

ORDINANCE NUMBER 21 - 19

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK
AND KANE COUNTIES, ILLINOIS, EXTENDING WAIVERS OF CERTAIN
WATER AND SEWER SERVICE LATE FEES AND SHUTOFF REQUIREMENTS
IN CHAPTERS 51 AND 53 OF THE VILLAGE OF EAST DUNDEE VILLAGE CODE
THROUGH THE DURATION OF THE COVID-19 PANDEMIC**

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, on August 3, 2020, the Village President and Board of Trustees adopted Ordinance Number 20-30, entitled “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” (“Original Ordinance”); and

WHEREAS, on February 1, 2021, the Village President and Board of Trustees adopted Ordinance Number 21-04, entitled “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 Through April 30, 2021,” which amended the Original Ordinance, to extend the waivers of certain Village water and sewer late fees and shutoff requirements through April 30, 2021 (“Amending Ordinance”); and

WHEREAS, the Village President and Board of Trustees desire to extend the timeframe in the Original Ordinance, as amended by the Amending Ordinance, for the waiver of certain Village water and sewer late fees and shutoff requirements until the earlier of the repeal of this Ordinance or the end of a disaster proclamation regarding COVID-19 by the Governor of the State of Illinois pursuant to Section 7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7, that covers the Village; 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 extend waivers in the Original Ordinance of certain water and sewer account late fees and shutoff requirements in Chapters 51 and 53 of the Village Code until the earlier of the repeal of this Ordinance or the end of a disaster proclamation regarding COVID-19 by the Governor of the State of Illinois pursuant to Section 7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7, that covers the Village, 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: Extension of Waivers. That Section 2 of Original Ordinance, as amended by the Amending Ordinance, is amended to read as follows, with additions underlined and deletions struck through:

“That the following portions of the Village Code are waived until the earlier of the repeal of this Ordinance or the end of a disaster proclamation regarding COVID-19 by the Governor of the State of Illinois pursuant to Section 7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7, that covers the Village through April 30, 2021, 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: Continuation; No Vested Rights. That the Original Ordinance, as amended by the Amending Ordinance, remains in effect, except as amended herein, and 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.

ADOPTED this 17th day of May, 2021, pursuant to a roll call vote as follows:

AYES: Trustees Mahony, Andresen, Kunze, Brittin, Saviano and Treiber

NAYES: None

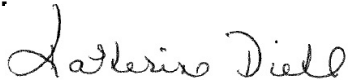
ABSENT: None

APPROVED by me this 17th day of May, 2021.



Jeffrey Lynam, Village President

ATTEST:



Katherine Diehl, Village Clerk

Published in pamphlet form this 17th day of May, 2021, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on May 18, 2021.