

ORDINANCE NO. 2564

**AN ORDINANCE
AMENDING CHAPTER 40 OF THE RANTOUL CODE BY REVISING
SECTION 40-90 AND BY ADDING A NEW SECTION 40-90.5 IN CONNECTION
WITH ESTABLISHING A PROCEDURE TO CHALLENGE A UTILITY BILL**

**VILLAGE OF RANTOUL
CHAMPAIGN COUNTY, ILLINOIS**

CERTIFICATE OF PUBLICATION

Published in pamphlet form this 13th day of March, 2018, by authority of the President and Board of Trustees of the Village of Rantoul, Champaign County, Illinois.





Village Clerk

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WHEREAS, in connection with the participation of the Village of Rantoul, Champaign County, Illinois (the "Village") in the Local Debt Recovery Program with the Illinois Office of the Comptroller, the Village now finds it necessary, desirable and in the best interests of the Village to establish a notice and appeal procedure for a customer to challenge a utility bill.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF RANTOUL, ILLINOIS, as follows:

Section 1. Adoption. Article II, entitled "UTILITY SERVICE RULES AND REGULATIONS", of Chapter 40, entitled "UTILITY SERVICES", of the Rantoul Code, as supplemented and amended, be and the same is hereby further supplemented and amended by revising Section 40-90, entitled "Nonpayment of bills" and adding a new Section 40-90.5, to be entitled "Right of customer to challenge bill" to provide as set forth in the title, headings and text thereof as attached hereto and hereby incorporated herein by this reference thereto.

Section 2. Effective Date. The provisions of this Ordinance shall become effective immediately following its passage, approval and publication as required by law.

Section 3. Conflict. All other ordinances or parts of ordinances which are in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby superseded.

Section 4. Publication. The Village Clerk is hereby authorized and directed to cause this Ordinance to be published in pamphlet form.

This ordinance is hereby passed, the "ayes" and "nays" being called, by the concurrence of a majority of the members of the Corporate Authorities then holding office at a special meeting on the date set forth below.

PASSED this 13th day of March, 2018.



Village Clerk

APPROVED this 13th day of March, 2018.



Village President



Sec. 40-90. - Nonpayment of bills.

- (a) A late charge of ten percent will be added to each customer's bill not paid within 20 days from date of issuance. Such late payment charge shall be applied only to the current month's bill after all current payments, credits and refunds have been applied and shall not be applied to any other unpaid late payment charge. Where joint billing of all provided utility service is used, the late payment charge shall be applied to the combined total current bill.
- (b) If payment of the full amount of any such bill is not made within such 20-day period, the bill shall become delinquent and a customer shall be advised by notice that:
 - (1) If there is a discrepancy with the bill, the customer may request a meeting with the village comptroller to challenge the existence, amount or current collectability of a bill in accordance with Section 40-90.5 below;
 - (2) If payment is not received in full by the village, the utility service may be disconnected ten days following the date of such notice;
 - (3) If payment is not received in full by the village, the village may utilize the Local Government Debt Recovery Program of the Illinois Office of the Comptroller to collect debts owed to the village from persons receiving payments from the State of Illinois under the Comptroller's Offset System; and
 - (4) If payment for any water service or wastewater service is not paid in full, a lien may be created on the premises in accordance with the laws of the state.
- (c) The notice under this section shall be sent either by regular mail, by personal delivery or by posting it at the front door of the customer's premises that received the utility service.

Sec. 40-90.5. – Right of customer to challenge bill.

- (a) If a customer believes a discrepancy exists in connection with a bill, any such customer shall have the right to challenge the existence, amount or current collectability of a bill by filing with the office of the village comptroller within 20 days of the date of the issuance of such bill a written request to meet with the village comptroller to consider such challenge. At such meeting or as soon as practical after the facts become known, the village comptroller shall make an administrative decision on the merits of the challenge based upon the facts determined upon investigation or otherwise presented, and shall provide the result of such administrative decision in writing to the customer by certified mail, return receipt requested. If the decision is adverse to the customer, the customer shall have the right to institute an action under and in accordance with the Administrative Review Law (735 ILCS 5/3-101 et seq.) for judicial review of the resulting administrative decision of the village comptroller.
- (b) During any period while any such challenge or judicial review is pending, no delinquency, late payment charge, disconnection or lien shall be imposed. Once the administrative decision of the village comptroller or any subsequent judicial review, if applicable, becomes final, the customer shall be given written notice in accordance with Sec. 40-90(c) that such customer has 10 days following the date of such notice to pay the bill in full before such bill becomes delinquent.