

SANGAMON COUNTY, ILLINOIS

---

ORDINANCE  
NUMBER 16 - 05

---

**AN ORDINANCE AMENDING THE VILLAGE OF CHATHAM CODE OF  
ORDINANCES RELATING TO UTILITY CUSTOMER DEPOSITS**

---

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

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

---

Published in pamphlet form by authority of the President and Board of Trustees of the Village of

Chatham  
on 26 JANUARY, 2016

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

ORDINANCE NO. 16 - 05

**AN ORDINANCE AMENDING THE VILLAGE OF CHATHAM CODE OF ORDINANCES RELATING TO UTILITY CUSTOMER DEPOSITS**

**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**, the Village is currently updating its Customer Service Manual to replace several provisions of its Village Code and wishes to modify its current utility deposit policy; and,

**WHEREAS**, Village Code Section 50.03, Section 51.011, Section 52.004, and Village Ordinance 10-27 establish the process of collection for deposits for Village water and electric utility consumers; and,

**WHEREAS**, the Village Board wishes to amend these provisions to prevent duplicative collection of deposits for previous customers who have provided timely payments in the past; and,

**WHEREAS**, the President and Board of Trustees of the Village have determined it to be in the best interest of the Village to amend the Village Code of Ordinances in this manner.

**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.** Repealing Sections 1 and 2 of Village Ordinance 10-27. Sections 1 and 2 of Village Ordinance 10-27 amended Sections 51.011 and 52.004 of the Village Code; however, said amendments were never codified. Sections 1 and 2 of Village Ordinance 10-27 are hereby repealed.

**Section 3.** Repealing Section 50.03 of the Village Code of Ordinances. Section 50.03 of the Village Code of Ordinances is hereby repealed.

**Section 4.** Repealing Section 51.011 of the Village Code of Ordinances. Section 51.011 of the Village Code of Ordinances is hereby repealed.

**Section 5.** Repealing Section 52.004 of the Village Code of Ordinances. Section 52.004 of the Village Code of Ordinances is hereby repealed.

**Section 6.** Enacting Proposed Customer Service Manual Sections I.C.1. and II.C.1.  
The Village Ordinance and Village Code sections repealed by this Ordinance are hereby replaced with the following, which shall be known as Sections I.C.1. and II.C.1. of the Village Customer Service Manual:

**I.C.1. Service Deposit – Residential Service**

Customers including individuals who were previously listed on a utility account such as former spouses or roommates who are re-applying for residential service with the Village of Chatham who have had at least 12 continuous months of service, during which no more than two late penalties were assessed and do not owe any balance from previous service with the Village of Chatham are not required to pay a service deposit. First-time applicants and applicants who have failed to pay for previous service in a timely manner will be required to pay a service deposit before service will be initiated.

Existing customers with a good credit history reapplying for service at a new location who have a deposit on file will have their deposit transferred to their new service account for the remainder of the 18 months holding period. Existing customers who do not have a good credit history and have a past due balance on their existing utility account will be required to pay their past due balance before the new service is established. The customer's deposit will be transferred to their new service account and will be held for a period of 18 months from the date the new service is connected.

The amount of the residential service deposit is currently \$150 for property owners (\$100 electric and \$50 water) and \$300 for rental property (\$200 for electric and \$100 for water). This service deposit is adjusted periodically.

Payment of the residential deposit must be made when the customer signs up for service. Following 18 continuous months of service from the Village of Chatham, the deposit will be returned in the form of a credit to the account. If the customer terminates service before the deposit is credited, the deposit will be applied to the account's final bill.

### **II.C.1. Service Deposit – Non Residential Service**

Previous nonresidential customers who are re-applying for service under the same entity name will not be required to pay a service deposit if their previous service lasted at least 12 months and either had no more than two late penalties or if had more than two late penalties; the penalties and past due balances were paid before the next bill was generated. First-time nonresidential applicants and nonresidential applicants who have failed to pay for previous service in a timely manner will be required to pay the service deposit before service will be initiated. First-time nonresidential applicants who have residential service on their owned, primary residence may avoid paying the deposit for nonresidential service if:

1. the nonresidential service is requested in the same name as the residential service;
2. the applicant applies for the nonresidential service in person;
3. the applicant provides proof of ownership of his/her primary residence;
4. the applicant has no more than two late penalties on the residential account; and
5. the applicant agrees to the transfer of unpaid final bills to any existing residential or nonresidential account.

The amount of the nonresidential service deposit is currently \$300 (\$200 electric and \$100 water). This amount may be adjusted periodically.

However, a deposit may subsequently be required on the nonresidential account if the customer fails to maintain payments on either the residential or nonresidential account in a timely manner.

After 18 months of service, the deposit maintained on account with Village of Chatham by a nonresidential customer will be credited to their account. If the customer terminates service before the deposit is refunded, the deposit will be applied to the account's final bill.

**Section 7. 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.

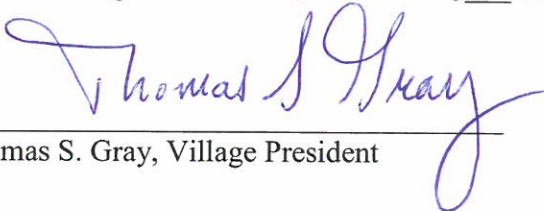
**Section 8. Repeal and Savings Clause.** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, action, or causes of action which shall have accrued to the Village of Chatham prior to the effective date of this Ordinance.

**Section 9. Effectiveness.** This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED this 26 day of JANUARY, 2016.

	YES	NO	ABSENT	PRESENT
KEN BOYLE, JR.	✓			
MARK CLAYTON	✓			
DAVID KIMSEY	✓			
NINA LINDHORST	✓			
MATT MAU	✓			
JOE SCHATTEMAN	✓			
THOMAS S. GRAY	—			
TOTAL	6	0	0	0

**APPROVED** by the President of the Village of Chatham, Illinois this 26 day of January, 2016.

  
 \_\_\_\_\_  
 Thomas S. Gray, Village President

Attest:  
  
 \_\_\_\_\_  
 Pat Schad, Village Clerk