

TITLE 19**ELECTRICITY AND GAS****CHAPTER**

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2. GAS.

CHAPTER 1**ELECTRICITY¹****SECTION**

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¹Municipal code reference
Electrical code: title 12.

19-101. Application for service. Each prospective customer desiring electric service may be required to sign the light and water department's standard form of application for service or contract before service is supplied by the city. The application of each prospective customer who is required to purchase a building permit shall not be approved until the proper building permit has been obtained. (1983 Code, § 13-301)

19-102. Deposit. A deposit or suitable guarantee approximately equal to twice the average monthly bill may be required of any customer before electric service is supplied. The city may at its option return the deposit to the customer after one year. Upon termination of service, the deposit may be applied by the city against unpaid bills of the customer, and if any balance remains after such application is made, said balance shall be refunded to the customer. (1983 Code, § 13-302)

19-103. Point of delivery. The point of delivery is the point, as designated by the city, on customer's premises where current is to be delivered to the building or premises. All wiring and equipment beyond this point of delivery shall be provided and maintained by the customer at no expense to the city. (1983 Code, § 13-303)

19-104. Customer's wiring--standards. All wiring of the customer must conform to the city's requirements and accepted modern standards, as exemplified by the requirements of the National Electrical Safety Code and the National Electrical Code. (1983 Code, § 13-304)

19-105. Inspections. The city shall have the right, but shall not be obligated, to inspect any installation before electricity is introduced or at any later time, and reserves the right to reject any wiring or appliances not in accordance with the city's standards; but such inspection or failure to inspect or reject shall not render the city liable or responsible for any loss or damage resulting from defects in the installation, wiring, or appliances, or from a violation of the city's rules, or from accidents which may occur upon the customer's premises. (1983 Code, § 13-305)

19-106. Underground service lines. (1) Customers desiring underground service lines from the city's overhead system must bear the excess cost incident thereto. Specifications and terms for such construction will be furnished by the city on request.

(2) Underground electric facilities shall be provided at no cost to subdivision developers of all-electric subdivisions. (1983 Code, § 13-306, as amended by Ord. #201, Aug. 1998)

19-107. Customer's responsibility for city's property. All meters, service connections, and other equipment furnished by the city shall be, and remain, the property of the city. The customer shall provide a space for and exercise proper care to protect the property of the city on his premises, and, in the event of loss or damage to the city's property arising from the neglect of the customer to care for same, the cost of the necessary repairs or replacements shall be paid by the customer. (1983 Code, § 13-307)

19-108. Right of access. (1) The light and water department's identified employees shall have access to the customer's premises at all reasonable times for the purpose of reading meters and testing, repairing, removing, or exchanging any or all equipment belonging to the city.

(2) The light and water department's identified employees shall also have access to the customer's premises at all reasonable times for the purpose of inspecting, performing maintenance, or trimming trees.

The department's right of access shall extend not less than ten (10) feet either side of the center of the power line. No permanent or other structures may be located so as to restrict the access provided herein.

The department shall have the right to trim any tree limbs which encroach upon the access provided herein, as well as the right to remove any tree partially or wholly located within the access which the department deems to be a potential threat to the continuous operation of the line. However, the department shall have no obligation to trim or remove trees which pose no threat to the lines or the removal of which is deemed prohibitively costly. (1983 Code, § 13-308, as amended by Ord. #200, May 1998)

19-109. Billing. Bills will be rendered monthly and shall be paid at the office of the light and water department or at other locations designated by the city. Failure to receive a bill will not release the customer from payment obligation. Should bills not be paid as above, the light and water department may at any time thereafter, upon five (5) days' written notice to the customer, discontinue service. Bills paid after the due date specified on the bill may be subject to additional charges. Should the due date of bill fall on Sunday or holiday, the business day next following the due date will be held as a day of grace for delivery of payment. Remittances received by mail after the due date will not be subject to such additional charges if the incoming envelope bears United States Postal Service date stamp of the due date or any date prior thereto. (1983 Code, § 13-309)

19-110. Discontinuance of service by city. The light and water department may refuse to connect or may discontinue service for the violation of any of its rules and regulations, or for violation of any of the provisions of the schedule of rates and charges, or of the application of the customer or contract with the customer. The light and water department may discontinue service to

a customer for the theft of current or the appearance of current theft devices on the premises of the customer. The discontinuance of service by the light and water department for any cause as stated in this rule does not release the customer from his obligation to the city for the payment of minimum bills as specified in the application of the customer or the contract with the customer. (1983 Code, § 13-310)

19-111. Connection, reconnection, and disconnection charges. The city may establish and collect standard charges to cover the reasonable average cost, including administration, of connecting or reconnecting service, or disconnecting service as provided above. Higher charges may be established and collected when connections and reconnections are performed after normal office hours, or when special circumstances warrant. (1983 Code, § 13-311)

19-112. Termination of contract by customer. Customers who have fulfilled their contract terms and wish to discontinue service must give at least three (3) day's written notice to that effect, unless the contract specifies otherwise. Notice to discontinue service prior to the expiration of a contract term will not relieve the customer from any minimum or guaranteed payment under any contract or rate. (1983 Code, § 13-312)

19-113. Service charges for temporary service. Customers requiring electric service on a temporary basis may be required by the light department to pay all costs for connection and disconnection incidental to the supplying and removing of service. This rule applies to circuses, carnivals, fairs, temporary constructions and shall be limited to 12 (twelve) months for new construction and 6 (six) months for remodel jobs without prior approval of the utility board. (1983 Code, § 13-313)

19-114. Interruption of service. The light and water department will use reasonable diligence in supplying current, but shall not be liable for breach of contract in the event of, or for loss, injury or damage to persons or property resulting from, interruptions in service, excessive or inadequate voltage, single-phasing, or otherwise unsatisfactory service, whether or not caused by negligence. (1983 Code, § 13-314)

19-115. Shortage of electricity. In the event of an emergency or other condition causing a shortage in the amount of electricity for the light and water department to meet the demand on its system, the city may, by an allocation method deemed equitable by the city, fix the amount of electricity to be made available for use by a customer and/or may otherwise restrict the time during which the customer may make use of electricity and the uses which the customer may make of electricity. If such actions become necessary, the customer may request a variance because of unusual circumstances including

matters adversely affecting the public health, safety and welfare. If a customer fails to comply with such allocation or restriction, the light and water department may take such remedial actions as it deems appropriate under the circumstances including temporarily disconnecting electric service and charging additional amounts because of the excess use of electricity. The provisions of the section entitled "Interruption of Service" of this schedule of rules and regulations are applicable to any such allocation or restriction. (1983 Code, § 13-315)

19-116. Voltage fluctuations caused by customer. Electric service must not be used in such a manner as to cause unusual fluctuations or disturbances to the light and water department's system. The department may require a customer, at his own expense, to install suitable apparatus which will reasonably limit such fluctuations. (1983 Code, § 13-316)

19-117. Additional load. The service connection, transformers, meters, and equipment supplied by the light and water department for each customer have a definite capacity, and no addition to the equipment or load connected thereto will be allowed except by consent of the department. Failure to give notice of additions or changes in load, and to obtain the department's consent for same, shall render the customer liable for any damage to any of the city's lines or equipment caused by the additional or changed installation. (1983 Code, § 13-317)

19-118. Standby and resale service. All purchased electric service (other than emergency or standby service) used on the premises of a customer shall be supplied exclusively by the light and water department, and the customer shall not, directly or indirectly, sell, sublet, assign, or otherwise dispose of the electric service or any part thereof. (1983 Code, § 13-318)

19-119. Notice of trouble. The customer shall notify the light and water department immediately should the service be unsatisfactory for any reason, or should there be any defects, trouble, or accidents affecting the supply of electricity. Such notices, if verbal, should be confirmed in writing. (1983 Code, § 13-319)

19-120. Non-standard service. The customer shall pay the cost of any special installation necessary to meet his peculiar requirements for service at other than standard voltages, or for the supply of closer voltage regulation than required by standard practice. (1983 Code, § 13-320)

19-121. Meter tests. The light and water department will, at its own expense, make periodical tests and inspections of its meters in order to maintain a high standard of accuracy. The department will make additional tests or

inspections of its meters at the request of the customer. If tests made at the customer's request show that the meter is accurate within two percent (2%), slow or fast, no adjustment will be made in the customer's bill, and the city's standard testing charge will be paid by the customer. In case the test shows the meter to be in excess of two percent (2%), fast or slow, an adjustment shall be made in the customer's bill over a period of not over thirty (30) days prior to the date of such test, and the cost of making the test shall be borne by the city. (1983 Code, § 13-321)

19-122. Relocation of outdoor lighting facilities. The light and water department shall, at the request of the customer, relocate or change existing city-owned equipment. The customer shall reimburse the city for such changes at actual cost including appropriate overheads. (1983 Code, § 13-322)

19-123. Billing adjusted to standard periods. The demand charges and the blocks in the energy charges set forth in the rate schedules are based on billing periods of approximately one month. In the case of the first billing of new accounts (temporary service, cotton gins, and other seasonal customers excepted) and final billings of all accounts (temporary service excepted) where the period covered by the billing involved fractions of a month, the demand charges and the blocks of the energy charge will be adjusted to a basis proportionate with the period of time during which service is extended. (1983 Code, § 13-323)

19-124. Scope. This schedule of rules and regulations is a part of all contracts for receiving electric service from the light and water department and applies to all service received from the city, whether the service is based upon contract, agreement, signed application, or otherwise. A copy of this schedule, together with a copy of the city's schedule of rates and charges, shall be kept open to inspection at the offices of the light and water department. (1983 Code, § 13-324)

19-125. Revisions. These rules and regulations may be revised, amended, supplemented, or otherwise changed from time to time, without notice. Such changes, when effective, shall have the same force as the present rules and regulations. (1983 Code, § 13-325)

19-126. Conflict. In case of a conflict between any provision of any rate schedule and the schedule of rules and regulations, the rate schedule shall apply. (1983 Code, § 13-326)

19-127. Rates. The city shall make and collect charges for electrical service in accordance with such rate schedules as the city council shall from time to time prescribe. (1983 Code, § 13-327)

CHAPTER 2**GAS**¹**SECTION**

19-201. To be furnished under franchise.

19-201. To be furnished under franchise. Gas service shall be furnished for the municipality and its inhabitants under such franchise as the city council shall grant. 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.²

¹Municipal code reference
Gas code: title 12.

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