

SANGAMON COUNTY, ILLINOIS

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ORDINANCE  
NUMBER 15-26

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**AN ORDINANCE AMENDING THE PROCESS BY WHICH THE ELECTRIC RATE  
SCHEDULES ARE ESTABLISHED AS SET FORTH IN THE  
VILLAGE OF CHATHAM CODE OF ORDINANCES**

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

KEN BOYLE, JR.  
MARK CLAYTON  
DAVID KIMSEY  
NINA LINDHORST  
MATT MAU  
JOE SCHATTEMAN  
Village Trustees

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on 6-23, 2015

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

**ORDINANCE NO. 15-26**

**AN ORDINANCE AMENDING THE PROCESS BY WHICH THE ELECTRIC RATE SCHEDULES 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 electric service, the Village has adopted a basic user rate per kilowatt-hour (kWh) and a monthly facility charge unrelated to usage; and

**WHEREAS**, the Village has provided that the rate shall be adjusted annually based on Supply Average Participant Cost from the Illinois Municipal Electric Agency as presented in January of each year; and

**WHEREAS**, the President and Board of Trustees of the Village have determined it to be in the best interest of the Village to raise existing electric rates based on Supply Average Participant Cost from the Illinois Municipal Electric Agency; 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 electric rates, by annual resolution, based on the Supply Average Participant Cost from the Illinois Municipal Electric Agency in future years; and,

**WHEREAS**, the Village wishes to use identified penalty funds collected under this provision to create and fund an Electric 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 52.070 of the Code of Ordinances of the Village of Chatham. Title V, Chapter 52, Section 52.070 is hereby deleted in its entirety and amended to state as follows:

**52.070 ESTABLISHMENT OF RATES.**

(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 electricity for light and power based upon electricity consumed as recorded by electronic meters based upon the type of premises served.

(B) The rates may be adjusted annually based on the Supply Average Participant Cost from the Illinois Municipal Electric Agency as presented in January of each year.

(C) The rates shall 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 Electric 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) The owner of any lot, building, or premises and the occupant thereof and the customer of the electric service of said system shall be jointly and severally liable to pay for such electric service on said premises; and, the service shall be furnished to the premises by the

Village only upon the condition that the owner of the premises, occupant, and customer of the electric service are jointly and severally liable.

**Section 3.** 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 4.** 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 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.

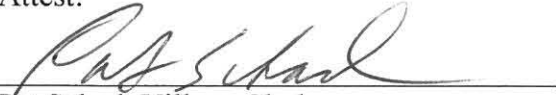
SO ORDAINED this 23 day of JUNE, 2015, at Chatham, Sangamon County, Illinois.

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

  
 Pat Schad, Village Clerk

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

  
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Thomas S. Gray, Village President

Attest:  
  
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Pat Schad, Village Clerk