

**Mitchellville Water District  
125 Triple S Road  
Harrisburg, IL 62946**

**ORDINANCE NO. 2026 - 01**

**AN ORDINANCE ESTABLISHING RULES, REGULATIONS, AND RATES AND CHARGES FOR THE USE AND SERVICE OF THE WATERWORKS SYSTEM OF THE MITCHELLVILLE WATER DISTRICT OF THE COUNTY OF SALINE, ILLINOIS.**

**EFFECTIVE April 21, 2026**

**BE IT ORDAINED BY THE BOARD OF, TRUSTEES OF THE MITCHELLVILLE WATER DISTRICT OF THE COUNTY OF SALINE, ILLINOIS AS FOLLOWS:**

**SECTION 1. Application for Services.** Water service shall be furnished only to District users upon the filing of an application and a water users agreement with the Secretary of the District upon a form to be supplied by the District. A landlord shall join in this filing with a tenant. All meters will be put in the name of the tenant of the real estate unless otherwise requested by the landlord. The District shall have the right to require that proof of ownership be supplied prior to furnishing service and that the owner of the real estate has signed a water users contract allowing use of water on the property by other than the owner.

**SECTION 2. Initial and Minimum Charges Whether Water Used or Not.** The rates as set forth herein and in subsequent Ordinance Establishing Rates for the District shall be paid by each customer beginning at the time the District makes the service available to the customer. The minimum rate will be paid by those customers not using the service when such customers are connected to the system.

The tap on fee for each customer shall be **\$2,000 without boring or \$3,000 with boring** for a residential meter. The actual cost of installing the meter and appurtenances, whichever is greater. Notwithstanding anything above, the District reserves the right to make such additional tap on charges which, in the sole judgment of the Board of Trustees, should be made because of special circumstances existing, including, but not limited to, road and highway crossings and more than usual lineal footage being required and boring at cost.

In addition to the above charges, a **\$100.00** deposit shall be made by all owners/users and a **\$200.00** deposit shall be made for all rental users/Contract for Deed users to guarantee payment of water bills. The deposit shall be returned to such user without interest upon termination of water service and all accounts of that user being paid in full. There shall also be a **\$100.00** reconnection fee for the reconnection of service when there is a service available on the property. All delinquent bills for a service to a property shall be paid prior to reconnection.

### **SECTION 3. District's Responsibility and Liability.**

(a) **Ownership, Installation, and Maintenance.** The District shall install, own, and maintain the complete water mains and service lines to the property line or a mutually agreed upon point subject to the Board of Trustees determination that a particular service is economically feasible to install.

The District shall furnish, install and maintain a meter and appurtenances including a shutoff valve. The shutoff valve shall be installed on the users property line or such other point determined by a duly authorized representative of the District. The meter may be located near the shutoff valve or within the users premises as determined by the District representative. The meter and the shutoff valve must be located at a point where they are readily accessible. The customer shall not build or plant anything around the meter or shutoff valve that would cause the District difficulty in accessing the meter or shutoff valve for District purposes. The District may discontinue service to any customer that does not provide easy access to the meter or shutoff valve by the District.

(b) **Pressure Reducing Valve Policy:** The District installs pressure reducing valves where needed to protect infrastructure. These devices are usually installed inside individual meter pits at needed services. These pressure reducing valves are installed by the District and are solely for the purpose of protecting meters from high pressures. It is the responsibility of the water customer of the District to control pressures for their residence or business. Pressure reducing valves and other protective devices can be added at the discretion of the District's customers to their service line past their water meter when deemed necessary to control water pressures. Mitchellville Water District is not liable for damage or repairs caused by excessive pressures. It is advisable that District customers consult with a licensed plumbing contractor to assess plumbing systems to determine if a pressure reducing valve or other protective equipment is needed for their plumbing system.

(c) **Refusal of Service.** The District may at any time refuse additional services to any applicant that is in the judgment of the Board of Trustees the capacity of the system will not permit such additional Use.

(d) **Liability.** All connections and water applied for and all water service supplied by the District shall be upon the express conditions that the District shall not be liable nor shall any claim be made against it for damages or injury caused by the shutting off or turning on of water at any time for the repair, relocation, cleaning, making connections with or expansion of any part of the system or for the concentration of water for such purposes as firefighting or for the restricting of the use of water in case of a deficiency in supply nor liable for any damages or injury caused by or arising from any failure of the water supply or of any part of the system or from increased pressure at any time.

(e) **Use of Water on User's Premises.** The District reserves the right to use the water from the user's facilities at any time deemed necessary. No charge shall be made by the District for the water so used by the District.

#### **SECTION 4. USER'S RESPONSIBILITY.**

(a) **Installing and Maintaining Service Lines.** The user shall be responsible for the installation and maintenance of service lines between the meter and the residence or business. Such service lines must be at least 3/4" in diameter and must be installed at a minimum depth of 3 feet. Service lines must be constructed of one of the following types of materials: Copper (Type K), polyvinyl chloride (PVC), polyethylene. Service lines must not be covered until they are inspected and approved by a duly authorized District representative. The user will not connect any service line or any plumbing connected with the service line to any other water source. The service line must meet any requirements of the State of Illinois, Environmental Protection Agency.

(b) **Provisions for Location of Meter.** The user shall permit the meter to be located upon his property.

(c) **Easements.** The user shall give such easements and rights of way as necessary to the District and shall allow access for the purposes of construction, repair, maintenance, meter reading, relocation, or expansion of the water system. The necessity for such easements and rights of way shall be determined by the Board of Trustees.

(d) **Damage to District Property.** No user shall tamper, adjust, damage, or any manner interfere with the components or operation of the water system owned by the District. The shutoff valve shall be opened only by a duly authorized representative of the District. In the event any user or person shall commit any act forbidden by this Section, such user or person shall be liable to the District in the amount of \$100.00 as punitive damages plus the actual cost of repairing any damage arising from or caused by the said act and the District's Attorney fees. In the event such punitive damage and other damage shall not be paid within 30 days after demand for payment is made, the water service in question shall be shut off. Any user having any knowledge of the commission of any act forbidden by this Section shall report the same to the Chairman of the Board of Trustees of the District. All provisions for damages contained in this Section are strictly civil in nature but the same shall not be construed to in any way relieve any person from criminal prosecution in a competent court of law.

(e) **Inspection or Assistance to Customers.** If a customer calls for inspection or assistance from maintenance from the District and the maintenance contractor or the Water District Board of Trustees determine that the trouble is not upon the part of the District, then the customer shall be responsible to pay within 10 days after said call the cost of the service and can be added to said customer's next bill.

(f) Specified Uses of Water. Water purchased from the District may be used for ordinary domestic, industrial, or farm use upon the premises of the user, provided:

(1) No user shall resell or permit the resale of water purchased from the District;

(2) If more than one family unit is located upon the premises, then a separate application for service as provided in Section 1 of this Ordinance shall be required for each family unit and a separate cut-off valve, meter, and service line shall be installed for each of such family units. This provision shall be applicable to but not limited to, trailer parks, duplexes, and apartment houses, whether or not any of the foregoing shall have a common roof.

(3) More than one single connection to a single meter shall be prohibited.

(4) That, if in accordance with Illinois Plumbing Code or in the judgment of the Operator of the Mitchellville Water District (hereinafter referred to as Operator), an approved backflow prevention device is necessary for the safety of the public water supply system, the Operator will give notice to the water user to install such an approved device immediately. The water user shall, at his/her/ its own expense, install such an approved device at a location and in a manner in accordance with the Illinois Plumbing Code and all applicable local regulations, and shall have inspections and tests made of such approved devices as required by the Illinois Plumbing Code and local regulations.

(5) That, no person, firm, or corporation shall establish or permit to be established or maintain or permit to maintain any connection whereby a private, auxiliary, or emergency water supply other than the regular public water supply of the Mitchellville Water District may enter the supply or distribution system of said District, unless such private, auxiliary, or emergency water supply and the method of connection and use of such supply shall have been approved by the Operator and the Illinois Environmental Protection Agency.

(6) That it shall be the duty of the Secretary to cause surveys and investigations, to be made of industrial and other properties served by the public water supply to determine whether actual or potential hazards to the public water supply may exist. Such surveys and investigations shall be made a matter of public record and shall be repeated at least every two years, or as often as the Operator shall deem necessary. Records of such surveys shall be maintained and available for review for a period of at least five years.

(7) That the operator appointed cross-connection control device inspector shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system of the Mitchellville Water District for the purpose of verifying the presence or absence of cross-connections, and that the Operator or his authorized agent shall have the right to enter at any reasonable time any property served by a connection to the public water supply or distribution system of the Mitchellville Water District for the purpose of verifying information submitted by the customer regarding the required crossconnection

control inspection. On demand, the owner, lessees, or occupants of any property so served shall furnish to the Operator any information which he may request regarding the piping system or systems or water use on such property. The refusal of such information, when demanded, shall, within the discretion of the Operator, be deemed evidence of the presence of improper connections as provided in this ordinance.

(8) That the Secretary of the Mitchellville Water District is hereby authorized and directed to discontinue, after **10 Days written notice** to the occupant thereof, the water service to any property wherein any connection in violation of the provisions of this ordinance is known to exist, and to take such other precautionary measures as he/she may deem necessary to eliminate any danger of contamination of the public water supply distribution mains. Water service to such property shall not be restored until such conditions have been eliminated or corrected in compliance with the provision of this ordinance, and until a reconnection fee of \$100.00 is paid to the Mitchellville Water District. Immediate disconnection with verbal notice can be effected when the Operator of the Mitchellville Water District is assured that imminent danger of harmful contamination of the public water supply system exists. Such action shall be followed by written notification of the cause of disconnection.

(9) That the user responsible for back siphoned material or contamination through backflow, if contamination of the potable water supply system occurs through an illegal cross-connection or an improperly installed, maintained, or repaired device, or a device which has been bypassed, must bear the cost of clean-up of the potable water supply system; including but not limited to all labor charges, materials, actual damages resulting from the contamination and reasonable Attorney's fees incurred by the Mitchellville Water District.

#### **SECTION 5. Extension of Mains.**

Upon application for water service by potential users of the District, the Board of Trustees shall first determine if an extension of a water main is economically feasible, based on the estimated cost of the extension and the number of existing potential users that will use water along the proposed extension. If the extension is determined by the Board to be economically feasible, then the District may, but shall not be required to in any event, install and pay the cost of the extension at the sole discretion of the Board of Trustees. If the District determines not to pay the cost of extending such water mains, then the applicants desiring water service may pay the District to install such extension at no expense to the District, subject, however, to the following conditions:

- (a) The consent of the Board of Trustees must be first obtained.
- (b) All plans and specifications relative to any such extensions are approved by the District.
- (c) All plans and specifications for such proposed extensions are reviewed and approved by the State of Illinois, Environmental Protection Agency, and other departments or governmental bodies designated by the District.

(d) Ownership of such extension must be conveyed to the District and all necessary easements and rights of way must be granted the District, such conveyance to be made in such form as the District shall require.

(e) The Board of Trustees shall determine that the system does have the necessary capacity to serve the proposed extension. Nothing contained in this Section shall be construed to obligate the District to construct or permit the construction of any proposed extensions when in the sole Judgment of the Board of Trustees the same should not be constructed or permitted.

**SECTION 6. Change in Occupancy** Any user requesting a termination of service shall notify the District within a reasonable period of time prior to the date such termination of service is desired. The meter shall be read by the District and the user will be billed. Any user who shall remove from the premises and neither request a disconnection nor subsequently reconnect service, shall be responsible for a \$ -0- DISCONNECT CHARGE.

Responsibility for payment for water consumed prior to the date of termination and any disconnection fees shall be paid by the user, and if not paid by the user shall be paid by the property owners and if not, paid by the subsequent user/property owner.

There shall be a \$ -0- charge to the new customer for transferring the water service to a subsequent, different user. Transfer shall include all transfers resulting from sale, leases, sub-leases, assignments, gifts, or other exchanges of real property, but not transfers arising because of death. There shall also be a \$-0- disconnect fee associated with the voluntary or involuntary disconnect of service.

**SECTION 7. Payment of Bills.** All bills for water used must be paid by the user by the 20th of each month (DUE DATE) and such bills will be paid to the Secretary of District or to his/her designated representative.

A penalty of 10% of the unpaid balance shall be added to each bill if not paid by the DUE DATE (the 20th of each month). If any bill remains unpaid after due date and notice, a late fee equal to 10% of the bill shall be added and the water supply and service to the property affected will be shut off by the District and the service will not be restored until all outstanding charges to the date of reconnection are paid in full. In addition, a \$100.00 service fee will be charged to cover the cost of reconnecting, and restoring any service so shut off. Failure to receive the bill shall not relieve the customer and user of said penalties. Bills remaining unpaid 15 days after the due date shall constitute a lien upon the real estate to which the service has been rendered.

**SECTION 8. Animals Running at Large.**

(a) Every user or customer of the Mitchellville Water District shall restrain by leash, chain, fence, or otherwise all dogs, cats, or other animals while personnel of the Mitchellville Water District are present on or near property occupied or owned by the user or customer. Any

user or customer, having been given notice, either verbal or written by any employee or agent of the Mitchellville Water District, who shall fail to keep his animal restrained, shall be subject to an additional minimum monthly charge for water services in the amount of **\$100.00**. Further, any user or customer failing to pay said charge when due shall be subject to disconnection.

(b) Every owner of an animal which shall proximately cause injury to an employee or agent of the Mitchellville Water District, shall be liable to that person or the Mitchellville Water District for all actual damages incurred plus punitive damages, plus that person's or the Mitchellville Water District's reasonable attorney fees.

(c) The Mitchellville Water District shall not be liable to any owner of a dog, cat or other animal resulting from an unprovoked attack upon an employee or agent of the Mitchellville Water District. In any action at law or in equity, an attack by an animal upon an employee or agent of the Mitchellville Water District shall be presumed unprovoked. The owner shall bear the burden of proving that the attack was not unprovoked.

**SECTION 9.** That the use and service of the waterworks system of the Mitchellville Water District shall not be refused to any applicant because of race, creed, or color.

**SECTION 10.** Before any person drills or attempts to disturb the ground in or near the easements or the water lines belonging to the water District or to the customers of the water District, the Water District is to be called at least 3 days before, along with a written notice that disturbance of the area is to occur; should any damage occur to the water lines, the customer responsible for hiring the contractor and the contractor would be responsible for paying not only for the water loss, but for the cost of repairing any damage. If the payments are to be made 10 days after receipt of the bill, and the whole amount can be put on the customer's bill the following month.

**SECTION 11.** There shall be and there is hereby established monthly rate or charges for the use and service of the waterworks system of the District effective the 29th day of February, 2026. Such monthly rates or charges shall be as follows:

A. \$40.00 for the first 1,000 gallons

B. \$28.00 per 1,000 gallons after the first 1,000 gallons of water used

**C. Water leak adjustment policy:** The Mitchellville water district's leak adjustment policy shall be as follows:

1. Available to each customer once per 12 month period.

2. A leak shall be deemed eligible if the reported leak is proven by one of the two following ways; a. Submitted bill from a licensed plumber of a leak repair at the customer's address. b. Signed leak notice from a Mitchellville water district maintenance employee.

3. Once a leak is deemed eligible for adjustment, the adjustment shall be calculated as follows: Base bill + Water lost = Total bill a. The last 6 months usage will be averaged. This average will be the customer's base bill. Additional water usage above that amount will be deemed the water lost from the leak. That remaining water lost amount will be billed at the current wholesale price charged

by Millstone water district. The sum of the base bill and water lost will be the total bill due for the month. Ex. Current months usage 9,000 gallons Last 6 months average usage 4,000 gallons 4,000 gallons = \$124 (first 1000 gallons @ 40, each 1,000 gallon thereafter @\$28) 5,000 gallons (deemed leak for discounted rate @12.40/gallon)

**There shall be a minimum monthly charge of \$40.00 in all events.**

The method for computation of rates and service charges established for user charges in this Section 11 shall be made available to a user within 10 days of receipt of a written request for such. Any disagreement over the method used or in the computations thereof shall be remedied by the Mitchellville Water District Board of Trustees within 90 days after notification of a formal written appeal outlining the discrepancies.

**SECTION 12.** The adequacy of the water service charge shall be reviewed, not less often than annually, by Certified Public Accountants for the Mitchellville Water District in the Annual Financial Report. The water service charge shall be revised periodically to reflect a change in local capital costs or operations, maintenance and repair costs.

**SECTION 13.** Accounts: The Mitchellville Water District Secretary shall establish a proper system of accounts and shall keep proper books, records, and, accounts in which complete and correct entries shall be made of all transactions relative to the water system, and at regular annual intervals the Board of Mitchellville Water District may cause to be made an audit by an independent auditing concern of the books to show the receipts and disbursements of the water system. If an Annual Audit Report is prepared, in addition to the customary operating statements, the annual audit report shall also reflect the revenues and operating expenses of the water facilities, including the book value of the assets. The financial information to, be shown in the audit report shall include the following:

1. Billing data to show the total number of gallons billed per fiscal year.
2. Debt service for the next succeeding fiscal year.
3. Number of users connected to the system.

**SECTION 14.** Access to Records: The Rural Development Department of Agriculture, the Illinois Environmental Protection Agency, Agency of the United States Environmental Protection Agency (USEPA) or its/their authorized representative shall have access to any books, documents, papers and records of the Mitchellville Water District which are applicable to the Mitchellville Water District system of user charges for the purpose of making audit, examination, excerpts and transcriptions thereof to insure compliance with the terms of the loan agreement with the Rural Development Agency, Department of Agriculture, or any other governmental agency providing financing to the District.

**SECTION 15.**        Reading Meters:        The District will generally read the users meter between the 15th and the 20th day of each month (weather permitting) and users must promptly pay for the water shown to be consumed. The District may bill a reasonable estimate of water used if the District is unable to read the meter.

**SECTION 16.**        Lien on Real Estate:    In the event the District charges for waterworks service are not paid after the due date for such service such charges shall be deemed and are hereby declared to be delinquent and thereafter such delinquency shall constitute a lien upon the real estate for which such service is supplied, and the Clerk is hereby authorized and directed to file sworn statements showing such delinquencies in the office of the appropriate Recorder of Deeds and the filing of such statements shall be deemed notice of the lien of such charges for such service.

**SECTION 17.**        The rates and charges herein established shall be collected from the owners, occupants, and users of the premises within said District from and after the effective date of the ordinance.

**SECTION 18.**        Water Theft and Theft of Public Property.

A. Any user or customer commits water theft or theft of public property when he knowingly:

(a)        Obtains or exerts unauthorized control over property of the Mitchellville Water District or,

(b)        Obtains by deception control over property, of the Mitchellville Water District, or,

(c)        Obtains by threat control over property of the Mitchellville

(d)        Obtains control over stolen property knowing The property to be stolen or under such circumstances as would reasonably induce him to believe the property was stolen, and

(1) Intends to deprive the Mitchellville Water District permanently of the use or benefit of the property, or

(2) Knowingly uses, conceals, or abandons the property in such manner as to deprive the Mitchellville Water District permanently of such use or benefit, or

(3) Uses, conceals, or abandons the property knowing the use, concealment, or abandonment probably will permanently deprive the Mitchellville Water District of such use or benefit.

**B.** Property of the Mitchellville Water District, as herein used shall include: property but not be limited to, water, meters, meter wells, pipelines, meter security personal, of whatever kind belonging to the Mitchellville Water District, its successors, and assigns.

**C.** It shall be prima facie evidence that the user or customer to whom water service is being furnished by the Mitchellville Water District has knowingly obtained unauthorized control over property of the Mitchellville Water District when any pipe, tube, device, mechanism, or other piece of equipment is discovered attached to property of the Mitchellville Water District which would permit the user or customer to obtain water or other property of the Mitchellville Water District without the Mitchellville Water District's being able to record or account for the quantity of water or other property so obtained.

**D.** Violations of this section shall be deemed the equivalent of a municipal ordinance violation and shall be punishable by a fine not to exceed \$500.00.

**SECTION 19.** When this Ordinance becomes effective, a copy thereof properly certified by the Secretary of the District shall be filed in the offices of the Recorder of Deeds of the counties of Saline, Illinois, and it shall be deemed notice to all owners of real estate of their liability for waterworks service supplied to any occupant or user of such service on their property.

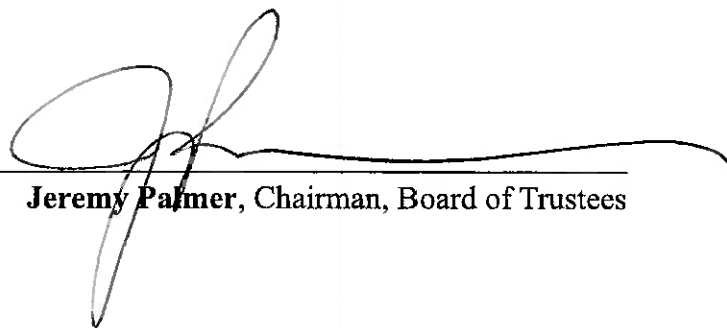
**SECTION 20.**

- (a) All ordinances or parts of ordinances in conflict herewith are hereby repealed.
- (b) The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

**SECTION 21.** The Mitchellville Water District of Saline County, has had numerous problems concerning customers moving in and out of said Water District, leaving behind delinquent utility bills. The Water District shall hereafter hold property owners jointly and severally responsible with tenants, sub-tenants, assignees, life tenants, or other parties in possession for, delinquent water bills for water works services rendered to premises located within the District. Services provided may be billed directly to property owners at the option of the District.

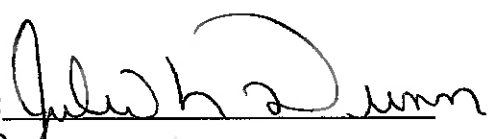
**SECTION 22.** This ordinance may be hereafter amended by the Board of Trustees by ordinance passed by a majority of the Board.

**PASSED, APPROVED, AND ADOPTED BY THE BOARD OF TRUSTEES OF THE MITCHELLVILLE WATER DISTRICT, OF THE COUNTY OF SALINE, ILLINOIS, THIS 21<sup>st</sup>th DAY OF April, 2026.**



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**Jeremy Palmer, Chairman, Board of Trustees**

Attest:   
Julie Durh  
Vice Chairperson, Board of Trustees