

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 governing body 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 town recorder.

CHAPTER 2

GAS¹

SECTION

- 19-201. Obtaining service.
- 19-202. Meter deposit.
- 19-203. Installation and ownership of, and access to facilities.
- 19-204. Extension policy.
- 19-205. Rates.
- 19-206. Meter tests.
- 19-207. Interruptions in service.
- 19-208. Discontinuance of service.

19-201. Obtaining service. Each prospective customer desiring gas service will be required to sign the town's standard form of contract before service is supplied. However, the use of gas service by a customer shall impliedly bind the customer by the terms of the applicable standard contract form even though not actually signed.

As a condition precedent to the rendition of any service, the furnishing of which requires investment by the town, the recorder shall require the applicant for service to sign a minimum bill contract in such amount and for such a period of time as is reasonably necessary to support the investment.

If, for any reason, applicant, after signing the contract for gas service, does not take the service by reason of not occupying the premises or otherwise, he shall reimburse the town for any expense incurred by reason of its endeavor to furnish the service.

The receipt of a prospective customer's application for service, regardless of whether or not accompanied by a non-refundable connection fee, shall not obligate the town to render the service for which applied. (1978 Code, § 13-501, as amended by Ord. #02-10-A, Nov. 2002)

19-202. Meter deposit. Each prospective customer who owns the property on which he or she lives shall pay a fifty-dollar (\$50.00) non-refundable connection fee and each prospective customer who rents the property on which he or she lives shall pay a one hundred-dollar (\$100.00) non-refundable connection fee at the time he or she applies for service for the residence.

Each prospective commercial and industrial gas customer shall pay a non-refundable connection fee, to be set by the utility board, (board to be appointed

¹Municipal code reference

Gas code: title 12.

Customer billing and service policy: title 18, chapter 6.

by the mayor) based on number of employees, expected usage or history of usage. The customary non-refundable connection fee is based on two (2) months expected average billing. (1978 Code, § 13-502, as amended by Ord. #95-8, Dec. 1995, and replaced by Ord. #02-10-A, Nov. 2002)

19-203. Installation and ownership of, and access to facilities. The town shall install and own all gas service mains, meters, and service lines on the street side of the meter. The customer shall own and install in accordance with the requirements of the town's gas code, or pay the town for installing, all gas service lines on the customer's side of the meter. Authorized representatives of the town shall have access at all reasonable times to all gas meters and lines etc., which may be located on customers' premises. (1978 Code, § 13-503)

19-204. Extension policy. An extension of gas service mains will be made to any person with the town bearing all the costs thereof provided the board of mayor and aldermen is satisfied that the investment for such extension will earn a fair and adequate return. However, if the board of mayor and aldermen decides that an extension will not show a fair and adequate return, the town may require the applicant for such service to pay all or a part of the costs of such extension. When the customer makes an extension he shall be required to convey all his rights, title, and interest in the same to the town before gas shall be supplied thereto. However, thereafter, such extension shall be maintained by the town without additional costs to the customer. (1978 Code, § 13-504)

19-205. Rates. (1) All natural gas furnished by the town shall be supplied at the following rates:

(a) Residential & Small Commercial (All Amounts in Cu. Ft.)

From-Amt	To-Amt	Flat-Rate	Mult-Rate
0	985	\$ 6.61	\$.00000
985	2000	6.61	.00670
2000	4000	13.41	.00656
4000	7000	26.53	.00614
7000	10000	44.95	.00599
10000	99999999	62.92	.00579

Minimum monthly charge - \$6.61
 Reconnection service charge - \$30.00

(b) Medium Commercial

From-Amt	To-Amt	Flat-Rate	Mult-Rate
0	6739	36.70	.00000
6739	10000	36.70	.00609
10000	30000	56.55	.00581
30000	99999999	172.75	.00567

Minimum monthly charge - \$36.70

Reconnection service charge - \$180.00

(c) Large Commercial

From-Amt	To-Amt	Flat-Rate	Mult-Rate
0	17869	91.00	.00000
17869	30000	91.00	.00581
30000	70000	161.48	.00567
70000	100000	324.98	.00545
100000	99999999	551.78	.00539

Minimum monthly charge - \$91.00

Reconnection service charge - \$450.00

(2) The above rates are based on our current cost of operation which includes salaries, cost of purchased gas, debt service, depreciation, and materials necessary for the efficient operation of the Natural Gas System.

In the event these costs increase or decrease, such increase or decrease will immediately and automatically be passed on in its entirety to the customers of the Linden Natural Gas System without it being necessary for the board of mayor and aldermen to amend this section.

(3) A ten per cent (10%) penalty will be added to all bills if not paid by the 15th of the month following date of issue of bill. (Ord. #91-2, ____)

19-206. Meter tests. The town will, at its own expense, make periodical tests and inspections of its meters in order to maintain a high standard of accuracy. The town will make additional tests or inspections of its meters at the request of the customer. If such tests show that the meter is accurate within two per cent (2%), slow or fast, no adjustments will be made in the customer's bill and the testing charge of ten dollars (\$10.00) per meter shall be paid by the customer. In case the test shows the meter to be in excess of two per cent (2%), fast or slow, an adjustment will be made in the customer's bill for an appropriate and equitable period not over one hundred and eighty (180) days prior to the date of such test, and the cost of making test shall be borne by the town. (1978 Code, § 13-506)

19-207. Interruptions in service. The town will endeavor to furnish continuous gas service, and to maintain reasonably constant pressure, but the town cannot and does not guarantee to the consumer any fixed pressure or continuous service. The town shall not be liable for any damages for any interruption or disturbance of service whatsoever.

In connection with the operation, maintenance, repair and extension of the town's gas system, the gas supply may be shut off without notice, when necessary or desirable; and each customer must be prepared for such emergencies. The town shall not be held liable for any damages from such interruption of service or for damages from the resumption of service without notice after any such interruption. (1978 Code, § 13-507)

19-208. Discontinuance of service. The recorder shall have the right to discontinue gas service to any customer who is in default in the payment of any obligation due the town for gas service. (1978 Code, § 13-508)