

ORDINANCE NO. 18488

ORDINANCE ADDING SECTION 31-75 AND SECTION 31-76 TO 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 determined that providing a transparent process for providing relief to customers who experience catastrophic water loss is warranted and necessary; and

WHEREAS, the City has determined that providing a transparent established process for allowing deferred payment arrangements for customers who fall behind on their water/sewer/refuse accounts.

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

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF JOLIET, PURSUANT TO ITS HOME RULE AND STATUTORY 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 the following be added as Section 31-75 of the City of Joliet Code of Ordinances:

- 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 only include amounts owing for water/sewer/refuse service for which the City would otherwise

be entitled to disconnect the customer's service after proper notice if the customer was not on the Deferred Payment Arrangement.

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 a minimum of 25% of the total balance owed on the water/sewer/refuse account.

F. Length of Deferred Payment Arrangement:

- a. Balances under \$4,000 - The amount of time negotiated with the customer for the completion of the Deferred Payment Arrangement shall be set by the City to be between 4 to 12 months.
- b. Balances \$4,001 and above – The amount of time negotiated with the customer for the completion of the Deferred Payment Arrangement shall be set by the City to be between 4 to 24 months.
- c. In determining the length of time to offer, the City shall take into account the ability of the customer to successfully complete the Deferred Payment Arrangement.
- d. 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. Default:

- a. 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.
- b. 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.
- c. 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.

I. 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.

J. 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
 - iii. The Deferred Payment Arrangement is not currently in default status
- 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 the following be added as Section 31-76 of the City of Joliet Code of Ordinances:

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:

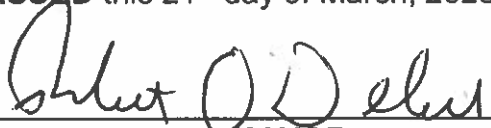
- a. A major plumbing problem within the residence, the cause of which was beyond the control of the resident.
- b. Evidence, in the form of a paid bill correcting the problem, must be submitted demonstrating that all necessary actions to correct the problem have been completed.
- c. The amount of water 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.

If all of the criteria in this subsection have been met, the bill 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. 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 21st day of March, 2023


MAYOR


CITY CLERK

VOTING YES: Councilman Clement, Councilwoman Gavin, Councilmen Guerrero, Hug, Morris, Mudron, Councilwomen Quillman, and Reardon.

VOTING NO: None.

NOT VOTING: Mayor O'Dekirk.



City of Joliet

150 West Jefferson Street
Joliet, IL 60432

Memo

File #: 135-23

Agenda Date: 3/21/2023

TO: Mayor and City Council

FROM: James V. Capparelli, City Manager

SUBJECT:

An Ordinance Adding Section 31-75 and Section 31-36 to Chapter 31 of the City of Joliet Code of Ordinances (Utility Billing Payment Plans and Leak Credits)

BACKGROUND:

This Ordinance will formally establish procedures for Payment plans and leaks credits for our water and sewer customers. The Legislative and Land Use committee reviewed this ordinance on March 13, 2023, and unanimously recommend this ordinance for approval.

Payment Plans

Modeled after Illinois rules that electric, gas, and private water utilities must follow.

- A. Residential, Multi-family, and Commercial accounts are eligible
- B. 25% down
- C. Minimum term of 4 months and maximum term of 12 months for balances under \$4,000 and 24 months for balances above \$4,000
 - i. Customer can request to renegotiate and extend term for an additional 6 months
- D. Payment plan is in addition to regular bill
- E. Can be made to avoid shut off or to have water reinstated

Leaks/Catastrophic water loss

Credits to residential account holders because of an unexpected leak or failure within their plumbing system.

- A. Eligibility
 - i. Increases usage must be greater than 2.5 times their average monthly usage
 - ii. Proof the leak or failure occurred and was repaired
 - iii. Only one credit allowed every 36 months
- B. Credit will reduce the bill to equal 1.5 times average usage (If average bill is \$75, bill after adjustment will be \$112.50)

RECOMMENDATION:

It is recommended that City Council approve this ordinance.



City of Joliet

150 West Jefferson Street
Joliet, IL 60432

Approver Report

File Number: 135-23

File ID: 135-23

Type: Ordinance

Status: Agenda Ready

In Control: City Council Meeting

File Created: 03/10/2023

Department:

Final Action:

Title: An Ordinance Adding Section 31-75 and Section 31-36 to Chapter 31 of the City of Joliet Code of Ordinances (Utility Billing Payment Plans and Leak Credits)

Agenda Date: 03/21/2023

Attachments: Ordinance Adding Utility Billing Payment plans_revised

Entered by: rgatson@joliet.gov

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
2	1	3/14/2023	Kevin Sing	Approve	3/16/2023
2	2	3/14/2023	Sabrina Spano	Approve	3/16/2023
2	3	3/14/2023	James V. Capparelli	Approve	3/16/2023