

ORDINANCE NO. 08-20

AN ORDINANCE ESTABLISHING THE POLICIES AND PROCEDURES FOR THE PROVISION OF ELECTRIC SERVICES BY THE VILLAGE

WHEREAS, the Village provides electric, water, and sewer and refuse collection services (herein “utility services”) in the Village; and

WHEREAS, the Village desires to amend, update and standardize the policies and procedures regulating the provision of electric service in the Village through the creation of appropriate codes pertaining to the provision of electric service to: 1) facilitate the fair and equitable provision of electric service; and 2) delineate the Village’s obligation to provide electric service; and

WHEREAS, the Village desires to formalize and codify its policies and procedures with respect to the provision of electric service provided by the Village; and

WHEREAS, this ordinance creates a Chapter 903 of a Village Code within a Title 9 of the Village Code and sets forth the Village’s policy with regard to policies and procedures for the provision of electric service by the Village.

WHEREAS, unless specifically required or prohibited by this Chapter, the Village Management shall have the authority to interpret this Chapter to implement the intent and purpose of this Chapter to provide safe, reliable, and efficient delivery of Utility Services, and the Village Management shall have the discretion and authority to grant relief from the strict application of this Chapter in those situations where the Village Management, in the exercise of professional judgment, determines such relief is warranted for the safe, reliable, and efficient operation of the utility service; and

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Village of Versailles, Ohio:

SECTION ONE: The Village of Versailles hereby enacts the following electric regulations applicable to the provision of electric service by the Village.

Chapter 903 PROVISIONS RELATED TO ELECTRIC SERVICE

(a) Unless specifically required or prohibited by this Chapter, the Village Management shall have the authority to interpret this Chapter to implement the intent and purpose of this Chapter to provide safe, reliable, and efficient delivery of utility service. The Village Management shall have the discretion and authority to grant relief from the strict application of this Chapter in those situations where the Village Management, in the exercise of professional judgment, determines such relief is warranted for the safe, reliable, and efficient operation of the utility service.

(b) The rates for the provision of electric service have been established by separate ordinance which may be amended from time to time.

(c) The terms used herein shall have the same definitions as set forth in Chapter 901, General Utility Procedures, unless otherwise defined herein.

(d) When electric service is from an overhead distribution line, the Customer’s service entrance conductor must extend at least 18 inches beyond weather head which weather head height and placement must conform to National Electric Service Code (NEC) standard guidelines. The customer shall be responsible to insure such service entrance conductor complies with the foregoing and failure to comply with the same shall entitle the Village to discontinue providing electric services to the premises until compliance exists.

(e) When a Customer desires that energy be delivered at a point or in a manner other than that designated by the Village, the Customer shall pay the additional cost of same.

(f) Where electric service is supplied from an underground distribution system (which has been installed at the Village's expense within the limits of a Village street or right-of-way or easement), the Village will install all necessary and appropriate facilities from the transformer to the meter socket necessary to provide service to the Premises. The Customer shall pay to the Village an underground permit fee as set forth and established in separate ordinances, which may be amended from time to time by the Village to reimburse the Village costs of the underground installation. The responsibility for maintaining, repairing, and serving the underground facilities shall be set forth in the Underground Electric Facility Construction Application Agreement.

(g) Interior Wiring - The Customer shall install and maintain, at the Customer's expense, interior wiring from the outlet of the meter box. The Village shall have no obligation to install, maintain, or repair said wiring. All inside wiring must be constructed, grounded, and maintained in accordance with the requirements of the National Electrical Code, or the requirements of any local inspection service authorized by the Village.

(h) Appliance - The Customer shall install and maintain all electrical appliances. The Village shall have no obligation to install, maintain, or repair appliances.

(i) Inspection of Altered Wiring - It shall be the duty of the Customer to notify the Village promptly of any additions, changes, alterations, remodeling, or reconstruction affecting electric service on the Customer's Premises.

(j) Extension of Electric Distribution Lines - The Village will extend its distribution lines on any dedicated right-of-way or easement without cost up to, but not more than, a distance of two hundred (200) feet for each Applicant. Upon application for an electric service extension of line in excess of two hundred (200) feet for each Applicant, the Village may enter into a line extension agreement providing for a deposit with the Village of a sum deemed adequate by the Village to cover the cost to be incurred by it for that portion of the extension in excess of the footage which the Village will construct without cost to the Applicant. The amount of deposit shall be determined by multiplying the excess footage, as hereinabove determined, by the average cost per foot to the Village of a similar size electric distribution line installed during the preceding calendar year. Where a line extension is necessary to provide service availability to real estate plots or real estate subdivisions, and such line extension is not deemed economically justified at the Village's expense, the owners or developers of such plots or subdivisions may enter into a line extension agreement and deposit with the Village the estimated cost of that portion of the main extension which is not deemed justified at the Village's expense. Where a line extension is requested for commercial/industrial purposes and all or part of such line extension is not deemed economically justified at the Village's expense, the Village shall require the Applicant or Applicants to enter into a line extension agreement and deposit with the Village the estimated cost of that portion of the line extension which is not deemed economically justified at the Village's expense. For the purposes of this section, economically justified shall be defined as the ability of the Village to recover the costs of the electric facility within five (5) years or less payback period.

(k) Rural Electric Meters

(1) Customers located outside of the corporate boundaries of the Village shall be responsible for reading their own electric meters and transmitting that information to the Village no later than the 15th day of each month. Failure of the Customer to provide the meter information shall result in the Customer being billed an Outside the Village Meter Reading Fee in the amount established by separate ordinance which may be amended from time to time. The Customer may transmit the meter reading information via one of the following methods:

- (a) via telephone to the following number 937-526-3294;
- (b) e-mail to the following e-mail address: versaillesutilities@versaillesohio.cc;
- (c) or in person at the following address: Administrative Building Office at 177 North Center Street.

903.01 Outdoor Light Service

(a) Types of Service. Available for all customers of the Village. The Village reserves the right to refuse service when in its judgment, an installation is objectionable to neighboring property owners.

(b) Rates for Lighting Service have been established by separate ordinance which may be amended from time to time.

(c) Installation Charges. The Customer shall be responsible to pay all labor and material charges on a time and materials basis for the installation of any outdoor lighting facilities, including, but not limited to installation of lamps with luminaries on existing poles, installation of a new pole, or installations requiring a new span.

(d) Terms and Conditions

(1) All facilities shall be owned by the Village and remain the property thereof.

(2) The Village does not guarantee continuous lighting and shall not be liable for any damage, loss, or injury resulting from any interruption in such lighting due to any cause.

(3) All application for outdoor lighting service shall be subject to a fixed term of not less than two years, or for such time thereafter until terminated by either party, upon giving thirty (30) days written notice to the other party.

(4) Special fixtures are subject to approval by an authorized representative of the Village. The Customer shall be charged any difference in lamp and fixture costs in excess of normal lamp and fixture costs.

(5) All maintenance on lighting will be performed only during regular business hours. The Village will use its best efforts to perform maintenance service within forty-eight (48) hours of customer notice of the need for maintenance.

(6) The Customer shall be liable for any damage to lighting facilities. The Customer shall reimburse the Village on a time and materials basis for all costs incurred by the Village to repair outdoor lighting facilities.

(7) The Village may, at its discretion, substitute different type lighting from above, provided that the same lumen output is maintained.

903.99 PENALTY

Whoever violates or fails to comply with any of the provisions of this Chapter is guilty of a minor misdemeanor and shall be fined not more than one hundred fifty dollars (\$150.00) for each separate offense. Each day of failing to comply with any of the provisions herein shall constitute a separate offense.

SECTION TWO: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council, and any of its committees that resulted in such formal action, were conducted in meetings open to the public, in compliance with all legal requirements.

SECTION THREE: If any section, subsection, paragraph, clause or provision, or any part thereof of this ordinance shall be finally adjudicated by a court of competent jurisdiction to be invalid, the remainder of this ordinance shall be unaffected by such adjudication, and all the remaining provisions of this ordinance shall remain in full force and effect as though such section, subsection, paragraph, clause or provision, or any part thereof so adjudicated to be invalid had not, to the extent of such invalidity, been included herein.

SECTION FOUR: That this ordinance shall take effect at the earliest date allowed by law.

PASSED, this 14th day of May 2008.

JEFFRY A. SUBLER, MAYOR

ATTEST:

MARY ANN GUMP, FISCAL OFFICER

APPROVED AS TO FORM:

THOMAS L. GUILLOZET, VILLAGE ATTORNEY