

CITY OF OBERLIN, OHIO

ORDINANCE No. 18-68 AC CMS

AN ORDINANCE TO AMEND SECTION 913.04 OF THE OBERLIN CODIFIED ORDINANCES RELATING TO MUNICIPAL LIGHT AND POWER SERVICE RULES AND REGULATIONS TO IMPLEMENT NET BILLING IN PLACE OF NET METERING.

BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, and State of Ohio:

SECTION 1: That Section 913.04 of the Oberlin Codified Ordinances be and is hereby amended as is set forth on Exhibit A attached hereto and incorporated herein.

SECTION 2: That it is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. This ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading: November 5, 2018

2nd Reading: November 19, 2018

3rd Reading: December 3, 2018

ATTEST:


BELINDA B. ANDERSON MMC
CLERK OF COUNCIL


BRYAN BURGESS
PRESIDENT OF COUNCIL

POSTED: 12/04/2018

EFFECTIVE DATE: 01/02/2019

913.04 SERVICE RULES AND REGULATIONS.

The following electric service standard rules and regulations shall apply to all sections of this chapter.

(a) Applications and Contracts.

(1) Service application.

An application accepted by the City or other form of contract between the City and the consumer will be required from a consumer for each class of service requested before the service is supplied. This requirement shall apply to new installations, or where service is to be re-established, or a change in the class of service or a change of consumer. This shall not be construed as releasing the property owner from liability for payment.

(2) Service contract. The service contract shall constitute the entire agreement between the consumer and the City and no promise, agreement or representation of any agent, representative or employee of the City shall be binding upon it unless the same shall be incorporated in the service contract.

(3) Large capacity agreements. Consumers now served who seek to increase their present capacity requirements to more than 500 KVA and new consumers who seek to purchase capacities of more than 500 KVA shall negotiate agreements with the City looking towards an equitable arrangement both as to the term of contract and other conditions requiring special consideration as such capacities may require changes in area facilities or rearrangement of facilities owned by the City and/or the consumer. (Ord. 1106AC CMS. Passed 4-21-75.)

(b) Character of Service.

(1) Type. Electric service supplied by the City will be 60 hertz alternating current delivered at the standard voltages available adjacent to the premises where the consumer is located.

(2) Continuity. The City will endeavor, but does not guarantee, to furnish a continuous supply of electric energy and to maintain voltage and frequency.

(3) Net Billing. Net billing is available and required when behind the billing meter generation is installed at a customer facility and electricity is derived from a renewable resource. In cases where capacity exceeds 10 KW, both the customer and utility must sign a net billing agreement before connecting to the utility.

(c) Billing.

(1) Bills for electric service will be rendered monthly.

(2) The electricity used by the same person, firm or corporation, but delivered and metered separately or at different locations, will not be combined for billing purposes.

(3) The City will make available upon the request of a residential customer a plan for uniform monthly payments for electric service over specified periods.

(4) For net billing purposes, metering will be through a bi-directional kilowatt-hour meter measuring imported and exported electricity separately at the customer's facility.

(d) Connection and Meter Requirements.

(1) The City will furnish one meter or one unified set of meters for each service contract. The consumer shall bring his/her service wires from his/her building in such a manner as to be readily accessible from the City's lines.

(2) All equipment furnished by the City shall remain its exclusive property and the City shall have the right to remove the same after termination of service for any reason whatsoever.

(3) The consumer shall permit only authorized agents of the City, or persons otherwise lawfully authorized, to inspect, test or remove City equipment located on the consumer's premises. If this equipment is damaged or destroyed due to the negligence of the consumer, the cost of repairs or replacement shall be paid by the consumer.

(4) The meter or meters shall be located to the approval of the Director of the Municipal Light and Power Department.

(e) Consumer's Wiring and Equipment; Installation. The consumer shall supply all wiring on the consumer's side from the point of attachment as designated by the City. All consumer's wiring and electrical equipment shall be installed and maintained by the consumer to meet the provisions of the City Electrical Code.

(Ord. 1106 AC CMS. Passed 4-21-75.)

(f) Discontinuance and Reconnection of Service.

(1) A consumer may order service discontinued at any time unless there is a provision to the contrary in the service contract or applicable rate schedule, but the consumer is responsible for any use of the electric service until the City has had a reasonable time to secure a final reading or to remove the meter. Service will be disconnected in accordance with Chapter 919.

(2) Service may be discontinued by the City in case the consumer is in arrears in the payment of bills or fails to comply with the terms of the service contract. Service will be disconnected in accordance with Chapter 919.

(3) Additionally, the City may discontinue service upon discovery that the consumer has made misrepresentation of a material fact to the City regarding the use of electric service, or has in any other manner fraudulently entered into the service contract. Upon discovery, the City shall post notice of disconnection seven days prior to the termination of service.

(4) The City may also discontinue service in case the meter or wiring on the consumer's premises is tampered with in any manner to permit the use of unmetered electric energy. In case of discontinuance of service for this reason, the City shall restore service only after the consumer has paid for the metered and estimated

unmetered energy used and has made at his/her expense such changes in the wiring and service entrance as the City may specify. (Ord. 95-70 AC. Passed 9-19-95.)