

Chapter 13.16 ELECTRICAL SYSTEM

Sections:

13.16.010 Adoption of provisions.

The rules and regulations set out in this chapter are adopted to govern the operation of the municipal electric system of the city, and all operations of said municipal electric system shall from and after the adoption and posting of the ordinance codified in this chapter in accordance with said rules and regulations.

(Ord. 94 § 1(part), 1951)

13.16.020 Definitions- need to adjust add/delete

As used in this chapter:

- A. **“Apartment,” “condominium,” or “roominghouse”** means a house or houses with separate facilities either side by side or upper or lower, which house or apartment is occupied by separate families all under the same roof.
- B. **“Business unit”** means one business having separate light facilities, operated by one owner or renter having one business identity and maintaining his/her own books.
- C. **“City”** means the public works director, senior lineman, clerk-treasurer, and/or any other city officials or agents representing the city in the discharge of their duties.
- D. **“Duplex dwellings”** means attached or unattached constituted separate dwellings located upon one property.
- E. **“Family”** means one or more individuals living in the same establishment and utilizing the same convenience and/or kitchen.
- F. **“High voltage”** is defined as 600 volts or greater.
- G. **“Meter aggregation”** means the administrative combination of readings from and billing for all meters, regardless of the rate class, on premises owned or leased by a customer-generator located within the city’s service territory.
- H. **“Minimum approach distance”** (MAD) means distance between high voltage lines or equipment and work being performed by non-qualified customers or contractors. Reference WAC 296-155-428(1)(e).

- I. "Mobile home" means any building upon wheels which is occupied by a separate family from that of any other dwelling upon the same property.
- J. "Premises" means a continuous tract of land or a building, including secondary buildings and places belonging to it within its entirety, being used by a single family or single business.
- K. "Renewable energy" means energy generated by a facility that uses water, wind, solar energy, or biogas from animal waste as a fuel.
- L. "Qualified worker" means a company or contractor whose employees have completed a certified line clearance tree trimming program or completed a certified line apprenticeship program and has proof of a journeymen card.
- M. Special Services. "At the expense of," "special service" or "at the expense of the owner (or applicant)" means that such person shall make a deposit with the city of the amount fixed by this chapter or of the estimated cost plus **15 percent** for overhead. In the latter case, the applicant shall be refunded any underrun or billed any overrun of the actual over the estimated cost, including overhead.

13.16.020 Scope of provisions.

These rules and regulations are a part of all contracts for receiving electric service from distributors, and apply 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 for inspection at the office of the city clerk-treasurer.

(Ord. 94 § 1(1), 1951)

13.16.030 Revision.

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.

(Ord. 94 § 1(2), 1951)

13.16.040 Conflict between provisions.

In case of conflict between any provision of a rate schedule and any rules and regulations provision, the rate schedule shall apply.

(Ord. 94 § 1(3), 1951)

13.16.050 Application for service.

~~Each prospective customer desiring electric service may be required to sign the city's standard form of application for service, or contract before service is supplied by the city. For large commercial or industrial service a special written agreement will be required. In the absence of a signed agreement or application for service, the delivery of electric service by the city and the acceptance thereof by the customer shall be deemed to constitute an agreement hereunder.~~

(Ord. 94 § 1(4), 1951)

- A. Application for electric energy shall be made to and upon forms furnished by the city. Every such application shall be made by the owner, or by his legally authorized agent, hereinafter known as "customer," and shall give the location of the premises to be served and the schedule applicable to the applications. Upon acceptance by the city, it shall constitute a contract by and between the city and the customer to accept electric energy as specified under the terms and conditions as prescribed by this chapter. All accounts for electricity shall be kept in the name of the owner. The customer, or his legally authorized agent, shall be held responsible for electrical charges.
- B. No promise, agreement or representation of any employee or agent of the city with reference to the furnishing of electric energy shall be binding on the city unless it is in writing, signed by an authorized agent of the city as provided by this chapter and approved by the city council.
- C. All applications for electrical service shall be connected only if the served structure complies with the Standards as contained in Chapter 15.04, Technical Building Codes, now and as the same may be amended and modified from time to time

13.16.060 Deposit.—addressed in 13.20

~~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 deposit to customer after one year. Upon termination of service, deposit may be applied by the city against unpaid bills of customers, and if any balance remains after such application is made, said balance shall be refunded to the customer.~~

(Ord. 94 § 1(5), 1951)

13.16.070 Point of delivery. Connections.

~~The point of delivery is the point, as designated by the city on the customer's premises where current is to be delivered to building or premises without regard to the city's meter, transformer or other apparatus. All wiring and equipment beyond this point of delivery shall be installed and maintained by the customer.~~

(Ord. 94 § 1(6), 1951)

- A. All purchased electricity, other than emergency, standby service, or customer generation, used on the premises of the customer shall be supplied exclusively by the electric utility within the City. No person, firm, company, or utility shall directly or indirectly sell, sublet, assign or otherwise dispose of to another, electrical power received by him/her/them from the City. No person, firm, company or utility shall buy, lease or otherwise receive electrical power from any person, firm, company or utility other than the City except as authorized by the City. Nothing herein shall be taken as forbidding landlords who pay for electricity used by their tenants from providing such electric service and charging a mutually agreed figure therefor. Purchases of electricity for resale are prohibited, except between electric utilities as authorized by the City.
- B. Nothing contained in this chapter shall be construed as requiring the City to enter into any contract or to furnish electric current to any person applying therefor. The City is hereby authorized and empowered to refuse to enter into any such contract or to furnish such electric current.

- C. The City may, before connecting any premises with the City's circuits or furnishing electric current therefrom, cause the wiring, appliances and fixtures to be carefully inspected, and until such wiring, appliances and fixtures are put in proper condition satisfactory to the City, decline to connect the service wires with the City's circuits and shall have the power at any time to disconnect the service from the premises when the wiring, appliances or fixtures shall become or are found to be defective or dangerous, until the same are repaired to the satisfaction of the City.
- D. It shall be unlawful for any person other than the City to connect any house, premise, wire, or other appliances with the City's electric current for the purpose of securing electric current therefrom, or for any other purpose whatsoever.
- E. No customer shall connect his service with that of any other customer, or in any way supply any other person or premises with electricity through his service, except as approved by the Department after the filing of a written application with the Department for the connection and receipt of a permit from the Department for connection. In the absence of a signed agreement or application for service, the delivery of electric service and the acceptance thereof by the customer shall be deemed to constitute an agreement that incorporates this chapter.
- F. The customer shall provide a suitable service entrance to the premises at the point of easiest access to the distribution line that the Department proposes to connect to the customer's system. Such entrance shall be continuous and so arranged that the possibility of improper tampering or interference is minimized.
- G. The Department may require customers to provide on their premises, at their own expense, additional protective devices deemed necessary by the Department to protect the Department's property or personnel, or the property or personnel of the Department's other customers.
- H. The Department has the responsibility of providing electrical equipment of a suitable capacity to deliver power in accordance with the customer's load requirements. In the event that the customer changes his load materially, exceeding that initially provided, he shall notify the Department sufficiently in advance so that the Department may revise its facilities accordingly. In the event that the customer fails to notify the Department and, as a result, the City's equipment is damaged, the customer shall be liable for the costs of such damage.

13.16.080 Service entrance. Access to Facilities

~~The customer shall provide a suitable service entrance to the premises at the point of easiest access to the distribution line from which service is to be taken. Such entrance shall be continuous and free from the possibility of unwarranted tampering or interference.~~

~~(Ord. 94 § 1(7), 1951)~~

- A. All meters shall be placed in a readily accessible location on the outside wall of the structure. Exceptions are condominiums, apartment houses, and hotels. No master metering of dwelling units will be allowed.
- B. The City shall have free access at any reasonable time to any and all premises furnished with electric current by the City for the purpose of inspection of any wires or electric devices on such premises, reading

or installing meters, and removing or repairing any property of the City, or for any other reasonable purpose connected with the light and power system of the City. For the Department's systems in underground areas, 24-hour personnel access shall be provided to all vaults, switchgear rooms, or other facilities on customer property.

- C. All lamps, meters, wires and other electrical equipment or appliances supplied by the City shall be and remain the property of the City and may be removed, replaced, or repaired whenever the City may so elect.

- D. Customers shall maintain a minimum three feet wide clear working space for three feet in front of every electric meter, service pedestal, or pad-mounted electrical equipment related to the electrical supply. The area defined by this working clearance shall be a minimum of six feet six inches high and accessible as defined in paragraph 13.16.080(A). It is unlawful for any person to store, maintain or keep any goods, materials, or rubbish within this access space, or to construct any structure or plant vegetation that interferes with this working clearance.
- E. Upon request, the customer shall correct any condition that limits or restricts free and safe access to or operation of the Department's meters or service. Failure of the customer to comply within a reasonable time specified, as determined by the electric department or its authorized agent, shall subject the customer to disconnection of service.

13.16.090 ~~Customer's wiring standards.~~ Permits – New service connection – Conversion and rewiring.

~~All wiring of customer must conform to municipal and state requirements and accepted modern standards, as exemplified by requirements of the National Electric Safety Code and the National Electric Code.~~

~~(Ord. 94 § 1(8), 1951)~~

Electrical permits are required for the installation, alteration, or maintenance of all electrical systems or equipment consistent with the requirements of state law and regulations as administered by the permitting authority

A. New Service.

- 1. A new service is not to exceed 150 feet unless approved by the City.
- 2. Service shall include placing a temporary meter on an approved placed pole as determined by the electric department and erected by the applicant or his contractor. Approval of temporary meter electrical inspection will be posted by Washington Labor and Industries (L&I) before temporary electrical meter is set.
- 3. Connection shall be complete with the setting of the permanent electric meter and when final approval of electrical inspection has been posted by Washington Labor and Industries (L&I).

B. Conversion and Rewiring.

- 1. The service provided will be a review by the electric department to determine if the conversion or rewire requested will require increased transformer capacity or service drop replacement.

2. The installation or alteration to meet the increased load will be made by the electric department, when necessary, after the posted approval of the conversion or rewire by Washington Labor and Industries (L&I).
3. Any changes, alterations or increase in capacity of an existing service, overhead or underground, made at the request of the customer or his agent shall be paid in full by such person in advance of any work being done.
4. Rates. The owner will be provided an estimate of the total costs and will be reimbursed the difference if the actual installation cost is less.

13.16.100 Inspections- Notification

~~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 accord 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 violations of the city's rules, or from accidents which may occur upon the customer's premises.~~

(Ord. 94 § 1(9), 1951)

All electrical installation work shall be subject to inspection by the City and by the designated representative of the state of Washington at the time such work is being done and must be approved before electrical energy will be furnished thereto. Inspections shall be made by and under the supervision of the Senior Lineman and the designated representative of the state of Washington. It shall be the duty of the owner or his electrical contractor or general contractor to notify the City and the designated representative of the state of Washington of the completion of the electrical work and to call for inspections.

13.16.110 Underground service lines.

~~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.~~

(Ord. 94 § 1(10), 1951)

1. Underground distribution systems required when – Trench separation.
 - A. It is the desire of the city to require the distribution system to be installed underground in plats and subdivisions. Exceptions to this rule could be certain short and long plats where a continuation of the existing overhead distribution would be determined by the city.
 - B. In areas where underground distribution is required, the developer shall furnish and install at his expense all items necessary to complete the distribution system within the plat. Prior to construction, the developer shall submit a plan designed by an engineer and approved by the city.
 - C. Where primary distribution is required to be extended into private property, the alternatives of overhead versus underground construction shall be determined by the city. In most situations, underground installation will be preferred.

- D. Both underground primary and secondary installation shall not be jointly trenched with water or sewer, and a minimum distance of three feet separation shall be maintained at all times.
- E. All underground primary will be in conduit. Telephone or cable TV wiring will not be allowed in the same conduit used for electrical wires.

- 2. Underground distribution installation on private property
 - A. When the length of service exceeds capabilities of servicing by a secondary connection, then primary distribution shall be installed. The customer shall pay for the following items based upon the city's cost of materials at the time of purchase:
 - 1) Conductor, per foot: from pole top to transformer;
 - 2) Pad-mount transformers:
 - a. Residential development: shall pay the entire cost of transformers, to include vaults, and hardware;
 - b. Commercial development: shall pay the entire cost of transformers, to include vaults, and hardware;
 - 3) Transformer pad;
 - 4) Trenching and backfill at time and material plus inspection (the customer may be required to trench and backfill);
 - 5) Conduit:
 - a. Primary from pole to transformer;
 - b. Secondary from the splice box to the meter is the customer responsibility.
 - B. Before construction, the customer shall provide the city with a feasible location of construction. A consideration of location will be provisions to connect other customers to the distribution system. An easement stipulating location and condition of use by others will be furnished to the city by the customer.
 - C. All equipment furnished and installed either by the customer or the city shall become and remain the property of the city.

13.16.xxx Overhead distribution installation

- 1. Overhead distribution installation on street – Pole provided when

- A. In the event it becomes necessary to extend the distribution system along any street to serve a new customer, one new pole, with related equipment, will be provided by the city without charge to the customer except for transformer.
- B. If more than one pole extension is required to serve a building site, the customer shall bear the expense of each additional pole, conductor and related hardware and equipment.
- C. For a service connection other than for an individual dwelling site the customer shall bear total expense for installation including expense of poles, conductor, transformer and related hardware and equipment.

2. Overhead distribution installation on private property – Cleared area required.

- A. Residential Development. The city will designate location and provide one pole and related equipment whether the pole is on public or private property. The cost of each additional pole, materials, and labor of installation including the transformer shall be borne by the customer.
- B. Commercial Development. The city will designate location and provide one pole and related equipment whether the pole is on public or private property. The cost of each additional pole, and materials to include transformers and installation shall be borne by the customer.
- C. Before consideration of service is given, the customer shall provide the city with a cleared area for construction. Consideration of construction and location shall include the feasibility of connecting other customers to the distribution system. An easement stipulating location and condition of use by others will be furnished to the city by the customer

13.16.120 Customer's responsibility for distributor's property. Addressed in 13.16.080

~~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 its premises; and in the event of loss or damage to the city's property arising from neglect of customer to care for the same, the cost of the necessary repairs or replacement shall be paid by the customer.~~

~~(Ord. 94 § 1(11), 1951)~~

13.16.130 Meter installation and location. Addressed in 13.16.280

- A. All meters must be located as near as possible to the point of entrance of the service, in a clean, dry, safe place, where the meters will be free from vibration.
- B. Meters must be in a readily accessible location so that the meter readers and test men may have access to the meters without inconveniencing the customer. Location should be on an open porch where the meters are protected from the weather or in an approved shelter on the outside of a building.

~~(Ord. 94 § 1(12), 1951)~~

13.16.140 Right of access. Addressed in 13.16.080

~~The city's identified employees shall have access to the customer's premises, at all reasonable times for the purpose of inspecting wiring and devices, reading meters, testing, repairing, removing, or exchanging any and all equipment belonging to the city.~~

~~(Ord. 94 § 1(13), 1951)~~

13.16.150 Reserved.

Editor's note(s)—Ord. No. 754, § II, adopted Jan. 28, 2009, repealed § 13.16.150Editor's note(s)—, which pertained to billing and derived from Ord. 592 § 1Editor's note(s)—, 1992: Ord. 420 § 1Editor's note(s)—, 1982: Ord. 359 § 1Editor's note(s)—, 1976: Ord. 337 § 1Editor's note(s)—, 1975: Ord. 94 § 1Editor's note(s)—(14), 1951. In addition, Ord. No. 754 "provided that, such repeal shall not effect any monetary obligation arising under the provisions of such section prior to the effective date of this ordinance."

13.16.160 Discontinuance of service by city.

~~The city may refuse to connect or may discontinue service for the violation of any of its rules and regulations, or for failure to pay charges for service when due, or for violation of any provision of the schedule of rates and charges or of the application of customer or contract with the customer. The city reserves the right to refuse to supply service to leads of a character which may seriously impair service to any other customer and shall have the right to discontinue service to any customer who shall continue to use appliances or apparatus detrimental to the service after being notified by the city. The city may discontinue service to customer for the theft of current or the appearance of current theft devices on the premises of customer. The discontinuance of service by the city for any causes as stated in this rule does not release the customer from his obligations to the city for the payment of minimum bills as specified in application of customer to contract with customer.~~

~~(Ord. 94 § 1(15), 1951)~~

Utility services shall be subject to disconnection by the City without obligation upon the city to refund or repay any consideration which may have been given for the granting of such service and without any obligation upon the city whatsoever for any one or more of the following reasons:

- A. Failure to comply with this chapter and/or applicable rules and regulations of the city;
- B. Use of the utility system for purposes not authorized by the city;
- C. Nonpayment involving two or more users from one line. Where two or more users are supplied with a utility from the same service line, if any of the users fail to pay the utility service charges when due, the city reserves the right to suspend all services until such charges are paid. No claims may be made against the city by any user whose utility charges have been paid because of such disconnection. It is expressly stipulated that the necessity for such disconnection shall be deemed to be the joint act of all served through such service;
- D. Any emergency requiring the interruption of service as determined by the City or the responsible department head.

13.16.170 Reconnection charge.- updated by Ord. 754 and resolution 632.

~~Whenever service has been discontinued by the city, as provided above, or a trip made during regular business hours for the purpose of discontinuing service, a charge of not less than five dollars may be collected by the city before service is restored; but when a trip is made outside of regular business hours, a charge of not less than fifteen dollars will be made.~~

(Ord. 315, 1973- Ord. 94 § 1(16), 1951)

A. All fees will be based on the latest fee ordinance or resolution.

B. When service is shut off for nonpayment, services will not be activated until the bill is paid in full.

13.16.180 Termination of contract by customer.

~~Customers who have fulfilled their contract terms and wish to discontinue service must give at least three days' written notice to that effect, unless contract specified otherwise. Notice to discontinue service prior to expiration of contract term will not relieve the customer from any minimum or guaranteed payment under any contract or rate.~~

(Ord. 94 § 1(17), 1951)

13.16.190 Service charges for 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. This rule applies to fruit stands, field offices, Christmas tree lots, circuses, carnivals, fairs, temporary construction and the like.~~

(Ord. 94 § 1(18), 1951)

13.16.200 Interruption of service.

The city will use reasonable diligence to provide a regular and uninterrupted supply of current, but in case the supply of current should be interrupted or disturbed for any cause, the city shall not be liable for personal injuries or property damages resulting therefrom, or will such failure constitute a breach of agreement for service.

(Ord. 94 § 1(19), 1951)

13.16.210 Voltage fluctuations caused by customers.

Electric service must not be used in such manner as to cause unusual fluctuations or disturbances on the city's system. The city may require the customer, at his own expense, to install suitable apparatus which will reasonably limit such fluctuations.

(Ord. 94 § 1(20), 1951)

13.16.220 Lower power factor devices. Power factor adjustment.

~~On any installation of neon, fluorescent, mercury vapor lamps or tubes or other types of gaseous tube lamps, if the overall power factor including auxiliaries of any such units or group of units is less than ninety five percent~~

~~lagging, there will be an additional charge of one dollar per month per kva of installed capacity of each unit or separately controlled group of units of such equipment, provided no charge will be made where the total of such uncorrected equipment installed by an individual customer is one tenth of a kva or less.~~

(Ord. 94 § 1(21), 1951)

- A. Applies to any general service customer subject to demand charges at the discretion of the City.
- B. Adjustment of bill shall be made for low power factor and power factor metering equipment shall be installed when, in the judgment of the City power factor is below ninety-five percent.
- C. If the average power factor at which power is delivered to the purchaser during the billing period is ninety-five percent or more, no adjustment will be made in the registered kilowatt-hours. If such average power factor is less than ninety-five percent, then the registered kilowatt-hours shall be adjusted by adding one percent to the bill for every one percent the customer is below the ninety-five percent power factor. This adjustment may be waived in whole or in part to the extent that the City determines that a power factor of less than ninety-five percent would in any particular case be advantageous to the department. Unless specifically otherwise agreed, the department shall not be obligated to deliver power at any time to a power factor below eighty-five percent.
- D. The formula for determining average power factor is as follows: Average power factor equals kilowatt-hours divided by (the square root of the square of the kilowatt-hours plus the square of the reactive kilovolt ampere hours) times one hundred percent.
- E. Power Factor Ratchet.
 1. Applies to all Industrial service customers and applicable Commercial service customers only.
 2. Power factor adjustment shall be based on the lowest power factor during the previous twelve months

13.16.230 Additional load. Addition of electric equipment unlawful.

~~The service connection, transformers, meter and equipment supplied by the city for each customer have definite capacity, and no addition to the equipment or load connected thereto will be allowed except by consent of the city. Failure to give notice of additions or changes in load and to obtain the city'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.~~

(Ord. 94 § 1(22), 1951)

It is unlawful to add any additional electric equipment requiring more than three thousand watts of electrical energy to the services installed under the original contract without first notifying the light department. In addition to the penalty herein provided, such customer shall be liable for all damages to the city that may occur as a result of the failure to so notify the light department.

13.16.240 Water heater specifications. Part of building code enforced by Building Official

- A. Water heaters shall be of the noninductive automatic, storage type and of makes, types and characteristics approved by the city, the city reserves the right to control the supply of electric energy to water heaters in such manner and at such times as, in its judgment, system operation conditions require. All control devices required by such control shall be supplied, installed and maintained by the city. No single heating unit in any

~~water heater shall have a rated capacity greater than three kilowatts. In installations equipped with two heating units, a lower or base unit shall be placed so as to heat the entire tank and an upper or booster unit shall be placed so as to heat not more than the upper one third of the tank. Each heating unit is to be controlled by an individual thermostat. The total connected load of all heating elements in any tank shall not exceed a rated capacity of six kilowatts, except by written permission of the city. All electric water heaters installed after April 1, 1950, shall be designed and connected for operation at 240 volts.~~

- ~~B. Water tanks shall be provided with an efficient insulation.~~
- ~~C. Installation of electric heaters will not be permitted on any tank directly connected to furnace or range coils. If customer desires to use the furnace or other heating coils as an auxiliary source of hot water supply, then the tank to which the coils are connected shall be used uninsulated as a tempering tank with connection from this tank to a second tank properly insulated, on which the electric equipment is installed.~~

~~(Ord. 94 § 1(23), 1951)~~

13.16.250 Standby and resale service.

~~All purchased electric service (other than emergency or standby service) used on the premises of customer shall be supplied exclusively by the city, and the customer shall not, directly or indirectly sell, sublet, assign, or otherwise dispose of the electric service or any part thereof.~~

~~(Ord. 94 § 1(24), 1951)~~

13.16.260 Notice of trouble. Defective service

The customer shall notify the city 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 oral, should be confirmed in writing.

~~(Ord. 94 § 1(25), 1951)~~

13.16.270 Nonstandard service.

~~The customer shall pay the cost of any special installation necessary to meet his particular requirements for service at other than standard voltages, or for the supply of closer voltage regulation than required by standard practice.~~

~~(Ord. 94 § 1(26), 1951)~~

13.16.280 Meter installation and maintenance. Meter – Installation – Testing.

- ~~A. The city will install and maintain all meters and other equipment necessary for measuring the electric service used by the customer.~~
- ~~B. Should the customer desire the installation of additional meters other than those necessary to adequately measure the service taken by the customer, such additional meters shall be supplied, installed and maintained by the customer.~~
- ~~C. The city at its option may supply, install and maintain any supplementary meter requested in writing by the customer and will make charges therefor as follows:~~

1. ~~Twenty five cents per meter per month for watt hour meters or demand meters of fifty ampere capacity or less for service at five hundred volts or less;~~
2. ~~Fifty cents per meter per month for combination watt hour and demand meters within the same limit of capacity and voltage;~~
3. ~~One and one half percent of the installed cost per month for metering equipment of greater capacity or higher voltage, but not less than fifty cents per meter per month.~~

(Ord. 94-51(27), 1951)

- A. The city shall have the right to install a meter on every service connection, with or without notice to the customer, which meter shall be installed in accordance with the National Electrical Code. The property owner shall be responsible for the protection of any equipment used to service his property, excepting natural depreciation.
- B. Any customer protesting that the meter on his premises is not registering correctly may apply to the electric department for a meter test. The meter shall be tested by an accredited laboratory and test results furnished. In the event the meter is in good order, applicant shall pay the cost of the test, plus **\$100.00** for delivery and labor. If the meter is in bad order, it shall be paid for by the electric department.
- C. In case a service is without a meter for a period of time, the bill shall be estimated based upon previous consumption.
- D. If a meter does not function or operate correctly due to faulty wiring on the part of the customer, the consumer shall correct said faulty wiring within 10 days, or the service will be discontinued.
- E. A single phase 200 amp, 120/240 volt meter will be furnished by the city for each residential connection. If the customer requires any other type of a meter, they will pay the difference in the cost of the meter.
- F. The meter shall be installed at a location approved by a representative of the city. The meter shall be accessible at all times.
- G. The meter sockets shall be located not less than five feet and not more than six feet above final grade.
- H. The city shall not energize any service or equipment that in their opinion is an unsafe condition, nor shall they energize any service until it has posted approval of Washington Labor and Industries (L&I).
- I. The city shall have the right at any time to disconnect the service from any customer, where, in the opinion of the city, there is evidence of an unsafe and dangerous condition. Service will not be restored until the corrections are made and, if necessary, approval by Washington Labor and Industries (L&I).
- J. The city shall not be liable for interruption of service for any reason. In case any meter fails to register, the monthly consumption shall be estimated by the city finance department on the basis of one-third of the sum of the preceding three months' consumption

13.16.290 Meter tests. Addressed in 13.16.280

~~The city will, at its own expense, make periodic tests and inspections of its meters in order to maintain a high standard of accuracy. The city will make additional costs 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), slow or fast, no adjustment will be made in the customer's bill, and the testing charge of one dollar per meter will be paid by the customer. In case the test shows meter to be in excess of two percent fast or slow, an adjustment shall be made in customer's bill over a period of not more than sixty days prior to date of such test, and cost of making the test shall be borne by the city.~~

(Ord. 94 § 1(28), 1951)

13.16.300 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 excepted) and final billing of all accounts (temporary service and other seasonal customers excepted) where the period covered by the billing involves 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.

(Ord. 94 § 1(29), 1951)

13.16.310 Tax adjustment. Municipal tax on electric utility

~~The rates named in the city's schedules of rates are subject to proportional increases to compensate for any new federal, state, county, municipal, or subdivision tax or increase in the tax rate thereof, imposed after January 1, 1951, upon or in respect of the right of the city to operate or do business within the jurisdiction or body imposing the tax. Any such increase shall continue in effect only for the duration of such taxes or assessments.~~

(Ord. 94 § 1(30), 1951)

~~The city utility tax imposed pursuant to MMC 3.22.050 is computed as a cost to the respective utility fund as a percentage of gross income and is not computed as a surcharge upon the individual rate. The tax is imposed upon the entire electric service area for the City of McCleary Light and Power Department.~~

13.16.320 Line extension policy.

- A. ~~Within the means and ability of the city, it is the declared policy to extend service to new customers or new loads for permanent residential, commercial and industrial service in all areas within or adjacent to territory now being served by existing facilities of the city. The city will make extensions from its distribution system, at locations where adequate capacity is available for the load contemplated. Each extension will be subjected to a study as to feasibility and desirability and action deemed necessary.~~
- B. ~~An extension agreement will be entered into with the customer, and the customer agrees to pay for a minimum amount of electric service specified in dollars per year. The customer shall be entitled to receive for this service annual revenue electric service in a specified amount under appropriate rate schedules. The agreement shall extend for a period of five years. The city will invest towards making service available to the customer not more than five times the specified annual revenue. In the event the total investment to be made by the city is in excess of the investment ratio of five to one, the customer or customers may contribute the deficiency in which case the city shall proceed to make the extension. The customer will arrange with the city to pay his share of the deficiency in advance of construction of the extension.~~

~~Adjustments will be made on the basis of actual extension costs if this is lower than the estimated costs. Any customer may make contribution for other customers. For the convenience of the city in billing customers receiving service under an extension agreement, the specified annual revenue shall be billed on a monthly basis, the monthly minimum being fixed in advance on the basis of reasonable estimates of monthly consumption of electricity.~~

(Ord. 94 § 1(31), 1951)

- A. For all consumers, new primary or secondary voltage circuit extensions shall be paid for in full by the consumer or person requesting service, except as modified by subsection (D) of this section.
- B. Route. Permanent overhead or underground line extensions will normally be built in the most direct route from the nearest source of supply.
- C. Contract. Extensions which cost in excess of \$1,000 may at the request of the applicant be covered by a contract which shall not exceed a 10-year term and which shall require the consumer to repay the cost of the line extension, with interest, in equal installments. Interest shall be charged at the rate of bank one-year term deposits effective the date of the agreement.
- D. Any consumer or contractor who has paid the cost of primary or secondary voltage extensions shall be offered the opportunity to enter into a developer reimbursement agreement, sometimes referred to as a latecomer agreement, in accordance with RCW 57.22 and RCW 35.91. Additional customers will not be served from line extensions covered by a developer reimbursement agreement until they have contributed their fair share of the costs of the line extension as provided for under said agreement

13.16.330 Residential rate classifications. Addressed in MMC 13.24

~~In order to clarify the provisions of the residential rate schedule and the commercial lighting and power rate schedules with respect to the applicability of these schedules to cases approaching the border line of classification, the following interpretations are given.~~

- A. ~~Multiple Dwellings.~~ Where premises include two or more residential or dwelling units, the residential rate may be applied only if separate circuits are provided without cost to the city. A residential or dwelling unit shall be defined, for the purpose of applying this interpretation, as the space provided for the occupancy of a single family, i.e. including separate living quarters and kitchen. If it is not practical to provide for separate metering of each individual unit, the entire premises will be served under appropriate lighting and power rate. Where building service, such as hall lighting, elevators, and water heating, are provided by a landlord who is not a tenant in the building, a separate circuit shall be provided for such services and metered and billed under the appropriate lighting and power rate. If these services are provided from circuit which is used for service to a tenant in the building, they may be consolidated with his residential use and billed under the residential rate, provided that no more than two dwelling units are included in the same premises. If the number of dwelling units exceeds two, a separate circuit must be provided for building services and billed under the appropriate lighting and power rate, or the entire requirements of the tenant whose residential use is obtained from the same circuit including the building services, must be billed under the appropriate lighting and power rate.
- B. ~~Commercial Use of Portions of Dwellings.~~ The residential rate is not applicable to the space in a dwelling which is regularly used for commercial purposes, such as an office, beauty shop, studio, tea room, or store, or for other gainful activities. In such cases, if a separate circuit is provided at no cost to

~~the city, for the portion of the dwelling so used, the residential rate should be applied to the balance of the power requirements and the appropriate lighting and power rate applied to the power requirements of the portion of the dwelling used for commercial purposes. If a separate circuit is not provided, the entire power requirements of the premises must be billed under the appropriate lighting and power rate.~~

~~If the premises is used primarily as a private dwelling and space in the dwelling occasionally used for commercial purposes, such as occasional rental of surplus rooms, dressmaking, laundering, catering, etc., the residential rate should be applied to the entire power requirements.~~

- ~~C. Rooming Houses. The appropriate lighting and power rate should be applied in all cases in which premises are used primarily for the rental of rooms. A dwelling shall be considered a recognized rooming house in which more than fifty percent of the total number of rooms in the house are available to roomers on a rental basis, or which is licensed by local governmental authority, or which advertises regularly, provided that a dwelling shall not be considered a recognized rooming house unless more than three rooms are for rent.~~
- ~~D. Boarding Houses. All recognized boarding houses should be billed under the appropriate lighting and power rate. An establishment which is commonly known to service, or to hold itself in readiness to serve regular boarders of the transient trade, or which advertises such service, shall be considered a recognized boarding house. An establishment shall be considered a recognized boarding house which is licensed by municipal or other governmental ordinance or statute. The above definitions are subject to the limitation that an establishment with facilities only sufficient to serve three or less paying guests shall not be considered a recognized boarding house.~~
- ~~E. Tourist Homes and Camps. All tourist homes and camps shall be considered nonresidential customers and billed under the appropriate lighting and power rate. All wiring on the customer's side of the point of delivery shall be provided by the customer. All dwellings primarily used for the purpose of renting rooms to tourists shall be considered nonresidential customers and billed under the appropriate lighting and power rate. All dwellings licensed as tourist homes by local governmental authority or regularly advertising the availability of rooms for tourists shall be billed under the appropriate lighting and power rate, provided that dwellings with less than four rooms for rent, which are not licensed as tourist homes, shall be billed under the residential rate.~~

(Ord. 94 (part), 1951)

13.16.340 Farm service—Domestic.

~~A farm on which is located a single dwelling and its appurtenances, including barns, domestic servants' quarters, and out buildings, and which processes only its own products, shall be considered a domestic farm and shall be entitled to the residential rate for all of its power requirements, including motors up to and including rated capacity of seven and one-half horsepower. Motors of capacities larger than seven and one-half horsepower shall not be installed except by special agreement with the city. Service to dwellings other than the main dwelling, such as tenant houses, etc., may be separately metered and billed under the residential rate. This interpretation is not applicable to commercial dairies as defined in Section 13.16.360.~~

(Ord. 94 (part), 1951)

13.16.350 Farm service—Commercial.

~~A farm shall be metered and billed under the appropriate lighting and power rate if other dwellings beside the main dwelling are not separately metered and are served through the same point of delivery or if products of~~

~~other farms are processed for sale. The main dwelling and domestic servants' quarters may be metered and billed under the residential rate if a separate circuit is provided for all of the other farm uses in cases where products of other farms are processed for sale.~~

(Ord. 94 (part), 1951)

13.16.360 Dairies.

~~All dairies having refrigeration equipment with a rated capacity of more than one and one-half horsepower, or making use of pasteurization equipment for processing milk, or dairies retailing raw milk under laws or ordinances, or inspection or regulation of the city or county, shall be considered nonresidential customers for their dairying power requirements.~~

(Ord. 94 (part), 1951)

13.16.370 Reward offer for information on destruction or damage of property. Damaging City property prohibited

- A. It is unlawful for any person to in any manner interfere, change, injure, mutilate, destroy, remove, disconnect or in any way interfere or tamper with any of the poles, wires, meters, ducts, meter seals, structures, cables, machinery or other equipment and appliances belonging to the city or in any way connected with the electrical distribution system of the city. Such actions shall be a civil infraction and subject to the penalties set forth in Chapter 9.38.310 MMC. Further, in the event of such violation, the utility service may be shut off and only reinstated after payment of all reconnection fees, plus fines and penalties.
- B. The city shall and does hereby offer to pay to any person or persons offering or giving information leading to the apprehension and conviction of any person or persons destroying or damaging any property of the electric light and power system of the city by any means, the sum of fifty dollars as a reward therefor.
- C. The police chief and clerk-treasurer of the city shall give suitable publicity to this offer of reward by printing and posting signs and otherwise.

Do we need to change?

- D. A resealing charge of fifty dollars for resealing a meter shall be paid by the customer where the seal has been cut, broken, removed or in any way altered or tampered with by anyone other than authorized McCleary light department personnel.

(Ord. 183 §§ 1-2, 1960)

13.16.380 Shared electrical connection prohibited; exceptions.

- A. No customer of the city's electrical utility shall connect their service with that of any other customer, or in any way supply any other person or premises with electricity through their service, except as approved by the city after the filing of a written application for such authorization with the office of the clerk-treasurer for the connection and the receipt of a written approval of the request from the director of public works.

The application shall contain no less than the following:

1. Provision of the following information:
 - a. The addresses of the premises from which the service will be provided and the premises to receive the service.
 - b. The anticipated period of requested authorization.
 - c. The reason for the necessity of the request.
2. Acknowledgment of the applicant that acceptance of any approval by the director includes (a) the granting to the city of the authority to enter upon the premises involved to confirm the state of use, and (b) that violation of the permit may result in discontinuance of service to the premises for which the permit is issued.

B. Violation of any term or condition of the permit under which service is authorized pursuant subsection A of this section shall subject the party to which the permit was issued to the following enforcement actions or penalties:

1. A violation of a term or condition of the permit constitute a civil infraction and a finding of committed as to a violation of subsection A shall subject the violator to a civil fine or forfeiture not to exceed five hundred dollars for each separate offense in addition to the city's cost of investigating and establishing such violation.
2. In recognition of the potential dangers to the health and safety of those occupying either premises and the other adjacent premises resulting from such violations, in the discretion of the director, service to the premises to which the permit was issued as the premises providing the electrical power to the other premise may be suspended until the violation is corrected.

C. If any premises provides power to another premises under circumstances for which a permit is required under the provisions of subsection A without a valid permit having been issued under this ordinance, the occupant or account holder shall be notified of the non-compliance. If the unpermitted service is not terminated within twenty-four hours of delivery/receipt of the notice of the violation, electrical service to that premises may be terminated until the violation is corrected and the account holder's account assessed a fee of two hundred fifty dollars representing the cost incurred by the city in taking this action.

(Ord. No. 831, § 1, 6-28-2017)

13.16.xxx Removal of trees or obstructions interfering with equipment required.

- A. The customers must at all times remove any trees or shrubs or other obstructions of any kind or nature interfering with the electrical service wires, meter or any part of the distribution system. Said meter shall at all times be kept free from obstruction and readily accessible to the meter reader, and the path to the meter shall likewise at all times be kept free from obstruction. In the event this is not done after 30 days' written notice to the customer by the city directing the attention of the customer to the objectionable conditions and upon the failure of the customer to correct said condition, the service meter may at the opinion of the city be removed and service disconnected until the objectionable condition has been corrected by the customer.
- B. All trees overhanging city streets or rights-of-way shall be kept at least four feet from secondary lines by the owner of the property on which such trees are growing. Nonqualified customers or contractors shall not perform any work on or near energized high voltage conductors or equipment and shall not come within the minimum approach distance of the energized lines or equipment, except under the provisions of a work clearance. The city of McCleary will provide 10 feet of clearance for nonqualified contractors or customers to safely trim or remove trees to maintain a safe work clearance from high voltage lines or equipment. Property owners shall be held liable for any damage caused by said trees that are allowed to

grow in violation of this provision. Property owners shall be notified in writing to remove trees or cut back overhanging foliage from trees which do not comply with the requirements of this section. In the event such property owners fail or refuse to move or cut back said trees after receipt of such written notice, the electric department shall remove said obstructions, and the cost of such removal shall be assessed against the owner of the property upon which such tree or trees and foliage are situated. In the further event that said condition creates a hazard dangerous to life or property, the said obstruction shall be removed immediately and without notice to the customer. The electric department shall notify the owners of the property on which there are trees deemed by the electric department to be unsafe and dangerous and likely to cause damage to the transmission distribution system of the city due to the excessive height or other conditions of the said trees, and the electric department shall on such notice, if it deems proper and necessary, request the pruning or removal of said trees. In the further event of the failure or refusal of the property owner to comply with the notice and request of the electric department relative to said dangerous trees or any parts thereof upon the transmission or distribution lines of the city causing damage thereto, the cost of such damage shall be assessed against the owners of the property upon which such trees are situated.

13.16.xxx Takeover of existing customers or service area of other electric utilities.

- A. From time to time the city may take over existing customers or service areas of other electric utilities by agreement with the other electrical utility or as may be provided by law. This section is intended to provide some definition and process for such takeovers. Specifically, it is the intent of the city to distinguish a customer that was taken over from an existing electrical utility service from a new customer that is making the first connection of electrical service to the subject property, and to provide that when a customer is taken over from the existing electrical utility that such customer shall not be required to pay a connection fee and neither the takeover customer nor the city shall be obligated to underground the new or taken over customer's electrical service connections.
- B. In the event of a takeover within the city limits, the service to a takeover customer shall not be considered a change, increase or alteration of capacity of an existing service as set forth in MMC 13.16.090.
- C. In the event of a takeover, neither the city nor the takeover customer shall be required to install underground utilities to serve the takeover customer. Provided, however, should the takeover customer seek to install underground power connection from the city, the takeover customer may install an underground connection at its sole cost in a manner approved by the city public works department and in accordance with city standards and procedures.
- D. In the event of a takeover, the takeover customer shall be required to provide the city with the same information required of a new connection.
- E. In the event of a takeover, the takeover customer shall be subject to all rules and regulations promulgated by the city contained in the city code or the policies of the city public works department applicable to electrical service customers unless as provided for herein

13.16.xxx Moving wires.

- A. Whenever it becomes necessary for wires or other light department equipment to be removed, cut or taken down, when the same is not done in the normal operation of the light department, a charge shall be made by the department to the person or persons making the request.
- B. Rates. The owner will be provided an estimate of the total costs and will be reimbursed the difference if the actual installation cost is less.

13.16.xxx Street light installation.

- A. The city will at no cost furnish, install and maintain street lights on existing public right-of-way.
- B. The developer will install street lights on streets within the development. The cost of street lights and installation will be borne by the developer.
- C. Lighting on private roads and driveways shall be installed and maintained by the owner (exceptions are security lighting rentals from the city).
- D. The spacing, placement and density of new lighting will generally follow the arrangement of existing lighting on city streets.

13.16.xxx Electric motor specifications.

- A. The customer must install and maintain, at all times, adequate relays or other protective equipment to protect any and all motors against low voltage and for three-phase motors against single-phasing operation also. The customer's failure to comply with these requirements shall absolve the city from any responsibility for loss or damage resulting therefrom.
- B. No single-phase motor of over three-fourths horsepower shall be connected for 120-volt service.
- C. Where three-phase service is available, the aggregate motor load on single-phase service shall not exceed five horsepower, except by written consent of the city.
- D. Reduced voltage type starting compensators will be required for all motors of seven and one-half horsepower and larger, except by written permission of the city where absence of such compensators will not cause objectionable voltage fluctuations on a customer's service.
- E. If a single-phase transformer or resistance type spot, seam, or arc welding machine is connected to the power system, the customer shall pay for the installation of a transformer to service this load. This transformer will be isolated from all other services so as not to cause undue flickering or disturbances to other customers. A separate meter will be installed and billing will be on the commercial rate.

References: Cheney, Blaine, Centralia, Milton, Eatonville, Port Angeles, Chewelah, Ellensburg