

CHAPTER 52: ELECTRIC UTILITY

Section

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52.01 ELECTRICAL ENERGY FRANCHISE REQUIRED.

(A) *Franchise required.* Except as otherwise provided by law, no persons, firm, or corporation shall transmit, furnish, deliver, or receive, or cause to be transmitted, furnished, delivered, or received electric energy for light, power, heat, and other purposes for public and/or private use within and through the limits of the city, or place or maintain any permanent or semi-permanent fixtures in, over, upon, or under any street or public place for the purpose of operating a public utility or transmitting, furnishing, delivering, or receiving, or causing to be transmitted, furnished, delivered, or received electric energy or for any other purpose, except pursuant to a franchise from the city. A franchise shall be granted only by ordinance. Every ordinance granting a franchise shall contain all the terms and conditions of the franchise. The grantee shall bear the costs of publication of the franchise ordinance and shall make a sufficient deposit with the City Clerk to guarantee publication before the ordinance is passed.

(B) *Term.* No perpetual franchise or privilege shall ever be created, nor shall any exclusive franchise or privilege be granted for a period of more than 25 years.

(C) *Franchise fee.*

(1) As a part of any franchise ordinance adopted, the city may impose upon the grantee a franchise fee.

(2) The franchise fee shall be expressed as a specified charge per kilowatt hour of electric energy transmitted, furnished, delivered, or received, which fee shall be calculated by the City Council and imposed upon each kilowatt hour of electric energy transmitted, furnished, delivered, or received within the city.

(3) The franchise fee may be changed by ordinance from time to time; however, no change shall be adopted until at least 3 days after written notice enclosing the proposed ordinance has been served upon the grantee by certified mail. The franchise fee may not be changed more often than once in each calendar year.
(Ord. 244, passed 2-22-1995) Penalty, see 10.99

52.02 ELECTRICAL ENERGY RATES.

(A) *Electric heat.* Electric heat served by the city's electric system may be controlled by the city's Electrical Load Management System at the customer's option if the City's requirements are met.

(B) *Electric water heaters and central air conditioners.* Electric water heaters and central air conditioners, serviced by the city's electrical system, may be controlled by the city's Electrical Load Management System at the customer's option.

(C) *Permissible electric heat.* The following systems or a combination of these systems are permissible electric heating systems if it is used to heat over 60% of the total floor area for the heating season:

- (1) Baseboard electric heating units;
- (2) Cove electric heating units;
- (3) Ceiling radiant heat;
- (4) Under-floor cable heat;
- (5) Electric furnace;
- (6) Electric plenum unit heater;
- (7) Electric boiler; and
- (8) Heat pump.

(D) *Permissible back-up heat.* The following systems or a combination of these systems are permissible back-up heat sources, with the customer signing an alternate fuel agreement:

- (1) Fuel oil furnace;
- (2) Natural gas furnace;
- (3) L.P. gas furnace;

(4) Wood fired heating system; and

(5) Energy efficient homes where service to the heating source can be interrupted.

(E) *Rates.* See Appendix A.

(F) *Purchased power cost adjustment.* The above rates shall be increased or decreased annually, in February, by 0.1 mill per kWh for each 0.1 mill, or major fraction thereof, by which the city's estimated total average purchased power cost per KWH sold for the coming year is greater or less than 17.0 mills per kWh.

(G) *Power factor adjustment.* The consumer shall maintain unity power factor as nearly as practicable. Demand charges will be adjusted to correct for average power factors lower than 95%. The adjustment will be made by increasing the measured demand by 1% for each 1% by which the average power factor is less than 95% lagging. The city will have metering equipment installed for the determination of power factor.

(Ord. 172, passed 11-5-1979; Am. Ord. 184, passed 7-19-1982; Am. Ord. 204, passed 4-1-1985)
Penalty, see 10.99

52.03 SECURITY LIGHTING.

(A) Lighting units will only be of the high pressure sodium 100 watt or 250 watt bulb, and they will only be of mast mounted configuration. Lights will only be mounted on pre-existing poles, where secondary voltage lines already exist. No new poles will be put in place for the purpose. Lights will only be put on poles that meet NESC standards.

(B) For rates, see Ch. 34.
(Res. 99-80, passed 10-18-1999)