

**Ordinance No. 10 - 05**

**Ordinance to Amend the Municipal Code of Sherrard  
Joint and Several Liability**

*Whereas*, Section 11-125-3 of the Illinois Municipal Code authorizes the Village to “charge the inhabitants [of the Village] a reasonable compensation for the use and service of the combined waterworks and sewerage system and to establish rates for that purpose. 65 ILCS 5/11-139-8.

*Whereas*, said Section 11-139-8 further provides that the Village shall establish, revise, and maintain said water and sewer rates by ordinance to become payable as the corporate authorities direct. 65 ILCS 5/11-139-8.

*Whereas*, Title 6, Chapter 4 of the Municipal Code of Sherrard (hereinafter referred to as the “Code”), sets forth the current charges for services supplied by the combined waterworks and sewerage system of the Village.

*Whereas*, the Village Board feels that it is necessary to clarify that owners, occupants and users of water and sewer services are jointly and severally liable for all charges relating to the use of said systems.

*Therefore, be it ordained* by the President and Board of Trustees of the Village of Sherrard, in Mercer County, Illinois, that:

**Section 1:** Title 6, Chapter 4, Section 1 of the Village Code is hereby amended to read as follows:

**Chapter 4. COMBINED WATERWORKS AND SEWAGE SYSTEM**

**Section 1. Rates and Charges.** There shall be and there are hereby established rates or charges for the use of and for the service supplied by the combined waterworks and sewerage system of the Village based upon the amount of water consumed, as shown by the water meters. The owner of the premises, the occupant thereof and the user of the service shall be jointly and severally liable to pay for the service on such premises and the service is furnished to the premises by the Village of Sherrard only upon the condition that the owner of the premises, occupant and user of the service are jointly and severally liable therefor to the Village of Sherrard. Rates and charges shall be assessed as follows:

Sections 1.1 and 1.2 are not affected by this Ordinance.

**Section 2:** This Ordinance shall take effect and be in full force from and after its passage, publication and approval.

*(Nothing further contained on this page)*

Passed, approved and adopted by the President and Board of Trustees of the Village of Sherrard on the 3<sup>rd</sup> day of May, 2010.

<i>Trustee</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>	<i>Absent</i>
Trustee Bristow				
Trustee Creger				
Trustee Davis				
Trustee Mesa				
Trustee Rath				
Trustee Wyant				

*Delbert Henry, Village President*

*Attest:*

*Jennifer Shewell, Village Clerk*

Prepared by:  
Scott M. Smith  
Sherrard Village Attorney

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