

SOUTH SANGAMON WATER COMMISSION
SANGAMON COUNTY, ILLINOIS

ORDINANCE NO. 22-02

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

ADOPTED BY THE SOUTH SANGAMON WATER COMMISSION
THIS 20th DAY OF June, 2022.

Published in pamphlet form by the authority of the South Sangamon Water Commission,
Sangamon County, Illinois, this 20th day of June, 2022.

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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 25th day of each month. If payment is not received on or before the due date, the bill is considered late.

SECTION 4: Delinquent Bills

(A) A customer who has not paid the bill in full by the last day of the month in which the bill was originally sent, is considered delinquent. A penalty of \$25.00 shall be added to the balance due and a delinquency notice shall be posted at the service address. 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.

(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 7, 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: Conflict.

Any ordinance of the South Sangamon Water Commission in conflict with the provisions of this Ordinance are hereby repealed to the extent of this conflict. If any part of this Ordinance be held void, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this Ordinance.

SECTION 12: Effective Date; Publication.

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

Adopted this 20th day of June, 2022.


COMMISSION CHAIRMAN

ATTEST:

Laura Van Praeghe
Clerk



AYES: Johnson, Roth

NAYS: none

PASSED: 6/20/2022

APPROVED: 6/20/2022

ABSENT: Morris

ORDINANCE CERTIFICATE

STATE OF ILLINOIS)
) SS.
COUNTY OF SANGAMON)

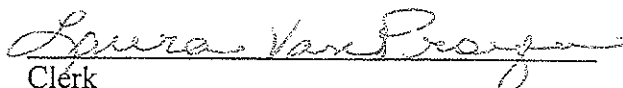
I, the undersigned, do hereby certify that I am the duly qualified and acting Clerk of the South Sangamon Water Commission, Sangamon County, Illinois.

I do further certify that the ordinance attached hereto is a full, true, and exact copy of Ordinance No. 2022-02 adopted by said Commission on the 30th day of June, 2022, said Ordinance being entitled:

**AN ORDINANCE AMENDING BILLING, COLLECTION AND DISCONNECTION
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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 30th day of June, 2022.


Clerk