

CHAPTER 16

GAS SYSTEM

ARTICLE I - DEPARTMENT

16-1-1 **DEPARTMENT ESTABLISHED.** There is hereby established a department of the municipal government which shall be known as the Gas Department. The Gas Department shall consist of the Gas Superintendent, employees of the Gas Department, including the Utilities Committee and the Gas System's Engineer. When reference is made throughout this Chapter to Superintendent, it shall mean the Gas Superintendent.

16-1-2 **UTILITIES COMMITTEE.** The Village Board Standing Committee on Utilities shall exercise a general supervision over the Gas System. It shall determine the needs thereof and shall, from time to time, report its findings to the Mayor and Village Board so that a full understanding thereof shall be had; and generally, shall do all acts necessary to promote the efficiency of the Department. Prior to the adoption of the appropriation ordinance, the Committee and the Gas Superintendent shall prepare and submit an estimate of the receipts and expenditures of the system for the fiscal year. The Superintendent shall report to the Utilities Committee with his recommendations relating to the operations of the Department to enable the Utilities Committee to make decisions regarding the operation and efficiency of the Department.

16-1-3 **GAS SUPERINTENDENT.** It shall be the duty of the Gas Superintendent to supervise all employees of the Gas Department and manage and control all aspects of the day-to-day operation of the Gas System and recommend to the Mayor and Utilities Committee the needs of the Gas System, and he/she shall have the duties and responsibilities set forth in **Section 1-3-70 et seq.** of the Revised Code of Ordinances.

ARTICLE II – REGULATIONS

16-2-1 INSTALLATION OF GAS.

(A) The Village shall make all connections to gas mains, install all service lines, and provide all labor and materials necessary for said installations. The property owner shall pay for all labor and materials with the exception of the meter. Service line installations shall be completed in a workmanlike manner.

(B) The final tie-in for the gas line to the outlet side of the meter shall be the property owner's responsibility and must be completed in accordance with the guidelines set forth in the National Fire Protection Association's most recent edition of NFPA 54: National Fuel Gas Code, which is incorporated by reference and made a part hereof to the same extent as if fully set forth herein.

(C) All customer piping and necessary venting of appliances shall be in accordance with guidelines set forth in the National Fire Protection Association's most recent edition of NFPA 54: National Fuel Gas Code, as incorporated and made a part of subsection (B) above.

(D) No gas connection or tap shall be made or gas appliance or fixture installed by any user or other person unless the same shall meet the standards of quality and installation as approved and required by the Village.

(Ord. No. 915; 03-02-15)

16-2-2 PROPERTY OF VILLAGE. The point of delivery at which gas shall be supplied shall be the outlet of the gas meter belonging to the Village. **(Ord. No. 287; 11-06-67)**

16-2-3 APPLICATION. Gas service shall be furnished only upon the filing of an application therefor for the Village Clerk upon a form supplied by the Village. The application shall be in such form as the Village may from time to time prescribe. Nothing contained in this Section shall be construed in any way to require the acceptance of any application for gas service if the supply of the gas is insufficient to meet the needs of the then existing users or if the cost of installing such gas service would not be economically feasible. **(Ord. No. 287; 11-06-67)**

16-2-4 ACCESS TO PREMISES. The Village and its agents and employees shall have ready access at all reasonable times to the premises, places or buildings where gas is supplied for the purpose of examining and testing the consumption, use and flow of gas, and it shall be unlawful for any person, firm or corporation to interfere with, prevent or obstruct the Village, its agents, or employees in the performance of such examination and testing. **(Ord. No. 287; 11-06-67)**

16-2-5 TAMPERING WITH SYSTEM. It shall be unlawful for any person, firm or corporation to tamper with, make changes or taps to or on any property belonging to the Village without the express consent of the Village, or to permit the same to be done by any other person, firm or corporation without such express consent. **(Ord. No. 287; 11-06-67)**

16-2-6 VILLAGE NOT LIABLE FOR AN INTERRUPTION OF SERVICE OR SUPPLY.

(A) The Village shall have the right to shut off the supply of gas whenever it is necessary to make repairs, improvements, enforce rules or for any operating reason. In all cases, where possible, a reasonable notice of the circumstances will be given to the customers, but in an emergency the gas may be shut off without notice. Such necessary repairs or work will be made by the Village as rapidly as practical. The Village shall not be held responsible or liable because of any shut off or discontinuance of service for any direct or resultant damages to any person, company or customer.

In the event of such discontinuance of gas service, the Village will make every attempt to safeguard the customer and service shall not be renewed until the Village authorities have purged the lines and put into service all automatic controls and pilots. In no case shall the customer turn on his own service. The cost of purging of lines, relighting of pilots and checking automatic controls will be borne by the Village and the customer will not be liable for any portion thereof. Where the nature of the customer's operations are such that an interruption of service might create a hazard or large economic loss, such customer shall provide facilities for standby service if desired.

(B) Whenever mains, pipes, service connections or other facilities of the gas system are taken up, shut off or interfered with by reasons of any street improvement, the Village will endeavor to maintain service so far as is reasonably possible, but will not be directly or indirectly liable for any interruption, poor pressure or damage of any kind either to the customers adjacent or to other customers affected thereby. Direct damage to property due to such operations shall be either repaired or replaced by the Village without cost to the customer.

(C) The Village expressly stipulates with all customers and other persons who may be affected by the discontinuance of service that it will neither insure nor be responsible or liable in any manner for any loss or damages direct or indirect by any reason of any fire, or any other cause and all gas service furnished shall also be conditional upon acts of God, inevitable accidents, fire, strikes, riots, or any other cause.

16-2-7 SPECIFICATIONS FOR REGULAR GAS SERVICE CONNECTIONS. All gas service connections made to the gas mains of the Village shall be made subject to the conditions, requirements and approval of the Gas Superintendent and comply with the Operations and Maintenance Manual of the Gas Department and the National Fuel Gas Code and the standards set forth by the National Fire Protection Association and the American Gas Association.

16-2-8 ALL SERVICE SHALL BE METERED. All gas service shall be metered with a meter of adequate size to measure the amount of gas consumed. Meters shall be of the positive type and shall be American Gas Association approved.

All meters shall be so placed and installed subject to the conditions, requirements and approval of the Gas Superintendent as to render the same accessible at all times for the purposes of reading and repairing. All meters shall be set outside of the buildings wherever practical.

16-2-9 METERS OPEN TO INSPECTIONS. At all reasonable hours, meters, regulators, fittings, fixtures and appurtenances connected with the system and located on private property shall be open to inspection by the proper officers and employees of the Village. Any part found to be defective or not in compliance with the provisions of this Code shall be repaired or corrected as soon as possible. Service may be discontinued at any time when conditions of the privately owned facilities create danger or a hazard.

16-2-10 METER READING CONCLUSIVE. All gas customers shall be liable for the gas consumption as shown by the meter. Waste, leakage, or other causes not the liability of the Village shall be the responsibility of the customer. The meter reading shall be conclusive provided that whenever the Village shall find any meter not registering, then an average bill may be rendered based at the option of the Village, on either the nearest previous **three (3) months** average use when the meter was in good order, or based on the same month or months of the preceding year. Whenever the Village shall have reason to believe that a meter is not registering correctly, then an average bill as stated above may be rendered and the meter removed for testing. If such average bill should prove to be incorrectly estimated, either by actual testing or by actual gas consumption after being replaced by a corrected meter, then such bill shall be compared to the actual test results or actual consumption and adjusted accordingly.

16-2-11 TEST OF METERS. Any consumer may request the Village to make a test of the accuracy of the meter then in use on their premises. If the Gas Superintendent determines such test is reasonable and warranted, then the consumer shall be required to deposit with the Village the sum of **Fifty Dollars (\$50.00)** prior to making the test to cover the cost of removing, testing and replacing such meter.

In the event such meter is found by testing to register incorrectly at full capacity by more than **two percent (2%)**, then another accurate meter shall be substituted and the test deposit shall be refunded. Past gas bills shall be adjusted by refund or credit of such percentage of the amount of gas bills (excluding the monthly meter charge) for a period of not more than **two (2) months** previous to such test.

In the event that the meter is found to be registering correctly, the consumer shall forfeit the test deposit and such funds shall be deposited in the gas operating funds of the Village.

16-2-12 SEPARATE METERS FOR EACH DISTINCT PREMISES. No person, firm or corporation shall connect any gas service pipe or transmit gas supplied by the Natural Gas System of the Village into **two (2)** distinct premises from **one (1) meter**. Apartment buildings having separate dwelling units may be served from a single meter. Duplex dwellings shall be serviced from individual meters.

16-2-13 TAMPERING WITH METER. It shall be unlawful for any person, firm, corporation or customer to break the seal of any meter or in any manner to make any alterations, changes or repairs on the same, or to open any mains, laterals, service pipes, stop cocks, valves, or any part thereof or otherwise tamper with or attempt to do any work on either or any of them without authority of the Village or its properly authorized agent. Any person who shall violate any of the provisions of this Section or who shall willfully or maliciously injure or damage any property connected with the gas system of the Village shall be subject to the penalty prescribed by this Code.

16-2-14 CONNECTION WITH PRIVATE LINES - GENERAL RULES AND REGULATIONS. Whenever a connection is made with a private line, such service shall be metered at the point of such connection and the customer requesting such service shall provide a satisfactory location for the placing of such metering devices, regulators and other materials and equipment required. Such private lines shall be subject to the inspection and approval of the Village prior to making the necessary service connections.

The Village shall have the right and option to demand changes, removal or replacement of any pipe, fixtures, or apparatus, which is considered to be faulty, inadequate or hazardous, provided, however, that this provision shall not obligate the Village in any way or manner. The Village shall have the right to refuse or to discontinue gas service without notice to its customers if the Village finds any apparatus or appliance in operation which would be detrimental to the efficient operation of the existing facilities.

All person, firms, corporations, and customers are strictly forbidden to attach any electrical ground wire to any fixture or piping which is or may be connected to any gas service pipe, meter or main belonging to the Village. The Village will hold the owner of the premises responsible and liable for any damage to its property or injury to the employees of the Village caused by such ground wire. Any and all customers, persons, firms or corporations shall remove any existing ground wires immediately and if such ground wires are not removed after **twenty-four (24) hours** written notice, the Village, through its officials, may enter the property and remove such ground wires, and the customer shall pay all costs. All questions and complaints shall be made to the Gas Superintendent who shall be responsible for the proper investigation. The department shall be required to make a full report to the customer in all such cases, a copy of which shall be filed with the Village Clerk and reported by him/her to the Village Board at the next regular meeting. Any disrespectful or unwarranted acts of the Village employees shall be reported immediately. All employees of the Village are strictly forbidden to demand or accept any tips, gratuity, or other personal compensation for any services whatsoever rendered during working hours.

16-2-15 **REGULATIONS RELATIVE TO CUSTOMER'S PIPING.** All gas piping, connections, venting, appliances, furnaces, fixtures, equipment and machinery in any residence, building or structure or on any property shall be subject to the conditions, requirements and approval of the Gas Superintendent and comply with the Operations and Maintenance Manual of the Gas Department and the National Fuel Gas Code and the standards set forth by the National Fire Protection Association and the American Gas Association.

(A) The Village shall make all connections to gas mains, install all service lines, and provide the meter and all labor and materials (at the property owner's expense as set forth in **Section 17-2-3**) necessary for said installations. Service line installations shall be completed in a workmanlike manner.

(B) The final tie-in for the gas line to the outlet side of the meter shall be the property owner's responsibility and must be completed in accordance with the guidelines set forth in the National Fire Protection Association's most recent edition of NFPA 54: National Fuel Gas Code, which is incorporated by reference and made a part hereof to the same extent as if fully set forth herein.

(C) All customer piping and necessary venting of appliances shall be in accordance with guidelines set forth in the National Fire Protection Association's most recent edition of NFPA 54: National Fuel Gas Code, as incorporated and made a part of subsection B above.

16-2-16 **RULES TO BECOME PART OF CONTRACT.** All the rules and regulations concerning the use of the facilities of the natural gas system of the Village and the consumption of gas therefrom shall become a part of the contract with every gas customer, and every gas customer shall be subject thereto and bound thereby.

16-2-17 **EXTENSIONS OF GAS MAINS AND SERVICE.** The Village shall not be obligated to extend gas service unless the customer pays the tap on fee and agrees to pay the charges set forth above and the installation of gas service can be completed in a safe manner and the service can be maintained in a safe and reliable manner. Gas main extensions shall be made with the approval of and subject to the conditions of the Village Board.

ARTICLE III - RATES

16-3-1 GAS RATES.

(A) Rates and charges for the use and services of the municipal gas utility shall be based upon the quantity of gas used by each customer, as measured by the gas meter, and said charges shall be computed on a monthly basis at the following rates:

For service within the corporate limits:

First 0 ccf	\$15.00 (minimum)
All over 0 ccf	\$1.42 per ccf
Minimum monthly charge	\$15.00

For service outside the corporate limits:

First 0 ccf	\$16.50 (minimum)
All over 0 ccf	\$1.47 per ccf
Minimum monthly charge	\$16.50

(B) All billings shall be subject to any tax imposed on the sale or distribution of natural gas by the Village. Any such tax shall be added to the rates for service by computation of a percentage factor equivalent to the effect of the tax. In like manner, any change in the total monthly cost of natural gas (including transportation costs) to the Village from its pipeline supplier shall be applied to the rates for service by computation of a percentage cost factor or unit cost per dth. The base cost for this computation is **Eight Dollars (\$8.00)** per dth. A credit adjustment will be computed if the monthly cost of natural gas to the Village is below **Six Dollars Fifty Cents (\$6.50)** per dth.

(C) Customers who are charged a minimum bill with zero usage, will not be subject to a rate adjustment.

(D) Due to various internal and external regulations and requirements, it is the responsibility of the Village to ensure that all gas meters, whether turned on or off, are regularly inspected, properly maintained, and read each month. Therefore, a base charge will be billed monthly for all gas meters which are currently in service (installed) and maintained by the Village. This base charge will be equal to the minimum charge listed in paragraph (A) of this Section. If a customer requests that the gas meter is to be turned off, the reconnect fee will be equal to the fee set forth in **Section 38-2-11** of this Code. If a customer requests removal of a gas meter, the meter will be removed, the monthly base charge will be waived, and a gas installation charge of **One Hundred Dollars (\$100.00)** will be charged upon reinstallation of the meter.

(E) The above rates will be effective with the **September 1, 2016** billing.
(Ord. No. 2016-942; 07-18-16)

16-3-2 GAS COSTS AND BILLING.

(A) The Village Board reserves the right to make special charges and agreements for gas service supplied to customers if it deems necessary.

(B) All bills are subject to and shall include the Illinois Gas Utility Tax rates. Currently the tax is added to each customer bill and is **five percent (5%)** of gross receipts received from every customer or **2.4¢** per therm used by a customer, whichever is less. A therm is hereby defined as **one hundred (100) cubic feet** of gas delivered to the customer.

(C) Anyone delinquent with the Village for unpaid utilities shall not be entitled to utility service at a different location until such indebtedness is satisfied.

(D) Any increase in cost of gas from the Village's gas supplier, shall be passed on directly to the customer through customer billing without any future change or modification or amendment to this Code and without further public notice required.

16-3-3 APPLICABLE PROVISIONS. All utility regulations specified in this Article that pertain to the natural gas systems shall be applicable in all respects.

16-3-4 **GAS CONNECTION.** For all taps and service connections the applicant shall pay the cost of the time and materials, plus an additional **fifteen percent (15%)** necessary to make the tap-in; a minimum deposit of **Three Hundred Dollars (\$300.00)** is required prior to installation. (**Ord. No. 462; 10-08-93 and 655; 11-15-99**)

16-3-5 **SPECIAL RATES; NO FREE SERVICE.** No free service of the gas utility shall be furnished to any person, firm, organization or corporation, public or private, and all rates and charges shall be non-discriminatory, provided that the Village Board reserves the right to impose special rates and charges in cases where particular circumstances render the regular rate inadequate or unjust. If the Village should elect to supply itself with gas for any purpose, regular rates therefore shall be charged against the Village and payment made from the funds thereof to the Gas Fund.

16-3-6 **GAS CONTRACT.** The provisions of **Section 38-2-1, 38-2-2, and 38-2-3** of the Revised Code of Ordinances of the Village, are hereby adopted and incorporated as part of this Section to the same extent as if same were set forth verbatim. The provisions thereof shall be controlling on applicants for gas service.

16-3-7 **RECEIPT OF FUNDS.** It shall be the duty of the Village Treasurer to set up and maintain a proper system of accounts and records separate from all other accounts and records, showing the amount of revenues and all financial transactions in connection therewith. Such accounts shall annually be audited properly by an independent public accountant as provided by **Ordinance No. 469**; and as provided by the Illinois Municipal Accounting Act.