

ORDINANCE NO

AN ORDINANCE AMENDING SECTION 31-75 AND SECTION 31-76 OF CHAPTER 31 OF THE CITY OF JOLIET CODE OF ORDINANCES (Utility Billing Payment Plans and Leak Credits)

WHEREAS, the City of Joliet, Illinois (the “City”) is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois; and

WHEREAS, the Mayor and City Council of the City of Joliet, Illinois has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health safety, and welfare of its citizens; and

WHEREAS, the City owns and operates a combined water and sewer system, and has previously established ordinances for the billing and collection of accounts for its water and/or sewer system; and

WHEREAS, the City has previously adopted a transparent process for providing relief to customers who experience catastrophic water loss is warranted and necessary; and

WHEREAS, the City has previously adopted a transparent established process for allowing deferred payment arrangements for customers who fall behind on their water/sewer/refuse accounts; and

WHEREAS, the City has determined that refinements to Deferred Payment Arrangements and Catastrophic Water Loss Credits is warranted; and

WHEREAS, the City of Joliet is a home rule unit of local government.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF JOLIET, ILLINOIS, PURSUANT TO ITS STATUTORY AND HOME RULE AUTHORITY, AS FOLLOWS:

SECTION 1: The Mayor and City Council hereby find that the recitals contained in the remainder of this Ordinance are true, correct and complete and are hereby incorporated into this Ordinance by reference.

SECTION 2: Deferred Payment Arrangements. That Section 31-75 of the City of Joliet Code of Ordinances be amended as follows:

- A. Intent: Payment arrangements shall be structured and administered to maximize the successful retirement of past due water/sewer/refuse service amounts owed to the City while allowing the customer to retain active water/sewer/refuse service.
- B. Eligibility:
 - a. A residential, multi family, or commercial customer owing a past due amount for water/sewer/refuse service shall be eligible for a deferred payment arrangement so long as the customer has not failed to complete a previous Deferred Payment Arrangement in the past 12 months.

C. Amounts Included in Deferred Payment Arrangement: The Deferred Payment Arrangement shall include all amounts owing for water/sewer/refuse.

D. Transfer: When a customer transfers service, an existing Deferred Payment Arrangement must be satisfied prior to the establishment of new service.

E. Down Payment:

- a. In order to initiate a Deferred Payment Arrangement, the customer must pay the lesser of 25% of the total balance owed on the water/sewer/refuse account or two (2) times the last twelve-month average monthly bill on the water/sewer/refuse account.

F. Length of Deferred Payment Arrangement:

Account Balance	Length of Term
\$0.00 - \$300.00	3 months
\$300.01 - \$600.00	6 months
\$600.01 - \$900.00	9 months
\$900.01 - \$1,200.00	12 months
\$1,200.01 - \$1,500.00	15 months
\$1,500.01 - \$1,800.00	18 months
\$1,800.01 - \$2,100.00	21 months
\$2,100.01 - \$2,400.00	24 months
\$2400.01 AND UP	24 months

If a residential customer's household income will not allow the customer to successfully complete a Deferred Payment Arrangement of any length, the City shall advise the customer of the availability of local assisting agencies.

G. Installments:

- a. The installments shall be equal amounts.
- b. The installments shall be due at the same time as the regular bill due dates.

H. Installation of meter with remote disconnection ability

- a. Accounts with payment plans must cooperate with the installation of a meter with remote disconnection capability as a condition to entering and maintaining a payment plan.

I. Default:

- a. The City may consider the Deferred Payment Arrangement in default if the customer does not cooperate with the city in the maintenance and installation of the water meter
- b. The City may consider a Deferred Payment Arrangement in default when a customer fails to pay the full amount of the installment and the current bill by the tenth day after the bill due date.
- c. The City may consider a Deferred Payment Arrangement in default when a customer's payment is returned non-paid.

- d. The City may consider a Deferred Payment Arrangement in default when a building permit is, or should have been, applied for at the address of the water/sewer/refuse account.
- e. The City may resume collection activity after a Deferred Payment Arrangement defaults, including delivery of a disconnection notice and subsequent disconnection of the service unless the customer pays the full past due amount or pays the reinstatement amount and any applicable reinstatement fee in order to resume the Deferred Payment Arrangement.

J. Reinstatement:

- a. The City is not obliged to reinstate a defaulted Deferred Payment Arrangement once it has disconnected service to the customer for nonpayment.
- b. A customer may reinstate a previously defaulted Deferred Payment Arrangement by paying the required amount of the Deferred Payment Arrangement installments owing up to that date, including all past due bills that were not included in the original Deferred Payment Arrangement amount.

K. Renegotiation:

- a. A customer whose financial conditions change during the course of a Deferred Payment Arrangement shall be allowed to renegotiate the length of the Deferred Payment Arrangement with the City to ensure its successful completion.
- b. One renegotiation is allowed during the course of a Deferred Payment Arrangement, so long as:
 - i. The customer is willing to discuss the customer's financial circumstances;
 - ii. The customer has at least made the down payment on the original Deferred Payment Arrangement; and
- c. Through renegotiation, the City shall not extend the term of the Deferred Payment Arrangement any longer than six (6) additional billing cycles beyond the original term of the Deferred Payment Arrangement
- d. Renegotiation does not preclude a customer's right to reinstate a defaulted Deferred Payment Arrangement prior to disconnection.

SECTION 3: Catastrophic water loss. That Section 31-76 of the City of Joliet Code of Ordinances be amended as follows:

To be considered for a billing adjustment due to catastrophic water loss, the customer shall submit a claim to the City of Joliet Customer Service Department. In order to be considered for a reduction in the outstanding bill, the customer shall demonstrate that all of the following criteria are met:

- a. A major plumbing problem within the residence, the cause of which was beyond the control of the resident.
- b. Evidence, in the form of a paid bill correcting the problem, must be submitted demonstrating that all necessary actions to correct the problem have been completed.
- c. The amount of water used due to the leak must exceed the average monthly usage from the previous twelve (12) month by two point five (2.5) times of the address. In the event the address does not have 12 months usage, a city-wide average of an identical account class will be used.
- d. The account must be current with no outstanding balances or late charges due prior to the leak. If not current, the account holder shall be allowed to immediately bring the account current in order to be considered for an adjustment.
- e. Cooperate with the installation and maintenance of the water meter.

If all of the criteria in this subsection have been met, not more than six bills for owner-occupied residential accounts or tenant-occupied residential accounts shall be adjusted by reducing the bill to equal one point five (1.5) times the average monthly amount of the water and sewer consumption when the leak was not occurring. For all other accounts including vacant properties, the adjustment shall be an adjustment reducing the bill to equal two (2) times the average monthly amount of the water and sewer consumption. The customer and address will be noted for reference in the event of a future claim. Only one adjustment for catastrophic water loss shall be allowed per address in a 36-month period.

SECTION 4: This Ordinance shall be considered severable, and the invalidity of any section, clause, paragraph, sentence or provision of the Ordinance shall not affect the validity of any other portion of this Ordinance.

SECTION 5: This Ordinance shall be in effect upon its passage.

PASSED this ____ day of _____, 2024

MAYOR

CITY CLERK

VOTING YES: _____

VOTING NO: _____

NOT VOTING: _____