

ORDINANCE NUMBER 20 - 30

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK
AND KANE COUNTIES, ILLINOIS, WAIVING CERTAIN WATER AND SEWER
SERVICE LATE FEES AND SHUTOFF REQUIREMENTS IN CHAPTERS 51 AND 53
OF THE VILLAGE OF EAST DUNDEE VILLAGE CODE**

WHEREAS, the Village of East Dundee (“Village”) is a home rule unit of local government pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, and has the authority to exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, COVID-19, also known as the “coronavirus,” is a dangerous disease which has spread around the world, including in the United States, the State of Illinois and Cook and Kane Counties and it is a direct and serious threat to the public’s health, safety and welfare; and

WHEREAS, on March 9, 2020, the Governor of the State of Illinois issued a disaster proclamation in the State of Illinois related to the COVID-19 pandemic, and the Governor has since renewed that proclamation several times; and

WHEREAS, Village residents and businesses have suffered economic hardships because of COVID-19, including loss of employment, reduction in revenues and other significant financial harms; and

WHEREAS, on March 24, 2020, the Village President adopted Executive Order No. 20-1, entitled “Executive Order of the Village of East Dundee Village President Suspending Water and Sewer Late Payment Penalties,” in which the Village President exercised his authority to assist struggling Village residents and businesses by suspending the imposition of late fees by the Village on unpaid water and sewer services; and

WHEREAS, the harm caused by COVID-19 is ongoing and the Village desires to waive late fees on water and sewer services provided by the Village as required by the Village of East Dundee Village Code (“Village Code”), and suspend shutoffs of water and sewer services due to unpaid charges as required by the Village Code, through December 31, 2020; and

WHEREAS, the Village President and Board of Trustees have determined that it is advisable, necessary, and in the best interests of the Village to waive certain water and sewer account late fees and shutoff requirements in Chapters 51 and 53 of the Village Code in order to best protect the public’s health, safety and welfare and to assist Village residents and businesses in addressing the financial harms caused by COVID-19;

NOW THEREFORE BE IT ORDAINED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:

SECTION 1: Incorporation. That each Whereas paragraph above is incorporated by reference into this Section 1 and made a part hereof as material and operative provisions of this Ordinance.

SECTION 2: Waivers. That the following portions of the Village Code are waived through December 31, 2020, unless extended by the Village President and Board of Trustees in their sole discretion:

- A. No late fees shall be assessed by the Village on unpaid charges for water service pursuant to Section 51.38(D) of the Village Code; and
- B. No water service shall be shut off by the Village due to unpaid charges for water service pursuant to Section 51.38(F) of the Village Code; and
- C. No late fees shall be assessed by the Village on unpaid charges for sewer service pursuant to Section 53.63(C) of the Village Code; and
- D. No sewer service shall be shut off by the Village due to unpaid charges for sewer service pursuant to Section 53.63(E) of the Village Code.

SECTION 3: No Vested Rights. That this Ordinance grants no vested rights and no person or entity shall have any claim to vested rights in any relief granted in this Ordinance.

SECTION 4: Severability. That if any Section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such Section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 5: Repeal. That all ordinances, resolutions, motions or parts thereof in conflict with this Ordinance shall be and the same are hereby repealed.

SECTION 6: Effect. That this Ordinance shall be in full force and effect upon its adoption, approval and publication in pamphlet form as provided by law.

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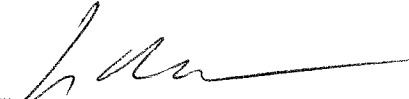
ADOPTED this 3rd day of August, 2020 pursuant to a roll call vote as follows:

AYES: Trustees Lynam, Selep, Mahony, Andresen and Kunze

NAYES: Ø

ABSENT: Trustee Wood

APPROVED by me this 17th day of August, 2020.



Lael Miller, Village President

ATTEST:



Katherine Holt, Village Clerk

Published in pamphlet form this 3rd day of August, 2020, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on August 18, 2020.