

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 50 OF THE MUNICIPAL CODE OF THE CITY OF WASHINGTON, TAZEWELL COUNTY, ILLINOIS, TO ADD A PROVISION RELATED TO THE RATES FOR CITY WATER SERVICE AND APPROVING AN AGREEMENT WITH BECK OIL COMPANY OF ILLINOIS

WHEREAS, Chapter 50 of the City Code (the “Code”) of the City of Washington (the “City”) sets forth the requirements of the City’s “Combined Waterworks and Sewerage System”; and

WHEREAS, Chapter 50 of the Code also sets forth the rates for the City’s water service provided to the City’s water customers; and

WHEREAS, certain commercial businesses are located in Illinois American Water Company’s (“ILAWC”) territory that connect to the City’s water service;

WHEREAS, the City Council has determined that it is in the best interests of the City to amend Chapter 50 of the Code to establish a rate for certain commercial businesses located in ILAWC’s territory that connect to the City’s water service;

WHEREAS, Beck Oil Company of Illinois, an Illinois corporation (“Beck’s”), wishes to enter into an Agreement with the City for the City to provide water service to Beck’s Washington location; and

WHEREAS, the City Council has determined that it is in the best interests of the City to approve the Agreement attached hereto as Exhibit A.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Washington, Illinois as follows:

Section 1: The recitals; as set forth above, are incorporated herein as though fully set forth and shall be considered the express findings of the City Council.

Section 2: That §50.50(A)(2) of Chapter 50 of the City Code of the City of Washington, Tazewell County, Illinois, be, and the same hereby is, amended as follows:

- “(2) Notwithstanding Subsection (1) above, from and after May 1, 2019, the flat rate for water service provided to residents of the City of Washington determined to be qualified under the Illinois Circuit Breaker Program as administered by the Illinois Department of Revenue **(now known as the Illinois Department on Aging’s Benefit Access Program)** shall be eighteen percent (18%). The application of and eligibility for this rate shall be in accordance with paragraph ~~(I)~~ **(J)** of §50.50. Said rate shall apply to all water used beginning May 1, 2019.”

Section 3: That §50.50(A)(4) of Chapter 50 of the City Code of the City of Washington, Tazewell County, Illinois, be, and the same hereby is, amended by deleting §50.50(A)(4) in its entirety and substituting it with the following hereinafter:

“(4) Notwithstanding anything herein to the contrary, the flat rate for water service provided to commercial water customers located in the Illinois American Water Company’s (or its successor(s) in interest) territory that utilizes a three (3) inch or greater sized water meter upon its connection to the City of Washington’s water service shall be \$5.851 per 1,000 gallons of water used, as shown by the water meter readings. Said rate shall apply to all water used by applicable customers beginning May 1, 2022. The flat rate provided for herein shall be eligible for any discount and automatic increase identified in this §50.50.”

Section 4: That §50.50(A)(5) of Chapter 50 of the City Code of the City of Washington, Tazewell County, Illinois, be, and the same hereby is, hereby added as follows:

“(5) The rates for water service described in subsections (1), (2), (3) and (4) above shall automatically increase on May 1, 2019, and annually each May 1 thereafter, by two and one-half percent (2.5%) or the Consumer Price Index for Water, Trash, & Sewer (CPI-W,T&S), whichever is greater, and rounded to the nearest hundredth percent. The rate of CPI-W,T&S shall be calculated annually on January 1 using the preceding twelve (12) month period as measured by the U.S. Bureau of Labor Statistics. Effective May 1, 2019, and annually each May 1 thereafter, the automatic water service rate increase shall be applied on the June bill for May water usage.”

Section 5: That Section 1 of Ordinance No. 3322 is hereby amended to state “That §50.50(A) of Chapter 50 of the City Code of the City of Washington, Tazewell County, Illinois, be, and the same hereby is, amended by deleting §50.50(A) in its entirety and substituting it with the following hereinafter:”. The remainder of §50.50 shall remain unchanged by Ordinance No. 3322.

Section 6: That the Agreement with Beck Oil Company of Illinois, an Illinois corporation, a copy of which is attached hereto (the “Agreement”) and made a part hereof, is approved and adopted.

Section 7: The Mayor and City Clerk of the City of Washington are both hereby authorized to execute the Agreement.

Section 8: That all ordinances or parts thereof in conflict herewith are hereby expressly repealed.

Section 9: That this ordinance shall be in full force and effect from and after its passage, approval, and publication as provided by law.

PASSED AND APPROVED this _____ day of _____ 2022.

AYES: _____

NAYS: _____

MAYOR

ATTEST:

CITY CLERK

Exhibit A –Agreement