

ARTICLE II.

CITY ELECTRIC SYSTEM

Sec. 58-19. Control and supervision of city manager over electric department and city electric system.

The city electric system shall be under the supervision of the city manager, who shall exercise immediate control of the electric department, which shall be taken to include the entire city electric system, including the street lighting system, and all lands, buildings, fixtures, wires, meters, poles, apparatus and equipment belonging thereto.

(Code 1984, § 7-1)

Sec. 58-20. Application for service.

All applications for the supply of electricity must be made at the department of finance on service contract or application forms furnished by the city. The application, when accepted by the city, will constitute a contract between the city and the patron.

(Code 1984, § 7-2)

Sec. 58-21. Deposit to secure payment of charges.

The city may require a cash deposit from any person applying for the furnishing of electric service and shall require a cash deposit in those instances wherein the title of record to the premises to be served is not in the name of the applicant. The purpose of such deposits is to secure timely payment of electrical rates and other charges imposed by this chapter. A uniform schedule of deposits shall be prepared by the city manager and approved by the city council, and a true copy of such approved schedule shall be maintained on file in the office of the city manager and the department of finance. All deposits made pursuant to this section shall be paid to the city treasurer.

(Code 1984, § 7-3)

Sec. 58-22. Information as to service and apparatus; unapproved apparatus or equipment.

The electric department shall furnish complete information as to the kind of service available and the type and characteristics of the electric apparatus or equipment to be used, upon inquiry by a person desiring electric service. The electric department will not supply service for electric apparatus or equipment of types and characteristics not approved in writing by such department.

(Code 1984, § 7-4)

Sec. 58-23. When electricity to be introduced into premises.

The electric department shall provide electric power to any premises whenever it shall be satisfied that the electrical apparatus and wiring of the premises are installed according to the National Electrical Code and approved by the electrical inspector in writing, and provided that the applicant for service has complied with all the requirements, rules and regulations of the department.

(Code 1984, § 7-5)

Sec. 58-24. Right to refuse to furnish electricity; when service may be cut off.

The city may in its discretion refuse to provide electric service until all arrears due from such premises for water, sewer or electric services shall have been paid. The city shall have the right to cut off the electric service if deemed necessary in order to protect the work against abuse or fraud, or in its judgment to protect life and property, and the city shall not be liable for damages to any person for such cutting off of electricity.

(Code 1984, § 7-6)

Sec. 58-25. Electricity to be supplied through meters; when furnished at flat rate.

No electric current shall be supplied by the city, except such as passes through an electric meter, which meter only is to be furnished and set in place by the city at its own expense; provided, that under conditions where electricity is to be furnished for 30 days or less, the electric department may furnish electricity on a flat rate basis and at such rate as it deems justifiable.

(Code 1984, § 7-7)

Sec. 58-26. Where meters to be placed; interference with meters, etc.

The meter shall be placed in such part of a building as the electric department may direct, and shall at all times be under the exclusive management and control of such department. It shall be unlawful for any unauthorized person to at any time remove or undertake to repair or in any way interfere with any electric meter or other property of the electric department.

(Code 1984, § 7-8)

Sec. 58-27. Responsibility for defects in wires or appliances; charge to be made for all electricity passing through meters; rebate or credit.

The city assumes no responsibility for any defect which may arise in the wiring or appliances of the consumer, or for the successful operation of the appliances connected to the wiring on his premises, and all electricity passing through meters will be charged for, whether used or wasted through negligence or faulty construction on the part of the consumer, even though the house or premises may not be occupied. Subject to the approval of the city, however, a rebate may be made for part of the payment, or credit allowed to the consumer, for excessive consumption of electricity due to grounded wires, where it is evident that there was no negligence on the part of the consumer; and provided, that the defects are corrected promptly.

(Code 1984, § 7-9)

Sec. 58-28. Defective meters.

Electricity will be supplied through meters, but should a meter be found defective, it will be immediately changed or repaired and in the event of its ceasing to register, the kilowatt hours consumed will be estimated by the average of a correct meter, or by the amount charged during a previous corresponding or like period at the discretion of the director of finance.

(Code 1984, § 7-10)

Sec. 58-29. Testing or replacement of meters; complaint against bill no excuse for nonpayment.

The city shall not be required to remove meters, test meters or substitute new meters, at the demand of electric customers, unless in the opinion of such department such meters are believed to be inaccurate. Complaint against the electric bill shall not be taken as a proper excuse for nonpayment thereof when due, or exempt complainant from the penalties prescribed for failing to pay his bill at proper time.

(Code 1984, § 7-11)

Sec. 58-30. Cost of repairs and replacements.

All repairs and replacements of meters, made necessary by the carelessness or interference of patrons, shall be made by the city at the expense of the patron so offending, and the cost thereof shall be collected as electric bills are collected; except, that there shall be no discount from such bill of costs.

(Code 1984, § 7-12)

Sec. 58-31. Furnishing individual meters for parts of same installation; grouping meter readings.

The city will not furnish individual meters or service wires for parts thereof or adjacent installations unless, in the opinion of the electric utility director, it is necessary in order to render satisfactory service. Meter readings will not be grouped unless such agreement is covered by contract.

(Code 1984, § 7-13)

Sec. 58-32. Entrance wires.

The entrance wires shall be brought to a point on the building or premises designated by the electric department.

(Code 1984, § 7-14)

Sec. 58-33. Cost of electric line changes, underground and temporary service connections.

(a) Electric line changes, done for the convenience of a patron, when and while allowed, and subject to the approval of the electric department, shall be installed, maintained, changed, relocated or repaired, if necessary, at the patron's expense. The department will perform all work necessary for the installation, maintenance, changes, relocation and repairs, billing patrons for the same at cost plus 20 percent, and the amount shall be paid by the patron upon presentation of bill.

(b) All underground service connections, when and while allowed by the electric department, shall be installed, maintained and removed, if necessary, at the patron's expense. The department will perform all work necessary for the installation, maintenance or removal, billing patrons for the same at cost plus 20 percent, and the amount shall be paid by the patron upon presentation of bill. Service may be discontinued for default in payment of bill. A current underground service charge and agreement shall be on file in the electric department.

(Code 1984, § 7-15)

Sec. 58-34. Turning on or using electricity without authority.

It shall be unlawful for any person not acting under the authority of the electric department to turn on electricity in any premises whatsoever, or for any person to take, receive or use such electricity without authority from the electric department.

(Code 1984, § 7-16)

Sec. 58-35. Cutting off current or removing wires during fire.

During a fire in the city, either the chief of the fire department or the chief of police shall have the right and power to direct the electric department to remove or cause the removal of all wires and the cutting off of all electricity which, in his judgment, interferes with the working of the fire department or endangers property or life. The city shall not be liable for damage to any person for such removal of wires and cutting off of electricity.

(Code 1984, § 7-17)

Sec. 58-36. Submetering or resale.

(a) The city shall not furnish electricity to any person for submetering, resale or use by a tenant. The electric utility director may make exceptions to this rule when electricity is used for offices, roominghouses, auditoriums or temporary service. When a tenant is supplied through an individual meter, payment at the designated rate may be accepted by the city from the owner. This section does not apply to customers classed as public utility companies purchasing electricity for resale to the general public as distinguished from tenants.

(b) In the event that any person furnishes a tenant electric service, which the person obtains from the city, by submetering, resale to or use by a tenant, the electric utility director is authorized to discontinue the service of either the tenant so served or of the person submetering or reselling the electricity.

(Code 1984, § 7-18)

Sec. 58-37. Consumers not to supply electricity to others.

A consumer of electricity may use it for any and all purposes on his own premises as contracted for, but shall not supply electricity to any other person or premises without the consent of the electric utility director.

(Code 1984, § 7-19)

Sec. 58-38. Refusal of service to person in arrears for water, etc.

Should a person who is indebted to the city make application for the use of electricity, the city may decline to turn on electricity to such applicant.

(Code 1984, § 7-20)

Sec. 58-39. Notice to discontinue service.

All customers using electricity shall notify the director of finance whenever they desire service to be discontinued or they will remain liable for any electricity that may be consumed until such notice is given.

(Code 1984, § 7-21)

Sec. 58-40. Reasons for discontinuing service.

The electric department may discontinue its service without notice for any of the following reasons: For repairs; for want of supply; for nonpayment of bills due the electric department or the department of water and sewer when due; for any fraudulent representation in relation to the consumption of current; for violation of contract or any rules or regulations applying at any time to the consumer's service; in the event the consumer's service is detrimental to the service in general, or his immediate locality; on account of riots, strikes, insurrections, government, state or municipal authorities, or acts of God or any other cause whatsoever, and the city shall not be liable for damage to any person for such discontinuance of service.

(Code 1984, § 7-22)

Sec. 58-41. Discontinuance of service because of defects.

Whenever any electrical installation or construction or part thereof is found not to conform in every particular to the requirements of the National Electrical Code and the rules, regulations and ordinances applicable thereto, the electric department shall request the consumer to correct such defect at once without cost to the city, and unless such defect is remedied within a reasonable time, not to exceed 30 days, the electric department shall cause the service to be discontinued until such defects are remedied, and the city shall not be liable for damage to any person for such discontinuance. If service is renewed, a charge of \$5.00 will be made for making connection. In case the electric department considers the defect to be dangerous to life or property, service will be discontinued at once until the defect is corrected to the department's satisfaction, and the city shall not be liable for damage to any person for such discontinuance.

(Code 1984, § 7-23)

Sec. 58-42. Use causing voltage fluctuations.

No person shall use electricity so as to cause voltage fluctuations or disturbances in the distribution system or plant of the electric department.

(Code 1984, § 7-24)

Sec. 58-43. Motors generally.

(a) The electric utility director should be consulted with reference to available service before motor appliances are ordered. In general, but not in all locations, the following classes of service for motors are available:

(1) Motors under 1 H.P. 115 volts single phase.

(2) Motors under 7 1/2 H.P. 230 volts single phase.

(3) Motors 10 H.P. and over.

(b) Motors shall be of a type requiring a minimum starting current. All motors over 25 H.P. shall be equipped with starting compensation of an approved type.

(Code 1984, § 7-25)

Sec. 58-44. Motors, etc., not to be added to installations without approval.

Motors or other current-consuming devices shall not be added to existing power or heating installations or installations carrying the power or heating rate until they have been approved by the electric department. Damage done to equipment belonging to the department through a violation of this section will be charged to the patron.

(Code 1984, § 7-26)

Sec. 58-45. When reverse phase relays required; responsibility for damage from reversal of current.

Patrons of the electric department shall install at their own expense approved reverse phase relays or circuit breakers on all motors for elevators and hoists to protect the motor in case of reversal of phase or loss of phase. Connections will not be made until installations are approved by the electric department. The city will not be responsible for any damage whatsoever caused by reversal of current, unless caused by negligence on the part of the electric department.

(Code 1984, § 7-27)

Sec. 58-46. Access to premises; damage to or loss of department's property.

(a) The authorized agents of the electric department shall have the right of free access into any premises furnished by the city with electricity, for the purpose of examining the whole or any part of the electrical equipment, or for the removal of the meter and service wires and fixtures.

(b) The patrons will be responsible for all damage to or loss of the property of the electric department upon the patron's premises, unless the same is occasioned by the act of such department or its employees.

(Code 1984, § 7-28)

Sec. 58-47. Interference with wires, poles or fixtures.

It shall be unlawful for any person to cut, break or in any way interfere with the arrangement or operation of the city's electric light wires, meters, lamps, poles, apparatus and fixtures without written authority therefor from the electric department.

(Code 1984, § 7-29)

Sec. 58-48. Attaching articles to poles, wires or fixtures.

It shall be unlawful for any person to place or attach to any poles, fixtures or wires belonging to the electric department any sign, wire, rope or other thing, without first obtaining permission in writing from the city manager.

(Code 1984, § 7-30)

Sec. 58-49. Service not covered by rate schedule.

Where a patron desires electric service not covered by the rate schedule, the rate will be made by the electric department, subject to the approval of the city council.

(Code 1984, § 7-31)

Sec. 58-50. Department to designate rate classification.

The electric department will in all cases designate the rate classification.

(Code 1984, § 7-32)

Sec. 58-51. Deduction of distribution losses; allowances for power factor corrections.

The electric utility director may, at his discretion, deduct electric distribution losses from a patron's consumption where these losses are ordinarily assumed or included in system losses by the electric department, and the character and amount of losses will in all cases be determined by him. Where synchronous equipment is used, allowances may be made to customers for power factor correction.

(Code 1984, § 7-33)

Sec. 58-52. When bills for electrical service to be paid; discontinuance of service upon failure to pay.

(a) All bills for electrical service shall be paid within 20 days of the billing date. If such bills are not so paid, the electric connection of the premises involved shall be cut off per the current disconnection policy.

(b) A service charge, which is on file in the city clerk's office, shall be added to the bill and electric current shall not be turned on again until the amount of the bill and the service charge is paid.

(Code 1984, § 7-34)

Sec. 58-53. Failure to receive bill.

Failure to receive a bill for electric service will not entitle the consumer to pay the bill after the due date without payment of the service charge provided herein.

Sec. 58-54. Service charge upon temporary discontinuance of service.

When a customer desires to have his electrical service discontinued for a short period of time, there shall be a service charge, which is on file in the city clerk's office. Such service charge shall be payable at the time service is restored.

(Code 1984, § 7-35)

Sec. 58-55. Temporary service and charge therefor.

Any person desiring temporary electric service shall make application therefor at the office of the director of finance, which application shall state the dates the service is desired, the location and approximate demand required. There shall be a service charge which is on file in the city clerk's, for such temporary service, which service charge shall be in addition to the regular cost of electricity. This shall apply to temporary service where construction is not required. Where construction is required for temporary service a charge will be made at cost plus 20 percent.

(Code 1984, § 7-36)

Secs. 58-56– 58-81. Reserved.