

SANGAMON COUNTY, ILLINOIS

ORDINANCE
NUMBER 15- *28*

**AN ORDINANCE AMENDING THE PROCESS BY WHICH THE WATER RATES
AND CHARGES ARE ESTABLISHED AS SET FORTH IN THE
VILLAGE OF CHATHAM CODE OF ORDINANCES**

THOMAS S. GRAY, Village President
PAT SCHAD, Village Clerk

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MARK CLAYTON
DAVID KIMSEY
NINA LINDHORST
MATT MAU
JOE SCHATTEMAN
Village Trustees

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Sorling Northrup – 1 N. Old State Capitol Plaza, Suite 200, Springfield, IL 62705

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**AN ORDINANCE AMENDING THE PROCESS BY WHICH THE WATER RATES
AND CHARGES ARE ESTABLISHED AS SET FORTH IN THE
VILLAGE OF CHATHAM CODE OF ORDINANCES**

WHEREAS, the Village of Chatham (“Village”) is an Illinois Municipal Corporation existing and operating under the Illinois Municipal Code and the laws of the State of Illinois; and

WHEREAS, for water service, the Village has adopted a minimum rate, basic usage rate per 1,000 gallons of water used, a facility charge, and a bulk water charge; and

WHEREAS, the President and Board of Trustees of the Village have determined it to be in the best interest of the Village to adjust water rates by annual resolution; and,

WHEREAS, the Village wishes to use identified penalty funds collected under this provision to create and fund a Water and Sewer Rate Stabilization Account; and,

WHEREAS, the President and Board of Trustees of the Village believe it is just and proper to provide prior notice to the public of all rate changes.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Chatham, Sangamon County, Illinois, as follows:

Section 1. Recitals. The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

Section 2. Amendments to 51.017 of the Code of Ordinances of the Village of Chatham. Title V, Chapter 51, Section 51.017 is hereby amended to state as follows:

51.018 TAP REGULATION; FEE.

(A) For customers located within the corporate limits, a three-quarter-inch tap shall be ~~\$750~~ \$850 and a one-inch tap shall be ~~\$875~~ \$975 for each connection made to the village water distribution system. For extraterritorial customers the tap fee shall be \$1,000 for either a three-quarter-inch or a one-inch tap. For taps other than three-quarter-inch or one-inch, the fee shall be based on the current cost of material and labor.

(B) Water tap fees shall be paid at the time of application for a building permit, except in the case of a new service to an existing building, in which case fee shall be paid upon application for water service.

(C) If an application for building permit or water service is denied, the fee shall be refunded.

Section 3. Amendments to 51.018 of the Code of Ordinances of the Village of Chatham. Title V, Chapter 51, Section 51.018 is hereby deleted in its entirety and amended to state as follows:

51.018 RATES AND CHARGES.

- A. Authority is hereby vested in the Village Board of Trustees to set and adjust established rates and charges for the use and service of water supplied through the waterworks system of the Village, payable monthly within 15 days after the rendition of each bill.
- B. The rates may be adjusted annually based on the South Sangamon Water Commission rate changes.
- (C) The rates may be posted and made available for public inspection both at Village Hall and on the Village website.
- (D) Before any rate change goes into effect, the Village will give notice by posting the upcoming rate change on the consumer's bill at least thirty days prior to implementation of the rate change. The proposed rate changes will also be posted next to the current rates that are posted at Village Hall and on the Village website at least thirty days prior to implementation of the rate change.
- (E) All rate changes must be approved by the Village Board of Trustees and a resolution outlining the new rates must be passed prior to raising or lowering the current rates.
- (F) Identified funds collected for penalties shall be deposited into a separate account designated as the Water and Sewer Rate Stabilization Account. Such monies shall be maintained in said account and its use shall be in the Village Board's discretion. Notwithstanding the foregoing, the deposit of funds into the Rate Stabilization Account is not intended to restrict, in any manner, the use of said funds.

(G) A separate charge shall be made for each apartment, place of business or dwelling unit in all buildings containing two or more apartments, places of business, or family units. A minimum Facility Charge shall be applied to all water connections.

(H) In addition to the foregoing, the Village Board shall set and adjust the rate to be charged to the Fire Protection District per year for each fire hydrant connected to the waterworks system for fire protection.

Section 4. Amendments to 51.020 of the Code of Ordinances of the Village of Chatham. Title V, Chapter 51, Section 52.020 is amended to state as follows:

51.020. LIABILITY FOR CHARGES

(A) The owner of any lot, building, premises and the occupant thereof and the customer of said waterworks system shall be jointly and severally liable to pay for such water service on said premises and the water services shall be furnished to the premises by the Village only upon the condition that the owner of the premises, occupant and customer of the water service are jointly and severally liable therefor to the Village.

(B) In the event an account has been established by a person other than the owner of the property and has been disconnected due to delinquency, the Village may require that said account be transferred into the name of the owner of the property as a condition of continued service.

Section 5. Repeal and Savings Clause. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, action, or causes of action which shall have accrued to the Village of Chatham prior to the effective date of this Ordinance.

Section 6. Severability. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

Section 7. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

SO ORDAINED this 23 day of JUNE, 2015, at Chatham, Sangamon County, Illinois.

	YES	NO	ABSENT	PRESENT
KEN BOYLE, JR.			✓	
MARK CLAYTON	✓			
DAVID KIMSEY	✓			
NINA LINDHORST	✓			
MATT MAU	✓			
JOE SCHATTEMAN	✓			
THOMAS S. GRAY	NA			
TOTAL	5		1	


 Pat Schad, Village Clerk

APPROVED by the President of the Village of Chatham, Illinois this 23 day of JUNE, 2015.


 Thomas S. Gray, Village President

Attest:


 Pat Schad, Village Clerk