

CHAPTER 17

GAS SYSTEM

ARTICLE I DEPARTMENT

1711 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 Gas and Public Property Committee and the Gas System's Engineer.

1712 GAS AND PUBLIC PROPERTY COMMITTEE. The City Council Standing Committee on Gas 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 City Council 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 Gas Superintendent shall report to the Gas and Public Property Committee with his/her recommendations relating to the operations of the Gas Department to enable the Gas and Public Property Committee to make decisions regarding the operation and efficiency of the Gas Department.

1713 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 Gas and Public Property Committee the needs of the Gas System, and he/she shall have the duties and responsibilities set forth in **Section 1-2-152** of **Division XVIII** of **Article II** of **Chapter 1** of the Revised Code of Ordinances of the City of Chester, Illinois.

17-1-4 REFERENCES. When reference is made throughout this **Chapter 17** to Superintendent, it shall mean the Gas Superintendent.

ARTICLE II GAS RATES AND FEES

1721 APPLICATION FOR SERVICE CONNECTIONS. Any person, firm or corporation desiring to make a gas tap or service connection with the Natural Gas System of the City shall file a written application in the office of the City Clerk.

In the event such application is made by an agent for the owner, then such application shall also be accompanied by the written authority of the owner to the agent for the making of the application. Where service lines are laid on private property, an easement shall be executed by the owner thereof providing for the installation and maintenance of the proposed service lines to be installed and maintained by the City and for the extension along or across such property for making other service connections from the same service line.

1722 METER DEPOSIT.

(A) Each application for gas service by any person who is not an owner of record of the premises, shall be accompanied by a deposit of **One Hundred Fifty Dollars (\$150.00)** to be known as a Gas Meter Deposit Charge.

(B) This Meter Deposit Charge shall be deposited in the Natural Gas Meter Deposit Fund and in the event any customer discontinues service and has paid in full all amounts due for gas or service charges, then the full amount of the deposit shall be refunded. However, in the event that any amounts are due from the customer, either for gas or other service charges, then such amounts shall be deducted from the deposit and the balance shall be refunded to the customer.

1723 COST OF GAS SERVICE CONNECTIONS. All connections to the City gas service shall be made by the City. A connection charge of **Five Hundred Dollars (\$500.00)** shall be paid by the customer prior to connection. The connection charge will include installation of a **three-fourths (3/4) inch** service line up to **eighty (80) feet** in length, a meter with a capacity of **two hundred seventy-five (275) cubic feet** or less per hour, and all materials necessary to provide gas service to the customer.

Additional costs for labor, larger meters, larger materials and any distance greater than **eighty (80) feet** shall be paid by the customer on a time and material basis. The costs for a welder shall be paid by the customer for all taps in to a steel main.

In addition to the cost of a gas tap and service connection, the owner(s) of the property for which the utility service is to benefit shall be required to pay any costs the City incurs for damage to its streets or sidewalks as a result of the installation, repair, or maintenance related to said tap-in. A **Five Hundred Dollar (\$500.00)** security deposit shall be required at the time of application for a gas tap and service connection. If the City incurs less than **Five Hundred Dollars (\$500.00)** in related expenses, any overpayment will be refunded to the owner. If the City incurs more than **Five Hundred Dollars (\$500.00)** in related expenses, the owner will be responsible for the remaining balance owed to the City.

1724 GAS RATE. The rates and charges for the use and services of the municipal gas utility of the City are hereby established. Such rates and charges shall be made

and collected against each customer who shall directly or indirectly receive gas from the municipal utility. The charges for each customer shall be computed on a monthly basis.

(A) Each gas customer shall pay monthly for the quantity of gas used as measured by the gas meter according to the following rates and charges:

Residential, Commercial and Industrial: **Effective July 1, 2009** the rates shall be: Unit cost of gas to City Gate per 1,000 cubic feet charged by the City's gas supplier plus \$2.20 per 1,000 cubic feet.

Non-Residents of the City of Chester: **Effective July 1, 2009**, the rates shall be: Unit cost of gas to City Gate per 1,000 cubic feet charged by the City's gas supplier plus \$3.20 per 1,000 cubic feet.

(B) In addition to the rates and charges set forth above for the quantity of gas used by each customer effective **August 1, 2023**, there shall also be charged to each gas customer for each gas meter on the premises the following monthly charge:

Residential: \$11.00 per month
Commercial: \$16.00 per month
Industrial: \$31.00 per month

The terms used above shall be defined as follows:

Residential: Personal, family household and churches
Commercial: Business, retail establishments and educational facilities
Industrial: Manufacturing, production and warehousing

(Ord. No. 1803; 07-18-23)

(C) The gas meter charges immediately set forth above shall become effective **June 1, 2016**, and until then the previous meter charges shall remain in effect.

(D) The above rates and charges shall not apply to Menard Correctional Center and Chester Mental Health Center, nor does it apply to the rates and charges set forth in any intergovernmental agreement with any federal, state or local governmental unit, which the City now has or may in the future enter into.

(E) The City Council reserves the right to make special charges and agreements for gas service supplied to customers if it deems necessary.

(F) All statements not paid within **fifteen (15) days** after date of rendition shall bear an additional **ten percent (10%)** charge.

(G) 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 as delivered to the customer.

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

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

(Ord. No. 1622; 05-02-16)

1725 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 nondiscriminatory, provided that the City Council reserves the right to impose special rates and charges in cases where particular circumstances render the regular rate inadequate or unjust. If the City should elect to supply itself with gas for any purpose, regular rates therefore shall be charged against the City and payment made from the funds thereof to the Gas Fund.

1726 GAS CONTRACT. The provisions of **Section 3821, 38-22, and 3823** of the Revised Code of Ordinances of the City, are hereby adopted and incorporated as part of this **Section 1726** to the same extent as if same were set forth verbatim. The provisions thereof shall be controlling on applicants for gas service.

1727 RECEIPT OF FUNDS. It shall be the duty of the City 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 #469**; and as provided by the Illinois Municipal Accounting Act.

1728 RESERVED.

ARTICLE III REGULATIONS

1731 SPECIFICATIONS FOR REGULAR GAS SERVICE CONNECTIONS. All gas service connections made to the gas mains of the City of Chester shall be made subject to the conditions, requirements and approval of the Gas Superintendent and comply with the Operations and Maintenance Manual of the City of Chester Gas Department and the National Fuel Gas Code and the standards set forth by the National Fire Protection Association and the American Gas Association. **(Ord. No. 1581; 07-21-14)**

1732 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. Indoor installation must be vented with an adequate vent extending to the outside.

1733 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 City. Any part found to be defective or not in compliance with the provisions of this Code shall be immediately repaired or corrected. Service may be discontinued at any time when conditions of the privately owned facilities create danger or a hazard.

1734 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 City shall be the responsibility of the customer. The meter reading shall be conclusive provided that whenever the City shall find any meter not registering, then an average bill may be rendered based at the option of the City, 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 City 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.

1735 TEST OF METERS. Any consumer may request the City 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 City 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 City.

1736 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 City 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.

1737 CITY NOT LIABLE FOR AN INTERRUPTION OF SERVICE OR SUPPLY. The City 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 City as rapidly as may be practical after any shut off or discontinuance of service; however, the City shall not be liable for any direct or resultant damages to any person, company or customer.

In the event of such discontinuance of gas service, the City will make every attempt to safeguard the customer, and service shall not be renewed until the City authorities have purged the lines and put into service all automatic controls and pilots. The cost of purging the lines, relighting pilots, and checking automatic controls will be borne by the City and the customer will not be liable. Where the nature of the customers operations are such that an interruption of service might create a hazard or large economic loss, such customer shall be provided facilities for standby service.

Whenever mains, pipes, service connections or other facilities of the gas system are taken up, shut off or interfered with by reasons of any City street improvement, the City 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 to or to other customers affected thereby. Direct damage to property due to such operations shall be either repaired or replaced by the City without cost to the customer.

The City 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, accidents, fire, strikes, riots, or any other causes.

1738 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 City prior to making the necessary service connections.

The City 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 City in any way or manner. The City shall have the right to refuse or to discontinue gas service without notice to its customers if the City 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 City. The City will hold the owner of the premises responsible and liable for any damage to its property or injury to the employees of the City 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 **twentyfour (24) hours** written notice, the City, 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 City Clerk and reported by him/her to the City Council at the next regular meeting. Any disrespectful or unwarranted acts of the City employees shall be reported immediately. All employees of the City are strictly forbidden to demand or accept any tips, gratuity, or other personal compensation for any services whatsoever rendered during working hours.

1739 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 City of Chester 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 City 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.

(Ord. No. 1581; 07-21-14)

17310 RULES TO BECOME PART OF CONTRACT. All the rules and regulations concerning the use of the facilities of the natural gas system of the City 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.

17311 EXTENSIONS OF GAS MAINS AND SERVICE. The City 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 City Council.

17312 **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 City 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 City shall be subject to the penalty prescribed by this Code.