

SANGAMON COUNTY, ILLINOIS

ORDINANCE
NUMBER 18-47

**AN ORDINANCE AMENDING THE VILLAGE CODE REGARDING
ERRORS IN UTILITY BILLING AND MODIFYING THE CLAIM PERIODS**

DAVE KIMSEY, Village President
AMY DAHLKAMP, Village Clerk

TERRY FOUNTAIN
BRETT GERGER
RYAN MANN
MATT MAU
PAUL SCHERSCHEL
Village Trustees

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

on August 28th, 2018

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

ORDINANCE NO. 18-47

**AN ORDINANCE AMENDING THE VILLAGE CODE REGARDING
ERRORS IN UTILITY BILLING AND MODIFYING THE CLAIM PERIODS**

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 currently facilitates the provision of electric, water and sewer services to residents of the Village and others; and

WHEREAS, the Village Code currently provides where there is an error in a utility bill, credits and/or charges are limited to a ~~12-month~~ 24-month period for residents and a 24-month period for non-residents; and

WHEREAS, the Village Board desires to amend the Village Code to increase the credit period for errors in billing as set forth in this Ordinance; 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 as set forth in this Ordinance.

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. Amendment to Village Code. Title V, Chapter 50, Section 50.051 of the Village Code shall be amended as follows:

§ 50.051 ERRORS IN BILLING

- (A) The village shall credit the customer's account for any amount overcharged on a bill rendered by the utility within the period specified below if it is discovered, following payment, that the customer was overcharged because the village:
- (1) Used the incorrect customer service rate; or

- (2) Inaccurately measured the quantity or volume of service provided.
- (B) For residential customers, credits will be limited to the 24 month ~~12-month~~ period immediately preceding discovery that an overcharge is occurring. Nonresidential customers are limited to the preceding 24-month period. Any reimbursement beyond 24 months may be petitioned to and granted by the Village Board of Trustees if extenuating circumstances can be shown as determined by the Village Board and sufficient records are produced to evidence the overpayment.
- (C) The village will back bill a customer for any amount undercharged on a bill rendered by the utility if it is discovered, following payment, that the customer was undercharged. For residential customers, back billing of the charges will be limited to the 24 month ~~12-month~~ period immediately preceding discovery that an undercharge is occurring. Nonresidential customers are limited to the preceding 24-month period.

Section 3. Utility Manual. The Village's utility manual shall be updated to reflect the new claim periods for errors in billing.

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.

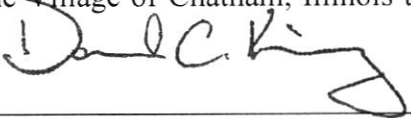
Section 5. Repeal and Savings Clause. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, action, or causes of action which shall have accrued to the Village of Chatham prior to the effective date of this Ordinance.

Section 6. Effectiveness. This Ordinance is effective upon its passage and publication. The Clerk shall publish this Ordinance in pamphlet form and shall see to its inclusion in the next update of the Village Code of Ordinances.

PASSED this 28th day of August, 2018.

	YES	NO	ABSENT	PRESENT
TERRY FOUNTAIN	X			
BRETT GERGER	X			
RYAN MANN			X	
MATT MAU	X			
PAUL SCHERSHEL	X			
DAVE KIMSEY				
TOTAL	4	0		

APPROVED by the President of the Village of Chatham, Illinois this 28th day of August, 2018.



Dave Kimsey, Village President

Attest:



Amy Dahlkamp, Village Clerk