

SANGAMON COUNTY, ILLINOIS

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ORDINANCE  
NUMBER 23-29

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**AN ORDINANCE WAIVING NOTICE REQUIREMENT IN THE WHOLESALE  
WATER AGREEMENT IN ORDINANCE NO. 10-13**

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DAVE KIMSEY, Village President  
DAN HOLDEN, Village Clerk

KRISTEN CHIARO  
MEREDITH FERGUSON  
JOHN FLETCHER  
BRETT GERGER  
TIM NICE  
CARL TRY  
Village Trustees

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Published in pamphlet form by authority of the President and Board of Trustees of the Village of Chatham  
on August 22, 2023

Sorling Northrup – 1 N. Old State Capitol Plaza, Suite 200, Springfield, IL 62701



**ORDINANCE NO. 23-29**

**AN ORDINANCE WAIVING NOTICE REQUIREMENT IN THE WHOLESALE WATER AGREEMENT IN ORDINANCE NO. 10-13**

**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**, in accordance with 65 ILCS 5/11-135-1 *et seq.* (Illinois Intergovernmental Cooperation Act) the Village approved Ordinance No. 10-13, AN ORDINANCE APPROVING A WHOLESALE WATER AGREEMENT on or about March 23, 2010; and

**WHEREAS**, Section 5 of the Wholesale Water Agreement provides that the South Sangamon Water Commission (“Commission”) shall give the Village at least 60 days prior notice of any rate adjustment; and

**WHEREAS**, the Board of Trustees of the Village believe it is in the best interest of the Village to waive the notice requirement for the rate adjustment in calendar year 2023.

**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.** Waiver of Notice. The Village hereby waives the 60 days prior notice provision in Section 5 of the Wholesale Water Agreement approved in Ordinance No. 10-13 for the Commission’s rate adjustment in calendar year 2023. The Village authorizes the Village Manager and/or Village President, or designee of either, to execute any documents necessary to accomplish the waiver contemplated herein.

**Section 3.** Severability. In the event a court of competent jurisdiction finds this ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the



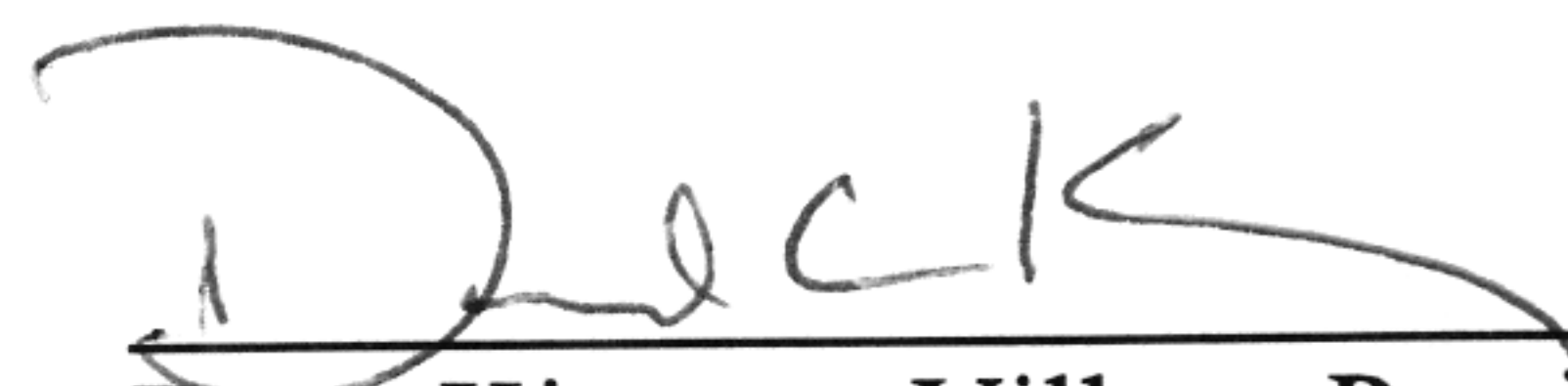
validity of the remaining provisions of this ordinance and the application thereof to the greatest extent permitted by law.

**Section 4. 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, actions, or causes of action which shall have accrued to the Village of Chatham prior to the effective date of this ordinance.

**Section 5. 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.

	AYE	NAY	ABSTAIN	ABSENT
KRISTEN CHIARO	✓			
MEREDITH FERGUSON	✓			
JOHN FLETCHER	✓			
BRETT GERGER	✓			
TIM NICE	✓			
CARL TRY				✓
DAVE KIMSEY				
TOTAL				

**APPROVED** by the President of the Village of Chatham, Illinois this 22<sup>nd</sup> day of August, 2023.

  
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 Dave Kimsey, Village President

Attest:

  
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 Dan Holden, Village Clerk