

CITY OF MARSHALL

ORDINANCE NO. 2023-29

AN ORDINANCE AMENDING CHAPTER 86. UTILITIES. ARTICLE I. IN  
GENERAL. SEC. 86-19. EQUALIZED PAYMENT PLAN OF THE CODE OF  
ORDINANCES, CITY OF MARSHALL, ILLINOIS.

ADOPTED BY THE  
CITY COUNCIL  
OF THE  
CITY OF MARSHALL

Published in pamphlet form by authority of the City of Marshall,  
Clark County, Illinois, this 22 day of May, 2023.

ORDINANCE NO. 2023-0-29

AN ORDINANCE AMENDING CHAPTER 86. UTILITIES. ARTICLE I. IN GENERAL. SEC. 86-19. EQUALIZED PAYMENT PLAN OF THE CODE OF ORDINANCES, CITY OF MARSHALL, ILLINOIS.

Section 1. That Chapter 86. Utilities. Article I. In General. Sec. 86-16. Equalized Payment Plan of the Code of Ordinances, City of Marshall, Illinois is hereby amended to read as follows, with strikeouts indicating deletions in text and underscores indicating additions to text:

Section 86-16. Equalized Payment Plan.

(a) *Availability.* Any customer that is not a large power purpose electrical customer (as defined in section 86-56(4)) may elect to pay a monthly payment equal to 1/12 of the average cost of energy services for the previous 12 months, adjusted for current or anticipated fuel costs and rates. The customer may be placed on the equalized payment plan during any month of the year. The account is balanced with each May billing or when service is disconnected or the customer is removed from the equalized payment plan. The city reserves the right to cancel the customer's participation in the plan should the customer fail to pay the equalized payment by the due date of the monthly bill. The customer may cancel the agreement to participate in this plan by giving 30 days' written notice to the city and by agreeing to any necessary billing to make the account current.

(b) *Payment determination.* Accumulate the number of months and meter billings to determine the average cost per month per meter on account. Total the average cost per meter per month for the account. Adjust the average cost per month to reflect current or anticipated fuel costs and rates. Round upward to the nearest whole dollar to determine the monthly equalized payment plan.

- (1) Accumulation of number of months must be equal to at least ten days for the system to calculate payments. Previous customer's billing for the same location may be used.
- (2) Meter billings include electrical, gas, water and sewer service, state utility tax, fuel adjustment and security lights.
- (3) Any customer commencing the equalized payment plan during any month other than May must pay, before commencing participation in the plan, the amount by which the total equalized payment plan payments from the prior May to date (assuming participation) exceeds the total payments actually made during such period. If more has been paid than the equalized payment plan payments would have required, the difference shall be credited to the customer's next billings until fully applied.

(c) *Adjustments.* Equalized payment plan accounts will be mechanically reviewed and adjusted every 12 months on the anniversary date. The May billing shall be considered the anniversary date. A new equalized payment plan amount will be calculated using the last 12 months' history. From the sixth through the tenth months subsequent to the anniversary date, an audit may be mechanically processed. Any account which has a debit balance greater than twice the equalized payment plan payment will be placed on this audit report. This report will include the following: name, account number, current equalized payment plan payment amount and status. Payments may be adjusted based upon review. Any debit balance for the last 12 months' listings will be billed with the May billing. Any credit balance will be, at the customer's election, credited toward the customer's next billings, ~~or remitted to the customer.~~

(d) *General.* Except for the equalizing of the customer's payments for service, all other provisions, terms and conditions of the applicable rate schedule shall continue to be applicable. Where a customer is using more than one public utility service not at a specified location, the equalized payment plan must be utilized for all services

collectively. The city reserves the right to designate a budget period other than the normal budget period for application to customers whose service is seasonal in character. A method of payment determination applicable to the designated budget period would be applied.

(Code 1976, § 12-17)

Section 2. If any provision of this Ordinance, or application thereof, is held invalid by any Court, other provisions or applications of this Ordinance which can be given effect without the invalid provision or application shall not be affected, and to this end the provisions of this Ordinance are declared to be severable.

Section 3. That this Ordinance shall take effect ten (10) days after its passage and approval as provided by law.

<del>NAYS</del>	<del>ABSENT</del>	<u>AYES</u>	<u>NAVS</u>	<u>ABSENT</u>
		✓		
		✓		
		✓		
		✓		
		✓		
		✓		
		✓		
				✓

PASSED this 22 day of May, 2023.

APPROVED this 22 day of May, 2023.

  
MAYOR

ATTESTED, filed in my office,  
and published in pamphlet form  
this 22 day of May, 2023.

  
CITY CLERK

(SEAL)