

## 169Chapter 27 - UTILITIES

**\*Cross reference**—Administration generally, Ch. 2; airport, Ch. 3; buildings and building regulations, Ch. 6; civil defense, Ch. 7; fire prevention and protection, Ch. 9; franchise entity regulation of video service providers, Ch. 10; licenses, permits and miscellaneous business regulations, Ch. 13.

### ARTICLE I. - IN GENERAL

#### Secs. 27-1—27-15. - Reserved.

### ARTICLE II. - ACCOUNTS AND BILLING

#### Sec. 27-16. - Definitions.

For the purpose of this article, the following words and terms shall the meanings respectively ascribed:

*Billing period.* The utility usage period of thirty (30) days, except for initial or final bills.

*Customer.* A purchaser of utility service.

*Cycle billing.* A system employed which results in the rendition of bills for utility service to various customers on different days of any calendar month.

*Delinquent account.* A bill remaining unpaid by a customer at least twenty (20) days from rendition of the bill by the department.

*Department.* A department of finance for the city.

*Director.* The director of the department of finance for the city.

*Discontinuance of service.* A cessation of utility service to a customer not directly requesting termination.

*Estimated bill.* A bill for utility services calculated using one or more estimated meter readings for the billing period.

*Fuel adjustment clause.* The automatic adjustment procedure which recognizes variations in the cost of fuel for electric generation or purchased power.

*In dispute.* Any matter regarding a customer's utility service which is the subject of a pending disagreement, or complaint by the customer.

*Non-summer.* The period from October 1 through May 31.

*Rendition of bill by the city.* The actual date on which the bill was mailed by the city.

*Residential service or use.* The use of electricity and/or water for household purposes and/or the provision of sewer and/or refuse services.

*Settlement agreement.* An agreement between a customer and the city purporting to resolve any matter in dispute between the parties, or which provides for the payment of monies not in dispute over a reasonable period of time.

*Summer.* The period from June 1 through September 30 of each year.

*Summer surcharge.* An amount calculated, for summer water rates by averaging the daily use during the billing period and then excluding from the surcharge calculation all days not falling within the summer as defined above and applying the surcharge rate to the average daily water use amount during the remaining days which exceeds one hundred twenty (120) per cent of the customer's average monthly use during the months of January, February and March after that monthly average has been reduced to a daily average for use in the surcharge calculation for the current billing period.

*Termination of service.* A cessation of utility service request by the customer.

*Utility services.* Water, electric, sewage or refuse collection service, or any combination thereof.

(Code 1964, § 15.800; Ord. No. 15619, § 1, 5-18-98; Ord. No. 16185, § 1, 9-20-99)

**Cross reference**—Definitions and rules of construction generally, § 1-2.

#### Sec. 27-17. - Application for utility service.

Customers shall apply for utility service at a location designated by the city manager as the utilities accounts and billing office

by submitting their name and address, the kind of service requested, and the location to be served, by making the necessary deposits, paying the service initiation fee, paying any required connection fees and completing the customer service agreement. No customer shall be refused service due to race, sex, creed, national origin, marital status, age, number of dependents, source of income, or place of residence in the service area.

(Code 1964, § 15.810)

#### **Sec. 27-18. - Service fees.**

- (a) *Service initiation fee.* Each customer shall be charged a service initiation fee of six dollars (\$6.00) for an initial utility service application which includes water and/or electric service, or five dollars (\$5.00) for utility initiation not including water and electric service.
- (b) *Transfer fee.* All customers requesting transfers of services to a new location will be charged a four dollar (\$4.00) fee.
- (c) *Disconnect/reconnect fees:*
  - (1) A disconnection fee of fifteen dollars (\$15.00) shall be charged a customer's account when a worker is dispatched to disconnect the customer's water or electric service for nonpayment.
  - (2) A reconnection fee of fifteen dollars (\$15.00) shall be charged to customer's account when water or electric service is reconnected on a regular working day in the normal course of business. A reconnection fee of thirty dollars (\$30.00) shall be charged a customer's account when a customer requests and receives same day reconnection service or requests and receives reconnection service on a weekend, a city holiday or any other time outside the regular working hours of the water and light department.
  - (3) A fee equal to the actual costs of the city shall be charged to all accounts when it is necessary to utilize city forces to physically disconnect sewer services. Reconnection charges shall also be levied against the affected account on the basis of the actual costs of reconnection.
- (d) *Minimum monthly charges.* Minimum monthly charges established in this Code for utility services shall be assessed for each location where the utility service is provided. Minimum monthly charges for water services and fixed monthly customer charges for electric services and fixed monthly service charges for sewage service shall be prorated based on the number of days of service received when a customer receives service at a location for less than a complete billing period.

(Code 1964, § 15.820; Ord. No. 15144, § 1, 2-3-97; Ord. No. 15618, § 1, 5-18-98; Ord. No. 16851, § 1, 4-2-01; Ord. No. 18218, § 1, 9-20-04)

#### **Sec. 27-19. - Billing and payment.**

- (a) The city shall render a bill once during each billing period to every customer in accordance with the applicable rate schedule.
- (b) The manner of furnishing the statement shall be as determined by the finance director, provided each customer is billed in a reasonable, predictable manner.
- (c) The city may divide the service area into sections, and/or the customers into various classes for the purpose of rendering statements. Such sections or classes may be changed from time to time to meet the operating requirements of the city. Such sections or classes are for the sole purpose of establishing a billing rotation and shall have no affect on the amount or rate of billing.
- (d) Each billing statement rendered by the city shall be computed on the actual usage during the billing period except as follows:
  - (1) The city reserves the right to render a bill based on estimated usage for any of, but not limited to, the following reasons:
    - a. When extreme weather conditions, emergencies, or work stoppages prevent actual meter readings.
    - b. When a customer fails to provide safe and reasonable access to the customer's premises for the purpose of reading the meter.
    - c. As provided for by the ordinance establishing the service.
    - d. Should the meter be damaged or tampered with in any manner which may render its readings inaccurate.
  - (2) Under no circumstances will the city render a bill based on an estimate as a customer's initial, or final bill of service.

(3)

When issuing an estimated bill, the city shall:

a.

Maintain accurate records of the reasons therefor and efforts made to secure an actual reading.

b.

Clearly and conspicuously note on the bill that it is based on estimated usage.

c.

Should the city underestimate a customer's actual usage, the customer will be given the opportunity, if requested, to make payment in installments.

(e)

All service bills shall be due and payable in full twenty (20) days from the date the bill was mailed, after which they shall be considered delinquent. If the last day for remittance falls upon a weekend or holiday, or any other day when the offices of the department, regularly used for the payment of customer bills, are not open to the general public, the final payment date shall be extended through to the close of the next business day. The date of payment for remittance through the mail shall be the date on which the department receives the remittance.

(f)

Except as otherwise provided in this section, the city shall assess late charges against all delinquent accounts. If a customer's bill is not paid in full by the date payment is due, the bill for the next billing period shall include a late charge equal to one and one-half (1½) per cent of the amount remaining unpaid on the due date of the preceding billing period. Late charges shall not be assessed against the balance due on a delinquent account if the customer is current on the payments required by a settlement agreement for the account.

(g)

Every bill for utility service shall clearly state:

(1)

Present and previous meter readings for water and electric service as well as "service date to" and "service date from" and number of service days.

(2)

Fuel adjustment factor.

(3)

Consumption of water and electric services during billing period.

(4)

Billing date.

(5)

Water and electric meter numbers.

(6)

Any previous balance.

(7)

Amount of gross receipts and sales tax.

(8)

Date when bill will be considered delinquent.

(9)

Amount due for utility charges.

(10)

Current amount due and total bill.

(11)

Tax and rate codes.

(12)

The address and/or phone numbers where information may be obtained on utility bills.

(h)

The department may include charges for special services together with utility charges on the same bill if the charges for special services are designated clearly and separately from utility charges.

(i)

If partial payment is made, the department shall first credit all payments to the balance outstanding for utility service.

(j)

Whenever a customer shall order his services terminated or otherwise cease to be a customer, all amounts owed by the customer to the city shall immediately become due.

(k)

Bills for accounts to which services have been terminated or discontinued for a period of thirty (30) days shall be considered delinquent thirty (30) days after the final billing date.

Should the account remain outstanding for a period of sixty (60) days, the account will be submitted to a collection agency for collection. All such collection costs, as well as any costs pertaining to adjudication, will be borne by the debtor.

(l)

If, through no fault of the residential customer, the city fails to initiate billing in a timely manner or under-bills the residential customer, the residential customer shall not be billed an additional amount for any utility services received more than six (6) months before the current billing cycle.

(Code 1964, § 15.830; Ord. No. 16851, § 1, 4-2-01; Ord. No. 19550, § 2, 6-4-07)

## **Sec. 27-20. - Security deposits.**

(a)

Each new customer shall be required to make a security deposit as a condition of service.

(1)

Customers requesting services to a one-family dwelling or one-family unit of a larger residential building shall deposit the following amounts for receiving utility services:

a.

Electrical service \$ 65.00

b.

Water service 25.00

c.

Sewer service 20.00

d.

Refuse service 20.00

At the discretion of the finance director, the security deposit may be waived upon the customer establishing one (1) year (twelve (12) consecutive months) good credit or furnishing a letter of good credit from the customer's previous utility provider. The finance director will maintain a written policy that defines good credit.

(2)

When more than one of the above services is requested, the amount of the deposit shall be the total amount of the fees shown for the services requested. The finance director may also increase security deposits for residential accounts to minimize the city's risks where appropriate.

(b)

A residential landlord requesting services for a rental unit shall make a security deposit based on the number of rental units for which the landlord has utility security deposits with the city:

First 25 units, per unit \$10.00

Units in excess of 25, per unit 5.00

The maximum amount of security deposits a residential landlord shall be required to make, regardless of the number of rental units, is one thousand dollars (\$1,000.00). At the discretion of the finance director, the customer may request the deposit be waived upon the customer establishing one (1) year (twelve (12) consecutive months) good credit with the City of Columbia. The finance director will maintain a written policy that defines good credit.

(c)

In order for customers to obtain service to a commercial establishment or for any use other than single-family residential use, they shall be required to meet one (1) of the following provisions:

(1)

Make a deposit based on twice the estimated amount of thirty (30) days' bill for those services requested for new accounts, and be adjusted to twice the actual average as necessary. The finance director may also increase security deposits for commercial accounts to minimize the city's risks where appropriate.

(2)

Furnish equivalent bond or letter of credit.

At the discretion of the finance director, commercial security deposits may be waived upon the commercial customer having established a minimum of three (3) years' continuous timely payments.

(d)

Service deposits may be transferred or applied to a new residence or business location if a customer moves. Adjustment shall be made if the amount of deposit is inadequate or excessive.

(e)

The department may require an additional security deposit as a condition of continued service if, in an unauthorized manner, the customer interferes with or diverts the service of the utility situated on or about or delivered to the customer's premises. The department may require a signed application for service and additional security deposit from any customer giving false information to access City of Columbia utility services.

(f)

No additional security deposit shall be required by the department on the basis of the customer's age, sex, race, creed, national origin, marital status, number of dependents, source of income, or geographical area of residence.

(g)

Upon termination of service, the deposit shall be credited to the final bill and the balance, if any, shall be returned to the customer.

(h)

At the discretion of the finance director, the security deposit may be waived upon the customer establishing one (1) year (twelve (12) consecutive months) good credit or furnishing a letter of good credit from the customer's previous utility provider.

The finance director will maintain a written policy that defines good credit. Should the deposit be credited to a customer's account and the customer's services discontinued subsequently due to nonpayment, the customer will be required to make the proper security deposits in addition to other charges and fees as a requisite for resumption of services.

(i)

The department shall maintain a record of all deposits received from customers, showing the name of each customer, the location of the premises occupied by the customer at the time the deposit was required and each successive location while the deposit is retained, and the date and amount of deposit.

(j)

Each customer posting a security deposit shall receive in writing at the time of tender of deposit receipts as evidence thereof, which, where applicable, contains the following minimum information:

(1)

Name of customer.

(2)

Place of payment.

(3)

Date of payment.

(4)

Amount of payment for fees and deposits.

In addition, each customer shall sign a service agreement which states the terms and conditions governing the retention, payment and return of deposits.

(k)

The department shall apply deposit standards uniformly as a condition of utility service to all customers.

*(Code 1964, § 15.840; Ord. No. 9786, § 1, 4-18-83; Ord. No. 10010, § 1, 12-5-83; Ord. No. 13243, § 1, 2-3-92; Ord. No. 16851, § 1, 4-2-01; Ord. No. 18513, § 1, 5-16-05)*

## **Sec. 27-21. - Discontinuance of service.**

(a)

No person, except authorized employees of the city, shall disconnect any meter, connect to any meter, or disturb the service lines of any utility without written authorized permission. In the event the city shall discover evidence of tampering with any electric meter, lead in wire from the meter, any water meter, or lines used for water or sewage distribution, or other such line of the utility having the probable effect of rendering actual meter readings inaccurate, or to receive the service of the utility without proper payments, the city shall have the right to discontinue utility service to the customer and remove its property from the customer's premises. In addition, the water and light director may cause service to be discontinued due to:

(1)

Violation of electric codes (per recommendation of public works, inspection division);

(2)

Violation of health ordinance (per recommendation of health department);

(3)

Request of fire department due to fires or fire danger;

(4)

Request from public works because of unsafe condition of structure or dwelling;

provided, however, that the city may determine to continue service or to reconnect service upon compliance with city codes and/or payment by the customer whose demand, use or bill was affected by such tampering, of the following, or any combination thereof, fees or charges at the city's election as determined by the city:

(1)

The amount of any city revenue loss attributable to such tampering, with such amount loss determined by an estimate made by the water and light director or his/her designee;

(2)

Cash deposit as determined by the director of finance or his/her designee; provided, however, that requests for such deposits shall be made only in the event that the customer does not currently have on file with the city a cash deposit in an appropriate amount; and

(3)

The actual expenses incurred by the city in replacing and/or repairing the meter, service lines or wires, the making of any connection, and any bookkeeping and clerical expenses incurred in the preparation of the required billing.

Prior to any service disconnection for nonpayment, the city shall give five (5) working days' written notice of such intent by mail to the customer at his billing address. Such notice shall give a telephone number and address at which such discontinuance may be contested. The finance director is hereby authorized to promulgate rules and regulations to establish an administrative procedure to handle such contests.

(b)

The city may discontinue service to a customer for any legitimate business reason including, but not limited to, the following:

(1)

Nonpayment of a delinquent account.

- (2) Failure to post required security deposit.
- (3) Failure to comply with the terms and conditions of a settlement agreement relating to a current or prior utility account.
- (4) Refusal to grant access at reasonable times to equipment installed upon the premises of the customer for the purpose of inspection, meter reading, maintenance or replacement:
  - a. If access is not provided within fifteen (15) days of initial notice, a second notice will be delivered at the customer's address, of intent to discontinue service unless reasonable access is provided within three (3) business days from the date of the second notice.
  - b. Following the expiration of three (3) business days, the account shall be discontinued and legal proceedings undertaken to recover the city's equipment.
- (5) Failure of an applicant to use applicant's correct name when applying for utility service.

(c) If a customer fails to inform the department of his intent to terminate utility services, or fails to respond to a delinquent notice, services may be discontinued and that customer's service deposits utilized as payment of any delinquent accounts. The finance director shall establish a standard procedure for distribution of deposits to delinquent accounts, which procedure shall be approved by the city manager. Any portion of the service deposits remaining after all amounts owed for any service have been deducted shall be transferred to the water and light fund. Any person claiming such money, after transfer, may make proof of claim to the council and the transferred amount shall be paid him, without interest, provided such claim has not been barred by limitation under the laws.

(d) The city may discontinue service between the hours of 8:00 a.m. and 4:00 p.m. on the date specified on the discontinuance notice, or within a reasonable time thereafter. Service shall not be discontinued on a day when the offices of the department are not available to the public for the purpose of reconnecting discontinued service. Service shall not be discontinued pursuant to nonpayment of a delinquent account within five (5) working days after an account becomes delinquent. Notice of discontinuance must be served five (5) working days prior to discontinuance. Service of notice is complete upon mailing. The department shall maintain an accurate record of the date of mailing.

(e) A notice of discontinuance shall contain the following:

- (1) Name and address of the customer.
- (2) Clear and concise statement of the reason for the proposed discontinuance, and cost of reconnection.
- (3) Date on, or after which service shall be discontinued unless action is taken by the customer.
- (4) Terms under which discontinuance may be avoided by the customer.
- (5) The telephone number, during working hours and after hours, where inquiry/complaint may be made.

(f) Immediately preceding the discontinuance of service, the employee of the city designated to perform such function shall make a reasonable effort to contact and identify himself to the customer or responsible person then upon the premises stating action taken, reason for action, and phone numbers where inquiries may be made.

(g) Notwithstanding any other provisions of this section, the city shall postpone the discontinuance of utility service to a residential customer for a time not in excess of twenty-one (21) days if the discontinuance will aggravate an existent medical emergency of the customer, a member of his/her family or other permanent resident of the premises where service is rendered.

(h) Services to residences will not be disconnected when the temperature is thirty-two (32) degrees Fahrenheit or less or when the temperature exceeds ninety (90) degrees Fahrenheit; effort will be made to determine the health status of the person(s) residing on the premises before proceeding with disconnection.

(i) If the department is advised, prior to the date of discontinuance that any portion of bill is in dispute, the department shall record the date, place and time the complaint was made, and enter into the resolution process with the customer.

- (1) The complaint may be initiated in person, by phone, or in writing.
- (2) The department, in attempting to resolve the dispute in a mutually satisfactory manner, may employ those methods set forth by the finance director in the customer complaints process.

- (j) Failure of the customer to enter into negotiation with the department to resolve a dispute or enter into a settlement agreement shall constitute a waiver of the customer's right to continuance of service and the city may then proceed to discontinue service as provided.
- (k) When a complaint is made, the customer shall make payment of the nondisputed amount; if customer fails to make payment of the nondisputed amount within three (3) working days from the date of registering the complaint, the customer shall waive his right to continuance of service and discontinuance of service may proceed.
- (l) Upon the customer's request, the city shall restore service promptly if the cause for discontinuance of service has been eliminated, applicable restoration charges paid and, if required, satisfactory credit arrangements have been made. At all times every effort shall be made to restore services upon the day restoration is requested, and in any event restoration shall be made no later than the day following the request.
- (Code 1964, § 15.860, Ord. No. 13243, § 1, 2-3-92; Ord. No. 16851, § 1, 4-2-01)*

**Sec. 27-22. - Customer complaint procedure.**

- (a) The department shall cause to be established procedures which will ensure the prompt, efficient and thorough receipt, investigation and, where possible, resolution of all customer inquiries, service requests and complaints regarding residential utility service and charges.
- (b) The department shall establish personnel procedures which, as a minimum, ensure that:
- (1) Qualified personnel shall be available and prepared at all times during normal business hours to receive and respond to all customer inquiries, service requests, and complaints. The department shall make reasonable arrangements to ensure that customers unable to communicate in the English language receive assistance.
  - (2) Qualified personnel shall be available during normal business hours to receive and initiate response to customer contacts regarding any discontinuance of service or emergency condition.
  - (3) Qualified personnel responsible for and authorized to enter into such written agreements on behalf of the city shall be available at all times during normal business hours to respond to customer inquiries and complaints.
- (c) The city shall prepare, in written form, information summarizing the responsibilities and rights of the city and its customers. Such information shall be displayed, and made available upon request at the department's utilities accounts and billing collection area, and issued to each new customer. The information shall concern, but not be limited to, the following:
- (1) Billing and estimated billing procedures.
  - (2) Methods for customer verification of billing accuracy.
  - (3) Explanation of operation of fuel adjustment clauses.
  - (4) Customer payment requirements and procedures.
  - (5) Security deposit requirements.
  - (6) Discontinuance and reconnection of services.
  - (7) Inquiry, service and complaint procedures.
  - (8) Procedure whereby a customer may avoid discontinuance of service during an extended period of absence.
- (d) The city shall maintain records on each of its customers, containing the following information:
- (1) The customer's payment performance in relation to due dates.
  - (2) The number and general nature of complaints registered.
  - (3) The number of settlement agreements that were made by the department and a synopsis of the terms, conditions and standards upon which the agreements were made.
  - (4)

Actual number of discontinuances of service and number of reconnections.

(5)

Refund of security deposits.

(Code 1964, § 15.850)

### **Sec. 27-23. - Settlement agreements.**

(a)

When the director and a customer arrive at a mutually satisfactory settlement of any disputed amount, or the customer does not dispute liability to the utility but claims inability to pay the outstanding bill in full, the director and the customer may enter into a written settlement agreement. The decision to enter into a settlement shall be at the sole discretion of the city.

(b)

If a customer is in compliance with the terms and conditions of a settlement agreement, service shall not be discontinued for having a delinquent account.

(c)

If the customer fails to comply with the terms and conditions of a settlement agreement, service may be discontinued.

(d)

If a customer complaint or dispute involves the same question or issue presented in a prior complaint or dispute, the director may utilize the facts found in the prior complaint or dispute in resolving the current dispute.

(Code 1964, § 15.870; Ord. No. 16851, § 1, 4-2-01)

### **Sec. 27-24. - Resale of utility services.**

(a)

No customer shall sell at a profit, or offer for sale at a profit any utility service purchased for his or her sole use from the city.

(b)

Any customer wishing to resell a utility service, shall do so only after having first obtained authorization from the city council.

(c)

Any customer reselling utility service, regardless of whether the utility service so resold is metered or not, shall from time to time as determined by the city manager, furnish evidence that such resale is in compliance with all rules relating to such.

(d)

Any customer wishing to resell utility service may be required, as determined by the city, to install submeters where required and maintain records at such customer's expense, for the purpose of determining compliance with this section.

(Code 1964, § 15.880)

### **Sec. 27-25. - CASH program.**

(a)

The CASH program is established to assist eligible senior citizens and disabled persons in paying utility bills and to assist eligible senior citizens in making utility related emergency home repairs.

(b)

City utility customers may specify amounts they wish to contribute to the CASH program and have such amounts charged on their utility bills. Contributions to the CASH program shall be accounted for separately.

(c)

To be eligible to receive assistance as a senior citizen, an individual must be at least sixty (60) years old. To be eligible to receive assistance as a disabled person, an individual either must be currently receiving income based on disability status (for example social security disability payments) or must be totally unable to work because of a physical or mental impairment as documented by a health care professional.

(d)

An individual must meet the following guidelines to be eligible to receive assistance under the CASH program:

(1)

The individual must be a city electric utility customer and the utility account must be in the individual's name.

(2)

The individual's household income must be at or below one hundred fifty (150) per cent of the federal government's poverty guidelines.

(3)

The individual's other resources must be exhausted.

(e)

Assistance in paying utility bills is subject to the following limitations:

(1)

The individual seeking assistance must be without utility service or the individual's utility service must be due for disconnection.

(2)

Payments may be made only for electric, water, sewer or utility deposit. Payments for utility deposits shall be made no



more than one (1) time per household and shall be for a maximum of seventy-five dollars (\$75.00). Payments shall not be made for fees of any kind including disconnection fees and reconnection fees.

(3)

No more than six hundred dollars (\$600.00) shall be paid in assistance for any individual in any twelve (12) month period.

(4)

Disabled individuals are only eligible for the amount of assistance needed to avoid disconnection, for reconnection or for a deposit. Senior citizens may apply for the annual maximum amount regardless of their account status.

(f)

Determinations of eligibility and the amount of assistance to be granted to applicants shall be made by the director of health services or the director's designee, whose determination shall be final.

(g)

The director of health services is authorized to establish rules and regulations implementing the CASH program.

*(Ord. No. 16630, § 1, 10-2-00; Ord. No. 18270, § 1, 10-4-04)*

### **Sec. 27-26. - HELP program.**

(a)

The HELP program is established to assist eligible families with children in paying utility bills.

(b)

City utility customers may specify amounts they wish to contribute to the HELP program and have such amounts charged on their utility bills. Contributions to the HELP program shall be accounted for separately.

(c)

An individual must meet the following guidelines to be eligible to receive assistance under the HELP program:

(1)

The individual must be a city electric utility customer and the utility account must be in the individual's name.

(2)

The individual's household income must be at or below one hundred fifty (150) per cent of the federal government's poverty guidelines.

(3)

The individual's other resources must be exhausted.

(4)

The individual must be the parent or guardian of a child who is eighteen (18) years of age or younger, in the physical and legal custody of the individual and in school (unless the child is unable to attend school because of age or disability).

(d)

Assistance in paying utility bills is subject to the following limitations:

(1)

The individual seeking assistance must be without utility service or the individual's utility service must be due for disconnection.

(2)

An individual is eligible to receive only the amount of assistance needed to avoid disconnection, for reconnection or for a deposit. Payments for utility deposits shall be made no more than one (1) time per household and shall be for a maximum of seventy-five dollars (\$75.00). Payments shall not be made for fees of any kind including disconnection fees and reconnection fees. Heating and cooling bills shall have priority over other types of utility bills.

(3)

No more than two hundred seventy-five dollars (\$275.00) shall be paid in assistance for any individual in any twelve (12) month period. Assistance is available one (1) time per twelve (12) month period. There is a life time limit of five (5) times for assistance under the HELP program.

(e)

Determinations of eligibility and the amount of assistance to be granted to applicants shall be made by the director of health services or the director's designee, whose determination shall be final.

(f)

The director of health services is authorized to establish rules and regulations implementing the HELP program.

*(Ord. No. 16630, § 1, 10-2-00; Ord. No. 18270, § 1, 10-4-04)*

### **Sec. 27-27. - Columbia Trust.**

(a)

City utility customers may specify amounts they wish to contribute to the Columbia Trust and have such amounts charged on their monthly utility bills. Utility customers may specify that their contributions be made to any of the following Columbia Trust accounts:

(1)

Community arts programming.

- (2) Community beautification.
- (3) Youth recreation scholarships.
- (4) Public health.
- (5) Columbia fire department.
- (6) Columbia police department.

- (b) Contributions made to the Columbia Trust through the utility checkoff program shall be placed in the account specified by the donor. Funds in each of these accounts shall be spent only on programs approved by the city council that are for the purpose indicated by the name of the account.
- (c) The minimum amount that a utility customer may contribute to a Columbia Trust account through the utility checkoff program is one dollar (\$1.00) per month.
- (d) The director of finance is authorized to establish rules and regulations implementing the Columbia Trust utility checkoff program.

(Ord. No. 16850, § 1, 4-2-01; Ord. No. 20309, § 1, 6-15-09)

### **Secs. 27-28—27-35. - Reserved.**

## **ARTICLE III. - WATER AND LIGHT SYSTEM**

*\*Cross reference—Required connection to water and sewer system under minimum properties standards code, § 6-145.*

### **DIVISION 1. - GENERALLY**

#### **Sec. 27-36. - Definitions.**

For the purposes of this article, whenever any of the following words or terms are used herein, they shall have the meanings ascribed to them in this section:

*Customer.* The corporation, association, or individual legally using water or electricity supplied by the department.

*Customer-generator.* A consumer of electric energy who purchases electric energy from the city and is the owner of a qualified net metering unit.

*Department.* The water and light department of the City of Columbia, Missouri.

*Director.* The director of the water and light department of the city, or his authorized representative.

*Easement.* The land legally designated for the installation and maintenance of water, electric or other utility lines necessary to properly serve the public with utility services.

*Lot.* A parcel or portion of land in a subdivision, or parcel of land separated from other parcels or portions by description as on a subdivision plat of record, survey map, or by metes and bounds description.

*Meter.* A device installed at each customer's premises for the purpose of measuring the quantity of water or electricity used.

*Net energy metering.* The measurement of the amount of electric energy supplied to a customer-generator by the department and the measurement of the electric energy generated by a customer-generator that is delivered to the local distribution system at the same point of interconnection.

*Plan.* A map of a subdivision showing the location, arrangement and size of lots, streets, easements, and other rights-of-way.

*Property.* A lot, tract, or other parcel of land.

*Property owner.* An individual, corporation or association holding legal title or otherwise having legal control of a property.

*Qualified net metering unit.* An electric generation unit which:

- (a) Is owned by a customer-generator.
- (b)

- Is a hydrogen fuel cell or is powered by sun, wind or biomass.
- (c) Has an electrical generating system with a capacity of not more than one hundred (100) kilowatts (kW).
- (d) Is located on premises that are owned, operated, leased or otherwise controlled by the customer-generator.
- (e) Is interconnected and operates in parallel and in synchronization with the electric system.
- (f) Is intended primarily to offset part or all of the customer-generator's own electrical energy requirements.

*Resale service.* Electrical service used by the customer for resale to another at a profit or at a cost related to the amount of usage.

*Residential dwelling unit.* A building or portion thereof with kitchen facilities, designated or used for residential occupancy, including but not limited to, such units when constituting or a part of one-family, two-family, and multiple-family dwellings, boarding and lodging houses, apartment houses and apartment hotels, but not hotels or motels, except where the units are occupied by the same individual or group of individuals for thirty (30) days or more.

*Right-of-way.* A street or roadway dedicated to the city or to the State of Missouri.

*Service area.* All of the city limits and any other areas where the department furnishes water and/or electric service.

*Standby service.* Electrical service which is not used as the primary source of energy for a specific function or purpose but which is used only as a reserve or as a backup to the primary source of energy for the specific function or purpose.

*Subdivision.* A parcel of land divided into two (2) or more lots or other divisions of land.

*Submeter.* A meter that is used in series with another meter for the purpose of measuring a quantity of water or electricity a second time.

*Supplementary service.* Electrical service which is not used as the primary source of energy for a specific function or purpose but which is used as a supplement to the primary source of energy, either routinely or on an emergency basis, for the specific function or purpose.

*Value of electric energy.* The average cost per kWh of the energy component of applicable kWh rates. This value will be based on purchased energy, including charge for energy, transmission, losses, and any fuel adjustments per kWh and will include fuel costs for energy generated at department facilities. Value of electric energy does not include capacity charges, distribution expenses, or other overhead expenses which may be part of applicable kWh rates.

*Water and electric light works.* All the physical property of the city including wells, pumping plants, pipe lines, generating plants, substations, transmission lines, distribution lines, buildings, and all other equipment, apparatus and property used for the sole purpose of obtaining, producing, generating, distributing and delivering water and electricity.

(Code 1964, § 15.005; Ord. No. 17894, § 1, 11-3-03)

**Cross reference—Definitions and rules of construction generally, § 1-2.**

### **Sec. 27-37. - Director—Appointment and qualifications.**

There shall be a director of the water and light department, who shall be an engineer registered under the laws of the state, trained and experienced in the operation and management of public utilities, and qualified to perform the duties required of him by the charter and ordinances of the city. He shall be appointed by the city manager.

(Code 1964, § 15.010)

### **Sec. 27-38. - Same—Powers and duties.**

The director of the water and light department shall have such powers and duties as are provided by the charter of the city.

(Code 1964, § 15.020)

### **Sec. 27-39. - Water and light advisory board—Appointment and terms of members.**

There shall be a water and light advisory board which shall consist of five (5) members appointed by the council. Appointments shall be made for terms of four (4) years and until a successor is appointed and qualified. Appointments to fill vacancies shall be for unexpired terms only.

(Code 1964, § 15.030; Ord. No. 14466, § 1, 5-1-95; Ord. No. 17658, § 1, 4-21-03)

### **Sec. 27-40. - Same—Qualifications; organization; powers and duties; compensation.**

The qualifications of members, organization, and powers and duties of the board shall be such as are provided by the charter of the city. Members shall serve without pay, but they shall be reimbursed for reasonable, necessary expenses incurred in their capacity as members of the water and light advisory board.

*(Code 1964, § 15.040)*

#### **Sec. 27-41. - Same—Meetings; quorum; attendance.**

The board shall meet regularly at such times and places as the board shall determine. A quorum for the transaction of business at such meetings shall be a majority of the duly appointed and acting members of the board. The chair of the board is authorized to excuse any member from attendance at a board meeting; provided, that the member requested to be excused before the meeting. Any member who is absent, without being excused, from twenty-five (25) per cent of the regular board meetings held in a calendar year shall automatically forfeit the office. Any member who is absent, without being excused, from three (3) consecutive regular meetings shall automatically forfeit the office. It shall be the duty of the chair of the board to promptly notify the city council of the vacancy.

*(Code 1964, § 15.041; Ord. No. 17658, § 1, 4-21-03)*

#### **Sec. 27-42. - Water and electric revenue bond fund.**

There is hereby established a fund designated the "water and electric revenue bond fund." There shall be transferred from the water and light fund and deposited into such fund monthly, sums at least equal to one-sixth of the amount of interest that will become due on all water and electric revenue bonds, issued under the date of May 1, 1948, then outstanding on the then next interest payment date, plus at least one-twelfth of the amount of principal that will become due on such water and electric revenue bonds, issued under date of May 1, 1948, on the next maturity date. Such money so transferred and deposited into the fund hereby created shall be immediately remitted to the Mercantile-Commerce Bank and Trust Company, St. Louis, Missouri, paying agent designated in such water and electric revenue bonds of the city, and issued under date of May 1, 1948.

*(Code 1964, § 15.050)*

#### **Sec. 27-43. - Water and electric revenue bond reserve fund.**

There is hereby created a fund designated as the "water and electric revenue bond reserve fund." There shall be transferred monthly from the water and light fund, and deposited into the water and electric revenue bond reserve fund the sum of three thousand dollars (\$3,000.00). Such transfers and deposits shall continue until the balance in the aforesaid bond reserve fund shall equal one hundred thousand dollars (\$100,000.00). Such fund shall be used only for the payment of the principal of and the interest on the water and electric revenue bonds of the city issued under date of May 1, 1948, and only then when other funds are not available to meet such payments. Should such funds be reduced or depleted by reason of meeting any of such water and electric revenue bond obligations, additional transfers and deposits, at the rate of three thousand dollars (\$3,000.00) per month as hereinbefore provided, shall be made until such fund shall be replenished and shall have credited thereto not less than the aforesaid one hundred thousand dollars (\$100,000.00).

*(Code 1964, § 15.060)*

#### **Sec. 27-44. - Water and electric depreciation fund.**

There is hereby created a fund known as the "water and electric depreciation fund." Into such fund there shall be transferred monthly, from the water and light fund, and deposited a sum equal to the depreciation chargeable against the properties from time to time constituting the water and electric light works of the city. The amount of depreciation and the amount to be transferred monthly into the fund hereby created shall be determined according to a formula heretofore or hereafter determined by the consulting engineers employed by the city. The sums so deposited into such fund shall be expended only for unusual and extraordinary repairs and replacements of the water and electric light works and for emergency expenses of such works.

*(Code 1964, § 15.070)*

#### **Sec. 27-45. - Efficiency programs.**

The director is authorized to research, develop and implement programs which enhance efficient use of water or electric services, reduce peak demands, reduce distribution and maintenance costs to the utility, and promote water or electric conservation among consumers. Prior to implementation of any program on a city-wide basis, the director shall make a report to council.

*(Ord. No. 13478, § 1, 10-5-92)*

#### **Sec. 27-46. - Specialized utility services.**

The city manager is authorized to enter into agreements with cities, private utilities, industrial or commercial customers or public utility districts to provide specialized utility services using city equipment and staff. The fees charged for such services shall not be less than the actual cost of providing such services to the requesting party.

*(Ord. No. 16543, § 1, 8-21-00)*

**Secs. 27-47—27-50. - Reserved.**

**DIVISION 2. - WATER SERVICE**

**\*Cross reference**—Private fire hydrants, § 9-6; water supply for food service establishments, § 11-156(a); water pollution and contamination in public parks, § 17-67.

**Sec. 27-51. - Definitions.**

For the purpose of this division, the following words and terms shall have the meanings respectively ascribed:

*Customer's water installation.* All pipes, valves, stops, plumbing or contrivances owned by the customer and used in connection with, or forming a part of, the customer's installation for using water for any purpose including lines or pipes used for the purpose of connecting such installation to the department's water meter, curb stop, or water main, or other part of the distribution system as the case may be.

*Distribution system.* That part of the city's water and light works used to distribute water from points of treatment and storage to the customers served; including mains, valves, fittings, service lines, and other appurtenances.

*Water main.* The main lines or pipes, usually located in the street, and used for supplying water to a number of customers, or an entire area.

*Water service line.* The pipe, valves, fittings, water meter, meter box, and all other fixtures owned by the department and used to connect the customer's water installation to the water main.

(Code 1964, § 15.300)

**Cross reference**—Definitions and rules of construction generally, § 1-2.

**Sec. 27-52. - Water service lines—Ownership; application; fees.**

- (a) Water service lines, including the water main tap, the pipe, fittings, and valves between the main and the customer's installation, the water meter, its appurtenances and the meter box shall be and remain the property of the department, which shall be responsible for their perpetual maintenance.
- (b) Application for a water service line shall be simultaneous with application for water service to previously unserved properties and shall be accompanied with the normal service deposit as well as a connection fee. It shall be understood that the service will be placed into immediate use, and billing shall be started at the completion of the first full month after the connection.
- (c) Water service lines to previously unserved properties or to properties previously served by an inadequate or non-city-owned service line within the water utility service area shall be installed upon application and only after all requirements for water main extension and payment have been met. The required fees for connection, tap and meter installation, where applicable, shall be paid at the time of application or may be billed during the normal billing cycle in the month subsequent to the date of application, at the city's option. The city may demand payment in cash.
- (1) *Connection fee* (applies to all connections) shall be based on meter size under the following schedule:
- | <i>Size of water meter</i>      | <i>Inches</i> | <i>Connection fee</i> |
|---------------------------------|---------------|-----------------------|
| $\frac{1}{8}$ and $\frac{3}{4}$ |               | \$600.00              |
| 1                               |               | 645.00                |
| 1½                              |               | 928.00                |
| 2                               |               | 997.00                |
| 3                               |               | 2,439.00              |
| 4                               |               | 3,769.00              |
| 6                               |               | 7,539.00              |
- In the case of a multiple-family facility, or multiple commercial facilities, that chooses to install a single water meter, the connection fee will be the sum of the fees that would have been charged to each unit of the facility, had each unit been separately metered. In calculating this fee, the department shall take into account the meter size that would have been required to separately meter each unit.
- (2) *Tap fee.* This fee shall be in addition to the connection fee and meter fee and shall be assessed for each tap made by the department on public water mains. The tap fee will be waived when the only purpose of the tap is for installing a sprinkler system in a structure built before the requirement of fire sprinklers. On each tap, the customer shall be assessed as follows:
- | <i>Size of Meter</i> | <i>Charge</i> |
|----------------------|---------------|
|----------------------|---------------|

1-inch \$160.00  
1½—2-inch 250.00  
4-inch and larger 500.00

For all commercial services or connections larger than one (1) inch, the customer shall be responsible for all necessary permits, preparation of the water main so that the tap may be made (including saw cutting of pavement, if required), site excavation, installation of the service line across the street (if required), and all applicable site restoration costs. All excavations under pavement must be restored per city public works department, Boone County Public Works, or Missouri Department of Transportation specifications.

(3)

*Meter box and appurtenances fee.* On properties (generally industrial, commercial or multiple-family residential in use) served by private water mains or private water service lines, where one or more water meter is required and the meter box(es) and appurtenances are to be installed by a plumbing, mechanical or general contractor, the meter box(es) and appurtenances shall be furnished by the customer, based on department specifications, and no fees shall be assessed. On properties served by public mains, the customer shall be assessed per meter as follows:

*Size of Meter Charge*

¾-inch \$400.00  
1-inch 410.00

This fee shall be in addition to the connection fee, tap fee (which shall be assessed if the department taps a public water main and whether or not a valve/stop and valve box are installed) and meter fee. The department may, at its option, provide single or double meter settings per meter box, with no adjustment to the meter box and appurtenance fee.

The customer shall provide and install to department specifications the meter box for meters having inlet and outlet openings larger than one (1) inch in diameter and no fees shall be assessed.

(4)

*Meter fee.* In addition to the connection fee, each customer who requests service to previously unserved properties, or to properties where a meter of greater size than the previous meter is required, shall be assessed a meter fee. All meters installed after October 1, 2004 shall be remote-read meters and fees will be as follows:

*Size of Meter Charge*

¾-inch \$188.00  
¾-inch 210.00  
1-inch 242.00

For meters larger than one (1) inch, the meter fee shall be the actual cost of the meter, plus a markup to cover the actual cost of overhead as determined from cost computed at the end of each fiscal year.

(d)

Water service lines to previously unserved properties outside the city limits shall be installed by the department upon application and payment of one hundred fifty (150) per cent of the charge for similar services within the city, and only after all requirements for water main extension and payment have been met.

(e)

The department may, at the option of the director, install water service lines to vacant and previously unserved properties prior to receiving application for such service line; provided, however, that service lines so installed shall not be used for the purpose of providing service to a customer until after such customer has made formal application and paid the connection fee for such service.

(f)

In addition to the herein-stated fees, each new customer who requests and receives a water service connection to a water main which was installed by the department, or at the expense of the department, shall pay a proportional share of the cost of the water main. (See section 27-72.)

(Code 1964, § 15.310; Ord. No. 9992, § 1, 11-7-83; Ord. No. 12834, § 1, 1-7-91; Ord. No. 13554, § 1, 12-21-92; Ord. No. 14214, § 1, 9-19-94; Ord. No. 14618, § 1, 9-18-95; Ord. No. 14978, § 1, 9-16-96; Ord. No. 16186, § 1, 9-20-99; Ord. No. 16589, § 1, 9-18-00; Ord. No. 17021, § 1, 9-17-01; Ord. No. 17435, § 1, 9-16-02; Ord. No. 17834, § 1, 9-15-03; Ord. No. 18218, § 1, 9-20-04; Ord. No. 18688, § 1, 9-19-05; Ord. No. 19210, § 1, 9-18-06; Ord. No. 19697, § 1, 10-1-07; Ord. No. 19811, § 1, 2-4-08; Ord. No. 20052, § 1, 9-15-08; Ord. No. 20171, § 1, 1-20-09)

### **Sec. 27-53. - Same—Location.**

(a)

The location of the water service line, in relation to the water main and the property to be served, shall be determined by the department.

(b)

A permanent meter box shall be installed at the customer's property line in a location determined by the department. The meter box shall be installed to match the existing land surface, unless the customer submits a written description or plan of proposed relandscaping to the department.

(c)

When it is impractical to install the meter box at the property line, as determined by the director, the water meter may be installed indoors or elsewhere on the property to be served, provided it is protected from damage or freezing and, when located indoors, is readily accessible in an unlocked room or enclosure. If a meter becomes inaccessible, in the option of the department, the customer must make provision for its relocation or for a remote reading device. Regardless of its location, the customer shall be responsible for damage to the meter or its appurtenances, caused by the customer's negligence or



failure to properly safeguard and protect such meter and appurtenances from hazards.

(d)

The department reserves the right to relocate the water service line or any appurtenance thereof, at its own expense. If the customer desires relocation, or a change in elevation, of the water service line or any appurtenances thereof, he shall make written request to the department and deposit the estimated cost for labor, equipment and material, plus overhead, to complete this relocation or change with the department. In the event of an underestimate, the customer will be billed for the remainder; in the event of an overestimate, the excess will be refunded.

(e)

If the customer should relandscape his property, making it difficult to read the meter, the department may relocate or change the elevation of the meter and meter box and charge the customer the actual cost of labor, equipment and material, plus overhead therefor.

(Code 1964, § 15.311)

#### **Sec. 27-54. - Metering.**

(a)

Each of the following types of facilities shall comprise a metering unit and be metered individually; provided, however, that the owners of a multiple-family facility shall have the option of installing a single water meter for each facility, but the rate charged for water service on such single meter shall be as set forth under subsection (c) herein:

Apartment.

Boarding or lodging house.

Club; accommodating or assembly-type cooperative house.

Dormitory.

Dwelling, one-family.

Dwelling unit in multiple-family building.

Farmstead.

Hotel.

Industrial or manufacturing plant.

Mobile home park.

Motel or tourist court.

The general rule for establishing metering units for any other types of facilities not mentioned above shall be one meter for each family unit used for residential purposes and one meter for each business or industry.

*Exception A:* Commercial business property may be considered a single metering unit when, in the opinion of the director, it is not practical to separately meter each business.

*Exception B:* Owners of mobile home parks shall have the option of installing a water meter on each individual mobile home, provided they install a water main system within the park, which is certified by the director or his designee as meeting city design standards and which is in accordance with the city's water main extension policy, and that such water mains along with necessary easements are dedicated to the city.

(b)

When requesting water service, the customer may be required to furnish information as to his expected water demand. The department shall then determine the proper type and size of meter to be installed. The department reserves the right to change the meter size at any time in order to improve registry or flow. All meters having openings four (4) inches in diameter or larger shall be accompanied with a properly valved meter bypass as a part of the meter box installation.

(c)

Whenever a mobile home park, apartment house or other multiple-family facility is served with water through a single meter, the rate for such service shall be determined as follows:

(1)

The minimum charge for each meter shall be the appropriate minimum charge set forth under section 27-122 or section 27-123.

(2)

The total usage beyond the minimum shall be divided by the total number of residential dwelling units on the meter and the charge will be determined as if each unit had an individual meter (but not including the minimum charge).

(3)

Total billing will then be the total of subsections (1) and (2) above.

(d)

Statement for service furnished to multiple-family units through a single meter shall be sent only to the person or party who requested such service and established an account with the department for such service. In no case will the department send individual statements to tenants of such facilities for their proportionate share of the service furnished.

(Code 1964, § 15.320; Ord. No. 13414, § 1, 8-17-92; Ord. No. 15196, § 1, 4-21-97)

#### **Sec. 27-55. - Testing and nonregistration of water meter.**

(a)

Each water meter shall, by comparison with accurate standards, be tested and calibrated by the department. If a meter shall be found inaccurate, it shall be restored to accurate condition or a new meter shall be substituted.

(b)

The customer has the right to request a special meter test at any time. If any test made at the customer's request discloses that the meter is registering correctly, or within two (2) per cent of normal, the customer shall bear the expense of such test. The expense of all other tests shall be borne by the department.

(c)

Results of calibrations and tests, when requested by the customer, shall be furnished to the customer. If any meter is found to register more than two (2) per cent above or below normal, then the readings of that meter, previously taken for billing purposes, shall be corrected according to the percentage of inaccuracy found. Correction for residential customers shall extend back six (6) months previous to the date of meter removal and the customer's bill shall be adjusted, upward or downward as the case may be, for the corrected period.

(d)

Should the meter become defective or fail to register correctly, the quantity of water used shall be determined by the amount used during the same period of the preceding year, or the average amount for the three-month period immediately preceding the defective registration.

(Code 1964, § 15.321; Ord. No. 19550, § 2, 6-4-07)

#### **Sec. 27-56. - Customer's water installation.**

(a)

The customer's water installation shall extend from:

(1)

The discharge of the water meter, where the meter is located at or near the property line.

(2)

The property line, where the meter is located elsewhere on the property.

(3)

The water main tap, where an unmetered fire protection or sprinkler system serves the property, or where a private water main is extended from the city water main.

(b)

The customer assumes all responsibility for the construction, maintenance, and any necessary relocation of the customer's water installation; he shall make every effort to keep this system free from leaks. Apparent leaks in the customer's water installation, whether registered on the water meter or not, shall be repaired by the customer within ten (10) days of receipt of written notice by the department. If repairs are not made, the department shall issue written notice of disconnection, and five (5) days thereafter may discontinue water service until the leak is repaired. If, in the judgment of the department, an apparent leak in the customer's water installation endangers public safety, constitutes a serious nuisance, or wastes a considerable amount of water, the department may discontinue water service without previous notice to the customer. Hidden leaks in the customer's water installation shall be repaired, after discovery, under the same provisions as apparent leaks. If any leak is known or suspected to have registered on the water meter, and if the customer, upon discovery or notification of the leak, has promptly repaired or caused to be repaired such leak, the customer's water and sewer charge (if affected) for a period not exceeding three (3) months, including the billing period during which the leak was discovered and two (2) previous periods, shall be adjusted downward in the amount of one-half the normal charge for the excess water.

(c)

If any customer fails to promptly repair apparent leaks or hidden leaks after notification, or to take other measures to eliminate the wasting of water through leaking installations, no adjustment of monthly charges will be made.

(Code 1964, § 15.330)

#### **Sec. 27-57. - Cross connections.**

(a)

Cross-connections include any physical connection between a potable water supply and any waste pipe, soil pipe, sewer, drain, or any unapproved source or system. Cross-connections include any potable water supply outlet which is submerged or can be submerged in waste water or any other source of contamination and any source or system that is, in the opinion of the director, based on the standards of the Missouri Division of Health, nonpotable, and through which backflow can occur to contaminate the department's system. Cross-connections include bypass arrangements, jumper connections, removable sections, swivel or changeover devices, and other temporary or permanent devices through which or because of which



backflow can occur. Cross-connections may be direct or indirect. A cross-connection is direct when the department's water system is physically joined to a system containing unsafe water, sewage, or other waste that could contaminate the safe water system. A cross-connection is indirect when a source of contaminated water may be blown across, sucked, or diverted into the department's system.

- (b) Unprotected cross-connections in the customer's water installation are not permitted. If an unprotected cross-connection is discovered, the department, after giving the customer no less than fifteen (15) days' notice of its intention, will discontinue service, unless the condition is corrected or an approved backflow prevention device is installed by and at the expense of the customer. If, in the opinion of the director, a real and serious threat to public health is posed, the department may discontinue service without notice.
- (c) Service connections will not be made nor allowed to continue where there is, in the opinion of the director, a strong potential for hazardous cross-connections, unless the customer will install and maintain, at the customer's expense, a backflow prevention device approved by the department.
- (d) Those facilities classified as actual or potential Class I backflow hazards (by the Missouri Department of Natural Resources, the director of public works or the director of water and light department) shall be equipped, at a minimum, with an air gap separation or reduced pressure principle backflow prevention assembly. Those facilities classified as actual or potential Class II backflow hazards shall be equipped, at a minimum, with a double-check valve assembly.  
The director, at his discretion, may require a device at other facilities dangerous to public health.
- (e) Backflow prevention devices shall be approved by the director before installation by the customer and shall have been certified by a recognized testing laboratory acceptable to the director. Installation and initial testing shall be approved by the department.
- (f) The customer shall install and maintain all backflow prevention devices in good working order and to make no piping or other arrangements for bypassing the devices. The customer shall permit access to the premises by the certified backflow prevention assembly tester, supplier of water and DNR representatives, at reasonable times and upon presentation of identification, for inspection of the customer water system or testing of backflow prevention assemblies installed in accordance with this ordinance.
- (g) Periodic testing and inspection schedules shall be established by the department for all backflow prevention devices. Inspection intervals will not exceed the minimum requirements set out in the Rules of the Missouri Department of Natural Resources. As a courtesy only, the department may send a reminder notice to customers with known backflow prevention devices.
- (h) It shall be the responsibility of the customer to have each assembly inspected and tested by a properly certified and listed tester at the time of construction or installation and each year thereafter, no later than thirty (30) days after the anniversary of the original inspection test date. Backflow prevention assembly testers shall be certified through a Department of Natural Resources approved program and be listed with the department.
- (i) Testers shall report to the supplier of water and the customer the results of inspections or tests conducted in compliance with applicable state regulations. Reports of tests shall contain the signature of the certified tester, attesting to the compliance or noncompliance of the assembly with established operational requirements. Reports shall be submitted to the department within thirty (30) days after performing the inspection or test.
- (j) Testing, inspection, and overhaul of devices may be performed by department personnel when it is deemed in the interest of the department and other customers. The device owner will be charged not less than the actual cost for the testing and inspection, plus any cost for replacement or repair parts and other materials.
- (k) A violation of any part of this section may cause the customer's water supply to be disconnected by the department.

(Code 1964, § 15.331; Ord. No. 17835, § 1, 9-15-03)

## **Sec. 27-58. - Fire protection.**

- (a) The department shall not furnish and install fire hydrants except to replace or relocate existing obsolete units or on new water mains installed by the department. Fire hydrants shall be furnished and installed as prescribed in division 3 in the same manner as other material used for water main extensions and shall be sized, located and constructed in accordance with the regulations, specifications and requirements of the department and under the inspection and direction of the director.
- (b) The department shall be responsible for supplying water in adequate pressures and flows for fire protection purposes, everywhere within the city that water mains have been installed by the department or accepted for ownership by the council. The minimum flows for fire protection in single-family residential areas shall be eight hundred (800) gallons per minute for four (4) hours with a minimum system residual pressure of twenty (20) pounds per square inch. The minimum flow for fire

protection in all other areas shall be determined by the fire chief or his designee using tactical formulas developed by the National Fire Academy or any other organization with expertise in firefighting techniques. The minimum flow for fire protection based on a tactical formula may be reduced by the fire chief or his designee following a thorough risk evaluation but shall be at least eighty (80) per cent of the Insurance Services Office (ISO) needed fire flow. If a risk evaluation for certain property results in a needed fire flow exceeding three thousand five hundred (3,500) gallons per minute, the property owner, as a condition to receiving a building permit, may be required to provide facilities to meet the fire flow requirement or participate in the cost of city water system improvements needed to meet the fire flow standards.

(c)

Hydrants may be installed by property owners or other interested parties outside the city limits on water mains distributing city water by approval of the director and in compliance with department specifications and under department inspection. Upon satisfactory inspection of the hydrant or council acceptance of the water main extension complete with hydrants, the fire hydrants shall become and remain the property of the city, in consideration of the perpetual upkeep and maintenance.

*(Code 1964, § 15.360; Ord. No. 15628, § 1, 6-1-98; Ord. No. 16186, § 1, 9-20-99)*

**Cross reference—Emergency water regulations, § 7-5.**

#### **Sec. 27-59. - Fire protection facilities—On private property.**

(a)

The department will furnish unmetered water to supply standpipes and sprinkler systems at the charge established and in effect at the time as provided in division 5 of this article.

(b)

The department shall tap the main for such service upon application and deposit by the customer of the estimated cost for labor, equipment and material plus overhead. In the event of an underestimate, the customer will be billed for the remainder; in the event of an overestimate, the excess will be refunded.

(c)

Upon approval of the department, the customer shall provide all materials and construct all parts of the system from the water main tap. Fire hydrants with their associated tees, valves and piping shall comply with department specifications and shall be installed under department inspection at locations specified by the department.

(d)

With the exception of fire hydrants, the entire system, from the discharge side of the valved water main tap, shall be and remain the customer's installation and the department shall not be responsible for maintenance. Upon passing final inspection and in consideration of perpetual upkeep and maintenance of the hydrants, ownership of the fire hydrants shall be transferred to the city and the city shall be granted easement rights to access the hydrant in an area around the hydrant having a minimum size of twenty (20) feet by twenty (20) feet with the hydrant centered in the twenty (20) feet by twenty (20) feet area. The customer shall make no unmetered use of this facility other than for fire protection.

*(Code 1964, § 15.361; Ord. No. 15628, § 1, 6-1-98; Ord. No. 16186, § 1, 9-20-99)*

**Cross reference—Fire prevention and protection, Ch. 9.**

#### **Sec. 27-60. - Same—Relocation.**

(a)

Relocation of a fire hydrant occupying a city right-of-way or easement may be made by the department upon written request of an owner of property adjacent to such hydrant and the deposit of the estimated cost of relocation, plus overhead, with the department. In the event of an under or over-estimate, the owner will be billed for or refunded the difference; provided, the department reserves the right to refuse to relocate the fire hydrant if, in its opinion, such relocation would be detrimental to the safety, convenience or protection potential of the hydrant.

(b)

Hydrants mislocated by the department on private property shall be relocated at the expense of the department upon written request of the property owner.

(c)

Relocation of water pipes supplying standpipes or sprinkler systems shall be the responsibility and expense of the customer.

*(Code 1964, § 15.362; Ord. No. 16186, § 1, 9-20-99)*

#### **Secs. 27-61—27-70. - Reserved.**

### **DIVISION 3. - WATER MAINS**

#### **Sec. 27-71. - Extension of distribution water mains, generally.**

(a)

The extension of distribution water mains may be initiated and made in one of the following ways:

(1)

The city council may, by ordinance, declare the necessity for and direct the extension of water mains as a public improvement, as provided for in chapter 22 of this Code.

(2)

Any individual, group of individuals, corporation, association, institution, club or other parties desiring to become customers and to purchase water from the department, may upon approval of proper application and as otherwise herein provided, extend the city's water mains, provided all such extensions shall be wholly within the corporate city limits.

(b)

All applications for permission to make such extension shall be submitted in writing to the director of the water and light department, who shall approve or disapprove such application. The application shall clearly indicate the desired route and approximate length of the extension and that the applicant agrees to the following:

(1)

To construct the entire extension from the end of the existing water main to and across the entire frontage or other dimension of the lot or tract to be served, except as otherwise herein provided. Such extension shall be of pipe size, as determined by the director, which will provide adequate fire protection and service to the area, but in no case shall the pipe size be less than six (6) inches. Should the department require a pipe size larger than that required to provide adequate fire protection and service to the area, then the department shall pay for the difference in cost of such larger size.

(2)

To size, locate and construct the extension in accordance with the regulations, specifications and requirements of the department, and under the inspection and direction of the director.

(3)

Upon completion, and after passing final inspection and tests, to transfer ownership of the complete water main extension to the city in consideration of its perpetual upkeep and maintenance. The department shall not be required to provide service or to perform maintenance on such water main extension until after the transfer of ownership has been completed.

(4)

To assume the cost of the entire extension.

(5)

Applicant property owners requesting permission to extend water mains for the purpose of supplying one inch or smaller water service for a homestead, farmstead or recreational property zoned R-1 or A-1 shall:

a.

Pay for the extension of the main to his property line; and

b.

Pay for the extension of the main across the frontage or other abutting dimension of his tract, unless the frontage or other abutting dimension exceeds two hundred (200) feet, in which case the property owner shall bear the costs of extending the main to a point adjacent to where service is required but in no event less than one hundred (100) feet.

(6)

In the event that an applicant property owner does not extend the main across the full lot frontage or above abutting dimension under the provisions of subsection (b)(5) herein, all holders of an interest in the property shall enter into a written agreement in a form approved by the city counselor, prior to such extension, obligating such owners to pay the balance of the cost of extension at such time as such extension is required by residential or commercial development of the tract or at the date future water services are requested for the subject tract.

(c)

When the city council by ordinance directs the extension of water mains as a public improvement to be paid for by special tax bills issued to adjoining properties, lots, or tracts served by water mains that do not extend entirely across the frontage or other dimensions of such property, such property shall be assessed the cost of the extension across the remaining footage, at the time of such extension; provided, that if an owner of the property in question has previously paid for extension of a water main to provide water service to such property, the water main footage for which payment was previously made shall be taken into account in determining the amount of the assessment as follows:

Foot frontage of property minus water main footage for which payment was previously made equals footage to be assessed.

The terms and conditions for the sale of water outside the city limits shall be as established and approved by the council.

(Code 1964, § 15.340)

## **Sec. 27-72. - Extension of water (trunk) mains by department.**

(a)

As stipulated in section 27-71 above, distribution water mains are extended at the expense of parties other than the department; however, in order to provide a complete adequate water distribution system to all areas of the city, the department has installed and extended, and may continue to install and extend, water mains, generally called trunk mains, within the city limits under any of the following conditions:

(1)

Through an undeveloped area to bring service to a developed or developing area.

(2)

To provide an increase in water volume and pressure to a developed area.

(3)

To close loops in the distribution system to provide circulation and increased volume.

- (4) To connect and bring service to a water distribution system other than the city's for the purpose of taking over or acquiring such system.
- (5) For the purpose of replacing, to bring up to city standards, water mains which are acquired from others.
- (6) Any other reason which, in the opinion of the director, is essential to providing adequate service to an area of the city, yet is not an immediate benefit to the properties adjoining the water main.

(b) The director shall determine the priority of need and the location of water mains to be installed by the department. Such determination shall consider the actual needs of the area to be served as well as the availability of funds. First priorities shall be given to developed areas which have service that may be inadequate under given conditions.

(c) When a customer requests a connection which, in the opinion of the director, can be made from a trunk main or other main which has been installed at the sole expense of the department, such customer shall pay to the city a proportional share of the cost of the water main according to the following formulas:

- (1) For connections two (2) inches or smaller: The number of feet of water main fronting on or otherwise bordering the lot or tract being served multiplied by the department's latest estimated per foot cost of installed six-inch water main of the same material as the main to which the service line is being connected.
- (2) For connections larger than two (2) inches: The number of feet of water main fronting on or otherwise bordering the lot or tract being served multiplied by the department's latest estimated per foot cost of installed water main of the same size and material as the main to which the connection is being made. In no event shall the customer's cost be less than the department's latest estimated per foot cost for installed six-inch main of the same material nor more than the department's latest estimated per foot cost for installed water main of the size determined by the director as necessary to provide adequate fire protection and service to the area.
- (3) For connections one inch or smaller to homesteads, farmsteads or recreational property with frontages or other abutting dimensions greater than two hundred (200) feet, the property owner shall, as consideration for such connection:
  - a. Pay an amount equal to the actual cost (at the date of such request) of one hundred (100) feet of six-inch water main; and
  - b. An agreement in a form approved by the city counselor obligating all of the owners of a real property interest in the tract to pay the balance of the actual cost of a six-inch main across the tract at the date future services are requested or the tract is developed for residential or commercial uses.

(d) The department shall review and update its estimates at least once a year, using the latest available costs of pipe, labor and equipment and shall base the number of hours required on actual installations of a comparative type, which have been made in the recent past.

(e) When it is apparent that a city installed water main can serve customers on both sides of the right-of-way, only one-half of the above charge shall be assessed to any customer. Where customers' properties front on highway rights-of-way or other rights-of-way where the controlling authority will not permit service crossings, the full estimated cost of the main shall be assessed to any customer.

(f) The monies received as payment for water mains, as herein provided, shall be placed in the extension, improvement, enlargement and betterment fund established by the city charter, and shall be expended only for the purpose of installing and constructing additional water main extensions.

(Code 1964, § 15.341)

### **Sec. 27-73. - Declaration of necessity for improvement.**

Whenever the council shall deem an improvement to the distribution system as defined in section 27-51, whether on petition or otherwise, it shall, by ordinance, declare such improvement necessary to be done, together with the reason therefor and shall cause plans and specifications for such work and improvement together with an estimate of the cost thereof, to be prepared by the director of the water and light department and filed with the city clerk, subject to inspection of the public, which ordinance shall also set out in detail the course along which the water main pipes are to be laid, the depth, the dimensions of the pipe, the source and the termination thereof, together with the necessary valves and other equipment and appurtenances in connection with the pipe, and cause the ordinance to be published in some newspaper printed in the city.

(Code 1964, § 14.940)

### **Sec. 27-74. - Owners to have thirty days to make improvements.**

(a)

The ordinance referred to in section 27-73 above shall provide that after the publication thereof, the owners of the property affected by the improvement shall have thirty (30) days from the date of the publication to make and complete the improvement provided for in the ordinance under the direction of the director of the water and light department and in conformity with the plans and specifications filed as provided for in section 27-73. At the end of such thirty (30) days, the owners of the land affected by the improvement shall cease to have a right to make the improvement by private contract and the council shall have the power to cause a contract for such work to be let to the lowest and best bidder on the plans and specifications filed as aforesaid with the city clerk by the director of the water and light department, not less than one week's advertisement for bids thereon being made in some newspaper published in the city.

(b)

In the event there are no bids received, that bids are above estimates, or all bids are rejected for any reason, the city council may order the city clerk to advertise for bids as in the first instance, or may, by ordinance, order and require the city official charged with the responsibility for such improvement under the charter to perform such work, using the city's own departments and employees, in accordance with the plans and specifications adopted therefor and the conditions of the charter and this article. Such city official shall keep an accurate account of the cost of the separate items thereof, and the city shall pay for the labor and material and all other costs of such work out of any funds which they may have on hand available for such purpose; and at the completion of such work, either by contract or by the city as last provided, shall provide for payment therefor as set forth in the charter, this article and other ordinances governing public improvements.

(Code 1964, § 14.950)

#### **Sec. 27-75. - Special assessments—Authority to levy.**

The city council may provide for the paying of the cost of laying and extending water main pipes by such city by levying a special assessment, as herein provided, on the lots and tracts of land fronting or abutting on either side of the street, avenue or alley along the distance so improved in proportion to the front foot, whenever a majority of the resident owners of the property liable to taxation therefor and who shall own a majority of the front feet owned by residents of the city abutting on the street or alley along which the improvement is to be made, shall petition the city council for such improvement; or whenever such body, in its discretion, shall deem extension of water mains necessary for sanitary or other purposes conducive to the public welfare.

(Code 1964, § 14.930)

#### **Sec. 27-76. - Same—Cost to be assessed proportionately.**

As soon as the work shall have been contemplated in conformity with contract, the director of the water and light department of the city shall compute the cost thereof and apportion such cost among the various lots and tracts of land chargeable therewith, charging each lot or tract of land with its proportionate part of such cost as required herein, and shall make a written report to the council that such improvements be completed in accordance with the contract for the same and describe therein the lots and tracts of land chargeable with the part of the cost of such improvement and the amount with which it is chargeable and the name of the owner thereof. If the council accepts the work and approves the report, they shall, by ordinance, levy and assess the cost of the improvements against the various lots and tracts and parcels of land in proportion to the front footage as provided herein and direct the clerk to issue tax bills in accordance with the levy and assessment of the ordinance.

(Code 1964, § 14.960)

#### **Sec. 27-77. - Same—Special tax bills assignable and collectible.**

All special tax bills issued by the city as herein provided for laying and extending of water main pipes shall be assignable and collectible in any action brought by the owner or holder of such bills, but the city shall not be liable for the cost in any such suit in any action brought by the owner or holder of such tax bills, and such tax bills shall, in any action thereon, be prima facie evidence of the regularity of the proceedings for such special assessments and of the validity of the bills, of the doing of the work and of the furnishing of the material charged for, and of the liability of the property to the charge stated in the bills.

(Code 1964, § 14.970)

#### **Sec. 27-78. - Relocation of mains.**

Relocation or adjustment in elevation of an existing water main, required because of changes proposed by a property owner or other private party, shall be made under the direction and inspection of the director at no cost to the department.

(Code 1964, § 15.342)

#### **Sec. 27-79. - Private water mains.**

(a)

Private water mains shall be supplied with water by the department so long as the mains are in good condition and do not provide a health hazard.

(b)

Private water mains shall not be permitted to occupy city rights-of-way or easements, except at the point of connection to the distribution system, unless such mains were in operative use in the distribution of water prior to the dedication and

acceptance of such right-of-way or easement.

- (c) Proposed private water mains shall be installed only under the approval, direction and inspection of the director.
- (d) Private water mains shall be and remain the property of the individual, corporation or association claiming ownership; the department shall have no responsibility for their maintenance.
- (e) The department shall not bear the expense of reconnecting customers from private mains to the city mains; in all circumstances, the actual cost of labor, equipment and material, plus overhead, by not more than the standard water service charge, shall be charged the customer.

(Code 1964, § 15.350)

### **Secs. 27-80—27-85. - Reserved.**

## **DIVISION 4. - ELECTRIC SERVICE**

**\*Cross reference—**Electrical outlets required under minimum properties standards code, § 6-162.

### **Sec. 27-86. - Definitions.**

For the purpose of this division, the following words and terms shall have the meanings respectively ascribed:

*Distribution system.* That part of the city's water and light works used to distribute electrical energy from the generating plants or substations to the customers served, including poles, fixtures, wires, cables, conduits, manholes, switches, protective devices, transformers, meters, regulating equipment and other accessories.

*Meter socket.* A device used for mounting and connecting the electric meter.

*Service drop.* The overhead wires or cables installed from the department's electric line to the first point of attachment to the customer's building or other structure.

*Service entrance.* The conduit wire fittings and accessories used between the termination of the service drop or underground service and the customer's service equipment.

*Service equipment.* The main circuit breaker(s) or fused switch(es) and their accessories which constitutes the main control and means of cutoff for the supply to a customer's premises.

*Underground service.* The underground wire, cable, conduit and other devices installed from the department's electric line or facility to the customer's building or other structure.

(Code 1964, § 15.400)

**Cross reference—**Definitions and rules of construction generally, § 1-2.

### **Sec. 27-87. - Availability of service.**

- (a) Electric service shall be available at any location within the city limits as herein provided and provided the department's distribution system is within the area or can be extended to the area as herein provided in section 27-88 of this chapter.
- (b) Single-phase service at 120/240 volts up to one hundred (100) kilowatts shall be available to any customer, except that the department may provide grounded wye service at 120/208 volts in areas where such existing secondary voltage is established.
- (c) Three-phase service shall be available to any business or commercial establishment or industry whose premises is located within an area zoned by the city for business, commercial or industrial use, and shall be available to customers in other areas who utilize electric motors larger than ten (10) horsepower or customers who, in the opinion of the director, will have a maximum electric demand above one hundred (100) kilowatts. Three-phase service will not be provided to residential trailers, one-family dwellings, two-family dwellings, multiple-family dwellings, apartment buildings or any other buildings located in areas zoned for residential use, except as provided above.
- (d) Electric service for space heating may be refused to any customer whose premises is not constructed and insulated in accordance with the latest recommendations and standards of the Electric Heating Association.

(Code 1964, § 15.420)

### **Sec. 27-88. - Extension of distribution system.**



- (a) Any person or parties desiring electric service at a location which will require an extension of the distribution system shall make written request to the director for such extension.
  - (b) All extensions of the distribution system made within the boundaries of residential subdivisions, except major feeders installed along the perimeter of residential subdivisions, shall be made underground.
  - (c) All extensions of the distribution system not made within the boundaries of residential subdivisions shall be made underground, except when, in the judgment of the director, soil conditions, type of terrain, voltage class or capacity of circuit, or other conditions make underground extensions impractical or unfeasible.
  - (d) The person or parties desiring an extension of the distribution system shall provide right-of-way within the subdivision as required by the department for such extension.
  - (e) The cost of an underground extension in the city limits shall be shared by the department and the person or parties requesting the extension. The person or parties requesting the extension shall install or pay for the installation of the trenching and conduit system. Materials for the conduit system will be provided by the department. Where joint trenching with other utilities is done, the department will coordinate the work and reimburse the person or parties requesting the extension and doing the work the appropriate share of the joint trench cost sharing. The cost of the trenching will be based on the cost received by the department from its trenching contractor and will be updated annually. The department shall install the remainder of the electric system at its cost.
  - (f) The cost of overhead extensions in the city limits or to serve customers in the city limits shall be borne by the department.
  - (g) For extensions outside the city limits, the person or parties requesting such extension shall bear that portion of the costs required, in the judgment of the director, to make the extension economically feasible.
- (Code 1964, § 15.430; Ord. No. 19481, § 1, 4-2-07)*

#### **Sec. 27-89. - Service drops—Installation; use.**

The department shall furnish and install the service drop to the customer's building or other structure and shall make the connection to the customer's service entrance conductors, except as provided in sections 27-91 and 27-94. Service drops shall be used to provide service at secondary voltages only.

*(Code 1964, § 15.440)*

#### **Sec. 27-90. - Same—Point of attachment.**

- (a) The customer shall provide the department a point on his building or structure for attaching the service drop. Such point of attachment shall meet the department's requirements for strength and clearance and shall permit the attachment of the service drop in compliance with the provisions of the National Electrical Safety Code and all applicable city codes.
- (b) The customer shall provide the point of attachment in a location that is accessible, and provides a route for the service drop that is clear and free of obstructions, and shall obtain approval of the location from the department. The department shall not be required to supply service to a customer who fails to obtain such approval or who fails to provide the point of attachment in the approved location as required herein.

*(Code 1964, § 15.441)*

#### **Sec. 27-91. - Service pole.**

- (a) When overhead distribution is installed, the customer may request the department to terminate its line on a service pole. When requested, the department will furnish and install such service pole, except temporary service poles. (See section 27-100(b).) The location of the service pole must be on the customer's premises and must be agreeable to the department.
- (b) When a service pole is utilized, the customer shall furnish, install and maintain his own service drops or underground service.
- (c) When a service pole is used, the department's meter shall be installed on the service pole in compliance with section 27-96(c) of this chapter.

*(Code 1964, § 15.442)*

#### **Sec. 27-92. - Service entrance.**

The customer shall furnish and install the service entrance and, when required, shall install the department's meter socket in the service entrance run.

**Sec. 27-93. - Underground service.**

- (a) Underground services are required in all new residential subdivisions, except that where poles and overhead lines have previously been installed or are required for reasons permitted by this Code, the service may be provided by the use of a service drop.
- (b) Underground residential services shall be installed by the department at no cost to the person or parties requesting the service, except that when rock excavation or other extreme conditions create costs in excess of normal installation costs, as established by the department records, the department may require the person or parties requesting the service to pay that portion of the costs which are in excess of a normal installation.
- (c) All underground services, except residential underground services,, shall be made in the same manner and under the same terms and conditions as an extension to the distribution system. (See section 27-88.)
- (d) Underground services shall terminate in a junction box, meter socket or other enclosure located outside of the building or facility being served. The location of this enclosure shall be as designated and/or approved by the director. It shall be the customer's responsibility to extend his service entrance from this enclosure.
- (e) Any residential customer may request the department to extend the underground service beyond the approved and designated termination point. (See subsection (d) of this section.) Upon receipt of such request, the department shall make such extension under the following conditions:
  - (1) The installation shall be made in complete compliance with the standards, specifications and construction requirements of the department.
  - (2) The junction box, meter socket or other enclosure shall be located on the load end of the underground service and such location shall remain on the outside of the building.
  - (3) The service line extension shall be made at the same time that the normal service is installed.
  - (4) The customer shall pay the department for the actual cost of the additional service line, as established by the department.

(Code 1964, § 15.444)

**Sec. 27-94. - Primary metering.**

The department shall furnish, install and maintain all primary metering equipment. When service is requested at primary voltage, the customer shall furnish, install and maintain all parts of the electric system beyond the primary metering point. Primary metering may be installed on any other service, when, in the opinion of the director, such type of metering best meets the requirements of the electric load to be served.

(Code 1964, § 15.455)

**Sec. 27-95. - Secondary metering.**

The department shall furnish the electric meter and meter socket. The meter loop, including all conduit, wire, fittings, fasteners and other accessories required for mounting and connecting the meter shall be furnished, installed and maintained by the customer.

(Code 1964, § 15.450)

**Sec. 27-96. - Meter location.**

- (a) Meters shall normally be installed outdoors in a location approved by the department.
- (b) Meters may be installed indoors by special approval of the director, provided the customers agree to the following:
  - (1) To leave the premises unlocked during all regular working hours of the department, or to otherwise provide ready access to the meters at all times.
  - (2) To provide a clear space of at least three (3) feet horizontally from all meters and to provide a clear, unobstructed passageway to all meters at all times.



(3)

If special meter-mounting equipment is required, such as group meter sockets, or combination meter socket and service switches, the customer shall furnish and install such equipment.

(c)

Meters outdoors shall be installed a minimum of five and one-half (5.5) feet and/or a maximum of seven (7) feet above the ground or other accessible pedestrian surface. Meters indoors shall be installed at a minimum of three (3) feet and/or a maximum of seven (7) feet from the floor.

(Code 1964, § 15.451)

#### **Sec. 27-97. - Request for meter test.**

(a)

Any customer may request a meter test, to determine the accuracy of his meter at any time. Such test will be made by the department, by comparison with accurate standards. The results of such tests, when requested by the customer, shall be furnished to the customer.

(b)

If any test made at the request of the customer discloses that the meter is registering correctly, or within two (2) per cent of normal, the customer shall bear the expense of such test, not to exceed sixteen dollars (\$16.00) for residential meters or thirty-two dollars (\$32.00) for commercial and industrial meters. The expense of all other tests shall be borne by the department.

(c)

If any meter is found to register more than two (2) per cent above or below normal, then the readings of that meter, previously taken for billing purposes, shall be corrected according to the percentage of inaccuracy found. The customer's bill shall be adjusted upward or downward as the case may be, for the corrected period.

(d)

After testing, meters shall be calibrated and restored to an accurate condition in accordance with industry standards, before being placed in service.

(Code 1964, § 15.458)

#### **Sec. 27-98. - Defective or nonregistering meters.**

(a)

When it is determined by the department that a meter is defective from any cause, including improper connection or misapplication, and the percentage of error cannot be determined, or when a meter fails to register the electric energy consumed, the customer's bill shall be adjusted on the basis of an estimate made by the director.

(b)

Billing estimates for electricity shall be based on a like period of time during the previous year, with allowance being made for any increase or decrease in electric appliances or other energy consuming devices.

(c)

Adjustments to customer's bills, on the basis of estimates, shall be made only for the billing period during which the defective meter was discovered, except that, if it is possible to establish, beyond any reasonable doubt, that the meter was defective during prior billing periods, adjustments on the basis of estimates shall also be made for such other billing periods not to exceed six (6) months for residential customers.

(Code 1964, § 15.459; Ord. No. 19550, § 2, 6-4-07)

#### **Sec. 27-99. - Current transformers.**

(a)

When, in the judgment of the director, the maximum load on a service will exceed two hundred (200) amperes, such service shall be metered by the use of current transformers. The department will furnish the current transformers, and if installed outdoors, the department will install the current transformers. The customer shall provide a suitable mounting space for the current transformers at the supply end of the service entrance.

(b)

If mutually agreed by the customer and the department, the current transformer may be installed indoors. If installed indoors, the customer shall furnish and install an approved enclosure and shall install the department's current transformers in the enclosure. When current transformers are used, the customer shall furnish all material required for the meter loop in accordance with all other applicable provisions of these ordinances.

(Code 1964, § 15.452)

#### **Sec. 27-100. - Temporary electric service.**

(a)

When requested, the department will furnish and install a temporary electric service. When the following conditions exist, the charge for a single phase, 3 wire, up to one hundred (100) amperes, temporary electric service shall be seventy-five dollars (\$75.00).

(1)

The service will be used for the purpose of constructing a building or other facility which, when completed, will be permanently connected to the department's electric distribution system.

(2)

The permanent facility will utilize a service at the same phase and voltage as the temporary service.

(3)

All poles, wires, cables, transformers or other appurtenances utilized or installed, except the department furnished temporary service equipment, shall be placed in a permanent location and required for providing the permanent service.

At the above locations, the department will furnish and install one temporary electric service consisting of a meter base and meter, two 20 ampere, 120 VAC, grounded, duplex outlets and one 50 ampere, 4 wire, single phase, 240 VAC (208 VAC at some locations) outlet mounted in a weatherproof enclosure, installed on or beside the pole, transformer or secondary box that is to permanently serve the lot or facility. The temporary electric service equipment shall remain the property of the department and will be maintained by the department.

(b)

Temporary electric service to any facility that will not be connected permanently to the department's electric distribution system, temporary service of a different phase or voltage other than that will be utilized permanently, temporary service requiring more than 100 amperes, single phase, or temporary service requiring the installation of any poles or wires, or other electrical distribution material or apparatus which will not be utilized permanently, shall be available only if the customer requesting such service assumes all costs incurred by the department in installing and removing such service, including the cost of labor, material not salvaged, engineering, supervision and overhead. The customer shall furnish and install the temporary service pole, or other approved support, for attachment of the service drop. The customer shall furnish and install the meter loop, service entrance, etc., in accordance with sections 27-92 and 27-96. All temporary service equipment and facilities furnished and installed by the customer shall conform to the following minimum requirements:

(1)

Weatherproof construction.

(2)

Minimum capacity of 150 amperes, single phase, 3 wire.

(3)

Neutral conductor and all metal parts grounded.

(4)

Where a service drop does not cross a public street or alley, the pole shall consist of two-inch by six-inch boards securely braced to withstand five hundred (500) pounds of horizontal pull at the top in the direction of the service drop.

(5)

Where a service drop crosses a public street or alley, the pole shall consist of a treated pine, or equivalent, pole having a circumference at the top of fifteen (15) inches or more and of sufficient length to provide eighteen (18) feet of clearance above the street or alley surface. The pole shall be placed a minimum of four and one-half (4½) feet into the ground and braced or guyed to withstand one thousand five hundred (1500) pounds of horizontal pull at the top in the direction of the service drop.

(c)

Temporary electric service equipment, temporary poles, etc., shall be placed on the lot where the permanent structure is to be located and shall be located in an area that is accessible and provides a route for the service drop that is clear and free of obstructions. Temporary services shall not be attached to trees in any manner.

(d)

All temporary service provided shall be subject to and in accordance with the City of Columbia Electrical Code. The department may disconnect temporary service at any time for failure to comply with the above, or for safety reasons. The department may, without notification, remove any temporary service that has been off for more than thirty (30) days.

(Ord. No. 14216, § 1, 9-19-94)

#### **Editor's note—**

Ord. No. 14216 § 1, adopted September 19, 1994, repealed § 27-100 and enacted the provisions set out herein. Section 27-100 was formerly derived from Code 1964 § 15.500 and Ord. No. 10480 § 1, adopted March 4, 1985.

### **Sec. 27-101. - Temporary removal of service drop.**

(a)

*Permitted.* When requested, the department shall temporarily disconnect, remove and later reinstall an overhead service drop for the purpose of allowing the property owner to trim or remove trees, erect structures or perform other acts upon his property which, due to the location of the service drop, cannot safely and expediently be done with the service drop in place.

(b)

*Request, liability of applicant.* The request for such work shall be submitted to the department at least twenty-four (24) hours prior to the time the removal is desired. It shall be the responsibility of the party requesting this work to arrange with all customers affected for a service interruption. The department assumes no responsibility for damage or inconvenience caused by the interruption of service.

(c)

*Point of attachment.* It shall be the property owner's responsibility to provide the department with a suitable point of

attachment for reinstallation, meeting the same requirements as those for a new service drop. (See section 27-90.)

(d)

*Charges.* The charge for removal and reinstallation of a single-phase service drop shall be fifty dollars (\$50.00). For three-phase service drops, the charge shall be the actual costs incurred by the department in removing and reinstalling such service, including the cost of labor, material necessitated by the reinstallation, engineering, supervision and overhead.

(Code 1964, § 15.505; Ord. No. 17021, § 1, 9-17-01)

#### **Sec. 27-102. - Voltage and phase.**

Electrical service will normally be provided at 120/240 volts, single-phase, sixty-cycle or 120/208 volts, three-phase, sixty-cycle, except that in areas where the department's existing secondary voltage is other than above, such existing voltage may be provided. Other service voltages may be provided if requested, by special approval of the director. Customers shall inform the department, at the time of making application for service, of the phase and voltage desired.

(Code 1964, § 15.410)

#### **Sec. 27-103. - Constant supply of electrical energy not guaranteed.**

The consumer shall agree that the department does not guarantee a constant supply of electrical energy and that the department and/or the city shall not be liable for damage for any failure to supply the same.

(Code 1964, § 15.530)

#### **Sec. 27-104. - Motor installations.**

(a)

Electric motors larger than ten (10) horsepower shall be three-phase, except by special approval of the director.

(b)

The starting current for any three-phase motor shall not exceed eight (8) per cent of the full load capacity for the department's distribution feeder which serves the motor. The maximum size motor which will be permitted to start across the line without current limiting starters for various feeder voltages, is as follows:

2,400 volt feeder	25 horsepower
13,800 volt feeder	150 horsepower

(Code 1964, § 15.520)

#### **Sec. 27-105. - Customer generation—Net metering.**

(a)

To the extent required of retail electric suppliers by Section 386.887 RSMo, a customer of the city electric utility may install and operate electric generation facilities, compatible with the electric utility, which are qualified as a net metering unit.

(b)

Sales of electricity to and purchase of electricity from customer generation shall be in accordance with rates established in division 5 of this article.

(c)

Each qualified net metering unit used by a customer-generator shall meet all applicable safety, performance, synchronization, interconnection and reliability standards established by the Missouri Public Service Commission, the National Electrical Safety Code, National Electrical Code, the Institute of Electrical, Electronics Engineers, and Underwriters Laboratories.

(d)

Each customer-generator shall carry no less than one hundred thousand dollars (\$100,000.00) of liability insurance that provides for coverage of all risk of liability for personal injuries (including death) and damage to property arising out of or caused by the operation of the net metering unit.

(Ord. No. 17894, § 1, 11-3-03)

#### **Sec. 27-106. - Renewable energy standard.**

(a)

The city shall generate or purchase electricity generated from eligible renewable energy sources at the following levels:

(1)

Two (2) per cent of electric retail sales (kWhs) by December 31, 2007;

(2)

Five (5) per cent of electric retail sales (kWhs) by December 31, 2012;

(3)

Ten (10) per cent of electric retail sales (kWhs) by December 31, 2017; and

(4)

Fifteen (15) per cent of electric retail sales (kWhs) by December 31, 2022.

(b)

This renewable energy shall be added up to these kilowatt hour levels only to the extent that it is possible without increasing electric rates more than three (3) per cent higher than the electric rates that would otherwise be attributable to the cost of continuing to generate or purchase electricity generated from one hundred (100) per cent non-renewable sources (including coal, natural gas, nuclear energy and other non-renewable sources).

(c)

Eligible renewable energy generation may be provided by wind power, solar energy, bio-energy sources or other renewable sources which meet the environmental criteria approved by the city council after review by the environment and energy commission and the water and light advisory board. Electricity purchased from on-site renewable energy systems owned by Columbia Water and Light customers ("net metering") may be included within the calculation of the levels required in subsection (a).

(d)

Renewable energy generation sources located within Missouri may receive preferential consideration in the selection process.

(e)

Each year prior to February 1, the water and light department shall publicly release a renewable energy plan detailing a proposal for how the city would comply with this section during the following year. The plan will explain the city's due diligence in pursuing renewable energy opportunities and detail all cost assumptions and related utility rate calculations, except with regard to confidential information that may be withheld pursuant to state law. The plan will then be reviewed by the environment and energy commission and water and light advisory board and submitted to the city council for approval following a public hearing.

(Ord. No. 18196, § 1, 8-16-04)

#### Editor's note—

Ord. No. 18196, passed by city council on Aug. 16, 2004, called for election; said ordinance was passed by the voters on Nov. 2, 2004.

#### Secs. 27-107—27-110. - Reserved.

#### DIVISION 5. - RATES

#### Sec. 27-111. - Electricity—Metering of residential dwelling units.

Each residential dwelling unit must have a separate meter through which the electricity supplied the residential dwelling unit shall be measured for billing by the department. Metering of electricity supplying more than one residential dwelling unit through a single meter for billing by the department (master metering) is prohibited.

(Code 1964, § 15.555)

#### Sec. 27-112. - Same—Residential service rate.

(a)

*Application:* The residential service rate applies to all customers where service is supplied to a residential dwelling unit. No other service rate shall be available for service to which the residential service rate applies. Each residential dwelling unit must have a separate meter through which the electricity supplied the residential dwelling unit shall be measured for billing by the department. If a portion of the electric service supplied to a dwelling unit is used for nonresidential purposes, the customer can arrange his wiring in such manner that the electric service for residential purposes can be metered separately and this rate schedule is applicable to the portion used for residential purposes. The residential service rate shall not be available for standby, supplementary or resale services.

(b)

*Type of service.* The type of service shall be single-phase, sixty-hertz, 120/240.

(c)

*Monthly rate charge.* The monthly rate per kilowatt hour shall be as follows, subject to fuel adjustments as provided in section 27-118:

(1)	Customer charge	\$7.20* per month
(2)	Energy charge	
	Summer:	
	First 750 kwh	9.44* cents per kwh
	Next 1,250 kwh	12.77* cents per kwh
	All remaining kwh	13.72* cents per kwh
	Nonsummer:	
	First 750 kwh	9.44* cents per kwh

	All remaining kwh	10.88* cents per kwh
	Except when the customer has permanently installed in a living area a minimum of five (5) kilowatts of utility-approved electric space heating equipment which is the sole source of comfort heating (except decorative fireplaces) for the area(s) to be heated, the rate per kwh for the non-summer season will be:	
	First 750 kwh	9.44* cents per kwh
	All remaining kwh	8.04* cents per kwh

(d)

*Minimum:* The minimum monthly rate charge shall be seven dollars and twenty cents (\$7.20)\*.

(e)

*In lieu of gross receipts tax payments and sales tax:* In addition to the charge based on monthly rates as computed above, the total monthly charge for service shall include applicable sales taxes and an in lieu of gross receipts tax payment equal to 7.5268 per cent of the monthly rate charge. Sales taxes shall be applied to the total of the monthly rate charge and the in lieu of gross receipts tax payment.

(f)

*Standby service for solar assisted residences:* Notwithstanding other provisions of this section, the electric service rates set forth in this section for residential customers shall be available and apply to all residential customers regardless of the use by that residential customer of solar energy for comfort heating or the use of electric energy as standby and supplementary service to solar energy as the primary source of comfort heating for residential purposes.

(g)

*Load control:* Customers under this rate may receive a discount on summer bills if they elect to allow the city to install, operate and maintain load control devices on qualifying cooling equipment (see section 27-129).

(h)

*Net metering credit.* Qualified customers under this rate may receive a per kWh discount for the energy supplied by a qualified net metering unit as outlined in section 27-120.1.

(Code 1964, § 15.550; Ord. No. 9930, § 1, 9-6-83; Ord. No. 10167, § 1, 5-7-84; Ord. No. 10808, § 1, 12-2-85; Ord. No. 11079, § 1, 6-2-86; Ord. No. 11464, § 1, 5-4-87; Ord. No. 13491, § 1, 10-19-92; Ord. No. 14776, § 1, 3-4-96; Ord. No. 16185, § 1, 9-20-99; Ord. No. 17894, § 1, 11-3-03; Ord. No. 18220, § 1, 9-20-04; Ord. No. 18689, § 1, 9-19-05; Ord. No. 19212, § 1, 9-18-06; Ord. No. 19681, § 1, 9-17-07; Ord. No. 20051, § 1, 9-15-08; Ord. No. 20417, § 1, 9-21-09; Ord. No. 20742, § 1, 9-20-10)

\*The rate shall be applied to utility bills beginning with the first complete cycle billed after October 1, 2010.

### **Sec. 27-113. - Same—Residential heat pump rate.**

(a)

*Application.* Available for residential heat pump service to any customer receiving service at the same location and meeting the standards set forth for this type service.

(b)

*Type of service.* The type of service shall be single-phase, sixty-hertz, 120/240 volts.

(c)

*Monthly rate charge:* The monthly rate charge shall be as follows, subject to fuel adjustments as provided in section 27-118:

Customer charge	\$7.20* monthly
All kwh above 750 kwh	7.568* cents per kwh

The monthly rate would apply to permanently installed heat pumps for the non-summer season.

(d)

*Minimum:* The minimum monthly rate charge shall be seven dollars and twenty cents (\$7.20).

(e)

*Load control:* By accepting service under this rate, the customer agrees to allow the city to install, operate, and maintain remote control devices in the equipment to manage system loads imposed by this type of equipment, and to provide access as is necessary.

(f)

*Special rules:* Special rules and regulations specifying the equipment that qualifies for service under this rate, and the conditions of service hereunder are outlined in the department rules entitled "Heat Pump Rules and Regulations."

(g)

*In lieu of gross receipts tax payments and sales tax:* In addition to the charge based on monthly rates as computed above, the total monthly charge for service shall include applicable sales taxes and an in lieu of gross receipts tax payment equal to 7.5268 per cent of the monthly rate charge. Sales taxes shall be applied to the total of the monthly rate charge and the in lieu of gross receipts tax payment.

(h)

*Metering of residential dwelling units:* Each residential dwelling unit must have a separate meter through which the electricity

supplied the residential dwelling unit shall be measured for billing by the department. Metering of electricity supplying more than one (1) residential dwelling unit through a single meter for billing by the department (master metering) is prohibited.

(i)

*Net metering credit.* Qualified customers under this rate may receive a per kWh discount for the energy supplied by a qualified net metering unit as outlined in section 27-120.1.

(Code 1964, § 15.551; Ord. No. 10007, § 1, 11-21-83; Ord. No. 14776, § 1, 3-4-96; Ord. No. 16185, § 1, 9-20-99; Ord. No. 17894, § 1, 11-3-03; Ord. No. 18220, § 1, 9-20-04; Ord. No. 18689, § 1, 9-19-05; Ord. No. 19212, § 1, 9-18-06; Ord. No. 19681, § 1, 9-17-07; Ord. No. 20051, § 1, 9-15-08; Ord. No. 20417, § 1, 9-21-09; Ord. No. 20742, § 1, 9-20-10)

\*The rate shall be applied to utility bills beginning with the first complete cycle billed after October 1, 2010.

#### **Sec. 27-114. - Same—Small general service rate.**

(a)

*Application:* The small general service rate shall apply to any customer, except where service is supplied to a residential dwelling unit for residential purposes, for all electric power and energy requirements. Each premises will be supplied only at one (1) point of delivery and all electric service supplied will be measured through one (1) meter; not available for standby, supplementary or resale service.

(1)

This rate is not available to customers that exceed twenty-five (25) kw demand during June, July, August or September.

(b)

*Type of service:* The type of service shall be single-or three-phase, sixty (60) hertz, at one of the department's standard service voltages.

(c)

*Monthly rate charge:* The monthly rate per kilowatt hour shall be as follows, subject to fuel adjustments as provided in section 27-118:

(1)	Customer charge:	
	Single-phase service	\$7.20* per month
	Three-phase service	9.58* per month
(2)	Energy charge:	
	Summer:	
	First 1,500 kwh	9.3* cents per kwh
	All remaining kwh	11.747 cents per kwh
	Nonsummer:	
	All kwh	9.3* cents per kwh

(d)

*Space heating:* For customers using electric heating as the sole means of comfort heating, the monthly rate per kilowatt hour billed during the non-summer season shall be as follows:

First 1,500 kwh	9.49* cents per kwh
All remaining kwh	8.37* cents per kwh

(e)

*High efficiency heat pumps:* For customers having a permanently installed heat pump which is the primary source of comfort heating and which conforms to the special rules and regulations outlined in department rules entitled "Heat Pump Rules and Regulations," the monthly rate per kilowatt hour billed during the non-summer season for energy shall be as follows:

First 1,500 kwh	9.3* cents per kwh
All remaining kwh	7.905* cents per kwh

(f)

*Minimum bill:* The minimum bill for single-phase service, shall be seven dollars and twenty cents (\$7.20)\* per month; for three-phase service, nine dollars and fifty-eight cents (\$9.58)\* per month.

(g)

*In lieu of gross receipts tax payments and sales tax:* In addition to the charge based on monthly rates as computed above, the total monthly charge for service shall include applicable sales taxes and an in lieu of gross receipts tax payment equal to 7.5268 per cent of the monthly rate charge. Sales taxes shall be applied to the total of the monthly rate charge and the in lieu of gross receipts tax payment.

(h)

*Primary service:* When the customer owns and maintains all equipment, except metering equipment, necessary to take service at thirteen thousand eight hundred (13,800) volts or higher, total rate charges will be reduced by ten cents (\$0.10) times the highest thirty-minute kw demand during the billing cycle.



- (i) *Primary metering:* If, at the option of the department, service is metered at primary voltage the measured demand and kwh will each be decreased by two (2) per cent.
- (j) *Load control:* Customers under this rate, and not participating in (e) above, may receive a discount on summer bills if they elect to allow the city to install, operate and maintain load control devices on qualifying cooling equipment (see section 27-129).
- (k) *Net metering credit.* Qualified customers under this rate may receive a per kWh discount for the energy supplied by a qualified net metering unit as outlined in section 27-120.1.
- (l) *Optional rate schedule:* Customers in this rate class may voluntarily be placed on a demand billing rate as follows:

(1)	<b>Demand charge:</b>	
	Summer	All kw at \$15.06* per kw
	Non-Summer	All kw at \$12.04* per kw
(2)	<b>Energy charge:</b>	
	Summer	All kwh at \$5.5* per kwh
	Non-Summer	All kwh at \$4.78* per kwh

(3)

*Minimum demand:* The maximum thirty (30) minute kw demand measured during the billing month but not less than seventy-five (75) per cent of the maximum demand during the billing months of June, July, August and September of the preceding eleven-month billing period.

(Code 1964, § 15.560; Ord. No. 9930, § 1, 9-6-83; Ord. No. 10167, § 1, 5-7-84; Ord. No. 13148, § 1, 10-21-91; Ord. No. 13491, § 1, 10-19-92; Ord. No. 14776, § 1, 3-4-96; Ord. No. 16185, § 1, 9-20-99; Ord. No. 17894, § 1, 11-3-03; Ord. No. 18220, § 1, 9-20-04; Ord. No. 18689, § 1, 9-19-05; Ord. No. 19212, § 1, 9-18-06; Ord. No. 19681, § 1, 9-17-07; Ord. No. 20051, § 1, 9-15-08; Ord. No. 20417, § 1, 9-21-09; Ord. No. 20742, § 1, 9-20-10)

\*The rate shall be applied to utility bills beginning with the first complete cycle billed after October 1, 2010.

#### **Sec. 27-115. - Same—Interruptible service rate.**

(a)

*Available:* Customers receiving service on the large general service rate or the industrial service rate and having at least five hundred (500) kw of load that is interruptible are eligible to place a contracted firm demand on the interruptible service rate. Interruptible loads are specific areas of a customer's service that can be identified and metered and can be entirely removed from service during periods requested by the utility. Arrangements for interruptible service require a signed agreement between the customer and the city. The rate is not available for temporary, standby, breakdown, supplementary or resale service.

(b)

*Application:* The interruptible service rate shall apply to identifiable load where the service is supplied at one (1) point of delivery and measured through one (1) meter. At the time of interruption the meter reading for that period should register zero. If the customer is unable to interrupt the total load at the utility's request, a charge of thirty-six dollars and forty cents (\$36.40) per kilowatt will be charged on the kilowatt load registered on the meter during that period. If the customer continues to violate the terms of the interruptible agreement, the customer will be removed from the interruptible rate and put on a rate based on the customer's loads during the previous summer period. The customer will not be allowed to reapply for the interruptible rate for one (1) year.

Customers with auxiliary power connected to the interruptible load will be allowed up to one (1) per cent of the interruptible kilowatt load on the meter before the charge for the auxiliary load will be billed at thirty-six dollars and forty cents (\$36.40) per kilowatt on a monthly basis during the interruptible period.

(c)

*Monthly rate charge:* The monthly rate per kilowatt hour shall be as follows, subject to fuel adjustments as provided in section 27-118:

		<b>Summer</b>	<b>Non-Summer</b>
(1)	<b>Customer charge (per kilowatt)</b>	\$ 55.00	\$ 55.00
(2)	<b>Demand charge (per kilowatt)</b>	9.25*	7.40*
(3)	<b>Energy charge (per kilowatt hour)</b>	0.0391*	0.03742*

(d)

*Minimum monthly charge:* Customer charge plus the demand charge of kw times billing demand.

- (e) *In lieu of gross receipts tax payments and sales tax:* In addition to the charge based on monthly rates as computed above, the total monthly charge for service shall include applicable sales taxes and in lieu of gross receipts tax payments equal to 7.5268 per cent of the monthly rate charge. Sales taxes shall be applied to the total of the monthly rate charge and the in lieu of gross receipts tax payment.
- (f) *Billing demand:* The maximum thirty-minute kw demand measured during the billing month, but not less than one hundred (100) per cent of the maximum billing demand set during the billing months for June, July, August and September of the preceding eleven-month billing period.
- (g) *Primary service:* When the customer owns and maintains all equipment except metering equipment, necessary to take service at thirteen thousand eight hundred (13,800) volts or higher, total rate charges will be reduced by ten cents (\$0.10) times the highest thirty-minute kw demand during the billing cycle.
- (h) *Primary metering:* If, at the option of the department, service is metered at primary voltage, the measured demand and kwh will be decreased by two (2) per cent.
- (i) *Power factor:* Customer will at all times maintain a power factor of not less than ninety (90) per cent lagging. If power factor is less than ninety (90) per cent, the measured kilowatt demand will be multiplied by the ratio of ninety (90) per cent divided by the actual power factor to determine the adjusted measured demand to be used for determination of billing demand. The department may, at its option, use for adjustment the power factor determined:
- (1) By test during periods of maximum demand; or
  - (2) By measurement of the average monthly power factor.

(Ord. No. 16018, § 1, 6-7-99; Ord. No. 20051, § 1, 9-15-08; Ord. No. 20417, § 1, 9-21-09; Ord. No. 20742, § 1, 9-20-10)

\*The rate shall be applied to utility bills beginning with the first complete cycle billed after October 1, 2010.

#### **Sec. 27-116. - Same—Large general service.**

- (a) *Application:* The large general service rate shall apply to all electric service for a premises where the service is supplied at one (1) point of delivery and measured through one (1) meter and for a period of not less than one (1) year. This rate is not available for standby, supplementary, or resale service or for services of less than twenty-five (25) kw demand.
- (1) Customers that exceed twenty-five (25) kw demand during June, July, August or September will automatically be placed on this rate for a period of one (1) year. Reevaluation of application will be performed in October of each year.
  - (2) Customers that exceed seven hundred fifty (750) kw demand during June, July, August or September will automatically be removed from this rate and placed on the industrial service rate for a period of one (1) year. Reevaluation of application will be performed in October of each year.
- (b) *Type of service:* The type of service shall be three-phase, sixty-hertz, at one of the department's standard service voltages.
- (c) *Monthly rate charge:* The monthly rate per kilowatt hour shall be as follows, subject to fuel adjustments as provided in section 27-118:

		Summer	Non-Summer
(1)	<i>Demand charge:</i>		
	Minimum demand charge— 25 kw or less	\$ 376.50*	\$ 301.00*
	All additional kw (per kw)	15.06*	12.04*
(2)	<i>Energy charge:</i>		
	All kwh (per kwh)	0.055*	0.0478*

- (d) *Minimum bill:* The minimum bill shall be the demand charge plus the charge for energy used during the month.
- (e) *In lieu of gross receipts tax payments and sales tax.* In addition to the charge based on monthly rates as computed above, the total monthly charge for service shall include applicable sales taxes and an in lieu of gross receipts tax payment equal to 7.5268 per cent of the monthly rate charge. Sales taxes shall be applied to the total of the monthly rate charge and the in lieu of gross receipts tax payment.
- (f)



*Billing demand:* The maximum thirty-minute kw demand measured during the billing month but not less than seventy-five (75) per cent of the maximum billing demand during the billing months of June, July, August and September of the preceding eleven-month billing period. If there has been a significant change in operation from the previous year, the director may reduce a customer's ratchet amount to fifty (50) per cent until a new maximum billing demand is set during the forthcoming June, July, August and September.

(g)

*Primary service:* When the customer owns and maintains all equipment except metering equipment, necessary to take service at thirteen thousand eight hundred (13,800) volts or higher, total rate charges will be reduced by ten cents (\$0.10) times the highest thirty-minute kw demand during the billing cycle.

(h)

*Primary metering:* If, at the option of the department, service is metered at primary voltage, the measured demand and kwh each will be decreased by two (2) per cent.

(i)

*Power factor:* The customer will at all times maintain a power factor of not less than eighty-five (85) per cent lagging. If the power factor is less than eighty-five (85) per cent and the customer does not expeditiously take corrective action, the department can, at its option, discontinue service or can install necessary corrective equipment on its lines to improve the customer's power factor to at least eighty-five (85) per cent and will charge the customer for the total installed cost for same (including material, labor and overhead costs) or can make an equal charge (on an estimated basis) as a contribution towards the cost of corrective facilities to be installed elsewhere in its system.

(j)

*Load shedding program:* Any large general service customer may elect to reduce electrical consumption when requested to do so by the utility during load shedding periods. Customers who wish to participate in the utility's load shedding program shall inform the utility in writing no later than April 15 of each year. The application of this service will be limited to customers whose billing demand is two hundred fifty (250) kw and above during the summer months. More specific terms of the load shedding program shall be defined in a separate agreement between the customer and the city.

(1)

*Monthly rate:* Credit for demand shedding will be three dollars (\$3.00) per month for each kw shed consistently during the utility's system peak periods. The shedding period shall be from June through September.

(2)

*Metering:* The utility will install a recording demand meter to measure the customer's energy load during the periods the utility requests the customer to reduce the load.

(3)

*Demand reduction:* The customer shall receive a credit on his monthly bill beginning in October of each year based on the customer demand shedding ability (not to exceed fifty (50) per cent of his normal load prior to shedding).

(4)

A customer participating in the load shedding program shall remain in the program for an initial period of one (1) year.

(k)

*Load control:* Customers under this rate may receive a discount on summer bills if they elect to allow the city to install, operate and maintain load control devices on qualifying cooling equipment (see section 27-130).

(l)

*Net metering credit.* Qualified customers under this rate may receive a per kWh discount for the energy supplied by a qualified net metering unit as outlined in section 27-120.1.

(Code 1964, § 15.570; Ord. No. 9930, § 1, 9-6-83; Ord. No. 13148, § 1, 10-21-91; Ord. No. 13491, § 1, 10-19-92; Ord. No. 14776, § 1, 3-4-96; Ord. No. 15978, § 1, 5-3-99; Ord. No. 16185, § 1, 9-20-99; Ord. No. 17894, § 1, 11-3-03; Ord. No. 18220, § 1, 9-20-04; Ord. No. 18689, § 1, 9-19-05; Ord. No. 19212, § 1, 9-18-06; Ord. No. 19681, § 1, 9-17-07; Ord. No. 19877, § 1, 4-21-08; Ord. No. 20051, § 1, 9-15-08; Ord. No. 20417, § 1, 9-21-09; Ord. No. 20742, § 1, 9-20-10)

\*The rate shall be applied to utility bills beginning with the first complete cycle billed after October 1, 2010.

### **Sec. 27-117. - Same—Industrial service rate.**

(a)

*Available:* All large commercial customers that exceed seven hundred fifty (750) kw during June, July, August or September shall be placed on the industrial service rate. The rate is not available for temporary, standby, breakdown, supplementary or resale service.

(b)

*Application:* The industrial service rate shall apply to all electric service for a premises where the service is supplied at one (1) point of delivery and measured through one (1) meter.

(c)

*Monthly rate charge:* The monthly rate per kilowatt hour shall be as follows, subject to fuel adjustments as provided in section 27-118:

			Summer	Non-Summer
(1)	<i>Demand charge:</i>			
	a.	Minimum demand charge 750 kw or less	\$14,887.50*	\$11,910.00*
	b.	All additional kw (per	19.85*	15.88*

		kw)		
(2)	Energy charge:			
	All kwh (per/kwh)		0.04434*	0.038*

(d)

*Minimum monthly bill:* The demand charge plus the charge for energy used during the month

(e)

*In lieu of gross receipts tax payments and sales tax:* In addition to the charge based on monthly rates as computed above, the total monthly charge for service shall include applicable sales taxes and an in lieu of gross receipts tax payment equal to 7.5268 per cent of the monthly rate charge. Sales taxes shall be applied to the total of the monthly rate charge and the in lieu of gross receipts tax payment.

(f)

*Billing demand:* The maximum thirty-minute kw demand measured during the billing month, but not less than seventy-five (75) per cent of the maximum billing demand during the billing months of June, July, August and September of the preceding eleven-month billing period. If there has been a significant change in operation from the previous year, the director may reduce a customer's ratchet amount to fifty (50) per cent until a new maximum billing demand is set during the forthcoming June, July, August and September.

(g)

*Primary service:* When the customer owns and maintains all equipment except metering equipment, necessary to take service at thirteen thousand eight hundred (13,800) volts or higher, total rate charges will be reduced by ten cents (\$0.10) times the highest thirty-minute kw demand during the billing cycle.

(h)

*Primary metering:* If, at the option of the department, service is metered at primary voltage, the measured demand and kwh will each be decreased by two (2) per cent.

(i)

*Power factor:* Customer will at all times maintain a power factor of not less than ninety (90) per cent lagging. If power factor is less than ninety (90) per cent, the measured kw demand will be multiplied by the ratio of ninety (90) per cent divided by the actual power factor to determine the adjusted measured demand to be used for determination of billing demand. The department may, at its option, use for adjustment the power factor determined:

(1)

By test during periods of maximum demand; or

(2)

By measurement of the average monthly power factor.

(j)

*Load shedding program:* Any industrial service customer may elect to reduce electrical consumption when requested to do so by the utility during load shedding periods. Customers who wish to participate in the utility's load shedding program shall inform the utility in writing no later than April 15 of each year. The application of this service will be limited to customers whose billing demand is seven hundred fifty (750) kw and above. More specific terms of the load shedding program shall be defined in a separate agreement between the customer and the city.

(1)

*Monthly rate:* Credit for demand shedding will be three dollars (\$3.00) per month for each kw shed consistently during the utility's system peak periods. The shedding period shall be from June through September.

(2)

*Metering:* The utility will install a recording demand meter to measure the customer's energy load during the periods the utility requests the customer to reduce the load.

(3)

*Demand reduction:* The customer shall receive a credit on his monthly bill beginning in October of each year based on the customer demand shedding ability (not to exceed fifty (50) per cent of his normal load prior to shedding).

(4)

Customer participating in the load shedding program shall remain in the program for an initial period of one (1) year.

(k)

*Thermal storage rider.*

(1)

*Available:* The thermal storage rider is available to any customer receiving electric service under the industrial service rate that has installed thermal storage facilities approved by the utility as being capable of sustaining at least five hundred (500) kw in equivalent thermal capacity for continued load reduction for a minimum of eight (8) hours.

(2)

*Energy charge:* Energy supplied for the period beginning 12:00 midnight and ending at 6:00 a.m. shall be charged at the rate of 3.07\* cents per kwh. Energy charged at this rate will not be subject to the fuel adjustment allowance in section 27-118.

(3)

*Demand charge:* As set forth in separate agreement between the utility and customer, for a period of twenty (20) hours each day the monthly measured demand will be excluded for the purpose of the billing of demand as set forth in subsection (f) while under this rider. Measured demand period will exclude Saturday and Sunday of each week.

(4)

*Billing demand:* The maximum thirty-minute kw demand measured during the billing month, but not less than seventy-five (75) per cent of the maximum billing demand during the billing months of June, July, August and September of the preceding eleven (11) months. If there has been a significant change in operation from the previous year, the director may reduce a customer's ratchet amount to fifty (50) per cent until a new maximum billing demand is set during the forthcoming June, July, August and September.

(5)

*Metering:* The customer will provide the city a dedicated private phone line for the installation and operation of remote reading/recording demand and energy meters to measure the time of day readings necessary for monitoring loads and billing.

(6)

*Load shedding program:* The load shedding program does not apply to the thermal storage rider.

(7)

*Contract:* Customers wishing to receive service on the thermal storage rider must first enter into an agreement with the city that includes provisions concerning: emergency use of the system; a description of the thermal storage system; listed hours in which demand charges are excluded; and length of the term of the contract.

(8)

*In lieu of gross receipts tax payments and sales tax:* In addition to the charge based on the rates set forth in this subsection, the total monthly charge for service shall include applicable sales taxes and an in lieu of gross receipts tax payment equal to 7.5268 per cent of the monthly rate charge. Sales taxes shall be applied to the total of the monthly rate charge and the in lieu of gross receipts tax payment.

(I)

*Off-peak discount.*

(1)

*Available:* The off-peak discount is available to any customer receiving electric service under the industrial service rate that has a load factor at or in excess of seventy-five (75) percent of their summer peak load. The load factor will be calculated using the customer's highest one-half hour kw demand that is coincident with the annual system peak of the electric utility. Qualifying customers must notify the water and light department, in writing, that the customer wants to receive the off-peak discount.

(2)

*Energy charge:* Energy supplied for the period beginning 12:00 midnight and ending at 6:00 a.m. shall be charged at the rate of 3.15\* cents per kwh. Energy charged at this rate will not be subject to the fuel adjustment allowance in section 27-118.

(3)

*Demand charge:* During the hours beginning 10:00 p.m. and ending the following 9:00 a.m., the monthly measured demand will be excluded for the purpose of the billing of demand as set forth in subsection (f) while under this rider.

(4)

*Metering:* The customer will provide the city a dedicated private phone line for the installation and operation of remote reading/recording demand and energy meter to measure the time of day readings necessary for monitoring loads and billing.

(5)

*Load shedding program:* Customers receiving the off-peak discount are not eligible for the demand discount outlined in subsection (j).

(6)

*In lieu of gross receipts tax payments and sales tax:* In addition to the charge based on the rates set forth in this subsection, the total monthly charge for service shall include applicable sales taxes and an in lieu of gross receipts tax payment equal to 7.5268 per cent of the monthly rate charge. Sales taxes shall be applied to the total of the monthly rate charge and the in lieu of gross receipts tax payment.

(Code 1964, § 15.580; Ord. No. 9930, § 1, 9-6-83; Ord. No. 10458, § 1, 2-18-85; Ord. No. 13148, § 1, 10-21-91; Ord. No. 13748, § 1, 7-19-93; Ord. No. 14776, § 1, 3-4-96; Ord. No. 15572, § 1, 4-20-98; Ord. No. 15978, § 1, 5-3-99; Ord. No. 16185, § 1, 9-20-99; Ord. No. 17651, § 1, 4-21-03; Ord. No. 18220, § 1, 9-20-04; Ord. No. 18689, § 1, 9-19-05; Ord. No. 19212, § 1, 9-18-06; Ord. No. 19681, § 1, 9-17-07; Ord. No. 19877, § 1, 4-21-08; Ord. No. 20051, § 1, 9-15-08; Ord. No. 20417, § 1, 9-21-09; Ord. No. 20742, § 1, 9-20-10; Ord. No. 20807, § 1, 12-6-10)

\*The rate shall be applied to utility bills beginning with the first complete cycle billed after October 1, 2010.

## **Sec. 27-118. - Same—Fuel adjustment allowance.**

(a)

The monthly rate charge will be average annual cost per kwh above or below three and twenty-five hundredths cents (\$.0325) per kilowatt hour. In determining the fuel adjustment allowance under the formula set forth above, the energy cost shall be the sum of the following:

(1)

Average cost of fuel in the city's generating plant based on the net kilowatt hour generated in the city's plant;

(2)

Cost of purchased energy based on the net kilowatt hour purchased;

(3)

The monthly capacity costs (including the demand cost of purchased power) less the amount billed under special contract rates.

(Code 1964, § 15.585; Ord. No. 9930, § 1, 9-6-83; Ord. No. 10459, § 1, 2-18-85; Ord. No. 11925, § 1, 6-20-88; Ord. No. 14776, § 1, 3-4-96; Ord. No. 16185, § 1, 9-20-99)

**Sec. 27-119. - Repealed by Ord. No. 13071 passed on 8-19-91.**

**Sec. 27-120. - Same—Small power producer/cogenerator rate.**

(a)

*Available to:* The small power producer/cogenerator rate schedule is available to any customer who owns and can operate generating equipment of one hundred (100) kw or less in parallel with Columbia Water and Light Department, and having electrical power supply with the city.

(b)

*Applicable to:* The small power producer/cogenerator rate is applicable to a residential or general service customer who contracts for service supplied at one (1) point of delivery. Applicable to single- and three-phase customers.

(c)

*Rate payment:* In order to qualify for payment of capacity charge to the cogenerator or small power producer facility by the Columbia Water and Light Department, the qualified facility must be on line generating whenever the water and light loads are exceeding ninety (90) per cent of the system's peak. Payment to the cogenerator or small power producer will be made monthly based on the following rate schedule:

(1)

*Capacity charge:* Nine dollars and eighty-six cents (\$9.86) per kW, with a total annual payment of one hundred eighteen dollars and thirty-two cents (\$118.32) per kW.

(2)

*Energy:* Two cents (\$0.02) per kWh.

(d)

*Energy adjustments:* The energy charge will be adjusted quarterly to reflect changes in the average avoided cost.

(e)

*Interconnection:* The customer will normally be required to furnish his own transforming, protective, and other necessary equipment which must comply with specifications of Columbia Water and Light Department.

(f)

*Supplementary service:* Service will be available for supplementary power. The rate that will apply is the standard retail rate for the particular class of customer.

(g)

*Power factor:* A qualifying facility will be required to maintain a power factor of not less than eighty-five (85) per cent lagging. If the power factor is less than eighty-five (85) per cent and the qualifying facility does not expeditiously take corrective action, the department can, at its option, discontinue service or can install necessary corrective equipment on its lines to improve the power factor to at least eighty-five (85) per cent and will charge the qualifying facility for the total installation cost.

(h)

*Contract period:* The contract period shall be automatically renewable annually, with notice to be given one (1) year in advance by either party.

(Code 1964, § 15.595; Ord. No. 10008, § 1, 11-21-83; Ord. No. 17894, § 1, 11-3-03)

**Sec. 27-120.1. - Same—Customer-generator rate.**

(a)

*Available to:* The customer-generator rate is available to any customer that owns and operates a solar, wind, or biomass generating facility or hydrogen fuel cell with a capacity of not more than one hundred (100) kilowatts which is located on the customer's premises, is permanently interconnected and operates in parallel, with the department's existing transmission and distribution facilities, and is intended primarily to offset part or all of the customer's own electrical energy requirements.

(b)

*Applicable to:* The customer-generator rate is applicable to a residential, small general service, large general service, or industrial customer who contracts for service supplied at one (1) point of delivery. The rate is applicable to single- and three-phase customers.

(c)

*Rate credit:* The customer-generator is eligible for a net metering credit for all energy supplied to the department system from a qualified net metering unit. Applicable charges will be calculated for all energy supplied to the customer-generator based on the applicable rates for the customer class. All energy supplied by the customer-generator will be credited at the following rate per kWh, based on the size and type of generator:

(1)

Small scale solar powered generators of ten (10) KW or less shall receive credit per kWh equal to the customer's current applicable rate schedule. The department shall limit the number of interconnections so that the sum total of all installed small scale solar generators does not exceed one (1) per cent of the utility's highest hourly peak load for the previous twelve months.

(2)

All other generating facilities will receive at the current rate schedule of two cents (\$0.02) per kWh.

(d)

*Interconnection:* Any customer requesting interconnection to the utility must enter into an interconnection and net metering agreement with the city and receive written approval from the department before construction or installation of interconnecting equipment.

(Ord. No. 17894, § 1, 11-3-03; Ord. No. 19547, § 1, 6-4-07)

**Sec. 27-121. - Street and outdoor area lighting rate.**

(a)

*Availability.* The street and outdoor area lighting rate is available to any customer within the area served by the city electric system for private street lighting and for outdoor area lighting when such lighting facilities are operated as an extension of the city's distribution system.

(b)

*Type of service.* The city shall furnish, install, maintain and deliver electric service to automatically controlled lighting fixtures conforming to the department's standards, and subject to the published rules and regulations of the city water and light department.

(c)

*Light and fixture rates:* Light and fixture rates are as follows:

*Size of lamp Each, per month*

Standard pole-bracket arm mounted

100 watt high pressure sodium (H.P.S.) 4.17\*

175 watt mercury vapor 4.80\*

250 watt mercury vapor 6.79\*

250 watt high pressure sodium 12.35\*

400 watt high pressure sodium 14.83\*

400 watt mercury vapor 9.62\*

When required for outdoor area (dusk to dawn) lighting, a pole with one span of #6 aluminum wire, up to one hundred fifty (150) feet, and necessary pole line hardware and accessories, according to the following schedule:

Wood pole \$3.06

Aluminum pole 11.26

Steel pole 10.65

When power to the street lighting is provided by underground wire or conduit, the following addition to the rate shall apply:

Underground, per unit 4.10\*

(d)

Decorative post top luminaire.

100 watt high pressure sodium 9.31\*

175 watt mercury vapor 9.26\*

(e)

*Outdoor area lighting.* Underground wire and conduit shall be installed and maintained by the customer for outdoor area (dusk to dawn) light. In addition to the pole charge identified in section 27-121(c), the following light and fixture rates shall apply:

*Size of lamp Each, per month*

100 watt mercury vapor \$ 4.00\*

100 watt high pressure sodium 4.38\*

100 watt high pressure sodium decorative post top luminaire 9.78\*

175 watt mercury vapor 5.04\*

175 watt mercury vapor decorative post top luminaire 9.72\*

250 watt mercury vapor 7.13\*

250 watt high pressure sodium 12.97\*

400 watt high pressure sodium 15.57\*

400 watt mercury vapor 10.10\*

700 watt mercury vapor 20.75\*

(Code 1964, § 15.600; Ord. No. 10276, § 1, 9-4-84; Ord. No. 19212, § 1, 9-18-06; Ord. No. 19681, § 1, 9-17-07; Ord. No. 20051, § 1, 9-15-08; Ord. No. 20742, § 1, 9-20-10)

\*The rate shall be applied to utility bills beginning with the first complete cycle billed after October 1, 2010.

**Sec. 27-121.1. - Special outdoor lighting.**

(a)

*Availability.* The special outdoor lighting schedule is available for electrical service to sport field lighting, carnival, circus or

holiday decorative lighting or similar temporary or seasonal use.

(b)

*Type of service.* The type of service shall be single-or three-phase, sixty-hertz, at one of the department's standard service voltages.

(c)

*Monthly rate charge.* The monthly rate per kilowatt hour shall be as follows, subject to fuel adjustment as provided in section 27-118:

Customer charge	\$50.00*
Cost per Kwh	11.00* cents per kwh

(d)

*Minimum monthly bill.* The minimum bill for single- or three-phase service shall be fifty dollars (\$50.00)\* per month.

(e)

*Payment in lieu of taxes and sales tax.* In addition to the charge based on monthly rates as computed above, the total monthly charge for service shall include applicable sales taxes and in lieu of gross receipts tax payment equal to 7.5268 per cent of the monthly rate charge. Sales taxes shall be applied to the total of the monthly rate charge and be in lieu of gross receipts tax payment.

(f)

*Primary service.* When the customer owns and maintains all equipment, except metering equipment, necessary to take service at thirteen thousand eight hundred (13,800) volts or higher:

(1)

A five (5) per cent reduction in total rate charges shall be made if service is metered at primary voltage.

(2)

A three (3) per cent reduction in total rate charges shall be made if service is metered at secondary voltage.

(Ord. No. 11975, § 1, 8-15-88; Ord. No. 18220, § 1, 9-20-04; Ord. No. 18689, § 1, 9-19-05; Ord. No. 19212, § 1, 9-18-06; Ord. No. 20742, § 1, 9-20-10)

\*The rate shall be applied to utility bills beginning with the first complete cycle billed after October 1, 2010.

#### **Sec. 27-121.2. - Transmission service rate.**

(a)

*Availability.* Customers that anticipate usage that will exceed ten (10) megawatts of hourly load and that provide the infrastructure necessary to take service at either sixty-nine (69) kV or one hundred sixty-one (161) kV will be placed on the transmission service rate set forth in this section and will be subject to a contract governing delivery of the requested power that is negotiated by the water and light director with final approval by the city council.

(b)

*Application.* The transmission service rate shall apply to all electric service for a premises where the service is supplied at one (1) point of delivery and measured through one (1) meter.

(c)

*Monthly rate charge.* The monthly rate per kilowatt hour shall be equal to the actual cost of such energy to the city, based on the following:

(1)

Five (5) megawatt blocks of power purchased twenty-four (24) hours a day, seven (7) days a week for a minimum period agreed to by the customer and city.

(2)

Best market energy price as may be available, plus any actual monthly market capacity price that is imposed by any third party energy provider offering energy for sale to the city and customer, plus (or minus) other actual market charges that may apply to transactions in the energy and operating reserve market of the Midwest Independent System Operator (MISO).

(3)

Customer must pay for the full amount of all energy requested by customer even if not used, however, every effort will be made by the electric utility to sell excess energy back to the market and provide a credit to the customer.

(d)

*In lieu of gross receipts tax payments and sales tax.* In addition to the charge based on monthly rates, the total monthly charge for service shall include applicable sales taxes and an lieu of gross receipts tax payment equal to 7.5268 percent of the monthly rate charge. Sales taxes shall be applied to the total of the monthly rate charge and the in lieu of gross receipts tax payment.

(Ord. No. 12273, § 1, 6-19-89; Ord. No. 19212, § 1, 9-18-06; Ord. No. 20570, § 1, 3-1-10)

#### **Sec. 27-122. - Water rates inside city limits—Residential/commercial multiple-family facilities.**

(a)

The rates to be charged for water furnished to residential customers, commercial multiple-family facilities customers, and multiple commercial facilities served with one meter, within the city limits of the city are hereby fixed as follows:



(1)

Rates per one hundred (100) cubic feet (1 ccf), inside city limits:

All water, beginning with first one hundred (100) cubic feet (1 ccf) \$2.40\*

Summer water usage as defined by subsection (b) 3.36\*

(2)

Minimum charge per month, charged in addition to the volume charge in subsection (a)(1), based on meter size:

½ and ¾-inch 6.96\*

1-inch 7.32\*

1½-inch 10.78\*

2-inch 11.30\*

3-inch 19.04

4-inch 28.23

6-inch 54.28

(3)

Fire flow charge per month, charged in addition to the volume charge in subsection (a)(1) and the minimum charge in subsection (a)(2), based on meter size for portion of system capacity necessary for providing public fire protection:

½ and ¾-inch \$1.28\*

1-inch 1.36\*

1½-inch 1.96\*

2-inch 2.11\*

3-inch 5.17\*

4-inch 7.99\*

6-inch 15.98\*

(4)

Backflow prevention charge per month, charged in addition to the volume charge in subsection (a)(1), the minimum charge in subsection (a)(2), and the fire flow charge in subsection (a)(3), is charged when a customer is required to install a backflow prevention device as outlined in section 27-57.

For each backflow device at a customer location \$1.00\*

(b)

*Summer water usage.* All water consumption, occurring during summer as defined in section 27-16, which exceeds four (4) ccf for the billing period will be charged at the summer rate listed in subsection (a)(1).

(1)

*Exceptions.* For commercial multiple-family facilities, and multiple commercial facilities, served through a single meter the summer rate will be assessed on water consumption occurring during summer as defined in section 27-16 which exceeds eighty (80) percent of the customer's average monthly winter water use during the immediate preceding billing periods of January, February and March. For water service metered separately for lawn irrigation, the summer rate will be assessed on all water consumption occurring during summer as defined in section 27-16.

(Code 1964, § 15-610; Ord. No. 12606, § 1, 5-7-90; Ord. No. 12833, § 1, 1-7-91; Ord. No. 12947, § 1, 5-6-91; Ord. No. 13119, § 1, 9-16-91; Ord. No. 13414, § 1, 8-17-92; Ord. No. 14215, § 1, 9-19-94; Ord. No. 14620, § 1, 9-18-95; Ord. No. 15352, § 1, 9-15-97; Ord. No. 15619, § 1, 5-18-98; Ord. No. 15760, § 1, 9-21-98; Ord. No. 16186, § 1, 9-20-99; Ord. No. 16422, § 1, 5-1-00; Ord. No. 17022, § 1, 9-17-01; Ord. No. 17436, § 1, 9-16-02; Ord. No. 17833, § 1, 9-15-03; Ord. No. 18219, § 1, 9-20-04; Ord. No. 18690, § 1, 9-19-05; Ord. No. 19211, § 1, 9-18-06; Ord. No. 19680, § 1, 9-17-07; Ord. No. 20053, § 1, 9-15-08; Ord. No. 20172, § 1, 1-20-09; Ord. No. 20418, § 1, 9-21-09; Ord. No. 20743, § 1, 9-20-10)

\*The rate shall be applied to utility bills beginning with the first complete cycle billed after October 1, 2010.

### **Sec. 27-122.1. - Same—Commercial.**

(a)

The rates to be charged for water furnished to commercial customers within the city limits who use fifty thousand (50,000) cubic feet (500 ccf) or less per month average during nonsummer months (October through May) are hereby fixed as follows:

(1)

Rates per one hundred (100) cubic feet (1 ccf), inside city limits:

All water, beginning with first one hundred (100) cubic feet (1 ccf) \$2.222\*

Summer water usage as defined by subsection (b) 3.36\*

(2)

Minimum charge per month, charged in addition to the volume charge in subsection (a)(1), based on meter size:

½ and ¾-inch \$6.96\*

1-inch 7.32\*

1½-inch 10.78\*

2-inch 11.30\*

3-inch 19.04

4-inch 28.23

6-inch 54.28

(3)

Fire flow charge per month, charged in addition to the volume charge in subsection (a)(1) and the minimum charge in subsection (a)(2), based on meter size for portion of system capacity necessary for providing public fire protection:

5/8 and 3/4-inch \$1.28\*

1-inch 1.36\*

1½-inch 1.96\*

2-inch 2.11\*

3-inch 5.17\*

4-inch 7.99\*

6-inch 15.98\*

(4)

Backflow prevention charge per month, charged in addition to the volume charge in subsection (a)(1), the minimum charge in subsection (a)(2), and the fire flow charge in subsection (a)(3), is charged when a customer is required to install a backflow prevention device as outlined in section 27-57.

For each backflow device at a customer location \$1.00\*

(b)

*Summer water usage.* All water consumption occurring during summer as defined in section 27-16 which exceeds eighty (80) per cent of the customer's average monthly winter water use during the immediate preceding billing periods of January, February and March will be charged at the summer rate listed in subsection (a)(1).

(1)

*Exception.* For water service metered separately for lawn irrigation, the summer rate will be assessed on all water consumption occurring during summer as defined in section 27-16.

(Ord. No. 12833, § 1, 1-7-91; Ord. No. 12947, § 1, 5-6-91; Ord. No. 13119, § 1, 9-16-91; Ord. No. 14215, § 1, 9-19-94; Ord. No. 14620, § 1, 9-18-95; Ord. No. 15352, § 1, 9-15-97; Ord. No. 15619, § 1, 5-18-98; Ord. No. 15760, § 1, 9-21-98; Ord. No. 16186, § 1, 9-20-99; Ord. No. 16422, § 1, 5-1-00; Ord. No. 17022, § 1, 9-17-01; Ord. No. 17436, § 1, 9-16-02; Ord. No. 17833, § 1, 9-15-03; Ord. No. 18219, § 1, 9-20-04; Ord. No. 18690, § 1, 9-19-05; Ord. No. 19211, § 1, 9-18-06; Ord. No. 19680, § 1, 9-17-07; Ord. No. 20053, § 1, 9-15-08; Ord. No. 20172, 1-20-09; Ord. No. 20418, § 1, 9-21-09; Ord. No. 20743, § 1, 9-20-10)

\*The rate shall be applied to utility bills beginning with the first complete cycle billed after October 1, 2010.

#### **Sec. 27-122.2 - Same—Large commercial.**

(a)

The rates to be charged for water furnished to commercial customers within the city limits who use more than fifty thousand (50,000) cubic feet (500 ccf) per month average during nonsummer months (October through May) are hereby fixed as follows:

(1)

Rates per one hundred (100) cubic feet (1 ccf), inside city limits:

All water, beginning with first one hundred (100) cubic feet (1 ccf) \$2.084\*

Summer water usage as defined by subsection (b) 3.36\*

(2)

Minimum charge per month, charged in addition to the volume charge in subsection (a)(1), based on meter size:

1-inch 7.32\*

1½-inch 10.78\*

2-inch 11.30\*

3-inch 19.04

4-inch 28.23

6-inch 54.28

(3)

Fire flow charge per month, charged in addition to the volume charge in subsection (a)(1) and the minimum charge in subsection (a)(2), based on meter size for portion of system capacity necessary for providing public fire protection:

1-inch \$1.36\*

1½-inch 1.96\*

2-inch 2.11\*

3-inch 5.17\*

4-inch 7.99\*

6-inch 15.98\*

(4)

Backflow prevention charge per month, charged in addition to the volume charge in subsection (a)(1), the minimum charge in subsection (a)(2), and the fire flow charge in subsection (a)(3), is charged when a customer is required to install a backflow prevention device as outlined in section 27-57.

For each backflow device at a customer location \$1.00\*

(b)

*Summer water usage.* All water consumption occurring during summer as defined in section 27-16 which exceeds eighty (80) per cent of the customer's average monthly winter water use during the immediate preceding billing periods of January, February and March will be charged at the summer rate listed in subsection (a)(1).



(Ord. No. 12833, § 1, 1-7-91; Ord. No. 12947, § 1, 5-6-91; Ord. No. 13119, § 1, 9-16-91; Ord. No. 14215, § 1, 9-19-94; Ord. No. 14620, § 1, 9-18-95; Ord. No. 15352, § 1, 9-15-97; Ord. No. 15619, § 1, 5-18-98; Ord. No. 15760, § 1, 9-21-98; Ord. No. 16186, § 1, 9-20-99; Ord. No. 16422, § 1, 5-1-00; Ord. No. 17022, § 1, 9-17-01; Ord. No. 17436, § 1, 9-16-02; Ord. No. 17833, § 1, 9-15-03; Ord. No. 18219, § 1, 9-20-04; Ord. No. 18690, § 1, 9-19-05; Ord. No. 19211, § 1, 9-18-06; Ord. No. 19680, § 1, 9-17-07; Ord. No. 20053, 9-15-08; Ord. No. 20172, § 1, 1-20-09; Ord. No. 20418, § 1, 9-21-09; Ord. No. 20743, § 1, 9-20-10)

\*The rate shall be applied to utility bills beginning with the first complete cycle billed after October 1, 2010.

**Sec. 27-122.3. - Water temporarily supplied by adjoining water district.**

(a)

Application: This rate shall apply to water supplied by an adjoining water district, when development occurs in the City of Columbia water service territory, until city water mains have reached the development. Water meters shall be installed and read by city employees.

(b)

The rates to be charged for water furnished to residential or commercial customers are hereby fixed as follows:

(1)

Rates per one hundred (100) cubic feet (1 ccf):

All water, beginning with first one hundred (100) cubic feet (1 ccf): One hundred ten (110) per cent of the applicable rate charged by the water district supplying the water.

(2)

Minimum charge per month, charged in addition to the volume charge in subsection (a)(1), based on meter size:

5/8-inch and 3/4-inch \$ 5.40

1-inch 5.80

1½-inch 8.35

2-inch 8.97

3-inch 21.96

4-inch 33.93

6-inch 67.86

(c)

Exception: This rate will not apply to existing city customers when a leak, or other disruption of supply, requires that the city temporarily take supply from an adjoining water district.

(Ord. No. 18827, § 1, 12-19-05)

**Sec. 27-123. - Water rates outside city limits—Residential/commercial multiple-family facilities.**

(a)

The rates to be charged for water furnished to residential customers, commercial multiple-family facilities customers, and multiple commercial facilities served with one (1) meter, outside the city limits are hereby fixed as follows:

(1)

Rates per one hundred (100) cubic feet (1 ccf), outside city limits:

All water, beginning with first one hundred (100) cubic feet (1 ccf) \$3.19\*

Summer water usage as defined by subsection (b) 4.47\*

(2)

Minimum charge per month, charged in addition to the volume charge in subsection (a)(1), based on meter size:

5/8 and 3/4-inch \$9.26\*

1-inch 9.74\*

1½-inch 14.34\*

2-inch 15.03\*

3-inch 25.32

4-inch 37.55

6-inch 72.19

(3)

Fire flow charge per month, charged in addition to the volume charge in subsection (a)(1) and the minimum charge in subsection (a)(2), based on meter size for portion of system capacity necessary for providing public fire protection:

5/8 and 3/4-inch \$1.70\*

1-inch 1.81\*

1½-inch 2.61\*

2-inch 2.81\*

3-inch 6.88\*

4-inch 10.63\*

6-inch 21.25\*

(4)

Backflow prevention charge per month, charged in addition to the volume charge in subsection (a)(1), the minimum charge in subsection (a)(2), and the fire flow charge in subsection (a)(3), is charged when a customer is required to

install a backflow prevention device as outlined in section 27-57.  
For each backflow device at a customer location \$1.33\*

(b)

*Summer water usage.* All water consumption, occurring during summer as defined in section 27-16, which exceeds four (4) ccf for the billing period will be charged at the summer rate listed in subsection (a)(1).

(1)

*Exceptions.* For commercial multiple-family facilities, and multiple commercial facilities served through a single meter the summer rate will be assessed on water consumption occurring during summer as defined in section 27-16 which exceeds eighty (80) per cent of the customer's average monthly winter water use during the immediate preceding billing periods of January, February and March. For water service metered separately for lawn irrigation, the summer rate will be assessed on all water consumption occurring during summer as defined in section 27-16.

(Code 1964, § 15.625; Ord. No. 12606, § 1, 5-7-90; Ord. No. 12833, § 1, 1-7-91; Ord. No. 12947, § 1, 5-6-91; Ord. No. 13119, § 1, 9-16-91; Ord. No. 13414, § 1, 8-17-92; Ord. No. 14215, § 1, 9-19-94; Ord. No. 14620, § 1, 9-18-95; Ord. No. 15352, § 1, 9-15-97; Ord. No. 15619, § 1, 5-18-98; Ord. No. 15760, § 1, 9-21-98; Ord. No. 16186, § 1, 9-20-99; Ord. No. 16422, § 1, 5-1-00; Ord. No. 17022, § 1, 9-17-01; Ord. No. 17436, § 1, 9-16-02; Ord. No. 17833, § 1, 9-15-03; Ord. No. 18219, § 1, 9-20-04; Ord. No. 18690, § 1, 9-19-05; Ord. No. 19211, § 1, 9-18-06; Ord. No. 19680, § 1, 9-17-07; Ord. No. 20053, § 1, 9-15-08; Ord. No. 20172, § 1, 1-20-09; Ord. No. 20418, § 1, 9-21-09; Ord. No. 20743, § 1, 9-20-10)

\*The rate shall be applied to utility bills beginning with the first complete cycle billed after October 1, 2010.

### **Sec. 27-123.1. - Same—Commercial.**

(a)

The rates to be charged for water furnished to commercial customers outside the city limits who use fifty thousand (50,000) cubic feet (500 ccf) or less per month average during nonsummer months (October through May) are hereby fixed as follows:

(1)

Rates per one hundred (100) cubic feet (1 ccf), outside city limits:

All water, beginning with first one hundred (100) cubic feet (1 ccf) \$2.955\*

Summer water usage as defined by subsection (b) 4.47\*

(2)

Minimum charge per month, charged in addition to the volume charge in subsection (a)(1), based on meter size:

5/8 and 3/4-inch \$9.26\*

1-inch 9.74\*

1½-inch 14.34\*

2-inch 15.03\*

3-inch 25.32

4-inch 37.55

6-inch 72.19

(3)

Fire flow charge per month, charged in addition to the volume charge in subsection (a)(1) and the minimum charge in subsection (a)(2), based on meter size for portion of system capacity necessary for providing public fire protection:

5/8 and 3/4-inch \$1.70\*

1-inch 1.81\*

1½-inch 2.61\*

2-inch 2.81\*

3-inch 6.88\*

4-inch 10.63\*

6-inch 21.25\*

(4)

Backflow prevention charge per month, charged in addition to the volume charge in subsection (a)(1), the minimum charge in subsection (a)(2), and the fire flow charge in subsection (a)(3), is charged when a customer is required to install a backflow prevention device as outlined in section 27-57.

For each backflow device at a customer location \$1.33\*

(b)

*Summer water usage.* All water consumption occurring during summer as defined in section 27-16 which exceeds eighty (80) per cent of the customer's average monthly winter water use during the immediate preceding billing periods of January, February and March will be charged at the summer rate listed in subsection (a)(1).

(1)

*Exception.* For water service metered separately for lawn irrigation, the summer rate will be assessed on all water consumption occurring during summer as defined in section 27-16.

(Ord. No. 12833, § 1, 1-7-91; Ord. No. 12947, § 1, 5-6-91; Ord. No. 13119, § 1, 9-16-91; Ord. No. 14215, § 1, 9-19-94; Ord. No. 14620, § 1, 9-18-95; Ord. No. 15352, § 1, 9-15-97; Ord. No. 15619, § 1, 5-18-98; Ord. No. 15760, § 1, 9-21-98; Ord. No. 16186, § 1, 9-20-99; Ord. No. 16422, § 1, 5-1-00; Ord. No. 17022, § 1, 9-17-01; Ord. No. 17436, § 1, 9-16-02; Ord. No. 17833, § 1, 9-15-03; Ord. No. 18219, § 1, 9-20-04; Ord. No. 18690, § 1, 9-19-05; Ord. No. 19211, § 1, 9-18-06; Ord. No. 19680, § 1, 9-17-07; Ord. No. 20053, § 1, 9-15-08; Ord. No. 20172, § 1, 1-20-09; Ord. No. 20418, § 1, 9-21-09; Ord. No. 20743, § 1, 9-20-10)

\*The rate shall be applied to utility bills beginning with the first complete cycle billed after October 1, 2010.

**Sec. 27-123.2. - Same—Large commercial.**

(a)

The rates to be charged for water furnished to commercial customers outside the city limits who use more than fifty thousand (50,000) cubic feet (500ccf) per month average during nonsummer months (October through May) are hereby fixed as follows:

(1)

Rates per one hundred (100) cubic feet (1ccf), outside city limits:

All water, beginning with first one hundred (100) cubic feet (1ccf) \$2.772\*

Summer water usage as defined by subsection (b) 4.47\*

(2)

Minimum charge per month, charged in addition to the volume charge in subsection (a)(1), based on meter size:

5/8-inch and 3/4-inch \$9.26\*

1-inch 9.74\*

1½-inch 14.34\*

2-inch 15.03\*

3-inch 25.32

4-inch 37.55

6-inch 72.19

(3)

Fire flow charge per month, charged in addition to the volume charge in subsection (a)(1) and the minimum charge in subsection (a)(2), based on meter size for portion of system capacity necessary for providing public fire protection:

5/8-inch and 3/4-inch \$1.70\*

1-inch 1.81\*

1½-inch 2.61\*

2-inch 2.81\*

3-inch 6.88\*

4-inch 10.63\*

6-inch 21.25\*

(4)

Backflow prevention charge per month, charged in addition to the volume charge in subsection (a)(1), the minimum charge in subsection (a)(2), and the fire flow charge in subsection (a)(3), is charged when a customer is required to install a backflow prevention device as outlined in section 27-57.

For each backflow device at a customer location \$1.33\*

(b)

*Summer water usage.* All water consumption occurring during summer as defined in section 27-16 which exceeds eighty (80) percent of the customer's average monthly winter water use during the immediate preceding billing periods of January, February and March will be charged at the summer rate listed in subsection (a)(1).

(Ord. No. 12833, § 1, 1-7-91; Ord. No. 12947, § 1, 5-6-91; Ord. No. 13119, § 1, 9-16-91; Ord. No. 14215, § 1, 9-19-94; Ord. No. 14620, § 1, 9-18-95; Ord. No. 15352, § 1, 9-15-97; Ord. No. 15619, § 1, 5-18-98; Ord. No. 15760, § 1, 9-21-98; Ord. No. 16186, § 1, 9-20-99; Ord. No. 16422, § 1, 5-1-00; Ord. No. 17022, § 1, 9-17-01; Ord. No. 17436, § 1, 9-16-02; Ord. No. 17833, § 1, 9-15-03; Ord. No. 18219, § 1, 9-20-04; Ord. No. 18690, § 1, 9-19-05; Ord. No. 19211, § 1, 9-18-06; Ord. No. 19680, § 1, 9-17-07; Ord. No. 20053, § 1, 9-15-08; Ord. No. 20172, § 1, 1-20-09; Ord. No. 20418, § 1, 9-21-09; Ord. No. 20743, § 1, 9-20-10)

\*The rate shall be applied to utility bills beginning with the first complete cycle billed after October 1, 2010.

**Sec. 27-123.3. - Same—Columbia Regional Airport.**

(a)

The rates to be charged for water furnished to customers at the Columbia Regional Airport are hereby fixed as follows:

(1)

Rates per one hundred (100) cubic feet (1 ccf), Columbia Regional Airport:

All water, beginning with first one hundred (100) cubic feet (1 ccf) \$ 4.114

(2)

Minimum charge per month, charged in addition to the volume charge in subsection (a)(1), based on meter size:

5/8-inch \$ 6.33

1-inch 6.64

1½-inch 8.60

2-inch 9.07

3-inch 19.04

4-inch 28.23

6-inch 54.28

(3)

Backflow prevention charge per month, charged in addition to the volume charge in subsection (a)(1), and the

minimum charge in subsection (a)(2), is charged when a customer is required to install a backflow prevention device as outlined in section 27-57.

For each backflow device at a customer location \$0.77

(Ord. No. 15009, § 1, 10-7-96; Ord. No. 15261, § 1, 6-16-97; Ord. No. 16186, § 1, 9-20-99; Ord. No. 17331, § 1, 6-3-02; Ord. No. 18826, § 1, 12-19-05; Ord. No. 20563, § 1, 2-15-10)

**Sec. 27-124. - Water rates, within former boundaries of dissolved Public Water Supply Districts No. 1 and No. 2, outside city limits—Residential/commercial multiple-family facilities.**

(a)

The rates to be charged for water furnished to residential customers, commercial multiple-family facilities customers, and multiple commercial facilities served with one meter, outside the city limits within the former boundaries of dissolved Public Water Supply Districts No. 1 and No. 2 are hereby fixed as follows:

(1)

Rates per one hundred (100) cubic feet (1 ccf):

All water, beginning with first one hundred (100) cubic feet (1 ccf) \$2.78\*

Summer water usage as defined by subsection (b) 3.89\*

(2)

Minimum charge per month, charged in addition to the volume charge in subsection (a)(1), based on meter size:

$\frac{5}{8}$  and  $\frac{3}{4}$ -inch \$8.05\*

1-inch 8.47\*

1½-inch 12.47\*

2-inch 13.07\*

3-inch 22.03

4-inch 32.66

6-inch 62.80

(3)

Fire flow charge per month, charged in addition to the volume charge in subsection (a)(1) and the minimum charge in subsection (a)(2), based on meter size for portion of system capacity necessary for providing public fire protection:

$\frac{5}{8}$  and  $\frac{3}{4}$ -inch \$1.48\*

1-inch 1.57\*

1½-inch 2.27\*

2-inch 2.44\*

3-inch 5.98\*

4-inch 9.24\*

6-inch 18.49\*

(4)

Backflow prevention charge per month, charged in addition to the volume charge in subsection (a)(1), the minimum charge in subsection (a)(2), and the fire flow charge in subsection (a)(3), is charged when a customer is required to install a backflow prevention device as outlined in section 27-57.

For each backflow device at a customer location \$1.16\*

(b)

*Summer water usage.* All water consumption, occurring during summer as defined in section 27-16, which exceeds four (4) ccf for the billing period will be charged at the summer rate listed in subsection (a)(1).

(1)

*Exceptions.* For commercial multiple-family facilities, and multiple commercial facilities, served through a single meter the summer rate will be assessed on water consumption occurring during summer as defined in section 27-16 which exceeds eighty (80) percent of the customer's average monthly winter water use during the immediate preceding billing periods of January, February and March. For water service metered separately for lawn irrigation, the summer rate will be assessed on all water consumption occurring during summer as defined in section 27-16.

(Ord. No. 14905, § 1, 7-15-96; Ord. No. 15352, § 1, 9-15-97; Ord. No. 15619, § 1, 5-18-98; Ord. No. 15647, § 1, 6-15-98; Ord. No. 15760, § 1, 9-21-98; Ord. No. 16186, § 1, 9-20-99; Ord. No. 16422, § 1, 5-1-00; Ord. No. 17022, § 1, 9-17-01; Ord. No. 17436, § 1, 9-16-02; Ord. No. 17833, § 1, 9-15-03; Ord. No. 18219, § 1, 9-20-04; Ord. No. 18690, § 1, 9-19-05; Ord. No. 19211, § 1, 9-18-06; Ord. No. 19680, § 1, 9-17-07; Ord. No. 20053, § 1, 9-15-08; Ord. No. 20172, § 1, 1-20-09; Ord. No. 20418, § 1, 9-21-09; Ord. No. 20743, § 1, 9-20-10)

\*The rate shall be applied to utility bills beginning with the first complete cycle billed after October 1, 2010.

**Sec. 27-124.1. - Same—Commercial.**

(a)

The rates to be charged for water furnished to commercial customers outside the city limits within the former boundaries of dissolved Public Water Supply Districts No. 1 and No. 2, who use fifty thousand (50,000) cubic feet (500ccf) or less per month average during nonsummer months (October through May) are hereby fixed as follows:

(1)

Rates per one hundred (100) cubic feet (1 ccf):

All water, beginning with first one hundred (100) cubic feet (1 ccf) \$2.57\*  
Summer water usage as defined by subsection (b) 3.89\*

(2)

Minimum charge per month, charged in addition to the volume charge in subsection (a)(1), based on meter size:  
¾-inch \$8.05\*  
1-inch 8.47\*  
1½-inch 12.47\*  
2-inch 13.07\*  
3-inch 22.03  
4-inch 32.66  
6-inch 62.80

(3)

Fire flow charge per month, charged in addition to the volume charge in subsection (a)(1) and the minimum charge in subsection (a)(2), based on meter size for portion of system capacity necessary for providing public fire protection:  
¾-inch \$1.48\*  
1-inch 1.57\*  
1½-inch 2.27\*  
2-inch 2.44\*  
3-inch 5.98\*  
4-inch 9.24\*  
6-inch 18.49\*

(4)

Backflow prevention charge per month, charged in addition to the volume charge in subsection (a)(1), the minimum charge in subsection (a)(2), and the fire flow charge in subsection (a)(3), is charged when a customer is required to install a backflow prevention device as outlined in section 27-57.  
For each backflow device at a customer location \$1.16\*

(b)

*Summer water usage.* All water consumption occurring during summer as defined in section 27-16 which exceeds eighty (80) per cent of the customer's average monthly winter water use during the immediate preceding billing periods of January, February and March will be charged at the summer rate listed in subsection (a)(1).

(1)

*Exception.* For water service metered separately for lawn irrigation, the summer rate will be assessed on all water consumption occurring during summer as defined in section 27-16.

(Ord. No. 14905, § 1, 7-15-96; Ord. No. 15352, § 1, 9-15-97; Ord. No. 15619, § 1, 5-18-98; Ord. No. 15647, § 1, 6-15-98; Ord. No. 15760, § 1, 9-21-98; Ord. No. 16186, § 1, 9-20-99; Ord. No. 16422, § 1, 5-1-00; Ord. No. 17022, § 1, 9-17-01; Ord. No. 17436, § 1, 9-16-02; Ord. No. 17833, § 1, 9-15-03; Ord. No. 18219, § 1, 9-20-04; Ord. No. 18690, § 1, 9-19-05; Ord. No. 19211, § 1, 9-18-06; Ord. No. 19680, § 1, 9-17-07; Ord. No. 20053, § 1, 9-15-08; Ord. No. 20172, § 1, 1-20-09; Ord. No. 20418, § 1, 9-21-09; Ord. No. 20743, § 1, 9-20-10)

\*The rate shall be applied to utility bills beginning with the first complete cycle billed after October 1, 2010.

### **Sec. 27-124.2. - Same—Large commercial.**

(a)

The rates to be charged for water furnished to commercial customers outside the city limits within the former boundaries of dissolved Public Water Supply District No. 1, who use more than fifty thousand (50,000) cubic feet (500 ccf) per month average during nonsummer months (October through May) are hereby fixed as follows:

(1)

Rates per one hundred (100) cubic feet (1 ccf):  
All water, beginning with first one hundred (100) cubic feet (1 ccf) \$2.41\*  
Summer water usage as defined by subsection (b) 3.89\*

(2)

Minimum charge per month, charged in addition to the volume charge in subsection (a)(1), based on meter size:  
1-inch 8.47\*  
1½-inch 12.47\*  
2-inch 13.07\*  
3-inch 22.03  
4-inch 32.66  
6-inch 62.80

(3)

Fire flow charge per month, charged in addition to the volume charge in subsection (a)(1) and the minimum charge in subsection (a)(2), based on meter size for portion of system capacity necessary for providing public fire protection:  
1-inch 1.57\*  
1½-inch 2.27\*

2-inch 2.44\*  
3-inch 5.98\*  
4-inch 9.24\*  
6-inch 18.49\*

(4)

Backflow prevention charge per month, charged in addition to the volume charge in subsection (a)(1), the minimum charge in subsection (a)(2), and the fire flow charge in subsection (a)(3), is charged when a customer is required to install a backflow prevention device as outlined in section 27-57.

For each backflow device at a customer location \$1.16\*

(b)

*Summer water usage.* All water consumption occurring during summer as defined in section 27-16 which exceeds eighty (80) percent of the customer's average monthly winter water use during the immediate preceding billing periods of January, February and March will be charged at the summer rate listed in subsection (a)(1).

*(Ord. No. 14905, § 1, 7-15-96; Ord. No. 15352, § 1, 9-15-97; Ord. No. 15619, § 1, 5-18-98; Ord. No. 15760, § 1, 9-21-98; Ord. No. 16186, § 1, 9-20-99; Ord. No. 16422, § 1, 5-1-00; Ord. No. 17022, § 1, 9-17-01; Ord. No. 17436, § 1, 9-16-02; Ord. No. 17833, § 1, 9-15-03; Ord. No. 18219, § 1, 9-20-04; Ord. No. 18690, § 1, 9-19-05; Ord. No. 19211, § 1, 9-18-06; Ord. No. 19680, § 1, 9-17-07; Ord. No. 20053, § 1, 9-15-08; Ord. No. 20172, § 1, 1-20-09; Ord. No. 20418, § 1, 9-21-09; Ord. No. 20743, § 1, 9-20-10)*

\*The rate shall be applied to utility bills beginning with the first complete cycle billed after October 1, 2010.

### **Sec. 27-125. - Same—Fire protection.**

No monthly charge for water shall be made for fire protection facilities, sprinkler systems, hose closets, etc.; provided, that any water used by such system is used for the sole purpose of preventing or extinguishing fires. Metered water use from fire hydrants shall be billed at the residential rate in effect for the jurisdiction and the season when used.

*(Code 1964, § 15.640; Ord. No. 18218, § 1, 9-20-04)*

### **Sec. 27-126. - Sales tax.**

Sales tax, when applicable, shall be added to all charges for water and electric service.

*(Code 1964, § 15.630)*

### **Sec. 27-127. - Standby service rate.**

None of the rates herein established for water and electric service shall apply to partial or standby service. Service of this type will be available only by contract approved by the city, at a rate to be determined at the time service is desired.

*(Code 1964, § 15.635)*

### **Sec. 27-128. - In lieu of tax payment.**

(a)

A seven (7) per cent in lieu of gross receipts tax payment shall be charged on customer bills for water, electricity and private street and outdoor area lighting. Such in lieu of tax payment shall be applied by the water and light department to monthly bills for the above services as follows:

(1)

For water, the amount of the customer's bill as determined by the applicable rate, excluding any other taxes, multiplied by 1.075268.

(2)

For electricity, the amount of the customer's bill as determined by the applicable rate, including all adjustments but excluding any other taxes, multiplied by 1.075268.

(3)

For private street and outdoor lighting service, the amount of the customer's bill excluding any other taxes, multiplied by 1.075268.

(b)

Sales tax, when applicable, shall be applied to the entire amounts as computed above.

*(Code 1964, § 15.645)*

### **Sec. 27-129. - Discount for direct load control—Residential service rate and small general service rate.**

A three (3) percent discount shall be offered on the customer charge and usage, net of fuel adjustment, and before taxes are applied on service used during summer as defined in section 27-16 for electric service provided under the residential service rate (section 27-112), and the small general service rate (section 27-114) when the customer receiving such service allows the city to install and operate a radio-controlled switching device on the customer's air-conditioning or heat pump equipment, subject to the following conditions:

- (1) Load control devices shall be installed only on central air-conditioning and heat pump equipment.
- (2) The maximum size unit allowed will be five (5) tons, except when the unit has a control system that will accommodate switch installation and the installation has been authorized by the director.
- (3) The city will install and maintain the radio-control device.
- (4) A written authorization will be provided by the customer (by the owner for rental property) permitting the city to install, maintain, and operate the switch device.
- (5) The air-conditioner or heat pump is maintained by the customer and in a manner such that it operates at its highest efficiency.
- (6) The city shall have the authority to discontinue the discount at any time that the customer violates any provision of this section, and shall not restore the discount until the violation is corrected.
- (7) If the customer receiving load control service is not satisfied with the service, the customer may request that the city remove the load control switch at which time the discount shall also be terminated.
- (8) The discount shall be applied for service rendered to any premises after the written authority is received and shall continue thereafter even though the premises are sold or the occupant changes until such time as the current occupant or owner requests that the service be terminated.
- (9) If more than twenty-five (25) per cent of the air-conditioning load is supplied by equipment that does not allow the installation of a load control device, participation in this program and amount of discount shall be determined by the director or the director's designee.

*(Ord. No. 11464, § 1, 5-4-87; Ord. No. 13491, § 1, 10-19-92; Ord. No. 15619, § 1, 5-18-98; Ord. No. 18691, § 1, 9-19-05; Ord. No. 19681, § 1, 9-17-07; Ord. No. 20417, § 1, 9-21-09)*

#### **Sec. 27-130. - Same—Large general service.**

A discount shall be offered on service used during summer as defined in section 27-16 for electric service provided under the large general service (section 27-116) when the customer receiving such service allows the city to install and operate a radio-controlled switching device on the customer's air-conditioning or heat pump equipment, subject to the following conditions:

- (1) A three (3) per cent discount shall be offered on the customer charge and usage, net of fuel adjustment, and before taxes.
- (2) Load control devices shall be installed only on central air-conditioning and heat pump equipment.
- (3) There shall be no maximum size for air conditioning or heat pump units, provided that the unit has a control system that will accommodate switch installation, and the director has authorized the installation.
- (4) The city will install and maintain the radio-control device.
- (5) A written authorization will be provided by the customer (by the owner for rental property) permitting the city to install, maintain and operate the switch device.
- (6) The air-conditioner or heat pump is maintained by the customer and in a manner such that it operates at its highest efficiency.
- (7) The city shall have the authority to discontinue the discount at any time that the customer violates any provision of this section, and shall not restore the discount until the violation is corrected.
- (8) If the customer receiving load control service is not satisfied with the service, the customer may request that the city remove the load control switch at which time the discount shall also be terminated.
- (9) The discount shall be applied for service rendered to any premises after the written authority is received and shall continue thereafter even though the premises are sold or the occupant changes until such time as the current occupant or owner requests that the service be terminated.
- (10) If more than twenty-five (25) per cent of the air-conditioning load is supplied by equipment which does not allow



installation of a load control device, participation in this program and the amount of discount will be at the determination of the director or the director's designee.

(Ord. No. 13491, § 1, 10-19-92; Ord. No. 14051, § 1, 5-16-94; Ord. No. 15619, § 1, 5-18-98; Ord. No. 19681, § 1, 9-17-07; Ord. No. 20417, § 1, 9-21-09)

**Secs. 27-131—27-135. - Reserved.**

**DIVISION 6. - AIR CONDITIONING AND REFRIGERATION**

**Sec. 27-136. - Definitions.**

For the purpose of this division, the following words and terms shall have the meanings respectively ascribed:

*Air conditioning system.* An installation for maintenance, by heat removal, of temperatures which are not less than sixty (60) degrees Fahrenheit.

*Air conditioning system and refrigeration system.* Any combination of equipment, whether compressor or other type, by which heat is removed from the air and from which the accumulated or effluent heat is wholly or partially removed by the use of water.

*Refrigeration system.* An installation for maintenance, by heat removal, of temperatures which are less than sixty (60) degrees Fahrenheit.

*System.* Any combination of apparatus, individual unit, group or collection of units supplied with water through any single customer service pipe connected to the public water system.

(Code 1964, § 15.650)

**Cross reference—Definitions and rules of construction generally, § 1-2.**

**Sec. 27-137. - Installation.**

No person shall install equipment for an air conditioning system or a refrigeration system which requires a connection to, or which will use water from the water system of the water and light department of the city, unless such equipment includes water conservation equipment such as cooling towers, evaporative condensers or other water cooling equipment which will allow reuse of all water with only the normal evaporative losses.

(Code 1964, § 15.660)

**Sec. 27-138. - Fees; permits; enforcement.**

The payment of fees and issuing of permits for installation of an air conditioning system or a refrigeration system shall be as provided for in chapter 6, article II, Building Code; article III, Electrical Code, and article IV, Plumbing Code; of this Code of Ordinances. The enforcement of this division and the assessment of penalties, if any, shall be as set forth in such chapter 6, articles II, III and IV.

(Code 1964, § 15.670)

**Secs. 27-139—27-145. - Reserved.**

**DIVISION 7. - STREET LIGHTING**

**Sec. 27-146. - Definitions.**

The following definitions apply to this division:

*Luminaire.* A street light fixture, exclusive of mounting devices.

*Normal street lighting.* Street lighting and related accessories of a type, size and kind normally installed by the city as herein provided for.

*Ornamental street lighting.* Street lighting and related accessories of a type and kind more aesthetic than normally installed by the city.

*Parties.* Any individual citizen, company, corporation or institution, or any group consisting of more than one of the above, acting through a single individual person, for the purpose of requesting and obtaining ornamental street lighting in any given area.

*Refractor.* A transparent glass or plastic covering around a light source, designed to direct the light into a given area.

(Code 1964, § 15.700; Ord. No. 16049, § 1, 6-21-99)

**Sec. 27-147. - Installation generally.**

- (a) Street lighting shall be installed on all public streets and alleys within the city limits, except as herein provided.
- (b) Normally, such lighting shall be installed at the time streets are improved and the adjoining areas are developed.
- (c) Unimproved streets shall be lighted if they are open to public travel and if they are being used sufficiently, by vehicles or pedestrians, as provided herein, to warrant such lighting.
- (d) Streets that are dedicated to the public, but not open to public travel, shall not be lighted until such time as they are opened to the public and meet all other requirements set forth herein.
- (e) Lighting will not be required on streets that are open to public use but which are located in undeveloped areas where the volume of use is less than twelve (12) vehicles or pedestrians during the night hour of maximum travel.
- (f) Lighting on all state controlled highways or roadways within the city limits, including interchanges, ramps, outer-roadways or any other traveled way within the limits of state highway right-of-way, shall be in accordance with the policy of, and as permitted by the state highway commission.
- (g) The director of public works, in cooperation with the director of the water and light department, shall determine the need for new or additional lighting on all public streets and alleys. This determination shall consider the number of vehicles and pedestrians using the street during the night hours as herein provided. Priorities, when necessary, shall be given to those streets having the highest volume of use.

*(Code 1964, § 15.710; Ord. No. 16049, § 1, 6-21-99)*

#### **Sec. 27-148. - Design—Generally.**

- (a) The type, location, size and general design of all street lights and street light circuits shall be as herein provided and as determined by the director of the water and light department.
- (b) Street lights may be mounted on wood, metal or concrete poles, or supports of other material specifically designed for such use and street light circuits may be placed overhead or underground.
- (c) When existing power or telephone poles are in place along a street, such poles shall be utilized for street lighting as much as possible in order to keep the total number of obstructions along the street to a minimum.
- (d) New street lights shall be of the high pressure sodium or other high-intensity type, generally attractive and modern in appearance, and shall be equipped with a glass or plastic refractor designed to control the light and reduce glare. A full cutoff refractor shall be used on mast-arm mounted luminaires in residential areas.

*(Code 1964, § 15.720; Ord. No. 16049, § 1, 6-21-99)*

#### **Sec. 27-149. - Same—Residential streets.**

- (a) Street lights on residential streets shall be placed at each intersection.
- (b) Where intersections on residential streets are in excess of four hundred (400) feet apart, additional lights shall be placed along the street at intervals not exceeding four hundred (400) feet. These lights shall be comparable in appearance and light output to the lights used at the intersections of residential streets.
- (c) Where residential streets intersect with streets of a higher classification, the lighting at such intersections shall be that required by such higher classification.
- (d) On residential streets, the city shall provide, at no cost to others, all poles, wire, fixtures, lamps and other accessories required for street lighting as herein prescribed; provided, however, all poles be treated wood poles and all wiring shall be overhead and all light fixtures shall be of the type normally used and considered standard for such use.
- (e) On residential streets, ornamental street lighting consisting of metal, concrete or other type ornamental poles and/or underground wiring may be installed if requested and as provided under section 27-151 of this chapter.

*(Code 1964, § 15.730; Ord. No. 16049, § 1, 6-21-99)*

#### **Sec. 27-150. - Same—Other streets.**

- (a) All streets, other than residential streets and limited access state-controlled highways, shall have continuous lighting.

(b)

All continuous lighting shall meet the requirements of the American National Standards Institute for street and highway lighting, unless otherwise directed by city council.

(c)

The size, type and kind of poles, luminaires, circuits, etc., for continuous lighting shall be as herein provided and as determined by the director to be most feasible, practical and compatible to the area.

(Code 1964, § 15.740; Ord. No. 16049, § 1, 6-21-99)

#### **Sec. 27-151. - Ornamental street lighting on residential streets.**

(a)

Ornamental street lighting will be installed on residential streets where electric lines are underground.

(b)

When ornamental street lighting is installed on residential streets where electric lines are overhead, the parties requesting such ornamental lighting shall pay to the city all costs incurred for such ornamental lighting in excess of the cost of installing or upgrading the normal street lighting which would be provided by the city.

(c)

When ornamental street lighting is requested and installed on any residential street having an existing lighting system which is adequate and which complies with the requirements of the city as set forth in this division, the parties requesting such lighting shall pay the entire cost, including the cost of removing the existing lighting system, less the value of any salvaged material.

(d)

Ornamental lighting on residential streets shall extend from one major intersection to another or from a major intersection to the end of the street or throughout an entire subdivision or other area. In no case will spot installations of ornamental lights (one or more ornamental lights located intermediately with normal street lights) be installed on any given street.

(Code 1964, § 15.750; Ord. No. 16049, § 1, 6-21-99)

#### **Secs. 27-152—27-160. - Reserved.**

### **DIVISION 8. - SUPER SAVER LOANS, ENERGY CONSERVATION LOANS, ENERGY EFFICIENCY AND SOLAR REBATES**

#### **Sec. 27-161. - Public purpose.**

The public purpose of the energy conservation loans and rebate programs is hereby defined to be the reduction of energy consumption and electric peak demand in the city, thereby reducing the growth of energy use and demand in the city, providing for more efficient energy use and prolonging the useful life of capital assets of the electric utility, reducing the amount of future market energy purchases or long-term contracted purchases, and providing for the protection of the environment and conservation of natural resources.

(Code 1964, § 15.920; Ord. No. 13794 § 1, 9-7-93; Ord. No. 20065, § 1, 9-15-08; Ord. No. 20582, § 1, 3-15-10)

#### **Sec. 27-162. - Loans and rebates authorized.**

The city water and light utility is hereby authorized to institute a program of loans and rebates, subject to the availability of funds for such purposes, to qualified customers of the water and light utility under the terms and conditions hereinafter established.

(Code 1964, § 15.900; Ord. No. 13794 § 1, 9-7-93; Ord. No. 20065, § 1, 9-15-08; Ord. No. 20582, § 1, 3-15-10)

#### **Sec. 27-163. - Source of funds; how limited.**

The loans and rebate programs shall be instituted and maintained solely from funds within, borrowed by the enterprise fund of the water and light utility, or received from grants to the water and light utility. No general revenue funds, nor any other form of public monies, shall be used by or lent to any private person or business entity under the loan program, but rather such funds as are used shall flow from and be guaranteed by the enterprise fund of the water and light utility.

(Code 1964, § 15.910; Ord. No. 13794, § 1, 9-7-93; Ord. No. 20065, § 1, 9-15-08; Ord. No. 20582, § 1, 3-15-10)

#### **Sec. 27-164. - Loan committee.**

(a)

The city manager is hereby authorized to appoint representatives of the water and light, and finance departments to administer the program. All loans shall be made based upon the following principles:

(1)

The program shall be conducted at all times based upon sound business principles and shall in no wise be deemed a welfare or social service program of the city. No loan shall be made without having first ascertained the credit worthiness of the loan applicant and without having obtained adequate security for any loan.

(2)

After having established the credit worthiness of the applicant(s), the committee shall make its loans in such a manner to reduce, by the greatest amount possible, the consumption of electric energy within the city. This goal shall be attained by consideration of:

- a. The total energy consumption of the applicant; and
- b. The results of an energy audit made to determine the potential impact of a loan under the program, along with the ability of that loan to reduce the electric consumption of the applicant.

(b)

No applicant shall be refused a loan because of sex, race, religion, place of national origin, marital status, age, sexual orientation, handicap, political affiliation or ancestry.

(c)

The director of water and light is hereby authorized to develop application forms for use in the program.

(Code 1964, § 15.930; Ord. No. 13794, § 1, 9-7-93; Ord. No. 17895, § 1, 11-3-03; Ord. No. 20065, § 1, 9-15-08; Ord. No. 20582, § 1, 3-15-10)

### **Sec. 27-165. - Loan criteria.**

(a)

Under the program established hereunder, loan recipients must own the residential structure or commercial property or equivalent property in Boone County, Missouri for which the improvements are to be made. Recipients must be customers of the electric utility.

(b)

Loans shall be made for the following uses:

(1)

#### *Residential:*

- a. Insulation—attic, walls, floor joists, ductwork;
- b. HVAC (heating, ventilation, air conditioning) systems. A loan shall not be made for heating systems only;
- c. Heat pump water heater;
- d. Approved solar water heating.
- e. Approved photovoltaic systems;
- f. Energy Star doors and windows;
- g. Upgrades to electrical wiring to meet city codes, when needed for energy efficiency improvements and when approved by the director;
- h. Air sealing;
- i. Home performance with Energy Star assessments.

(2)

#### *Commercial:*

- a. Insulation—attic, ductwork and walls;
- b. HVAC (heating, ventilation, air conditioning) systems. A loan shall not be made for heating systems only;
- c. Lighting retrofits.
- d. Energy efficient motors and variable frequency drives;
- e. Approved solar water heating;
- f. Approved photovoltaic systems;
- g. Approved energy management systems;
- h. Reflective films for windows;

- i. Energy Star reflective roofing;
  - j. Air sealing;
  - k. ASHRAE Level II Audit (equivalent) or investment grade energy audit.
- (c) Residential loan amounts shall not exceed fifteen thousand dollars (\$15,000.00) plus applicable filing fees for deed of trust. Loans for multi-family structures shall not exceed thirty thousand dollars (\$30,000.00) plus applicable filing fees for deed of trust.
- (d) Commercial loans shall be restricted to customers that qualify for the small general service rate as defined in section 27-114 and shall not exceed thirty thousand dollars (\$30,000.00).
- (e) Home performance with Energy Star assessments shall be required for all residential loans.
- (f) A minimum ASHRAE Level II Audit or equivalent shall be required for all commercial loans.
- (g) A minimum 14 SEER rating, as defined by the Air Conditioning, Heating and Refrigeration Institute (AHRI) is required for all HVAC systems.
- (Code 1964, § 15.940; Ord. No. 9785, § 1, 4-18-83; Ord. No. 13794, § 1, 9-7-93; Ord. No. 17895, § 1, 11-3-03; Ord. No. 19681, § 1, 9-17-07; Ord. No. 20065, § 1, 9-15-08; Ord. No. 20582, § 1, 3-15-10)*

**Sec. 27-166. - Interest rate established; security required.**

- (a) All loans made under the program shall bear an annual effective interest rate determined by the length of the loan repayment. Interest rate shall be set as follows:  
 Loan of three (3) years or less 1%  
 Loan of greater than three (3) years but not more than five (5) years 3%  
 Loan of greater than five (5) years but not more than ten (10) years 5%
- (b) All loans shall be secured by a deed of trust for the property to which the improvement purchased with the loan proceed is affixed.
- (c) The loan documents, note and security interest or deed of trust evidencing the loan shall be in the form approved by the city counselor.
- (d) When the owner of property encumbered by a deed of trust securing a loan under this program refinances a loan secured by a first deed of trust on the property, the city manager is authorized to subordinate the city's deed of trust to the deed of trust securing the refinanced loan if the purpose of the loan is:
- (1) To obtain a lower interest rate; or
  - (2) To secure funding for improvements to the property.

*(Code 1964, § 15.950; Ord. No. 13794, § 1, 9-7-93; Ord. No. 17895, § 1, 11-3-03; Ord. No. 20527, § 1, 1-4-10; Ord. No. 20582, § 1, 3-15-10)*

**Sec. 27-167. - Energy efficiency and solar rebates.**

- (a) The city hereby establishes an electric customer rebate program to encourage the purchase of the following types of approved equipment and approved installations:
- (1) Energy efficient heating, ventilating and air conditioning systems;
  - (2) Ground source heat pumps;
  - (3) Solar water heater;
  - (4) Photovoltaic systems;
  - (5) Insulation and other thermal improvements;
  - (6)

- (7) Commercial and industrial lighting upgrades;
- (8) Energy efficient motors and variable frequency drives;
- (9) Energy Star appliances as defined in program parameters; and
- (9) Other equipment that meets the strategic energy reduction goals.

Each category shall have specifications and requirements developed by the water and light advisory board, outlined in the program details, which shall be approved by the city manager.

- (b) For purposes of providing electric customer rebates, the water and light department shall establish criteria for each type of equipment with regard to proper proof of purchase and installation of equipment to insure the integrity of each project. Each proposed project shall be reviewed by the water and light department to insure that it provides the intended benefits of the program.
- (c) In order to be eligible for reimbursement, the customer must follow all guidelines established for each program. Equipment must be approved by the water and light department before any reimbursement will be awarded.
- (d) Rebates for energy efficiency HVAC or ground source heat pump equipment larger than five (5) tons of cooling capacity or PV systems greater than ten (10) kilowatts will be conditional on a financial assessment by the water and light department and must be pre-approved by the water and light director.

*(Ord. No. 20065, § 1, 9-15-08; Ord. No. 20582, § 1, 3-15-10)*

#### **Sec. 27-168. - Reserved.**

#### **Sec. 27-169. - Solar One utility program.**

- (a) The Solar One utility program is established to provide utility customers an opportunity to purchase electricity produced from the sun from photovoltaic systems that are interconnected with city's distribution system.
- (b) Solar One electricity is sold in units of Solar One blocks of energy each representing one hundred (100) kilowatt hours of electricity. All purchases of Solar One blocks of energy are voluntary and initiated by customer request. Customers are not limited in the quantity of Solar One blocks of energy they may request, however, sales are conditional on the utility having adequate solar power available that is uncommitted to previously existing sales.
- (c) Purchases of Solar One blocks of energy shall not affect customer's billing for metered electric consumption as specified in sections 27-111 through 27-120. Fees for Solar One blocks of energy shall be charged as an addition to the customer's normal electric rate charges and shall be accounted for separately.
- (d) Solar One blocks of energy shall be available either through one time purchase or annual purchases that are charged to utility customers in twelve (12) monthly increments. Fees for Solar One blocks of energy shall be as follows:

Solar One Block	Direct Purchase	Monthly Billing
100 kwh	\$40.21	\$3.35

- (e) All solar electricity sold by the utility through the Solar One program shall come from solar production facilities that have signed agreements with the utility and are connected to the utility distribution system, or are utility owned.
- (f) The Solar One program shall account for all solar electricity purchased and sold on an annual basis in conjunction with the city's fiscal year. Within each fiscal year, the amount of electricity sold through Solar One blocks of energy shall not exceed the amount of electricity that has been acquired under subsection (e).
- (g) Credits for any solar electricity sold to customers through the Solar One program will belong to the utility for compliance with the renewable energy standard as specified in section 27-106.

*(Ord. No. 19919, § 1, 5-19-08; Ord. No. 20808, § 1, 12-6-10)*

#### **Sec. 27-170. - Reserved.**

### **DIVISION 9. - ENERGY EFFICIENCY PROGRAMS**

#### **Sec. 27-171. - Commercial lighting program.**

- (a)

The city hereby establishes a commercial lighting program to provide an incentive for commercial and industrial customers to replace their current lighting with more energy efficient lighting. The purpose of this program is to reduce loads thereby reducing the need of the electric utility to purchase higher priced power.

(b)

The water and light department shall establish criteria to insure the integrity of each project. Each proposed project shall be reviewed to insure that it provides the intended benefits of the program.

(c)

A commercial or industrial customer is eligible to participate in the program only if the customer has paid a demand charge for at least two (2) years.

(d)

The city will reimburse customers approved for participation in the program in an amount equal to one-half the eligible cost of the approved lighting retrofit or one hundred dollars (\$100.00) per kilowatt of reduction, whichever is less. The maximum payment for a project at any one location is five thousand dollars (\$5,000.00).

(e)

In order to be eligible for reimbursement, the project must be approved by the water and light department before the improvements are made. Only payments made by a customer to an outside vendor will be counted as eligible cost.

(f)

A customer shall not be reimbursed for any cost until the water and light department has inspected the project and determined that it has been completed as approved.

(g)

The commercial lighting program established in this section is a pilot program that shall be in effect until October 1, 2006. The total amount of incentives paid under this pilot program shall not exceed forty thousand dollars (\$40,000.00).

(Ord. No. 18725, § 1, 10-3-05)

### **Secs. 27-172—27-199. - Reserved.**

## **ARTICLE IV. - RAILWAY TERMINAL SERVICES**

### **DIVISION 1. - GENERALLY**

#### **Sec. 27-200. - Definitions.**

For the purposes of this article, whenever any of the following words or terms are used herein, they shall have the meanings ascribed to them in this section:

*Customer.* The corporation, association or individual receiving rail service supplied by the department.

*Department.* The Water and Light Department of the City of Columbia, Missouri.

*Director.* The director of the water and light department of the city, or his authorized representative.

*Lot.* A parcel or portion of land in a subdivision, or parcel of land separated from other parcels or portions by description as on a subdivision plat of record, survey map, or by metes and bounds description.

*Property.* A lot, tract or other parcel of land.

*Property owner.* An individual, corporation or association holding legal title or otherwise having legal control of a property.

*Interchange.* That location where the tracks and right-of-way of the Columbia Terminal interconnect with any other operating railroad.

*Loading gauge.* That amount of space absolutely necessary to be retained by the Columbia Terminal for the safe passage of locomotives and cars free of all projections and encumbrances. In no case shall the loading gauge be defined as less than eight and one-half (8.5) feet horizontally from the centerline of existing track or less than twenty-two (22) feet vertically from the top of rail.

*Operating crew.* Any employees of the Columbia Terminal whose duties include the actual operation of locomotives or the movements of rolling stock over the tracks of the line of railroad.

*Right-of-way.* Those strips of land shown on the right-of-way maps retained by the department over which the Columbia Terminal operates or has the right to operate whether or not currently occupied by track.

*Street or road.* A street or roadway dedicated to public use.

(Ord. No. 12209, § 1, 4-3-89)

#### **Sec. 27-201. - Authority.**

The City of Columbia shall own, operate and maintain a railway terminal service between the City of Columbia and an



interchange point with a Class I railroad in northern Boone County. The terminal operation shall serve the city power plant and any industry, business or customer located along its right-of-way or with access to the right-of-way, whether in Columbia or outside the city limits.

*(Ord. No. 12209, § 1, 4-3-89)*

#### **Sec. 27-202. - Name.**

The City of Columbia railway service shall be known as the Columbia Terminal (COLT), with the Association of American Railroads designated reporting marks of CT.

*(Ord. No. 12209, § 1, 4-3-89)*

#### **Sec. 27-203. - Class of service.**

The service shall be generally maintained to Class II track standards.

(1)

All track work, switches and right-of-way shall be maintained at least to the applicable standards set out by the Federal Railroad Administration or any other federal or state agency with jurisdiction over railroads.

(2)

All operating crew members shall meet the qualifications set for operating crew by the Federal Railroad Administration or any other federal or state agency with jurisdiction over railroads.

*(Ord. No. 12209, § 1, 4-3-89)*

#### **Sec. 27-204. - Administration.**

The Columbia Terminal shall be administered as a separate division of the Columbia Water and Light Department. All engineering review, administrative services, liaison between the Columbia Terminal, shippers and connecting Class I railroads, and all marketing promotions for the Columbia Terminal shall be provided by the water and light department.

*(Ord. No. 12209, § 1, 4-3-89)*

#### **Secs. 27-205—27-209. - Reserved.**

### **DIVISION 2. - RAILROAD ADVISORY BOARD**

#### **Sec. 27-210. - Creation, membership.**

There shall be a railroad advisory board composed of seven (7) members appointed by the council, each member to serve without compensation for four (4) years.

*(Ord. No. 12209, § 1, 4-3-89)*

#### **Sec. 27-211. - Qualifications.**

The members of the board shall have a knowledge and interest in either railroad, shipping, transportation or business and shall be sympathetic with the principle of municipal ownership and operation of branch line rail operations to ensure the sound and efficient management of said rail line. One member of the board shall be appointed from those businesses or firms that routinely ship or receive goods or raw materials over said branch line.

*(Ord. No. 12209, § 1, 4-3-89)*

#### **Sec. 27-212. - Term of office.**

The seven (7) voting members shall serve staggered four-year terms. Any vacancy occurring on the board shall be filled by appointment of the city council for the remaining portion of the term.

*(Ord. No. 12209, § 1, 4-3-89; Ord. No. 16869, § 1, 4-16-01)*

#### **Sec. 27-213. - Powers and duties.**

The board shall meet quarterly, and more often if needed, to discuss the operations and needs of the Columbia Terminal and shippers. The powers of the board shall be solely advisory. In their deliberations and discussions the board shall consider, but is not limited to, the following subjects:

(1)

The capital improvements or maintenance necessary for the efficient operation of the terminal service.

(2)

- Operating budgets and staffing levels.
- (3) Service levels now existing and proposed.
- (4) Rates and tariffs.
- (5) The marketing of new and existing services.
- (6) Matters of general railroad policy.
- (7) Applications for grants for new facilities and maintenance of existing facilities.

(Ord. No. 12209, § 1, 4-3-89; Ord. No. 16869, § 1, 4-16-01)

### **Sec. 27-214. - Meetings; attendance; quorum.**

At the first meeting of each fiscal year, the board shall elect a chair and vice-chair from among its voting members. A quorum of four (4) members shall be necessary to conduct business. All business shall be by resolutions or motion with a majority of positive votes from members present necessary to approve any measure. The chair of the board is authorized to excuse any member from attendance at a board meeting; provided, that the member requested to be excused before the meeting. Any member who is absent, without being excused, from twenty-five (25) per cent of the regular board meetings held in a calendar year shall automatically forfeit the office. Any member who is absent, without being excused, from three (3) consecutive regular meetings shall automatically forfeit the office. The chair shall promptly notify the council of the vacancy .

(Ord. No. 12209, § 1, 4-3-89; Ord. No. 16869, § 1, 4-16-01; Ord. No. 17658, § 1, 4-21-03)

### **Secs. 27-215—27-219. - Reserved.**

## **DIVISION 3. - OPERATION**

### **Sec. 27-220. - Service.**

As a terminal rail service, the Columbia Terminal shall provide regular service to shippers, and will attempt to provide custom switching service whenever such service is consistent with safe operating practice, Federal Railroad Administration rules and hours of service regulations.

(Ord. No. 12209, § 1, 4-3-89)

### **Sec. 27-221. - Extension of service.**

- (a) Any potential customer desiring Columbia Terminal rail service to property abutting or with access to the Columbia Terminal right-of-way may make application to the director for such service.
- (b) The Columbia Terminal shall construct, own and maintain any switch, turnout, track or facility located on Columbia Terminal right-of-way as is necessary to extend service to the applicant. The applicant shall advance the entire cost of the Columbia Terminal facility prior to construction. The applicant shall have the option of installing the facilities, provided they are built in accordance with plans and specifications furnished by the Columbia Terminal and the cost of such installation is approved in advance by the Columbia Terminal.
- (c) The applicant shall own and maintain all facilities that are located off the Columbia Terminal right-of-way and shall:
  - (1) Construct any switch, turnout, track or facilities necessary for rail service to the property at its own cost, according to standards and specifications provided by the Columbia Terminal and along an alignment approved by the director.
  - (2) Maintain all switches, turnouts, track or facilities constructed by the applicant in a condition acceptable to the director.
  - (3) If any portion of the track must be located upon property not owned by the applicant, the applicant will obtain from the owners of such property a license, in a form acceptable to the director, for the Columbia Terminal to use such land for railway purposes at no cost to the Columbia Terminal.
  - (4) If the track must cross any public road or street, the applicant shall obtain such permits as are necessary and construct such crossing and comply with all the requirements of public authority relating to such crossing at its own expense.
  - (5) The applicant shall purchase such insurance as the director deems necessary to indemnify and hold harmless the Columbia Terminal for any loss, damage or injury as a result of Columbia Terminal operation on track constructed or

maintained by the applicant.

(d)

The director is authorized to require such other conditions as he deems necessary for the safe and economical provision of service.

(Ord. No. 12209, § 1, 4-3-89)

#### **Sec. 27-222. - Crossings.**

(a)

The director shall be authorized to negotiate the terms of and approve subterranean and aerial utility crossings of the Columbia Terminal right-of-way upon application for such crossing by any person. In no case shall such crossing interfere with the safe and routine operation of Columbia Terminal service. All costs of such crossings, including the city's administrative and site inspection costs, shall be paid by the applicant.

(b)

All grade crossings shall be approved by the city council. All costs associated with the construction of such crossing, including the city's plan review, administrative, site inspection and all costs for markings or safety devices, shall be paid by the applicant. It shall be the applicant's duty to obtain any permit necessary from any state or federal agency with jurisdiction over grade crossings.

(c)

Maintenance costs of any private crossing, whether at grade subterranean or aerial, shall be the responsibility of the applicant. All crossings shall be constructed and maintained to the standards adopted by the director in accordance with Federal Railroad Administration or state division of transportation standards, whichever is more stringent.

(Ord. No. 12209, § 1, 4-3-89)

#### **Sec. 27-223. - Rates.**

All fares, rates and tariffs shall be negotiated between the rail customer and the railroad company interchanging with Columbia Terminal. The director shall be authorized to negotiate car handling charges with the interchanging railroad.

(Ord. No. 12209, § 1, 4-3-89)

#### **Sec. 27-224. - Excursions.**

The city manager is hereby authorized to enter into agreements allowing the use of Columbia Terminal facilities for rail excursions under such terms and conditions as he shall deem advantageous to the Columbia Terminal and the city.

(Ord. No. 12825, § 1, 12-17-90)