

CITY OF NOKOMIS

**FILED**  
SEP 15 2017  
*Sandy Leithuser* COUNTY CLERK

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**ORDINANCE NO. 2040**

**AN ORDINANCE AMENDING CHAPTER 38, UTILITIES, ARTICLE IV – UTILITY RATES, DIVISION III, WASTEWATER SERVICE CHARGES, ADDING SECTION 38-4-37 ADJUSTMENTS TO BILLS**

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**ADOPTED BY THE CITY COUNCIL  
OF THE  
CITY OF NOKOMIS**

**THIS 11TH DAY OF SEPTEMBER 2017**

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**Published in pamphlet form by authority of the City Council of the City of Nokomis, Montgomery County, Illinois, this 12th day of September, 2017.**

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**AN ORDINANCE AMENDING CHAPTER 38, UTILITIES, ARTICLE IV – UTILITY RATES, DIVISION III, WASTEWATER SERVICE CHARGES, ADDING SECTION 38-4-37 ADJUSTMENTS TO BILLS**

**WHEREAS**, it is deemed to be in the best interests of the residents of the City of Nokomis, Montgomery County, Illinois to amend Chapter 38, Article IV, Division III of Wastewater Service Charges, adding Section 38-4-37 Adjustments to Bills;

**WHEREAS**, upon Motion duly made and seconded, the following is adopted by the City Council:

**BE IT ORDAINED** that the following addition be made to Chapter 38, Article IV, Division III, Wastewater Service Charges of the Revised Code of Ordinances by the Council of the City of Nokomis as follows:

**38-4-37**      **ADJUSTMENTS TO BILLS.**      The City Clerk or his/her designee shall be authorized to provide adjustments to sewer bills resulting from excessive water consumption because of leaks in the water service lines, defective plumbing fixtures, filling of a swimming pool, or unusual circumstances where the water did not enter the sanitary sewer system as waste pursuant to the following conditions:

(A)            Excessive water consumption is defined as water consumption resulting from one of the above described causes, where the billed consumption exceeds the average monthly consumption for the previous six months by at least 100 percent and is a minimum of 10,000 gallons above said monthly average. Water customer must have at least six months of history in order to receive a sewer credit.

(B)            The account holder shall submit a written request for adjustment within 60 days of the date of the bill for which adjustment is requested.

(C)            The account holder must establish that the water did not flow through the sanitary sewer system.

(D)            An adjustment to a sewer bill has not been granted in the previous 12 months. Except for a one time pool fill credit with notification given to City Hall prior to processing of the bill on which the usage was consumed.

(E)            In the event the excessive water consumption crosses two billing cycles, the calculation for the adjustment shall be based upon the average monthly consumption which exceeds two times the average monthly consumption for the previous six months pursuant to the limitations described in section 38-4-37 (A) of this section. An adjustment that is provided in this subsection shall only be authorized when the customer demonstrates that corrective action is taken within ten days of the billing date when the excessive consumption first occurred.

(F)            Excessive water consumption for the following reasons DOES NOT qualify for a sewer adjustment:

- (1)      Broken or leaky water lines where the water enters the sanitary sewer system. (i.e. leaky toilets or inside faucets).
- (2)      Water used for irrigation.
- (3)      Negligent use of water. (i.e. forgetting to turn the water hose off)
- (4)      Undetermined use of water.

(G) In order to process your request for a sewer credit, the City must receive a completed "Request for Sewer Credit" form and a copy of a repair bill, pool contract, or statement explaining when and how repair was made (if work was not done by a licensed plumber).

(H) In the event of a leak, the homeowner must have a whole house shut off installed in order to receive credit. If one is not installed and the City has to provide shut off services at the meter, proof of paid invoice will be required showing a whole house shut off was installed prior to any credit given. (Section 38-2-9, Ord. No. 2018; 01-11-16)

Passed by the City Council of the City of Nokomis, Illinois on this 11th day of September 2017 on the following vote:

YEAS: Commissioners Voyles, Brookshire, Hard, Voils, and Mayor Hill

NAYS: None


ABSENT: None



Terry Hill, Mayor

(SEAL)

ATTEST:

  
Angela Keagy, City Clerk

STATE OF ILLINOIS )  
 )  
COUNTY OF MONTGOMERY ) SS.  
 )  
CITY OF NOKOMIS )

I, Angela Keagy, certify that I am the duly appointed and acting City Clerk of the City of Nokomis, Montgomery County, Illinois.

I further certify that on September 11, 2017 the City Council of such municipality passed and approved **ORDINANCE NO. 2040, AN ORDINANCE AMENDING CHAPTER 38, UTILITIES, ARTICLE IV – UTILITY RATES, DIVISION III, WASTEWATER SERVICE CHARGES, ADDING SECTION 38-4-37 ADJUSTMENTS TO BILLS**, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2040 including the Ordinance and a cover sheet thereof, was prepared and posted in the Municipal Complex commencing on September 12, 2017 and continuing for a least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request to the City Clerk.

DATED at Nokomis, Illinois, this 12 day of September, 2017.

(SEAL)

  
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ANGELA KEAGY, CITY CLERK