

CITY OF MARSHALL

ORDINANCE NO. 2024-0 07

AN ORDINANCE AMENDING CHAPTER 86. UTILITIES. ARTICLE I. IN  
GENERAL. SEC. 86-15. UTILITY DEPOSITS 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 11 day of ~~February~~, 2024.

*March*

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AN ORDINANCE AMENDING CHAPTER 86. UTILITIES. ARTICLE I. IN GENERAL. SEC. 86-15. UTILITY DEPOSITS OF THE CODE OF ORDINANCES, CITY OF MARSHALL, ILLINOIS.

Section 1. That Chapter 86. Utilities. Article I. In General. Sec. 86-15. Utility Deposits 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 86-15. Utility deposits.

- (a) Except as modified in subsection (d) of this section, the following sums shall be deposited in the city utility office before any meter is hooked up or before any service is provided:

~~(1) Residential deposits:~~

- ~~a. For title owners of residential property (either the real estate, mobile home or modular home):~~

~~Electrical service.....\$25.00~~

~~Gas service.....25.00~~

~~Water service.....25.00~~

~~Sewer service.....25.00~~

All deposit fees as established by the City Council are available at City Hall.

No deposit shall be due under this subparagraph if the applicant for utility service is a then existing utility customer as a title owner of residential real property, residential mobile

home or residential modular home at another location and has timely paid all billings for utility services by the due date within the last two years prior to the date of application.

~~b. For all other residential property:~~

~~For property without all-electric heat:~~

~~Electrical service.....100.00~~

~~Gas service.....100.00~~

~~Water service.....50.00~~

~~Sewer service.....50.00~~

~~For all-electric heat property:~~

~~Electrical service.....200.00~~

~~Water service.....50.00~~

~~Sewer service.....50.00~~

~~(2) Commercial deposit:~~

~~a. Office and small retail business:~~

~~Electrical service.....200.00~~

~~Gas service.....200.00~~

~~Water service.....50.00~~

~~Sewer service.....50.00~~

~~b. Large retail business:~~

- ~~1. An amount equal to one month's average utility bill regardless of utility services provided.~~

~~2. Established utility history: When the utility history is available on a service location where a similar large retailer has previously been located and the new owner intends to carry on business substantially as in the past, a 12-month average of the bills for the previous retailer shall be used to calculate the amount of the deposit.~~

~~3. No established utility history: When no utility history is available on a service location, a similar large retailer's 12-month average of the bills shall be used to calculate the amount of the deposit.~~

~~e. Restaurants:~~

~~1. An amount equal to two month's average utility bill will be required regardless of utility services provided.~~

~~2. Established utility history: When the utility history is available on a service location where a restaurant has previously been connected to the city, a 12-month average of the previous restaurant shall be used to calculate the amount of the deposit.~~

~~3. No established utility history: When no utility history is available on a service location, a 12-month average for a similar restaurant shall be used to calculate the amount of the deposit.~~

~~d. Industrial deposit:~~

~~1. An amount equal to two month's average utility bill will be required regardless of utility services provided.~~



~~2. Established utility history: When the utility history is available on a service location and the new owner intends to carry on business substantially as in the past, a 12-month average of the bills for the previous owner shall be used to calculate the amount of the deposit.~~

~~3. No established utility history: When no utility history is available on a new industrial service location, the Department Superintendents from the Electric, Wastewater and Water Departments shall evaluate the manufacturing process of the industry and determine the required deposit and amount to be credited to each utility service.~~

- (b) The deposit made by the title owner of residential, commercial or industrial property shall be refunded to such owner after one year subsequent to the date the deposit is made, provided such owner's account and all bills and other indebtedness to the city are paid in full and such owner signs a receipt for the deposit. No refunds will be made to commercial entities and/or tenants of property.
- (c) The deposit made by the depositor shall be refunded upon discontinuance of service, provided the account and all bills and other indebtedness to the city are paid in full and provided that the depositor shall notify the city immediately upon discontinuance of service. Otherwise, the sum shall be retained by the city and the city may automatically apply the sum to any account, bill or other indebtedness owed by the depositor to the city without the depositor signing over the deposit.
- (d) The deposit required by subsection (a) of this section shall be triple the deposit required of a nontitle owner of the property, regardless of whether the depositor is a title owner or not, for any depositor that has within the ten years last past prior to the making of the deposit failed to pay timely a final bill for prior utility services. If the depositor is a title owner of the

property, the deposit shall only be refunded pursuant to subsection (c) and shall not be refunded pursuant to subsection (b) of this section.

(Code 1976, § 12-15; Ord. No. 98-2, § 1, 2-23-98; Ord. No. 05-23, § 1, 8-24-05; Ord. No. 13-12, § 1, 7-22-13; Ord. No. 13-17, § 1, 10-14-13)

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>NAYS</u>	<u>ABSENT</u>
		✓		
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		✓		

PASSED this 11 day of ~~February~~ March, 2024.

APPROVED this 11 day of ~~February~~ March, 2024.

  
MAYOR

ATTESTED, filed in my office,  
and published in pamphlet form  
this 11 day of ~~February~~, 2024.  
*March*

  
CITY CLERK

(SEAL)