

**VILLAGE OF ASHMORE
COLES COUNTY, ILLINOIS**

ORDINANCE NO. 25-0826

**AN ORDINANCE AMENDING CHAPTER 3 OF TITLE 6
OF THE ASHMORE VILLAGE CODE
(WATER USE AND SERVICE)**

ADOPTED BY THE

VILLAGE BOARD

OF THE

VILLAGE OF ASHMORE

THIS 26 DAY OF August, 2025.

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE VILLAGE BOARD

OF THE VILLAGE OF ASHMORE, COLES COUNTY, ILLINOIS,

THIS 26 DAY OF August, 2025.

ORDINANCE NO. 2025- 25-0826

**AN ORDINANCE AMENDING CHAPTER 3 OF TITLE 6
OF THE ASHMORE VILLAGE CODE
(WATER USE AND SERVICE)**

WHEREAS, the Village of Ashmore, Illinois, is authorized pursuant to the Illinois Municipal Code to construct a waterworks system, as defined in 65 ILCS 5/11-130-2, to provide a public water supply and to impose such reasonable rules and regulations on the use thereof as necessary to conserve and protect such waterworks systems and the public health; and,

WHEREAS, the Village of Ashmore, Illinois, currently regulates and has established rules and regulations regarding the provision and use of the Village water system and services pursuant to Chapter 3 of Title 6 of the Ashmore Village Code; and,

WHEREAS, the Board of Trustees for the Village of Ashmore, Illinois, has determined that it is fiscally responsible, and in the best interests of the public to amend Chapter 3 of Title 6 of the Ashmore Village Code to include such rules, rates and regulations that are reasonable and necessary for the efficient, orderly and effective delivery and conservation of such service, as more fully provided for herein.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF ASHMORE, ILLINOIS, THAT:

Section 1: RECITALS: The findings made in the prefatory portion of this Ordinance are hereby adopted.

Section 2: Section 6-3-3 of Title 6 of the Ashmore Village Code, shall be amended to add the following paragraph:

“D. Household members disclosure required/delinquent household members prohibited. Residential applicants for new service shall be required to disclose, in writing, the name(s) of any household member that is eighteen (18) years of age or older that will reside in the household of the applicant, at the time of application. If any household member that is eighteen (18) years of age or older is delinquent to the Village for any outstanding bills, charges, fines, or monies, the requested application for water service shall be denied. If it is determined that a member of the household that is eighteen (18) years of age or older is delinquent to the Village for any outstanding bills, charges, or monies, after the service has been provided to the applicant, the Village shall serve written notice to the customer on file that said delinquent bill, charges, fines, or monies shall be paid in full within ten (10) days or the water service shall be disconnected pursuant to Section 6-3-8 of this Chapter. Said notice shall be served by regular United States Mail, postage prepaid or documented personal service.”

Section 3: Section 6-3-11 of Title 6 of the Ashmore Village Code, is hereby amended and restated in its entirety as follows:

“6-3-11 TAMPERING WITH, DAMAGE TO SYSTEM:

- A. It shall be unlawful for any person, corporation, association, company, owner, occupant, or agent not authorized by the Village to tamper with, alter or injure any part of the Village water system or any meter. In addition to any other remedies or penalty provided in this Section or available under applicable law, tampering with any part of the Village Water System or any meter shall be grounds for discontinuance of water utility service. For purposes of this Section, “Tamper” or “Tampering” shall include, but is not limited to, the following:
1. Opening valves at the curb or meters that have been turned off by authorized Village personnel or representatives;
 2. Breaking, picking, or damaging cut-off locks;
 3. Bypassing meters in any manner;
 4. Taking unmetered water from hydrants by anyone other than authorized Village personnel or representatives for any purpose other than firefighting, testing, or flushing;
 5. Removing, disabling, or adjusting meter registers;
 6. Connecting to or intentionally damaging water lines, valves, or other appurtenances of the Village Water system;
 7. Any intentional act of defacement, destruction, or vandalism of any portion of the Village water system or any meter; or,
 8. Any intentional blockage or obstruction of the Village water system or meter.
- B. It shall be unlawful for any person, corporation, association, company, owner, occupant, or agent not authorized by the Board of Trustees to receive, use, or cause the receipt or use of water services which is not metered and shall be guilty of the offense of theft of service. Any person, corporation, association, company, owner, occupant, or agent not authorized by the Board of Trustees receiving or using water from a service line which does not contain an operable meter or when a meter has been bypassed shall be presumed to be knowingly using or receiving water in violation of this Section so as to be guilty of the offense of theft of service.

- C. Any person violating any provision of this Section shall be subject to a fine of not less than \$100 and not more than \$750 for each offense, plus cost of repair. Each day a violation is permitted to exist shall constitute a separate offense. In addition to any fine, the Village may seek injunctive and declaratory relief directing the violator to cure the violation."

Section 4: Except as herein expressly modified by Sections 2 and 3 above, the provisions of Chapter 3 of Title 6 of the Ashmore Village Code, shall remain in full force and effect.

Section 5: MISCELLANEOUS PROVISIONS.

A. Invalidity. In the event a court of competent jurisdiction declares any particular provision of this Ordinance to be invalid or unenforceable, the remaining provisions of this Ordinance shall be construed to be valid and enforceable. The invalidity of any part of this Ordinance shall not affect any other part or parts thereof.

B. Effective Date. This Ordinance shall be in full effect from and after passage and approval as provided by law.

C. All prior ordinance or resolution of the Village of Ashmore, Illinois, contrary to the terms and conditions of this Ordinance shall be deemed to be repealed as of the effective date of this Ordinance.

Placed on file this 26 day of August, 2025.

Presented, passed and approved this 26 day of August, 2025.

Published in pamphlet form this 26 day of August, 2025.

Trustee Bill Edwards	<u>✓</u>
Trustee Thomas Grissom	<u>✓</u>
Trustee Kyle Sims	<u>✓</u>
Trustee Terry Price	<u>✓</u>
Trustee L. Bryan Watson	<u>✓</u>
Trustee Cathy Welborn	<u>✓</u>

YEAS: 6
NAYS: 0
ABSENT: 0

VILLAGE OF ASHMORE, ILLINOIS

Kurt Crail
Kurt Crail, Village President

ATTEST:

Michelle Redd
Michelle Redd, Village Clerk

STATE OF ILLINOIS)
) SS.
COUNTY OF COLES)

I, Michelle Redd, Village Clerk of the Village of Ashmore, Coles County, Illinois, do
hereby certify that the foregoing pages constitute a true and correct copy of Ordinance No. 25-0826
of said Village passed and approved on the 26 day of August, 2025.

I do further certify that said Ordinance has been spread at length upon the permanent
records of said Village where it now appears and remains in my office in Ashmore, Illinois.

Dated this 26 day of August, 2025.

(SEAL)

Michelle Redd
Michelle Redd, Village Clerk

