

SOUTH SANGAMON WATER COMMISSION  
SANGAMON COUNTY, ILLINOIS

ORDINANCE NO. 12-10

**AN ORDINANCE ESTABLISHING BILLING, COLLECTION AND  
DISCONNECTION POLICIES AND PROCEDURES FOR RETAIL CUSTOMERS  
OF THE SOUTH SANGAMON WATER COMMISSION**

ADOPTED BY THE SOUTH SANGAMON WATER COMMISSION  
THIS 18<sup>th</sup> DAY OF December, 2012

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Published in pamphlet form by the authority of the South Sangamon Water Commission,  
Sangamon County, Illinois, this 18<sup>th</sup> day of December, 2012.

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POLICIES AND PROCEDURES FOR RETAIL CUSTOMERS OF THE  
SOUTH SANGAMON WATER COMMISSION**

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

**SECTION 1:           General**

The billing, collection and disconnection policies and procedures set forth in this Ordinance shall apply to sales of water to retail customers of the South Sangamon Water Commission.

**SECTION 2:           Liability For Water Services**

Water services are deemed to be furnished to the owner of the premises and to all adult occupants thereof and to all users of the services. All owners, occupants and users shall be jointly and severally liable for the payment of all charges for such services. Services are furnished to persons who do not own the premises served only upon the condition that all owners of the premises are jointly and severally liable for all water charges.

**SECTION 3:           Billing; Penalty for Late Payment.**

Bills for water services shall be sent to customers on or about the 5th day of each month. All bills shall be paid on or before the 30th day of each month. If payment is not received on or before the due date, the bill is considered late, and a penalty of 10 percent of the amount of the bill shall be added thereto.

**SECTION 4:           Delinquent Bills**

(A) A customer who has not paid the bill, together with any late penalty, in full by the 15th day of the month following the month in which the bill was originally sent, is considered

delinquent and will be sent a delinquency letter. A delinquent customer shall have until the close of business on the 14th day from the date of the delinquency notice to: (i) pay the bill in full; or (ii) resolve the matter in accordance with the dispute resolution procedure in Section 9. If the customer fails to meet one of these requirements by the deadline stated, a disconnection order will be issued by the Chairman of the Commission.

(B) At any time after a disconnection order is issued, unless the customer pays the amount stated in the delinquency notice in full, a Commission agent may be sent to the delinquent customer's location to take a final meter reading and to disconnect the service.

(C) No disconnection of water service shall occur for any residential customer for 30 days if a permanent resident of the household is certified to be seriously ill and where disconnection of services will aggravate the illness. Certification of illness will require a letter to the Commission which contains the following: the name of the sick person; a statement that the sick person is a resident of the premises in question; the name, business address and telephone number of the certifying party; the nature of the illness; the period of time during which termination of service will aggravate the illness.

**SECTION 5: Refusal of Service**

The Commission may refuse service to any applicant for services who is in arrears to the Commission for water services previously supplied at another address.

**SECTION 6. Reconnections**

Water services shall be reconnected after the customer has paid the bill in full, together with a delinquency deposit in accordance with Section 8, and a reconnection fee of \$75.00.

Reconnections will be performed only during normal working hours and only if sufficient personnel are available to perform the reconnection during normal working hours.

**SECTION 7: Delinquency Deposits**

A delinquent customer whose water service has been disconnected shall pay a deposit as a condition of reconnection, which is in lieu of the deposit required of new customers, in the amount of the monthly average of the previous 12 months of water service, (or as many months as available if less than 12 months are available), but not less than \$75.00.

**SECTION 8: Dispute Resolution Procedure.**

(A) Commission billing personnel shall be available at reasonable times 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 Commission Chairman or his designee. The person having a dispute which cannot be resolved by billing personnel must request the hearing in writing, directed to the Commission Business Office. The Commission shall not disconnect the service of any person for non-payment during the pendency of the dispute if:

1. Written notice if given to the Business Office 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 they become 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 disputing a charge; the address at which utility service is received which is the subject of the 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 Chairman or designee 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 Chairman's or designee's decision with respect to the dispute shall be final.

**SECTION 9: Dishonor of Check.**

Whenever a check payable to the Commission is tendered for payment of utility 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 \$25.00 shall be imposed by the Commission and added to the delinquent account.

**SECTION 10: Lien.**

The amount of any bill which is delinquent shall constitute a lien upon the real estate for which such services were rendered, and the Chairman and his designees are authorized and directed to file appropriate statements of liens in the offices of the recorders of deeds of the counties in which such real estate is located. The filing of such a statement shall be deemed notice of lien for payment of such charges for such services. To the extent permitted by law, any property subject to such a lien may be sold for nonpayment to pay the charges, after deducting costs. The Commission may authorize and direct its attorney to institute foreclosure proceedings

in the name of the Commission.

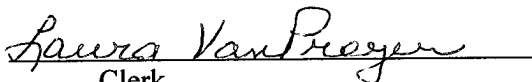
**SECTION 11:      Effective Date; Publication**

This Ordinance is effective immediately upon passage and publication. It shall be published by the Clerk in pamphlet form.

Adopted this 18<sup>th</sup> day of December, 2012

  
COMMISSION CHAIRMAN

ATTEST:

  
Clerk

AYES: McCord, Puffer, Hall

NAYS: none

PASSED: 12/18/2012

APPROVED: 12/18/12

ABSENT: none

**Exhibit A**

**Sample delinquency letter**

Date

(customer name)  
(address)

Dear Mr./Ms. \_\_\_\_\_

You are in arrears to the South Sangamon Water Commission in the amount of \_\_\_\_\_ for water services, which sum includes all late payment penalties. Your last bill was sent to you on \_\_\_\_\_ and remains unpaid.

If you contest the amount of the bill, please contact the Business Office at (217)381-5359 within 7 days of the date of this letter, and the Commission will arrange for a hearing on the matter.

The Commission has available a payment plan for qualified customers in arrears.

If you do not pay this bill in full or enter into a satisfactory payment plan within 14 days of the date of this letter, the Commission may disconnect your water service at any time after that date without further notice. If that happens, then in order to have your services reconnected, you will have to pay, in addition to all amounts owed, a reconnection fee of \$75.00 and an additional deposit which depends on your average monthly usage, but will be not less than \$75.00.

Sincerely,

The South Sangamon Water Commission

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

\_\_\_\_\_  
Print name and title

**ORDINANCE CERTIFICATE**

STATE OF ILLINOIS                    )  
  ) SS.  
COUNTY OF SANGAMON            )

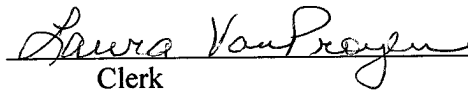
I, the undersigned, do hereby certify that I am the duly qualified and acting Clerk of the South Sangamon Water Commission, Sangamon County, Illinois.

I do further certify that the ordinance attached hereto is a full, true, and exact copy of Ordinance No. 2012-10 adopted by said Commission on the 18<sup>th</sup> day of December, 2012, said Ordinance being entitled:

**AN ORDINANCE ESTABLISHING BILLING, COLLECTION AND  
DISCONNECTION POLICIES AND PROCEDURES FOR RETAIL CUSTOMERS OF  
THE SOUTH SANGAMON WATER COMMISSION**

I 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 18<sup>th</sup> day of December, 2012.

  
Clerk



STATE OF ILLINOIS            )  
  ) ss.  
COUNTY OF SANGAMON )

**CERTIFICATE**

I certify that I am the duly elected and acting Clerk of the South Sangamon Water Commission, Sangamon County, Illinois.

I further certify that on December 18, 2012, the corporate authorities of such Commission passed and approved Ordinance No. 12- 10 entitled:


**AN ORDINANCE ESTABLISHING BILLING, COLLECTION AND  
DISCONNECTION POLICIES AND PROCEDURES FOR RETAIL CUSTOMERS  
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which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 12- 10 including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the offices of the Commission in New Berlin, Illinois, commencing on December 18 2012, to continue for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the Commission offices.

DATED at the offices of the South Sangamon Water Commission, New Berlin, Illinois, this 18<sup>th</sup> day of December, 2012.

(SEAL)

  
Clerk