

AN ORDINANCE ESTABLISHING ELIGIBILITY AND INITIAL SERVICE REGULATIONS FOR FUTURE RETAIL CUSTOMERS OF THE SOUTH SANGAMON WATER COMMISSION

WHEREAS, the South Sangamon Water Commission has the responsibility to provide water to customers in unincorporated areas of Sangamon County within a reasonable distance from its mains where it is technically and financially feasible;

WHEREAS, in advance of the construction of its mains, the Commission desires to have policies in place to guide planning for residents in such areas;

NOW, THEREFORE, BE IT ORDAINED BY THE SOUTH SANGAMON WATER COMMISSION, AS FOLLOWS:

SECTION 1: Eligibility for Water Service

Subject to the provisions of this Ordinance, after construction and acceptance of the finished water mains of the Commission, any resident of or premises in unincorporated Sangamon County, Illinois within a distance of 250 feet from the Commission's finished water mains shall be eligible to apply for and receive water service from the Commission except where:

- a. another unit of government (such as the Curran-Gardner Water District or the City of Springfield) has superior rights to serve the proposed service location;
- b. one of the member municipalities of the Commission or nonmember municipality served by the Commission has elected to serve the customer pursuant to a wholesale water contract with the Commission; or
- c. service is technically or financially infeasible or would unreasonably and adversely affect service to other customers.

SECTION 2: New Service Taps and Water Main Extensions

A. The Commission shall develop and publish policies, procedures and technical standards for new service taps, service lines and water main extensions. The Commission shall from time to time, by Ordinance, fix charges for new service taps and water main extensions.

B. No tap shall be allowed where the service line traverses land not owned by the applicant.

C. A group of new customers may apply for a main extension to be built at their sole cost, and water service taps to the main extension. All mains shall be located within a public roadway right-of-way or within a private easement. No tap to the main extension shall be allowed where the service line traverses land not owned by the applicant.

D. The Commission may waive some or all of a tap fee in its discretion as consideration for an easement, and may furnish the landowner with a certificate entitling the landowner to a free tap at a later date.

SECTION 3: Water Rates and Charges

The Commission will fix, by Ordinance, water rates and charges from time to time for its retail customers in its sole discretion.

SECTION 4: Terms and Conditions of Service

The following rules and regulations shall govern the Commission=s future provision of water to its customers.

A. Application for Taps and Service Connections to Waterworks System. An applicant desiring a water tap or service connection with the water system of the Commission

shall file a written application at the Commission Offices, on a form prescribed by the Commission, signed by the owner of the property for which the tap or service connection is desired, or by the duly authorized agent of such owner. The application shall be accompanied by payment of the tap fee prescribed by the Commission. In the event the application is made by an agent for the owner, then the application shall also be accompanied by the written authority of the owner to the agent for the making of the application.

B. All Service to Be by Meter. All water service shall be metered. All meters shall be placed and installed in as prescribed by the Commission, and shall be accessible at all times for reading and maintenance, and protected from freezing. Meters outside of a building shall be set in a suitable meter box approved by the Commission. Water will not be turned on for new connections until the meter has been installed and all other requirements of this Ordinance have been fully complied with. The customer will own and maintain all service lines downstream of the meter; the Commission will own and maintain the meter and the water system upstream of the meter.

C. Access to Premises. The Commission shall have access to all portions of the premises of the customer at any reasonable time for inspection of the use of water, and the customer's pipe, fixtures, plumbing, and any other apparatus connected to the water system of the Commission. The Commission may require any repair, change, removal or improvement of any pipe, fixture, plumbing or other apparatus that would, in the opinion of the Commission in its sole discretion, adversely affect the water supply or system of the Commission or the supply or fixtures of other customers.

D. Meters to be Open to Inspection. All water meters and water fixtures, connections and appurtenances on private property connected with the water system of the Commission shall be open to the inspection of the proper officers and employees of the Commission, at all reasonable hours.

E. Damage to Commission Equipment. Whenever a meter or other equipment belonging to the Commission is found to have been damaged by any cause within the control of the customer, the customer shall pay the Commission for the actual cost of the removal, repairing, and replacing of the damaged meter or equipment. The Commission may estimate and adjust previous water bills if it appears that underreadings were caused by some factor within the control of the customer.

F. Resale Forbidden. No water shall be resold or distributed by the recipient or customer thereof from the Commission supply to any premises other than that for which application has been made and the meter installed, without written permission of the Commission.

G. Dangerous Usage. The Commission shall have the right to refuse water service or to discontinue water service without notice at any time to any customer if the Commission finds any apparatus or appliance, the operation of which will be detrimental to the water system of the Commission, or to any or all of its other customers. .

H. Electric Ground Wires. No person shall attach any electric ground wire to any plumbing or water piping which is or may be connected to any water service pipe, water meter, or water main belonging to the Commission. The owner of the premises responsible and liable

for any damage to the property or injury to the employees of the Commission caused by such ground wire. All owners and customers shall remove any existing ground wires immediately upon written notice from the Commission.

I. Shortage and Purity of Supply. The Commission shall not be responsible for or in any manner liable to any customer or any other person, for any claim or damage, arising in whole or in part because of any shortage of water supply, any shutoff of water for any reason, any bursting or leakage of either the customer's or Commission's mains, pipes and fixtures, any pollution or impurity in water supply, or any fire or water damage.

J. Lawn Watering and Other Curtailments. The Commission reserves the right in its sole discretion to forbid its customers to water lawns and gardens, or to wash vehicles and equipment, or to engage in any other use of water, whenever in the opinion of the Commission, it is appropriate to do so due to a shortage or any other situation. The Commission may in its sole discretion curtail the use of water by any customer or group of customers whenever in the opinion of the Commission, it is appropriate to do so due to a shortage or any other situation.

K. Non-compliance with Rules. If any customer violates any of the rules and regulations in this Ordinance, the Commission may order the customer to remedy the violation, and if the customer fails to do so, the Commission may discontinue service on five day=s written notice.

L. Fire Hydrants. All hydrants on Commission mains shall be owned, maintained, and used only by the Commission and by duly authorized public service agencies. Use of water from fire hydrants by contractors and others shall be only upon specific permission by the

Commission in each instance; the amount of water taken will be metered or estimated and paid for. The Commission shall not be held liable and will not assume any responsibility for the condition of any fire hydrant, or the pressure or amount of water obtainable therefrom, or any damages, because of the condition, pressure, or amount of water available from any fire hydrant.

M. No Free Service. No free service shall be furnished to any person or corporation, public or private, and all rates and charges shall be non-discriminatory, provided that the Commission reserves the right to impose special rates and charges in cases where particular circumstances render the regular rates inadequate or unjust.

N. Meter Testing and Calibration All water meter readings are deemed true and accurate, and the Commission will neither refund money to a customer, nor charge a customer extra, in the event a meter is found to be inaccurate from normal wear and tear.

O. The foregoing regulations are subject to change at any time in the Commission's sole discretion.

P. All service is subject to the Commission's anti-backsiphonage regulations adopted by separate ordinance.

SECTION 5: Effective Date; Publication


This Ordinance is effective immediately upon passage and approval.

Adopted this 20th day of July, 2010



COMMISSION CHAIRMAN

ATTEST:


Clerk

AYES: Hall, McCord, Pjetter

NAYS: none

PASSED: 7/20/10

APPROVED: 7/20/10

ABSENT: none

ORDINANCE CERTIFICATE

STATE OF ILLINOIS)
) SS.
COUNTY OF MACOUPIN)

I, the undersigned, do hereby certify that I am the duly qualified and acting Clerk of the South Sangamon Water Commission, Sangamon County, Illinois.

I do further certify that the ordinance attached hereto is a full, true, and exact copy of Ordinance No. 10-23 adopted by said Commission on the 20th day of

July, 2010, said Ordinance being entitled:

AN ORDINANCE ESTABLISHING ELIGIBILITY AND INITIAL SERVICE REGULATIONS FOR FUTURE RETAIL CUSTOMERS OF THE SOUTH SANGAMON WATER COMMISSION

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 Commission, where it now appears and remains.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Commission this 20th day of July, 2010.

Laura VanProyen
Deputy Clerk