will occur on availability of Employees to do so. A fee of \$25.00 will be charged for turn off's and turn on's occurring outside of normal Village working hours.

SECTION III – Amending of Chapter 38, Article II

38-2-1 RESERVED. (Ord. No. 2016-03; 11-07-16)

38-2-2 RESIDENTIAL SERVICE.

(A) The owner of each dwelling unit served by the water system connection shall pay to the Village a flat monthly user fee of **Forty-Two Dollars (\$42.00) beginning May 1, 2026**. Each separate dwelling unit contained in a structure shall be a separate residential service for which a separate user's fee will be paid. In the event that the Board of Trustees determines that the usage of water by any of the dwelling units is reasonably expected to exceed **three thousand (3,000) gallons** per month, the Board of Trustees may order that a water meter with reverse flow design be installed so as to measure all water consumed by the residential unit. If a meter is so installed then the monthly user fee for such service shall be equal to a facilities charge plus a usage charge of **Fifty Cents (\$0.50) per one hundred (100) gallons**, or any part thereof, in excess of **three thousand (3,000) gallons** used during the previous month. The facilities charge shall be equal to the flat monthly fee. **(Ord. No. 2020-08; 10-26-20)**

(B) Un-Metered Residential Service Annual Payment. User fees for flat residential service may be paid annually. Annual payments shall be subject to the same due dates as January monthly payments. The charge shall be equal to the sum of all twelve (12) flat monthly fees for the calendar year. (Ord. No. 2018-13; 12-03-18) **All water rates will increase yearly at the rate of COLA not to exceed 3%. The new rate will take effect December for January of the following year.**

38-2-3 NON-RESIDENT SERVICE. The owner of the premises containing a Non-Resident Unit or units served by the water system connection shall pay to the Village a flat monthly user's fee of **Forty-Two Dollars (\$42.00) beginning May 1, 2026**. Each separate Non-Resident Unit contained in a structure shall be a separate Non-Resident Service for which a separate user's fee shall be paid. In the event that the Board of Trustees determines that the business usage of water is reasonably expected to exceed **three thousand (3,000) gallons** per month, then the Board of Trustees may order that a water meter be installed so as to measure all water consumed on the business premises. If a meter is so installed then the monthly user fee for such service shall be equal to a facilities charge plus a usage charge of **One Dollar (\$1.00) per one hundred (100) gallons**, or any part thereof, in excess of **three thousand (3,000) gallons** used during the previous month. The facilities charge shall be equal to the flat monthly fee. **(Ord. No. 2020-08; 10-26-20)** **All water rates will increase yearly at the rate of COLA not to exceed 3%. The new rate will take effect December for January of the following year.**

38-2-4 INDUSTRIAL SERVICE. All industrial service shall be metered. The monthly user fee for industrial service shall be equal to a facilities charge plus a usage charge of **Sixty Cents (\$0.60) per one hundred (100) gallons**, or any part thereof, in excess of **three**

thousand (3,000) gallons used during the previous month. Beginning **May 1, 2026**, the monthly facilities charge shall be **Forty-Two Dollars (\$42.00)**. (Ord. No. 2020-08; 10-26-20) **All water rates will increase yearly at the rate of COLA not to exceed 3%. The new rate will take effect December for January of the following year.**

38-2-5 OCCUPANT LIABILITY. The occupant of the premises served by the Village water supply system shall be jointly and severally liable with the record owner for the user fees and charges assessed hereunder. Upon notice that the premises served are occupied by other than the record owner of the premises, the Village may direct water bills to the occupant of any dwelling unit of Non-Resident Unit. No act of the Village pursuant to this Section shall be deemed to be a waiver of its right to collect user fees or other charges from the owner of the premises or to enforce its lien, therefore. (Ord. No. 2018-10; 10-01-18)

38-2-7 FEES DUE. Monthly user fees are due in advance on the **first (1st) day** of each month. Metered service fees and maintenance charges are due upon billing therefore. Monthly user fees shall become delinquent on the **tenth (10th) day** of the same month for which service was provided. Metered service fees and maintenance charges shall become delinquent **ten (10) days** after billing therefore. The Village shall have the right to terminate service to any premises in the event that all fees and charges have not been paid after becoming delinquent, as herein provided. A delinquency penalty of **Twenty-five Dollars (\$25.00)** shall be assessed against each delinquent account. (Ord. No. 2016-03; 11-07-16) Water service will be shut off to all delinquent accounts on or after the 21st day of the month. If the 21st is on a Friday, Holiday or weekend the water service will be shut off the following working day. Water customer will be given the 5% discount for the year 2026 if they pay water bill in full by May 31, 2026. No discounts will be given after that date for following years. **All water rates will increase yearly at the rate of COLA not to exceed 3%. The new rate will take effect December for January of the following year.**

38-2-8 RECONNECTION. If service has been terminated to any premises for any reason, including delinquent payments, then the service shall be reconnected only if fees and charges therefore are currently paid in full and a reconnection charge of **Twenty-Five Dollars (\$25.00)** has been paid. Reconnections shall occur only during non-holiday weekdays during Village business hours.

38-2-9 SERVICE TO OUTSIDE OF THE VILLAGE. Water service may be extended to premises outside of the corporate limits of the Village if the Board of Trustees determines that it is in the best interests of the Village that such service be extended. Any such service shall be metered service. The monthly user fee for non-resident service shall be equal to a facilities charge plus a usage charge of **Sixty Cents (\$0.60) per one hundred (100) gallons**, or any part thereof, in excess of **three thousand (3,000) gallons** used during the previous month. Beginning **May 1, 2026**, the monthly facilities charge shall be **Sixty-Three Dollars (\$63.00)**. In the event of emergency or excess demand on the Village system, the service shall be subject to interruption, if restrictions on water use are imposed on the Village residents. (Ord. No. 2020-08; 10-26-20) **All water rates will increase yearly at the rate of COLA not to exceed 3%. The new rate will take effect December for January of the following year.**

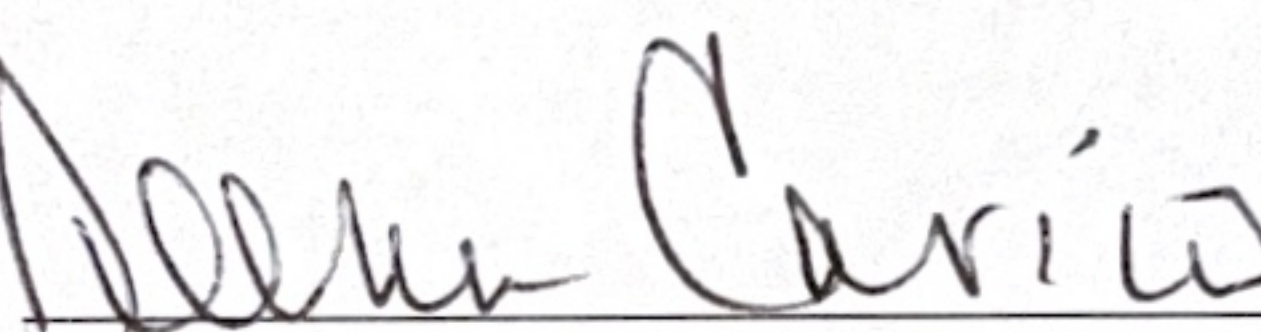
38-2-10 BULK WATER SALES. Bulk water shall be **Fifty Dollars (\$50.00) per one thousand (1,000) gallons.** Purchaser must show proof of certified backflow and or have a fixed air gap before purchase. **All water rates will increase yearly at the rate of COLA not to exceed 3%. The new rate will take effect December for January of the following year.**

All water customers shall provide a contact means (telephone number, email, cell phone or text number) to the Village for water related issues. This will be the only means the Village will notify customers of Delinquent water bills.

This ordinance shall take effect immediately upon its passage, signing, recording, and publication in pamphlet form as provided by law.

YAYS: 6
NAYS: 0
ABSENT: 0

PASSED and APPROVED this 10 day of March 2026



DEENA CARICO, PRESIDENT
VILLAGE OF MANSFIELD

ATTEST:



MELISSA PLACE, CLERK
VILLAGE OF MANSFIELD

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