

TITLE 19

ELECTRICITY AND GAS

CHAPTER

1. ELECTRICITY.
2. GAS.

CHAPTER 1

ELECTRICITY¹

SECTION

19-101. To be furnished under franchise.

19-101. To be furnished under franchise. Electricity shall be furnished for the municipality and its inhabitants under such franchise as the board of mayor and aldermen shall grant.² The rights, powers, duties, and obligations of the municipality, its inhabitants, and the grantee of the franchise shall be clearly stated in the written franchise agreement which shall be binding on all parties concerned.

¹Municipal code reference
Electrical code: title 12.

²The agreements are of record in the office of the recorder.

CHAPTER 2

GAS¹

SECTION

- 19-201. Application for service.
- 19-202. Meter deposit may be required.
- 19-203. Meters to be owned by town; transfer of deposits.
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- 19-209. Interruption of service.
- 19-210. Restriction, curtailment, or refusal of service.
- 19-211. Installation of gas lines in the development of subdivisions.

19-201. Application for service. Any application for natural gas service shall be made at the office of the recorder. (1980 Code, § 13-301)

19-202. Meter deposit may be required. For property owners, commercial, business, and residence tenants a gas meter deposit shall be made with the recorder at the discretion of the superintendent of the gas system and in a sum to be determined by the superintendent of the gas system according to the capacity and type of meter required and to the probable monthly consumption of gas by the customer. (1980 Code, § 13-302)

19-203. Meters to be owned by town; transfer of deposits. All meters shall remain the property of the town and may be removed from the property of the consumer at any time for the purpose of testing and repairing same or upon discontinuance of service. Meter deposits cannot be sold or transferred by one consumer to another except by consent of the recorder and then only after payment in full is made for gas consumed to date of such transfer. (1980 Code, § 13-303)

19-204. Damage to meters; repair of meters; tampering with meters. Consumers shall be held responsible for any damage done to meters on their premises from any cause other than ordinary wear and tear. The town shall keep all meters in repair and proper working condition without cost to the consumer except where the meter is damaged by neglect or fault of the

¹Municipal code reference
Gas code: title 12.

consumer in which case the town shall collect from the consumer the cost of repairing or replacing any meter damaged while supplying the customer's premises. No consumer or other person shall repair or remove any meter or break any seal on a meter or cock nor tamper with or interfere with the proper registration of any meter. (1980 Code, § 13-304)

19-205. Meter failure. In case any meter shall stop or for any reason fail to register properly, or upon failure to read any meter, the superintendent may estimate the monthly bill on the basis of the average monthly quantity consumed during the past six (6) months. (1980 Code, § 13-305)

19-206. Failure to receive bill; payment not excused. Each person, firm, corporation, or legal entity liable therefor shall pay the monthly charges for gas even though a bill therefor may not have been received. (1980 Code, § 13-306)

19-207. Bills, fees, and charges; failure to pay; discontinuance of service. All bills, fees, and charges for natural gas shall be as fixed from time to time by the board of mayor and aldermen and shall become due and payable on the first day of each month next following date of meter reading and when said fees and charges are not paid on or before the 10th of each month, following the due date, there shall be added thereto a penalty of ten percent of the gross amount of the fees and charges, and the same shall be billed by and collected by the recorder from the persons, firms, corporations, or legal entities owing the same. It is provided further that natural gas service and natural gas shall be discontinued, at the discretion of the recorder, if the bill and charges are not paid for fifteen (15) days after the due date thereof and the discontinuance of said service and gas shall be done as herein provided without notice. In case service is discontinued for nonpayment of the bill, thereafter no gas shall be furnished such consumer until all accounts owed for gas, plus a shut-off and turn-on charge shall be paid. (1980 Code, § 13-307)

19-208. Service of more than one consumer through a single meter. If more than one tenant, owner, or other occupant of a residence, store room, building, or business location shall have gas delivered to him or her or to a business, partnership, firm, corporation, legal entity, or company through any one meter, in the case of failure of one or the other to pay all gas bills when due, then the landlord, owner, and tenant shall be held responsible for the payment of all gas bills which may become due the town. It is provided that, in no case, will the town or any member of the governing body or any town employee be permitted or expected to in any way adjust or pass judgment in the case of any disputes between any number of parties, persons, firms, companies, corporations, or legal entities regarding share, portion, or part of what amount of gas was delivered to them through any meter supplying any such group of

consumers. Provided that the superintendent of the gas department shall determine the number of meters to be used. It is further provided that the consumers and all other parties legally liable shall be responsible and liable for gas bills and charges as herein provided. (1980 Code, § 13-308)

19-209. Interruption of service. It is further provided that according to its source of supply and the condition of its natural gas system, the town and the gas department will make reasonable and proper effort to furnish natural gas to its consumers, but the town and the natural gas department make no guarantees to anyone as to supplying natural gas and the town shall not be liable to any person, firm, company, corporation, or legal entity for any loss or damage caused by failure or interruption of natural gas service. Use by anyone of natural gas from the town's natural gas system shall of itself be an acceptance of the foregoing stipulations. (1980 Code, § 13-309)

19-210. Restriction, curtailment, or refusal of service. It is further provided that the town reserves the right to restrict, curtail, or refuse natural gas service for good and sufficient reasons. (1980 Code, § 13-310)

19-211. Installation of gas lines in the development of subdivisions. In the development of subdivisions as defined in the Subdivision Regulations of the Town of Halls adopted in 1981, the Town of Halls shall provide the labor and install the required gas lines of Article V, paragraph A, with the subdivision developer to bear all other expenses associated with the gas lines, including the purchase of all materials. (as added by Ord. #19, April 2001; and Ord. #01-19B, June 2001)