

ORDINANCE NO. _____

Date Passed: April 9, 2018

AN ORDINANCE AMENDING CHAPTER 98 ("UTILITIES") OF THE MUNICIPAL CODE OF THE CITY OF ROCHELLE TO ESTABLISH THE LATE PAYMENT CHARGE OF 3 PERCENT AND ALLOW FOR THE WAIVER OF LATE PAYMENT CHARGES FOR RESIDENTIAL CUSTOMERS FOR THREE BILLING PERIODS IN EACH FISCAL YEAR

WHEREAS, the City of Rochelle is a body politic and corporate, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1, et. seq.; and

WHEREAS, the City provides utility services, including electric, water, sewer, wastewater treatment and advanced communications, to its customers, through its utility department, Rochelle Municipal Utilities ("RMU"); and

WHEREAS, RMU wishes to increase the late payment charge to 3 percent; and

WHEREAS, the City Council finds that it would be beneficial to RMU and its customers to amend Section 98-6 ("Payment of Bills") of Chapter 98 ("Utilities") of the Rochelle Municipal Code to authorize RMU to increase the late payment charge payable in any month to an amount equal to 3 percent; and waive the assessment of late payment charges for three billing periods in each fiscal year.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCHELLE, OGLE COUNTY, ILLINOIS, that Section 98-6 of the Municipal Code of the City of Rochelle be amended to read as follows:

See attached Exhibit A (additions in red underline).

This ordinance shall become effective after its passage, approval and publication as provided by law and shall modify any inconsistent provisions in the municipal code prior to this date.

PASSED AND APPROVED this 9th day of April, 2018.

Ayes: _____ Nays: _____ Abstain: _____

Mayor

Attested: _____
City Clerk

EXHIBIT A

Sec. 98-6. - PAYMENT OF BILLS.

- (a) All bills for utility service shall be paid or mailed to the RMU business office.
- (b) All customer's bills are due within 21 calendar days after the billing date and the late payment charge is applicable thereafter.
- (c) Bills issued by RMU for utility service are payable without the addition of late payment charges if payment is received by RMU on or before the due dates shown on the bills. If any amount due is not received by RMU by the due date, a late payment charge will be added to the amount due in accordance with the following provisions:
 - (1) The late payment charge payable in any month shall be an amount equal to 3 percent times:
 - a. The current bill, or any part thereof, that remains unpaid after the due date, and
 - b. Any unpaid amounts due from prior billing periods, including previously assessed late payment charges.
 - (2) When the due date falls on Saturday, Sunday or a legal holiday, such due date will be automatically extended to include the first full business day following.
 - (3) RMU will, for residential customers, waive the assessment of late payment charges for three billing periods in each fiscal year. RMU will, however, reassess the late payment charge if the amount on which such charge was waived remains unpaid 30 calendar days following the due date of such amount. No waiver of late payment charges shall be granted to non-residential customers.
 - (4) If payment of a bill is made by mail, the post office cancellation date shown by the sending post office will determine the date of payment of the bill. If the cancellation date is beyond the due date as noted above, the late payment charge, where applicable, will be added to the customer's next bill. An objection to assessment of a late payment charge must be filed by the customer prior to the due date of the bill which reflects the late payment charge.
 - (5) Where objection to any bill is filed by the customer prior to its due date, and an investigation by RMU is required, RMU will defer the late payment charge pending the results of such investigation.
 - (6) RMU will not continue to assess a late payment charge on any final bill.