

**VILLAGE OF CHATHAM, ILLINOIS**

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ORDINANCE NO. 95-16

**AN ORDINANCE REGULATING THE PROVISION OF ELECTRIC SERVICE  
IN THE VILLAGE OF CHATHAM AND GOVERNING THE OPERATIONS  
OF THE ELECTRIC DEPARTMENT**

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ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF CHATHAM, ILLINOIS  
THIS 28TH DAY OF MARCH, 1995

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Published in pamphlet form by the authority of the President and  
Board of Trustees of the Village of Chatham, Sangamon County,  
Illinois, this 28th day of March, 1995.

Ordinance No. 95-16

**AN ORDINANCE REGULATING THE PROVISION OF  
ELECTRIC SERVICE IN THE VILLAGE OF CHATHAM AND GOVERNING  
THE OPERATIONS OF THE ELECTRIC DEPARTMENT**

*BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE  
VILLAGE OF CHATHAM, SANGAMON COUNTY, ILLINOIS, AS FOLLOWS:*

**SECTION 1: DEFINITIONS**

For the purpose of this Ordinance, the following definitions shall supply unless the context clearly indicates or requires a different meaning.

**Applicant:** A person who applies for electric utility service.

**Customer:** A person who has agreed with the Village to pay for electric utility service.

**Electric Service:** Electric utility service provided to a customer at a specific location.

**Master-Metered Apartment Building:** A building of two or more rental dwelling units where any electric service is registered by a single meter for all the units.

**Non-Residential Service:** Electric utility service rendered which is not residential service.

**Person:** Any person, firm or corporation.

**Point of Distribution:** The secondary lugs of a Village-owned transformer or the point of connection to the Village' overhead secondary distribution system.

**User:** A person who receives electric utility service.

**Village:** The Village of Chatham, Illinois.

**SECTION 2: ELECTRIC DEPARTMENT**

There is hereby established an administrative department of the Village to be known as the Electric Department. The head of the Electric Department shall be an employee of the

Village who shall be known as the Village Electrician. The Electric Department shall operate and maintain the electric system of the Village subject to all ordinances and resolutions adopted by the President and Board of Trustees of the Village. The Village Electrician shall be supervised by the Village Public Works Director.

**SECTION 3: APPLICATION FOR ELECTRIC SERVICE**

Electric service shall not be supplied to any person without such person having made application therefor. Application for electric service shall be made in writing on forms supplied by the Village. Such form shall require the name and, if applicable, residence address of the applicant, the name of the applicant's employer, the address of the premises at which electric service is requested, the type of service requested (residential, nonresidential), the applicable service rate or rates requested, the name and address of the record owner of the premises at which electric services is requested if the applicant is not the owner thereof, the date of the application, the date service is to commence, and the date service is to terminate, if applicable. Such application shall be signed by the applicant. When the applicant is a person other than the owner of the premises at which service is requested, the application shall also be signed by the owner thereof. The applicant or applicants, as the case may be, shall be responsible for the payment of all lawful charges made for and incidental to provision of electric service under the application at the location requested, and shall be responsible for compliance with all of the terms and conditions of this chapter therefor. In the event the applicant is not the owner, the applicant, by signing the application for service, recognizes the right of the Village to notify the owner if the applicant becomes delinquent.

**SECTION 4: APPLICATION DEPOSIT**

a. All applications for service shall be accompanied by a deposit as hereinafter set forth.

1. An application for residential service shall be accompanied by a deposit of \$75.00.

2. An application for nonresidential service shall be accompanied by a deposit in the estimated amount of one month's bill.

3. The deposit required by this Section may be refunded or credited to a current bill of a customer at the end of one year from the date of application of the person making the deposit; provided, that no such refund or credit shall be made unless all charges made to the account of that application have been paid on or before the date such charges became due. No interest shall be paid on any deposit, credit, or refund.

b. The Village may require an additional deposit of two times the largest bill incurred over the previous 12-month period if a customer has failed to pay such lawful charges as may be due the Village for electrical service on or before the due date for such charges three or more times during that previous 12-month period; or if the deposit of such customer has been forfeited under the provisions of this Ordinance because of delinquent payments. Any such deposit may be refunded or credited to a current bill at the end of one year from the date such deposit was received by the Village if all charges made to the account of the customer have been paid on or before the date such charges became due. No interest shall be paid on any such deposit, credit or refund.

c. If any charge for electric service or any penalties are deemed delinquent under the provisions of this Ordinance, the deposit made hereunder shall be forfeited to the Village and applied to the payment of such delinquent charges.

**SECTION 5: TEMPORARY OR PERMANENT SERVICE; INSTALLATION CHARGES**

Where no line extension or pole setting is required, the installation charge for furnishing temporary or permanent service for home building or small commercial construction shall be the cost to the Village of installing the service. When it is necessary to extend lines or poles, the customer shall pay 110% the estimated labor, equipment and net materials cost to install the line and if temporary, the cost to remove the line. After construction is completed (and removal if the service is temporary) the Village shall refund to the applicant any amount by which the deposit exceeds the actual cost incurred by the Village, and the applicant shall pay to the Village any amount by which such actual costs exceed the deposit. The actual cost for service installations, both temporary and permanent, will be published by the Public Works Director and be made available at the Village office.

**SECTION 6: EXTENSION OF SERVICE**

a. All extensions of service shall be constructed by the Village or by an independent contractor on behalf of the Village.

In the event of overhead service, cable will be installed from the masthead on the customer's structure to the Point of Distribution by the Village or a subcontractor under contract of the Village. The customer or property owner will pay the Village for the actual costs of the installation. The Village shall perform the hookup of the cable to the Point of Distribution.

In the event of underground service, cable will be installed from the meter base to a point near the Point of distribution by the customer or property owner. The customer or property owner shall not open transformer cabinets or trench in close proximity to the transformer. The cable utilized must be either supplied by or approved by Village. The Village shall perform the hookup of the cable to the Point of distribution.

Once the service has become energized, the maintenance and ownership of overhead or underground services from the meter base to Point of Distribution is the responsibility of the Village.

The owner of a mobile home park is to furnish and install 200 ampere meter pedestal at location designated by Village, and will pay a service fee of \$50.00 per lot in addition to any other fees set forth herein.

b. In the event that any extension of service requires expenditures by the Village for equipment, materials, labor, overhead, interest, taxes, or engineering studies of an extraordinary nature, the applicant shall pay to the Village an additional amount to cover the actual costs of said items.

c. In the event an extension of service entails construction of distribution facilities which provide a public benefit beyond the benefit to the applicant, the Village may in its discretion elect to share the cost of the service extension with the applicant. If such extension may provide benefit to other future customers, an agreement may be entered into by the Village and the applicant for rebates of a portion of the construction costs from said future customers to be collected by the Village.

d. Special rules apply for extension of service into new residential subdivisions, and subdividers are entitled under proper circumstances to partial rebates. The rules are set forth in Schedule A to this Ordinance.

e. In the event the village of Chatham annexes premises which are provided electric service as of the date of annexation by another electric provider, then the Village shall either:

(i) purchase the distribution system of such electric provider; or

(ii) construct sufficient distribution lines to duplicate the service provided to the premises by such electric provider. Any such purchase or construction of the Village's primary distribution system shall be at the Village's expense. A customer transferring from another electric provider to the village system shall pay the residential service fees set forth in subsection (b) of this section; or

(iii) by mutual agreement between the Village and the present supplier, the Village may provide service to customers in such newly annexed premises through the distribution system of the present supplier provided that the Village can arrange for delivery of energy to the present provider on behalf of the Village. Such arrangements may also apply to areas expected to be annexed for which a pre-annexation agreement exists.

**SECTION 7: RATES AND CHARGES**

There are established rates and charges for the use and service of electric for light and power based upon electricity consumed as recorded by electric meters, and based upon the type of premises served, as set forth in Schedule B to this Ordinance.

**SECTION 8: ADDITIONAL SERVICE AND OTHER CHARGES**

Sales of electric service and other charges hereunder are subject to an additional charge pursuant to ss1 and 2 of "The Public Utilities Revenue Act", as amended, levying a State of Illinois tax on the service rendered. Such additional charge shall be added at 5% or such other rate as determined by law, on the net amount of the bill as calculated according to the rates and charges set forth in this ordinance.

**SECTION 9: SERVICE CONNECTION**

The Village will provide only one service connection to each separate premises of a customer. Additional service may be provided upon written request of a customer, application therefor, and payment of fees or charges therefor.

**SECTION 10: ELECTRIC SERVICE BILLS**

a. Charges for electric service shall be made monthly as herein provided. All charges are due and payable within 15 days of the date of the bill. All bills not paid on or before such due date shall incur a penalty in the amount of 10% of the bill. If the due date falls on a Sunday or legal holiday, then such bill may be paid on the next succeeding day during which the office of the Village is open for payment of such bills without incurring the 10% penalty.

b. Bills shall be mailed to the customer at the address of the premises where service is provided.



**SECTION 11: DELINQUENT CHARGES; DISCONTINUANCE OF SERVICE; RECONNECTION, DISPUTE RESOLUTION; LIENS; RECONNECTION; AND RESUMPTION OF ELECTRICAL SERVICE**

Schedule C hereto shall govern the handling of delinquent charges, discontinuance of service, reconnections, dispute resolutions, liens, dishonors of checks, and connection and disconnection fees.

**SECTION 12: COMMERCIAL OR INDUSTRIAL BILL ADJUSTMENT**

If it is determined that a commercial or industrial customer has a power factor of less than .85, the Village shall charge \$.022 per KVA hour reactive load for the difference between the customer's power factor and .85. This charge shall be added to the monthly bill.

**SECTION 13: FUEL ADJUSTMENT COST**

In addition to the rates and charges in Section 10, the fuel adjustment cost charged to the Village by its electric supplier will be passed through to all customers.

**SECTION 14: LIABILITY DISCLAIMED BY VILLAGE**

The Village will endeavor to maintain adequate and continuous electric service to its customers, but does not guarantee that the supply of energy will, at all times, be constant; and the Village shall not be liable to customers for any damages resulting from temporary cessation of service occasioned by supply interruptions from the Village's wholesale power supplier, or from fire, explosion, flood, strike, insurrection, mob violence, governmental interference, breakdown or injury to machinery or distribution lines, weather, ice or other accidents or causes not reasonably within its control.

**SECTION 15: SPECIAL AGREEMENTS**

From time to time the Village may enter into special contractual agreements where the nature of the electric service requires it to do so.

**SECTION 16: EXTRATERRITORIAL SERVICE**

The Village electric system is intended primarily to serve customers located within the corporate limits of the Village. Service to customers outside the corporate limits of the Village is the exception and not the rule. Electric service to any new extraterritorial customer shall be expressly subject to the condition that if the Village requests the property owner and electors residing thereon either individually or in conjunction with other property owners, to file a petition for annexation to the Village or to execute an annexation agreement requiring the annexation of the property upon its becoming contiguous, then the property owner shall do so.

**SECTION 17: LEVEL PAYMENT PLAN**

Residential and senior citizen customers of the Village of Chatham electric system are eligible to receive their bill under a level payment plan. Customers with one year of billing history will be eligible to join the level payment plan each October. The Village will indicate the balance of the level payment on the customers bill. From time to time throughout the year, the Village may at its discretion adjust the level payment amount if the account is delinquent or has an excessive cash balance.

**SECTION 18: ELECTRICAL CODE COMPLIANCE**

a. Electric service shall not be supplied, installed, or maintained at any location where the installation of such service, or the load to which it is connected or delivered is not in compliance with the Electrical Code adopted by the Village of Chatham.

b. The Electric Department shall comply with the American National Standards Institutes National Electrical Safety Code, Code C-2, with respect to installations of plant equipment.

c. Every use of the electric plant and system of the Village shall have a metered connection to the system for each customer thereof, and no service of the electric plant and system shall be provided to any person who shall not comply with the terms and provisions of this Ordinance.

**SECTION 19: VILLAGE POLICY REGARDING UNDERGROUND SERVICE LINES**

It is the policy of the Village that all new electric distribution service line construction and all replacement of existing electric service line construction, shall be underground if circumstances reasonably permit. This policy does not apply to primary distribution feeders to which multiple subdivisions may be connected or to rural circuits. Exceptions to this policy shall be made only upon a written request by the Village Administrator to the standing committee of the Village Board having jurisdiction over the Electric Department, and written approval by such standing committee.

**SECTION 20: INTERFERENCE WITH EQUIPMENT**

It shall be unlawful for any person to interfere with in any manner or in any way deface, injure, remove, tamper with, or destroy any wires, wiring poles, transformers or meters, including seals, or other property of the Village electric distribution system.

**SECTION 21: OBSTRUCTION OF EQUIPMENT**

No person shall obstruct, impede, hinder, annoy, or otherwise impair a Village employee in obtaining access to and examination of any meter or other equipment of the Village electric distribution system.

**SECTION 22: LIABILITY TO VILLAGE FOR DAMAGE**

Any person damaging any facilities of the Village electric distribution system as described in this Ordinance shall be liable to the Village for all damages which the Village may sustain. The measure of liability shall be the cost of repairing or replacing the facilities as damaged, including costs of material and labor. Where an electrical meter has been altered or bypassed, the measure of liability for damages shall also include estimated charges for unmetered electric service.

**SECTION 23: REMOVAL OF OBSTRUCTIONS**

The Village shall have the power to remove or cause to be removed any trees or branches on any street, avenue, or alley or easement in any way obstruction or interfering with the installation of and any portion of the electrical service system or its proper maintenance and operation. Customers of the Village have the obligation to remove or cause to be removed all such obstructions interfering with lines between the Point of Distribution and the customer's meter.

**SECTION 24: UTILITY EASEMENTS**

All electric transmission and distribution lines constructed within platted subdivisions of the Village shall be placed within the utility easements established and reserved by such plat; or on easements for such purpose acquired by grant from owners of the property traversed.

**SECTION 25: PHOTOCOPY DEPICTION OF SERVICE LINES**

At the time of installation, the location of all electric service lines shall be depicted and identified on a photocopy of a plat of the portion of the Village in which the service line is installed, and a copy thereof shall be maintained by the Village Electric Department for future reference by the Electric Department, the Water Department, and any other utility company or private owner who may wish to refer thereto for reasons of safety and to avoid the nuisance and costs of interfering with an existing electric line in place when excavating for other purposes.

**SECTION 26: LIABILITY OF THE VILLAGE AND MAINTENANCE RESPONSIBILITIES**

The Village is the owner of all electric lines and equipment from the Village substation through and including the customer electric meters. The Village's liability and responsibility for maintenance of the system ends at the customer's meter.

**SECTION 27: LOCATION OF UNDERGROUND CABLES**

Before performing any digging or excavation work in any are of the Village where there are underground cables, residents of the Village shall contact the Electric Department and the Electric Department shall, within one working day of such contact, come to the premises where the digging or excavation is to take place, and shall located any underground cables for the resident free of charge. Any person who damages an underground cable through digging or excavation and has not complied with this section shall be liable to the Village for the cost of any repairs which the Village has to make to its underground cables.

**SECTION 28: OTHER REQUIREMENTS FOR CUSTOMER CONNECTIONS**

a. Customers of the Village electric system shall be responsible for installing any necessary protective equipment to protect the Village electric system from interference and damage by customer equipment.

b. No customer shall cause harmonics of 60 cycles per second to be applied to the Village's electric system which could adversely effect the Village's system or the equipment of other customers. The arithmetic sum of the harmonics of 60 cycles per second in the voltage and current wave forms must be less than 10%, with no single harmonic in excess of 5%.

c. No customer shall install equipment for the generation of electric power which can be operated in parallel with the Village electric system without prior express written approval of the Village Administrator. The Village may elect to have all plans, specifications, etc., for all such generation and connecting devices submitted to a qualified expert for review prior to installation thereof. All costs for such review shall be billed to the customer.

d. When a customer desires to install or use stand-by generating facilities for the purpose of supplying customer's energy requirements in the event of interruption of the Village's normal supply, a written service agreement shall be entered into before such facilities are installed or used. To prevent parallel operation of customer's stand-by generating facilities with the Village's service, back feed to the Village's distribution system and damages to the customer's facilities, the customer shall be required to install a non-fused, double throw switch, or when approved by the Village, non-fused double throw switches, acceptable to the Village, for transferring the customer's load from the Village's normal source of supply to the customer's stand-by generation.

e. All grounding conductors for service shall be installed, owned and maintained by the customer. All meter boxes and enclosures shall be permanently grounded in accordance with the latest addition of the village Electrical Code. Temporary services shall be grounded by a grounding rod of 10 feet in length driven two feet below the surface.

**SECTION 29: REPEALER: EFFECTIVE DATE**

This Ordinance supersedes all previous ordinances on the same subject matter, including but not limited to, Ordinance No. 91-30, which is hereby repealed, and Ordinance Nos. 80-33 and 80-34, which are hereby repealed insofar as they pertained to the electric department. This Ordinance shall become effective upon its passage and publication as provided by law. The clerk shall forthwith publish this Ordinance in pamphlet form.


**SECTION 30: PENALTY**

Any person violating this Ordinance shall upon conviction thereof be subject to a fine of not less than \$50 no more than \$500. Each day a violation of this Ordinance continues shall be deemed a separate offense.

PASSED this 28th day of March, 1995.

  
\_\_\_\_\_  
VILLAGE PRESIDENT

ATTEST:

  
\_\_\_\_\_  
Village Clerk

AYES: 6  
NAYS: 0  
  
PASSED: 03-28-95  
APPROVED: 03-28-95  
  
ABSENT: 0

**SCHEDULE A  
REGULATIONS  
OF THE  
ELECTRIC DEPARTMENT OF THE VILLAGE OF  
CHATHAM, ILLINOIS, PERTAINING TO ELECTRIC  
SYSTEM REBATES FOR NEW RESIDENTIAL SUBDIVISIONS**

Date of Regulations: August 28, 1990

The following regulations shall govern the construction of electric systems and availability of rebates to developers for construction costs in connection with new residential subdivisions in the Village of Chatham, Illinois.

**SECTION 1: DEFINITIONS**

As used herein, "New Residential Subdivision" refers to a subdivision, at least 80% of the land of which is zoned residential, the final plat for which is accepted by the Village on or after August 1, 1990.

As used herein, "Developer" refers to persons, firms or corporations which own the land in a New Residential Subdivision at the time of its final plating.

As used herein, "Electric System Bond Ordinance" refers to "An Ordinance Authorizing and Providing for the Issuing of \$1,100,000 Electric System Revenue Bonds for the Village of Chatham, Sangamon County, Illinois, for the Purpose of Defraying the Cost of Purchasing an existing Electric Substation Site from Central Illinois Light Company and for the Improvement of that Substation Facility in the Village of Chatham, Illinois", Ordinance No. 86-9.

As used herein, "Bond Contractual Arrangements" refers to any contracts or undertakings of the Village in connection with any bond ordinance or bond issue of the Village.

As used herein "Village" refers to the Village of Chatham, Illinois.



SECTION 2: Electric systems for all New Residential Subdivisions shall be constructed by the Village of Chatham as set forth in these regulations, and Developers shall be eligible for partial rebates of the electric system costs for such subdivisions, only by complying with these regulations.

SECTION 3: The Developer shall pay, within 10 days of acceptance of the final plat of a New Residential Subdivision or such other time as may be agreed in writing by Developer and the Village Board, the sum of \$1,800.00 per platted lot. This sum is an estimated per lot costs of developing an electric system as of the date of adoption of these regulations. This sum shall be adjusted from time to time by the Village Administrator to reflect the actual cost of constructing the improvements. If the actual cost of constructing the improvements is greater than \$1,800.00 per lot, the Developer shall make a supplemental deposit of the difference. If the actual cost is less than \$1,800.00 per lot, the Village shall refund the difference. Refunds or supplemental deposits shall be made within 15 days of the Village Administrator's cost determination. Actual cost shall be computed using the actual cost of materials, engineering fees, easements, and labor (including fringe benefits and payroll taxes), plus the fair market value of the use of Village equipment, plus the actual cost of any subcontracts, plus any other out-of-pocket expenses, plus a reasonable amount (at least 15% but not more than 35%) for overhead and administration.

SECTION 4: Funds paid by Developer pursuant to Section 2 shall be deposited by the Village in a sub-account in the Village Electric Fund.

SECTION 5: By accepting the deposit of the Developer, the Village thereby agrees to build the electric system, both the street lighting system and the residential electric system, up to and including the meters. All costs of construction shall be paid by the electric fund from the sub-account set forth in Section 4. The Village shall have full discretion in the design of the system and computation of costs. The Village may use subcontractors at its sole discretion.

SECTION 6: After construction of the electric system for a New Residential Subdivision by the Village, the Developer shall be entitled to to a rebate of 50% of its deposit, up to \$900.00 per lot, as follows:

a. Semi-annually, the Developer may apply for a rebate on a form to be provided by the Village. Developer shall list the lots of the New Residential Subdivision for which a rebate is requested.

b. The Developer is eligible for a rebate as to a given lot only when the lot is sold and a customer relationship is established with a new resident (not the contractor).

c. The Village is liable to pay the rebate only if there are funds available in the sub-account set forth in Section 4 or elsewhere in the electric fund over and above any reserves required by bond covenants and funds required, in the sole judgment of the Village, for prudent management.

d. Rebates shall be made semi-annually. If more than one Developer applies for a rebate and there are limited funds available for rebating, rebates shall be prorated among Developers.

e. If no rebate is made to a Developer do to insufficient funds, rebate eligibility for the lots for which the Developer has applied shall carry over to the next semi-annual rebate.

f. The Village is not liable to account for or pay interest to the Developer on deposited funds.

g. The developer has five years from the date of deposit to apply for a rebate, after which the deposit loses its eligibility for rebating.

SECTION 7: These regulations pertaining to electric rebates are subject in all respects to the terms and conditions of outstanding Village ordinances pertaining to electric system bonds, including but not limited to the Electric System Bond Ordinance. These regulations are also subject to the terms and conditions of Bond Contractual Arrangements. Developers' eligibility to receive rebates are subordinate to all payments and reserves required to be made or kept pursuant to the Bond Ordinance. In the event a bondholder or other interested party challenges the electric rebate regulations as contrary to the Bond Ordinance or other Bond Contractual Arrangements, the Village may suspend the rebate program entirely pending resolution of the dispute, and Developers' eligibility for rebates in such event may be voided or modified in the sole discretion of the Village.

SECTION 8: No Developer shall have any vested right to any rebate. These regulations may be changed or abolished in the sole discretion of the corporate authorities of the Village of Chatham, and in such event, the Village of Chatham may retain all funds on deposit with the Village.

**SCHEDULE B**  
**TO ORDINANCE 95-16**  
**ELECTRIC RATES**

Effective July 1, 1991

There shall be and there are hereby established rates and charges for the use and service of electric for light and power based upon electricity consumed as recorded by electric meters based upon the type of premises served as follows:

**A. STANDARD RESIDENTIAL SERVICE RATE**

1. Rate: \$0.065 Net Per KWH
2. Customer Charge: \$5.00 per month
3. Fuel Adjustment: As per Section 13 of Ordinance 91-30
4. Application: All residential customers for single-phase service taken through a single meter for domestic use.

**B. SENIOR CITIZEN RESIDENTIAL AND VILLAGE PARK SERVICE RATE**

1. Rate: \$0.058 Net per KWH
2. Customer Charge: \$5.00 per month
3. Fuel Adjustment: As per Section 13 of Ordinance 91-30
4. Application:
  - a. Village Park Electric use;
  - b. Retired persons having attained the age of sixty-two (62) years where there is no one residing in the residence for which electric service is provided who is employed. Written application for this favorable rate must be made and the Village Administrator may from time to time require reapplication.

**C. GENERAL SERVICE - COMMERCIAL**

1. Rate: Commercial users with demand meters.

a. Demand Charge:  
Winter (November-March)  
\$3.289/kw demand  
Summer (April-October)  
\$3.939/kw demand

b. Energy Charge:  
Winter (November-March)  
\$0.0709/kwh  
Summer (April-March)  
\$0.0741/kwh

2. Rate: Commercial users without demand meters

a. Winter (November-March) \$0.0886 Net per KWH  
Summer (April-March) \$0.0928 Net per KWH

3. Fuel Adjustment: As per Section 13 of Ordinance 91-30

4. Customer Charge: \$6.00 per month

5. Determination of Demand: The highest average kilowatt demand measured in any 15 minute period during the month.

6. Application: Commercial, institutional, and non-residential or for three-phase, residential, non-residential, institutional, and commercial use taken through a single meter at the utility standard secondary voltage.

7. Nature of Service: Service will be delivered at no more than one utilization voltage, one point of delivery, and one meter; any exception to the foregoing will be treated as supplemental facilities. Alternating current, 60 cycle, single phase, 120/140 nominal volts; Alternating current, 60 cycle, three phase, 120/140 nominal volts;

When available and at the customer's request, the utility will supply the following for combined light and power: Alternating current, 60 cycle, three phase, 120/208 nominal volts.

#### D. INDUSTRIAL SERVICE

1. Rate:

a. Demand Charge:  
Winter (November-March)

\$4.602/kw demand  
Summer (April-October)  
\$5.252/kw demand

- b. Energy Charge:
  - Winter (November-March)  
\$0.0577/kwh
  - Summer (April-October)  
\$0.0642/kwh

2. Customer Charge: \$100.00 per month

3. Fuel Adjustment: As per Section 13 of Ordinance  
No. 91-30

4. Determination of Demand:

- a. The Chatham Electric Department at its option, may determine the customer's actual demand, either by permanently installed demand instruments or by demand tests. The demand will be the highest average kilowatt demand measured in any 15 minute period during the month.

- b. The minimum demand shall be seventy (70) kw

5. Application: Commercial, industrial or manufacturing  
facility

6. Nature of Services: Service will be delivered at no more than one utilization voltage, one point of delivery, and one meter; any exception to the foregoing will be treated as supplemental facilities.

Alternating current, 60 cycle, single phase, 120/240 nominal volts;  
Alternating current, 60 cycle, three phase, 120/240 nominal volts; When available at the customer's request, the utility will supply the following for combined light and power: Alternating current, 60 cycle, three phase, 120/208 nominal volts.

## SCHEDULE C

### TO ORDINANCE 95-16

#### ELECTRIC SYSTEM REGULATIONS PERTAINING TO DELINQUENT ACCOUNTS, DISCONTINUANCE OF SERVICES, LIENS AND RESUMPTION OF SERVICE

##### 1. DELINQUENT CHARGES; DISCONTINUED SERVICE

A. If any charges for electric service or penalties remain unpaid for 30 days after the billing date, such charges shall be deemed delinquent. The Village may then disconnect and discontinue to supply the electric service to the customer.

B. Upon determination that any customer's service is to be disconnected, the Village shall cause to be sent to the customer, owner or any other person required by law to receive notice, at the address at which the service is provided, notice that the electric service shall be terminated no sooner than eight days after the mailing of that notice. When the user is a person other than the owner of the premises at which service is provided, a copy of the notice shall also be sent to the owner at his address shown on an application for service, or at the owner's last address then known to the Village of Chatham.

1. The notice shall advise the customer:

(a) Of the dollar amount owed and penalty therefor;

(b) That the charges are delinquent and that receipt of payment of the charges by the Village on or before the date upon which service may be disconnected will prevent the disconnection;

(c) That the Village personnel are available at certain hours and places to be stated on the notice to discuss the matter prior to the date for disconnection and that the customer may request a hearing prior to the disconnection date with the Village Administrator;

(d) That upon disconnection, service will not be reconnected until all delinquent charges and disconnection charges are paid in full; and

(e) That prior to reconnection, the customer shall be required to make a new application for service, pay a deposit therefor, and pay a reconnect service charge.

2. The notice shall be given in substantially the following form:

VILLAGE OF CHATHAM  
SANGAMON COUNTY, ILLINOIS

NOTICE OF DELINQUENCY  
UTILITY SERVICE TERMINATION

TO: [CUSTOMER]

You are hereby notified that because of delinquency in payment for utility services to the Village of Chatham, the electric service provided at [address], Chatham, Illinois, will be terminated and disconnected on \_\_\_\_\_ or thereafter (the "Disconnection Date").

1. The amount now due is \$ \_\_\_\_\_ and penalty of \$ \_\_\_\_\_, total \$ \_\_\_\_\_.
2. These charges are delinquent and receipt of payment by the Village on or before the Disconnection Date will prevent such disconnection.
3. Village personnel are available at the Municipal Building, 117 Mulberry, Chatham, Illinois, between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, except holidays, to discuss the matter prior to disconnection of utility service. If the matter is not resolved you are entitled to a hearing before the Village.
4. Upon disconnection, service will not be reconnected until all delinquent charges are paid in full.
5. Upon reconnection, the customer shall be required to make a new application for service, pay a deposit therefor, and pay a reconnect service charge.

VILLAGE OF CHATHAM

By: \_\_\_\_\_

C. Unless the disconnection or termination is completed within 21 days of the date the notice was mailed, no disconnection or termination may be made without issuance of a new notice of termination in the manner provided in (B) above.

2. TERMINATION OF RESIDENTIAL SERVICE IN COLD WEATHER.

No electric service furnished to residential users shall be terminated for nonpayment of bills on (i) any day when the National Weather Service forecast for the following 24 hours covering the area in which the residence is located includes a forecast that the temperature will



be 20 degrees Fahrenheit or below; or (ii) any day preceding a holiday or a weekend when such a forecast indicates that the temperature will be 20 degrees Fahrenheit or below during the holiday or weekend.

3. **TERMINATION INVOLVING MASTER METERED APARTMENT BUILDINGS.**

In the event of termination of service to apartment building having three or more residential apartments with a master meter, the Village shall, in addition to the notice to the landlord, notify all tenants of the building of the proposed termination of utility service. This notice shall contain the following information: (1) the specific date, no sooner than 10 days after the notice is rendered, that utility service is subject to termination; (2) a statement of the tenant's statutory right either (A) to pay the utility company from the rent due on the rental agreement or (B) to petition the court for appointment of a receiver to collect the rents due for use and occupancy of the building and remit a portion to the utility company for payment of utility bills; (3) the dollar amount of the utility bills due and owing on the date such notice is given and the average monthly utility bill; and (4) the name and telephone number of any legal services agency within the utility company's service area where the tenants may obtain free legal assistance. The notice provided to the tenants of the building shall be of a conspicuous size, on red paper, and in at least 14 point bold face type, except that the words "notice of (utility service) termination" shall be in 36 point bold face type if the notice is posted, and shall state:

It is unlawful for the landlord or his or her agent to alter, deface, tamper with or remove this notice. A landlord or his or her agent who violates this provision is guilty of a Class C misdemeanor.

The foregoing requirements are in accordance with the Rental Property Utility Service Act, 765 ILCS 735/0.001, *et seq.*

4. **RECONNECTION.**

When utility service has been disconnected under the provisions of this or any other ordinance, the service may not be reconnected until all prior charges of that customer or account have been paid; an application for service is made requesting the service as provided by ordinance, and any deposit required has been paid; and a \$25.00 service charge for the reconnection has been paid, or if the reconnection is made after normal working hours or on a weekend, a \$50.00 service charge has been paid.

5. **DISPUTE RESOLUTION PROCEDURE**

(A) Village billing personnel shall at all reasonable times be available to receive and consider disputes of any customer, applicant, or user relative to an account for utility service. The customer, applicant, or user shall be advised of the customer's right to have a hearing conducted by the Village Administrator. The person having a dispute or claim must request the

hearing in writing, directed to the Village Administrator. The Village shall not disconnect the service of any person for non-payment during the pendency of the dispute if:

1. Written notice is given to the Village Administrator as herein provided;
2. Payment of all undisputed portions of the bill is made;
3. All charges made during the pendency of the dispute are paid as due; and
4. The person making the complaint or dispute enters into a bona fide effort to resolve the disputed matter with all due dispatch.

B. Notice of a dispute shall be made in writing and contain the name, address, and telephone number of the person making the complaint or disputing a charge; the address at which utility service is received which is the subject of the complaint or dispute; the specific grounds or reasons for which the charges billed are disputed; and the specific relief requested.

C. Upon filing of the notice, the Village Administrator shall schedule a hearing with the customer; if the customer has been sent a notice of delinquency, the hearing shall be scheduled on or before the disconnection date specified in the notice of delinquency. The Village Administrator's decision with respect to the dispute shall be final. In the event the Village Administrator is unavailable, any trustee having a membership on the committee of the Village Board with jurisdiction over the Electric Department may conduct the hearing.

6. LIEN.

A. Any charges for electric service that are delinquent shall constitute a lien upon the premises served. The Village Clerk shall file with the County Recorder of Deeds a statement of lien claim. This statement shall contain a legal description of the premises served, the amount of the unpaid bill, and a notice that the Village claims a lien for this amount as well as for all charges subsequent to the period covered by the bill. A copy of the statement of lien claim shall at the same time be mailed to the customer, and if the Village Clerk has notice that the customer is not the owner of the premises served, a copy of the statement of lien claim shall be mailed to the owner of the premises if the owner's address is then known to the Treasurer. The failure of the Village Clerk to record the lien claim or to mail the notice, or the failure of the owner to receive the notice shall not affect the right to foreclose the lien for unpaid bills.

B. Property subject to a lien for unpaid charges shall be liable to be sold for nonpayment of the same, and the proceeds of the sale shall be applied to pay the charges, after deducting costs therefor. The foreclosure shall be by action brought in the name of the Village in the same manner and with the same effect as in the foreclosure of mortgages on real estate.

**7. DISHONOR OF CHECK.**

A. Whenever a check payable to the Village is tendered to the Village for payment of electricity charges and is dishonored by a financial institution upon which it is drawn because of insufficient funds in the account against which it was drawn, or any other lawful reason, a processing charge of \$10 shall be imposed by the Village and added to the delinquent account, and thereon be due and payable as any other delinquency.

B. Whenever the processing charge has been imposed by the Village, thereafter all payments of the delinquent account, including the processing charge, and all subsequent electric bills attributable to the account shall be paid to the Village only in cash.

C. Notwithstanding the provisions of division (B) above, a customer of village utilities upon whose account a processing charge has been imposed may re-establish the privilege of paying for utilities by check only upon prior application to and approval of the Village Administrator. Approval shall be given only upon demonstration of reasonable future credit ability approved by the Village Administrator.

**ORDINANCE CERTIFICATE**

STATE OF ILLINOIS                    )  
  ) SS.  
COUNTY OF SANGAMON            )

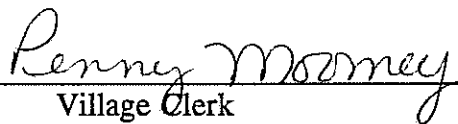
I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Chatham, Sangamon County, Illinois.

I do further certify that the ordinance attached hereto is a full, true, and exact copy of Ordinance No. 95-16, adopted by the President and Board of Trustees of said Village on the 28th day of March, 1995, said Ordinance being entitled:

**AN ORDINANCE REGULATING THE PROVISION OF ELECTRIC SERVICE IN THE VILLAGE OF CHATHAM AND GOVERNING THE OPERATIONS OF THE ELECTRIC DEPARTMENT**

I do further certify that prior to the making of this certificate, the said Ordinance was spread at length upon the permanent records of said Village, where it now appears and remains.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Village this 28th day of March, 1995.

  
\_\_\_\_\_  
Village Clerk

STATE OF ILLINOIS                    )  
  ) ss.  
COUNTY OF SANGAMON                )

**CERTIFICATE**

I, Penny Moomey, certify that I am the duly elected and acting Village Clerk of the Village of Chatham, Sangamon County, Illinois.

I further certify that on March 28, 1995, the corporate authorities of such Village passed and approved Ordinance No. 95-16, entitled:

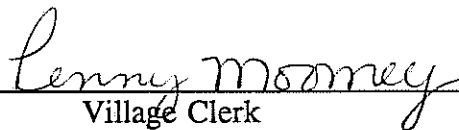
**AN ORDINANCE REGULATING THE PROVISION OF ELECTRIC SERVICE  
IN THE VILLAGE OF CHATHAM AND GOVERNING THE OPERATIONS  
OF THE ELECTRIC DEPARTMENT**

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 95-16, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the Village Hall, commencing on March 28, 1995, to continue for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Village Clerk

DATED at Chatham, Illinois, this 28th day of March, 1995.

(SEAL)

  
\_\_\_\_\_  
Village Clerk