

Chapter 13

PUBLIC UTILITIES SYSTEMS*

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***Cross references**--Buildings, construction and related activities, Ch. 5; sewerage, Ch. 14; solid waste management 15.

Section 13-50A ARTICLE II. ELECTRIC SYSTEM*

***Cross reference**--Electrical code, § 5-81 et seq.

Section 13-51 Power plant or equipment, interfering with or molesting prohibited.

It shall be unlawful for any unauthorized person to interfere with or molest in any way the city's power plant, substations, poles, lines or other equipment installed, either on the public rights-of-way or on private property. The term "interfere with" shall include the climbing of utility poles or the attaching of anything to such poles, lines or equipment.
(Code 1958, § 18-22)

Section 13-52 Point of connection and delivery.

The city will extend service, at no cost to the customer, to the nearest point of attachment on the customer's premises. All wiring beyond this point of delivery shall be installed and maintained by the customer. Customers desiring a special point of delivery from the city's system must bear the excess cost incident thereto.
(Code 1958, § 18-23)

Section 13-53 Temporary service.

Customers requiring electric service on a temporary basis may be required by the city to pay all costs for connection and disconnection incidental to the supplying and removing of service equipment. This rule applies to circuses, carnivals, fairs, temporary construction cut-ins and all similar installations. The utilities department reserves the right to refuse to tie in to equipment or users where such facilities fail to meet the requirements of safety and in all instances shall require a "hold harmless" agreement with insurance protection with reference to such tie-ins.
(Code 1958, § 18-24)

Section 13-54 Customer service call, charges for same.

The city will not charge for disconnects or reconnects made in the normal course of business except for an "Account Establishment" fee in accordance with section 13-16 of Chapter 13, "Public Utilities Systems." However, a service charge may be made for any such calls made nights, weekends or holidays, if made strictly for the customer's convenience and if such calls represent no failure or fault on the part of the city.
(Code 1958, § 18-25; Ord. of 2-8-93)

Section 13-55 Rate schedules.

The following schedules are applicable to the service furnished by the electric system. Rates and charges are on file at the City Clerk's office and the administrative offices of the utilities department:

(1) *Electric residential service.*

- a. *Applicability:* For all domestic uses of a residential customer in a separately metered single-family dwelling unit. A separately metered pump may be billed on this rate if it supplies domestic water to an individual residence. Largest motor shall not exceed seven and one-half (7 1/2) hp.
- b. *Type of service:* Power normally supplied under this rate will be 115/230 volts, single phase, sixty (60) hertz. Three-phase service may be furnished, where available, if the largest motor is not less than five (5) hp. Motor starting currents must conform to City requirements.
- c. *Variable Cost Adjustment:* All bills shall be increased or decreased in an amount per kwh equal to the fuel cost per kwh of bulk power as determined by MEAG.
- d. *Multiple service:* Where it is impractical to separately meter each unit, two (2) or more dwelling units may be served through a single meter. Where this is done each kwh block in the monthly rate will be multiplied by the number of separate dwelling units so served. The minimum monthly bill under this option shall be the minimum monthly charge times the number of dwelling units served.
- e. *Un-metered service:* Where the installation of metering equipment is impractical or installed equipment fails, monthly kwh may be estimated by the City and billed at the applicable monthly rate.

(2) *Security lighting.*

- a. *Availability:* To property owners where the low voltage distribution lines of the City are within five hundred (500) feet. Service may be made available to tenants in accordance with the terms of the contract period
- b. *Applicability:* Applicable to security lighting on customer property by means of high pressure sodium vapor luminaires supported by short brackets mounted on wood poles in the City's existing distribution system or extension from this system, or on poles owned by the customer, conforming to standard specifications and mutually satisfactory to both the customer and the City. In all cases the luminair, bracket and control equipment shall be installed, owned and maintained by the City. Where the use of poles other than wood is desired by the customer, he shall install, own and maintain such poles and the City shall install, own and maintain the overhead conductors, the brackets and lighting equipment. Where the use of underground conductors is desired by the customer, he shall install, own and maintain the underground conductors and the risers up the poles. Security lighting service will be provided only at locations which are accessible to City trucks for servicing purposes. Original locations of lighting fixtures shall be by mutual agreement and any relocation requested by owner after installation is in operation shall be made at owner's expense.
- c. *Maintenance:* Existing mercury vapor luminaires will only be maintained by replacement or bulbs or photo-electric cells. Any maintenance requirement beyond bulb and photo-electric cell

replacement will result in the removal of the mercury vapor fixture and the installation of a comparable (lumen output) high pressure sodium vapor fixture. Maintenance will be performed as soon as can reasonably be done after notification of the City by the customer that service has been interrupted. Maintenance will be done only during regular working hours.

d. *Contract Period:* Three (3) years.

e. *Cancellation of Contract:* Contract may be canceled by either party on sixty (60) days' written notice; however, should the customer cancel the contract during the first thirty-six (36) months, he shall pay to the City to cover the unamortized cost of installation and removal for each month remaining in the original thirty-six-month period. Tenants wishing to contract for this service may be required to make a deposit per lamp. Such deposit, if required, will be returned on request at the end of the original thirty-six-month contract period.

(3) *Electric general service – small.*

a. *Applicability:* To any general service, commercial or industrial customer of less than fifty (50) kilowatts of maximum monthly demand delivered and metered at one (1) point. Service to two (2) or more premises shall not be combined nor shall service hereunder be shared with others. Service hereunder shall not be resold to any third party.

b. *Type of service:* Single or three-phase, sixty (60) hertz, at a standard voltage.

c. *Variable Cost Adjustment:* All bills shall be increased or decreased in an amount per kwh equal to the fuel cost per kwh of bulk power as determined by MEAG.

d. *Determination of demand.* The maximum billing demand shall be based on the highest KW measurements during the current month and the preceding eleven (11) months as follows:

July through October (summer)

the greatest of :

(i) the current actual demand, or

(ii) ninety-five (95) percent of the highest actual demand occurring in any previous applicable summer month, or

(iii) sixty (60) percent of the highest actual demand occurring on any previous applicable winter month (November through June).

November through June (winter)

the greater of :

(i) ninety-five (95) percent of the highest summer month (July through October),

or

(ii) sixty (60) percent of the highest winter month. (including the current month).

In no case shall the billing demand be less than the contract minimum, nor less than five (5) kw.

e. *Un-metered service;* Where the installation of metering equipment is impractical or installed equipment fails, monthly kwh may be estimated by the City and billed at the applicable monthly rate.

f. *Term of contract:* Not less than one (1) year.

g. *Transformer substations:* Specification of primary or secondary metering shall be at the City's option. The City will own, operate and maintain the transformer substation where a single standard secondary voltage is used and only one (1) transformer is required. Where the customer purchases service at primary voltage in order to obtain consolidated billing, and requires more than one (1) transformer station to serve separate loads, all necessary transformer stations shall be owned, operated and maintained by the customer.

h. *Delivery point to major supplier:* The City may elect to sell power under this rate to a major power supplier when such supplier has requested a power delivery point.

(4) *Electric general service – medium.*

a. *Applicability:* To any general service, commercial or industrial customer of greater than

fifty (50) kilowatts and less than five hundred (500) kilowatts of maximum monthly demand delivered and metered at one (1) point. Service to two (2) or more premises shall not be combined nor shall service hereunder be shared with others. Service hereunder shall not be resold to any third party.

b. *Type of service:* Single or three-phase, sixty (60) hertz, at a standard voltage

c. *Variable Cost Adjustment:* All bills shall be increased or decreased in an amount per kwh equal to the fuel cost per kwh of bulk power as determined by MEAG.

d. *Determination of demand:* The maximum billing demand shall be based on the highest KW measurements during the current month and the preceding eleven (11) months as follows:

July through October (summer)

the greatest of :

(i) the current actual demand, or

(ii) ninety-five (95) percent of the highest actual demand occurring in any previous applicable summer month, or

(iii) sixty (60) percent of the highest actual demand occurring on any previous applicable winter month (November through June).

November through June (winter)

the greater of :

(i) ninety-five (95) percent of the highest summer month (July through October), or

(ii) sixty (60) percent of the highest winter month. (including the current month).

In no case shall the billing demand be less than the contract minimum, nor less than twenty-five (25) kw.

e. *Un-metered service:* Where the installation of metering equipment is impractical or installed equipment fails, monthly kwh may be estimated by the City and billed at the above monthly rate.

f. *Term of contract:* Not less than one (1) year.

g. *Transformer substations:* Specification of primary or secondary metering shall be at the City's option. The City will own, operate and maintain the transformer substation where a single standard secondary voltage is used and only one (1) transformer is required. Where the customer purchases service at primary voltage in order to obtain consolidated billing, and requires more than one (1) transformer station to serve separate loads, all necessary transformer stations shall be owned, operated and maintained by the customer.

h. *Delivery point to major supplier:* The City may elect to sell power under this rate to a major power supplier when such supplier has requested a power delivery point.

(5) *Electric general service – large.*

a. *Applicability:* To any general service, commercial or industrial customer of greater than five hundred (500) kilowatts and less than five thousand (5000) kilowatts of maximum monthly demand delivered and metered at one (1) point. Service to two (2) or more premises shall not be combined nor shall service hereunder be shared with others. Service hereunder shall not be resold to any third party.

b. *Type of service:* Single or three-phase, sixty (60) hertz, at a standard voltage.

c. *Variable Cost Adjustment:* All bills shall be increased or decreased in an amount per kwh equal to the fuel cost per kwh of bulk power as determined by MEAG.

d. *Determination of demand:* The maximum billing demand shall be based on the highest KW measurements during the current month and the preceding eleven (11) months as follows:

July through October (summer)

the greatest of :

(i) the current actual demand, or

(ii) ninety-five (95) percent of the highest actual demand occurring in any previous applicable summer month, or

(iii) sixty (60) percent of the highest actual demand occurring on any previous applicable winter month (November through June).

November through June (winter)

the greater of :

(i) ninety-five (95) percent of the highest summer month (July through October),

or

(ii) sixty (60) percent of the highest winter month. (including the current month).

In no case shall the billing demand be less than the contract minimum, nor less than two hundred and fifty (250) kw.

e. *Un-metered service:* Where the installation of metering equipment is impractical or installed equipment fails, monthly kwh may be estimated by the City and billed at the applicable monthly rate.

f. *Term of contract:* Not less than five (5) years.

g. *Transformer substations:* Specification of primary or secondary metering shall be at the City's option. The City will own, operate and maintain the transformer substation where a single standard secondary voltage is used and only one (1) transformer is required. Where the customer purchases service at primary voltage in order to obtain consolidated billing, and requires more than one (1) transformer station to serve separate loads, all necessary transformer stations shall be owned, operated and maintained by the customer.

h. *Delivery point to major supplier:* The City may elect to sell power under this rate to a major power supplier when such supplier has requested a power delivery point.

(6) *Electric General Service – Non-Demand.*

a. *Applicability:* To any general service, commercial or industrial customer using less than three thousand (3000) kwh monthly and having a maximum thirty-minute demand of less than thirty (30) kw delivered and metered at one (1) point. Service to two (2) or more premises shall not be combined nor shall service hereunder be shared with others. Service hereunder shall not be resold to any third party.

b. *Type of service:* Single or three-phase, sixty (60) hertz, at a standard voltage.

c. *Variable Cost Adjustment:* All bills shall be increased or decreased in an amount per kwh equal to the fuel cost per kwh of bulk power as determined by MEAG.

d. *Determination of demand:* Not applicable.

e. *Un-metered service:* Where the installation of metering equipment is impractical or installed equipment fails, monthly kwh may be estimated by the City and billed at the applicable monthly rate.

f. *Term of contract:* not applicable

g. *Transformer substation:* Specification of primary or secondary metering shall be at the City's option. The City will own, operate and maintain the transformer substation where a single standard secondary voltage is used and only one (1) transformer is required. Where the customer purchases service at primary voltage in order to obtain consolidated billing, and requires more than one (1) transformer station to serve separate loads, all necessary transformer stations shall be owned, operated and maintained by the customer.

h. *Delivery point to major supplier:* The City may elect to sell power under this rate to a major power supplier when such supplier has requested a power delivery point.

(7) *Electric temporary/seasonal service, non-agricultural.*

a. *Applicability:* To temporary or seasonal service. "Temporary service" is defined as service rendered to a transient customer for a single short term of less than five (5) months duration. A "seasonal customer" is defined as a customer with a recurring seasonal pattern of service requirements whether permanently or not permanently connected. A temporary or seasonal customer may elect at his option, to contract for service at a regular applicable rate when

it appears that his total bill thereunder including all charges, minimums, and guarantees incident to an annual contract will be less than under this schedule. However, contracting for service at a regular rate does not exempt this type customer from paying any applicable connection charges.

- b. *Type of service:* Single or three-phase, sixty (60) hertz, at a standard voltage.
- c. *Variable Cost Adjustment:* All bills shall be increased or decreased in an amount per kwh equal to the fuel cost per kwh of bulk power as determined by MEAG.
- d. *Determination of Demand:* The demand for any delivery point shall be based on the highest thirty-minute kw measurements during the current month.
- e. *Un-metered service:* Where the installation of metering equipment is impractical or installed equipment fails, monthly kwh may be estimated by the City and billed at the applicable monthly rate.
- f. *Term of contract:* Not applicable
- g. *Transformer substations:* Specification of primary or secondary metering shall be at the City's option. The City will own, operate and maintain the transformer substation where a single standard secondary voltage is used and only one (1) transformer is required. Where the customer purchases service at primary voltage in order to obtain consolidated billing, and requires more than one (1) transformer station to serve separate loads, all necessary transformer stations shall be owned, operated and maintained by the customer.
- h. *Delivery point to major supplier:* The City may elect to sell power under this rate to a major power supplier when such supplier has requested a power delivery point.

(8) *Electric seasonal service, agricultural*

a. *Applicability:* To any general service, commercial or industrial customer for all electric service of one (1) standard voltage, delivered and metered at one (1) point that also qualifies as an agricultural seasonal customer as described herein. An agricultural seasonal customer operates primarily during non-electrical peak months (SEPTEMBER - JUNE) setting operational demands considerably in excess of the non-operational demand. Service to two (2) or more premises shall not be combined, nor shall service thereunder be shared with others. Service thereunder shall not be resold to any third party.

- b. *Type of service:* Single or three (3) phase, sixty (60) hertz, at a standard voltage;
- c. *Variable Cost Adjustment:* All bills shall be increased or decreased in an amount per kwh equal to the fuel cost per kwh of bulk power as determined by MEAG.
- d. *Determination of demand:* The maximum billing demand shall be based on the highest KW measurements during the current month and the preceding eleven (11) months as follows:

July through October (summer)

the greatest of :

- (i) the current actual demand, or
- (ii) ninety-five (95) percent of the highest actual demand occurring in any previous applicable summer month, or
- (iii) sixty (60) percent of the highest actual demand occurring on any previous applicable winter month (November through June).

November through June (winter)

the greater of :

- (i) ninety-five (95) percent of the highest summer month (July through October),
- or
- (ii) sixty (60) percent of the highest winter month. (including the current month).

In no case shall the billing demand be less the contract minimum, nor less than five (5) kw.

e. *Un-metered service:* Where the installation of metering equipment is impractical or installed equipment fails, monthly kwh may be estimated by the City and billed at the applicable monthly rate;

f. *Term of contract:* Not less than one (1) year up to and including five hundred (500) kw maximum anticipated thirty (30) minute kw, nor less than five (5) years over five hundred (500) kw maximum anticipated thirty (30) minute kw;

g. *Transformer substations:* Specification of primary or secondary metering shall be at the City's option. The City will own, operate and maintain the transformer substation where a single standard secondary voltage is used and only one (1) transformer is required. Where the customer purchases service at primary voltage in order to obtain consolidated billing, and required more than one (1) transformer station to serve separate loads, all necessary transformer stations shall be owned, operated and maintained by the customer;

h. *Delivery point to major supplier:* The City may elect to sell power under this rate to a major power supplier when such supplier has requested a power delivery point.

(9) *Electric public school general service.*

a. *Applicability:* To any City or county public educational institution offering regular elementary or high school courses.

b. *Type of service:* Single or three-phase, sixty (60) hertz, at a standard voltage.

c. *Variable Cost Adjustment:* All bills shall be increased or decreased in an amount per kwh equal to the fuel cost per kwh of bulk power as determined by MEAG.

d. *Determination of demand:* The maximum billing demand shall be based on the highest KW measurements during the current month and the preceding eleven (11) months as follows:

June through September (summer)

the greatest of :

(i) the current actual demand, or

(ii) ninety-five (95) percent of the highest actual demand occurring in any previous applicable summer month, or

(iii) sixty (60) percent of the highest actual demand occurring on any previous applicable winter month (October through May).

October through May (winter)

the greater of :

(i) ninety-five (95) percent of the highest summer month (June through September), or

(ii) sixty (60) percent of the highest winter month. (including the current month).

In no case shall the billing demand be less than the contract minimum, nor less than five (5) kw.

The on-peak billing demand shall be based on the average of the five (5) highest monthly thirty (30) minute kw measurements during the period from June 15th to September 15th. This on-peak billing demand will be that average monthly demand that occurs between the hours of 3:00pm and 7:00pm (EST or EDT) Monday through Friday.

e. *Un-metered service:* Where the installation of metering equipment is impractical or installed equipment fails, monthly kwh may be estimated by the City and billed at the applicable monthly rate.

f. *Term of contract:* Not less than one (1) year. up to and including five hundred (500) kw maximum anticipated thirty (30) minute kw, nor less than five (5) years over five hundred (500) kw maximum anticipated thirty (30) minute kw.

g. *Transformer substations:* Specification of primary or secondary metering shall be at the City's option. The City will own, operate and maintain the transformer substation where a single standard secondary voltage is used and only one (1) transformer is required. Where the customer purchases service at primary voltage in order to obtain consolidated billing, and requires more than one (1) transformer station to serve separate loads, all necessary transformer stations shall be owned, operated and maintained by the customer.

h. *Delivery point to major supplier:* The City may elect to sell power under this rate to a

major power supplier when such supplier has requested a power delivery point.

(10) *Electric High Demand general service.*

- a. *Applicability:* To any general service, commercial, or industrial customers of greater than 5,000 kw of maximum monthly demand during eight out of twelve consecutive calendar months delivered and metered at one (1) point. Service hereunder shall not be shared with others or resold to any third party.
- b. *Type of service:* Single or three-phase, sixty (60) hertz, at a standard voltage.
- c. *Variable Cost Adjustment:* All bills shall be increased or decreased in an amount per kwh equal to the fuel cost per kwh of bulk power as determined by MEAG.
- d. *Determination of demand:* The maximum billing demand shall be based on the highest KW measurements during the current month and the preceding eleven (11) months as follows:

July through October (summer)

the greatest of :

- (i) the current actual demand, or
- (ii) ninety-five (95) percent of the highest actual demand occurring in any previous applicable summer month, or
- (iii) sixty (60) percent of the highest actual demand occurring on any previous applicable winter month (November through June).

November through June (winter)

the greater of :

- (i) ninety-five (95) percent of the highest summer month (July through October),
- or
- (ii) sixty (60) percent of the highest winter month. (including the current month).

In no case shall the billing demand be less than the contract minimum demand, nor less than twenty-five hundred (2500) kw.

- e. *Un-metered service:* Where the installation of metering equipment is impractical or installed equipment fails, monthly kwh may be estimated by the City and billed at the applicable monthly rate.
- f. *Term of contract:* Not less than ten (10) years.
- g. *Transformer substations:* Specification of primary or secondary metering shall be at the City's option. The City will own, operate and maintain the transformer substation where a single standard secondary voltage is used and only one (1) transformer is required. Where the customer purchases service at primary voltage in order to obtain consolidated billing, and required more than one (1) transformer station to serve separate loads, all necessary transformer stations shall be owned, operated and maintained by the customer;
- h. *Delivery point to major supplier:* The City may elect to sell power under this rate to a major power supplier when such supplier has requested a power delivery point.

(Code 1958 § 18-26; Ord. of 1-12-87 (1); Ord. of 1-28-88; Ord. of 11-28-88(2); Ord. of 1-8-90; Ord of 6-11-90(1); Ord. of 7-23-90; Ord. of 10-26-92; Ord. of 10-10-94 § I; Ord. of 1-25-95, § I; Ord of 5-28-98, § I; (2005 (13-55), Amended, 04/11/2005, rate structure change; 2002 (13-55), Amended, 11/25/2002; 2000 (13-55), Amended, 05/08/2000; 1999 (13-55), Amended, 05/24/1999)

Section 13-56 Removal, disconnection, or alteration of load management device.

- (a) It shall be unlawful to remove, disconnect, alter or otherwise cause faulty operation of any load management device installed by or on behalf of the utilities department within the city and on premises served by the city's electrical distribution system except as provided elsewhere in

this section.

(b) The owner of any apparatus having a city load management device installed may contact the utilities department in writing or by phone during business hours and request removal of the load management device, and it shall be promptly removed by the city.

(c) Emergency service work on equipped apparatuses requiring removal or disconnection of the load management device by licensed electrical or heating and a/c contractors shall be allowed providing that the contractor shall protect the city's device and shall notify the city utilities department within twenty-four (24) hours of any disconnect or removal.

(d) Any farm currently under contract to the city to service and/or install load management devices shall be exempt from the provisions of this section while acting on the city's behalf.

(e) Violation of the provisions of this section by holders of licenses granted by the city shall be cause for immediate revocation of the license.

(f) The penalty for violation of this section shall not exceed a fine of seven hundred fifty dollars (\$750.00), imprisonment for sixty (60) days and revocation of a firm's electrical and/or heating and cooling license.

(Code 1958, § 18-26.1)

Section 13-57 13-57--13-80. Reserved.