

ORDINANCE 2026 - 04_

AN ORDINANCE AMENDING SECTION 51.02, WATER USER SERVICE CHARGES, SECTION 51.03, SEWER USER SERVICE CHARGES, AND SECTION 51.10, ADDITIONAL UTILITY FEES, OF THE VILLAGE OF KIRKLAND MUNICIPAL CODE

WHEREAS, the Village of Kirkland, DeKalb County, Illinois, is a non-home rule municipality as contemplated by the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the Village's powers and functions as granted in the Constitution of the State of Illinois and statutes; and

WHEREAS, the Village Board has determined that the water and sewer user service charges should be amended for the overall public health and safety, as well as to offset increased costs to the Village to inspect and replace the line and replace the meters; and

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Kirkland, DeKalb County, Illinois as follows:

SECTION 1 Section 51.02, and Water User Service Charges, of the Village of Kirkland Municipal Code is hereby amended to read as follows:

(A) There shall be and there are hereby established water user service rates and charges for the use of and for the service supplied by the Village waterworks, based on the amount of metered water usage read to the lowest increment of 1,000 gallons.

(B) The water user service charge to be paid every two months (each two-month interval being a "billing period"), by all metered water users within the Village corporate limits shall be:

(1) Effective for bills generated after May 1, 2026, \$6.25 for each 1,000 gallons, or part thereof, of metered usage during the billing period.

(C) In addition to the basic user services charges contained in division (B) above, effective September 1, 1995, a debt service charge of \$1.71 per 1,000 gallons of metered water usage for purposes of retiring the bonds of the water tower shall be paid quarterly by all users. The surcharge shall be discontinued when the debt service is retired.

(D) The water user service charge for all users outside the Village corporate limits shall include a surcharge of 50% of the water user service charges for users within the Village corporate limits. Additionally, any outside vendor shall be charged at a rate of \$10.00 for each 1,000 gallons, or part thereof, of metered usage during the billing period.

(E) In addition to any other fee, charge or surcharge provided for in this chapter, and notwithstanding any other inconsistent provision in the chapter, each owner of each respective dwelling unit, residence, building or other structure connected to the Village's water system for which no water is used from the Village's water system for a two-month interval shall pay to the

Village a water system base charge in the amount of \$25, which is to be paid by each owner of each dwelling unit, residence, building or other structure connected to the Village's water system, whether or not such dwelling unit, residence, building or other structure utilizes any water from such village system or is vacant or has no tenant for a two-month interval. In the event that there is more than one owner of each such respective dwelling unit, residence, building or other structure connected to the Village's water system, such owners shall be jointly and severally liable and responsible to pay such charge to the Village.

(F) An additional surcharge will be added to the water bill for every week that the user has not responded to the Village to schedule a time to inspect the service line, within ten days of one or more written requests from the Village to do so, in the amount of \$25 (per week).

(G) An additional surcharge will be added to the water bill for every month that the user has not responded to the Village to inspect and/or replace a water meter reader, within ten days of one or more written requests from the Village to do so, in the amount of \$25 (per month).

(H) A basic user charge in the amount of \$10.00 for residential users and \$12.00 for commercial users shall be paid each billing period for the operation and maintenance of the waterworks plus replacement of waterworks of the Village.

SECTION 2: Section 51.03, Sewer User Service Charges, of the Village of Kirkland Municipal Code is hereby amended to read as follows:

(A) There shall be and there are hereby established sewer user service rates and charges for the use of and for the service supplied by the village sewerage works which shall consist of a basic user charge for operation and maintenance plus replacement, a debt service charge, and a surcharge if applicable. Each sewer user shall be notified, at least annually, in conjunction with a regular bill of the rate and that portion of the user charges which are attributable to wastewater treatment service.

(B) The sewer user service charge, not including surcharges previously adopted, to be paid every two months (each two month interval being a "billing period"), by all metered sewer users within the village corporate limits shall be:

(1) Effective for bills generated after May 1, 2026, \$6.75 for each 1,000 gallons, or part thereof, of metered usage during the billing period.

(C) The basic user charge in the amount of \$10.50 for residential users and \$12.50 for commercial users shall be paid each billing period for the operation and maintenance of the sewage works and to provide funds for the replacement of component parts of the sewerage works for each fiscal year.

(D) The debt service charge shall be determined by the amount of revenue funds required for the principal and interest payments due for all outstanding bonds authorized and issued by the village for financing improvements to the sewerage works and to provide bond reserve funds.

(E) Reserved.

(F) Reserved.

(G) Whenever the Superintendent determines that a nonmetered sewer user is discharging more than 30,000 gallons per quarter, the Superintendent may require the nonmetered sewer user to install metering devices on the building water supply or building sewer to measure the volume of wastewater discharged to the public sewers.

(H) A treatment service surcharge shall be levied to all sewer users whose wastewater exceeds the normal concentrations of 200 mg/l of BOD as determined by waste sampling which shall be performed as often as deemed necessary by the Superintendent and shall be binding as the basis for computing the surcharge. The surcharge rate shall be \$0.17 per pound of BOD in excess of 0.17 pounds per 100 gallons.

(I) Each user of the public sewerage works located outside the village corporate limits shall pay the sum of \$100 per year as a fixed surcharge payable in advance or in quarterly payments of \$25 at the customer's option. This surcharge is for depreciation and shall be used for the maintenance and replacement of the sanitary sewer system and sewage treatment plant, and shall be in addition to the regular rates and charges for sewage collection and treatment service.

(J) Each user of the public sewerage works shall pay a permit fee surcharge for the payment by the Village of the National Pollutant Discharge Elimination System fee as imposed by the State of Illinois, calculated as follows:

The annual fee shall be divided by six, to determine the portion of the total surcharge to be added to each bi-monthly sewerage bill. The resulting amount shall be divided equally by the number of sewerage users registered by the village as of the date on which bills are to be distributed. The resulting amount shall be added to each bill as the individual surcharge for each user.

SECTION 3: Section 51.10, Additional Utility Fees, of the Village of Kirkland Municipal Code is hereby amended to read as follows:

(B) A water capital improvement fund fee of \$10.00 and a sewer capital improvement fund fee of \$10.50 shall be paid by each metered water and/or sewer user for each billing cycle.

SECTION 4: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

[SIGNATURE PAGE FOLLOWS]

Passed this 16 day of MARCH, 2026, by a roll call vote as follows:

	Ayes	Nays	Absent	Abstain
Trustee John Michener	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Trustee Sarah Ziegler	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Trustee Daniel Chambers	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Trustee Jessica Fruit	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Trustee Erik Marshall	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Trustee Brian Benes	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
President Ryan Block	<u> </u>	<u> </u>	<u> </u>	<u> </u>

APPROVED THIS 16 DAY OF MARCH, 2026


Village President Ryan Block

(SEAL)

ATTEST: 
Village Clerk Leslie Scidmore

Published: _____



CERTIFICATION

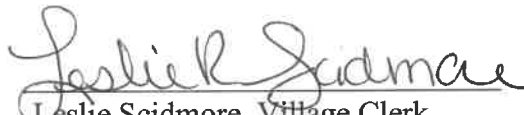
I, LESLIE SCIDMORE, do hereby certify that I am the Clerk of the Village of Kirkland, DeKalb County, Illinois, and that as Clerk, I am the keeper of the records and minutes and proceedings of the President and Board of Trustees of said Village of Kirkland.

I do further certify that at a regular meeting of the President and Board of Trustees of the Village of Kirkland, held on the 16 day of March, 2026, the foregoing Ordinance entitled **AN ORDINANCE AMENDING SECTION 51.02, WATER USER SERVICE CHARGES, SECTION 51.03, SEWER USER SERVICE CHARGES, AND SECTION 51.10, ADDITIONAL UTILITY FEES, OF THE VILLAGE OF KIRKLAND MUNICIPAL CODE**, was duly passed by the President and Board of Trustees of the Village of Kirkland.

The pamphlet form of Ordinance No. 2026- 04, including the Ordinance was prepared, and a copy of such Ordinance was available in the Village Hall, commencing on the 16 day of March 2026, and continuing for at least 10 days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Village Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said Village for safekeeping, and that I am the lawful custodian and keeper of the same.

Given under my hand and seal of the Village of Kirkland, this 16 day of March, 2026.


Leslie Scidmore, Village Clerk
Village of Kirkland
DeKalb County, Illinois

(SEAL)

