

ORDINANCE NO. 2019-08

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MIAMI, OKLAHOMA AMENDING Sec. 24-59 – (COMMERCIAL AND MUNICIPAL SERVICE ELECTRIC RATE SCHEDULE) WITHIN CHAPTER 24 (UTILITIES), DIVISION 2 (ELECTRICITY) OF THE CITY OF MIAMI CODE OF ORDINANCES; REESTABLISH THE ADJUSTMENT FOR MINIMUM KW; PROVIDING SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Article 2, Section 6, ¶2 of the City Charter provides that the Council may enact municipal legislation subject to limitations as may now or hereafter be imposed by the Oklahoma Constitution and law; and

WHEREAS, the City Council, in consideration of the recommendations of the City staff and administration, has determined that it is appropriate to amend ordinance Section 24-59 (Commercial and municipal service electric rate schedule) to reestablish the minimum Kw adjustment that was superseded in previous ordinance amendments.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF MIAMI, OKLAHOMA:

SECTION ONE – Section 24-59 shall be established and read as follows:

Sec. 24-59. - Commercial and municipal service electric rate schedule.

- (a) *Application.* The rates prescribed in this schedule shall be applicable to commercial, municipalities, institutional and industrial customers except churches with usage exceeding 25 kw and to churches with usage exceeding 150 kw in any month of the year, for all uses, but not for resale or standby service. The utility shall be the sole judge as to the applicability of this rate and may require a written contract. The term of service will not be less than one (1) year.
 - (1) Customers classified on this rate schedule whose electric load subsequently falls below and remains below the usage described in subsection (a) of this section may be reclassified to the general service electric rate during the fourth quarter of any year.
 - (2) This load shall not be highly fluctuating to the extent that it causes interferences with standard quality service to other customers. The customer will be expected to maintain a power factor of at least ninety-five percent (95%) lagging.
- (b) *Character of service.* The service provided under this schedule shall be alternating current, 60 Hz, single-phase, or three-phase where readily available. Three-phase service under this schedule is available at standard nominal voltages. The type (wye or delta) three-phase service supplied will be, finally, at the discretion of the utility.
- (c) *Commercial service electric billing rates* are established by the billing tables established by Section 24-64 of this Division.
- (d) *Determination of demand.* For billing purposes, the monthly demand shall be defined as the integrated load during the fifteen-minute period of greatest load in the billing month.
- (e) *Metering.* Appropriate indicating meters will be furnished by the city to measure the energy delivered and the maximum kilowatt demand for the month. The reactive demand will be measured at appropriate intervals with temporary or permanent meters at the city's election.
- (f) *Adjustments.* The following adjustments shall be made under this schedule:
 - (1) The demand will be increased by one percent (1%) for each one percent (1%) that the monthly peak hour power factor falls below ninety-five percent (95%) lagging and unity.
 - (2) *Adjustments.* This rate schedule will be adjusted by Section 24-60, Purchase Power Adjustment Schedule PPA.
 - (3) The minimum bill will be equal to but not less than seven dollars (\$7.00) per kilowatt of demand for the maximum monthly demand during the most recent June through September preceding the billing period. For new customers without past usage history, the minimum shall be actual usage only.
- (g) *Single point delivery.* The rates and conditions set out in this section are based on the supply of service at a single delivery and metering point at a single voltage. Separate supply for the same customer at other points of delivery or at other voltages will be separately metered and billed.

SECTION TWO - Severability

If any provision, paragraph, word, section or article of this Ordinance is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections and chapters shall not be affected and shall continue in full force and effect.

SECTION THREE – Conflicting Provisions

If any provision, paragraph, word, section or article of this Ordinance conflicts with the provisions of any other Ordinance, then the provisions of this Ordinance shall be deemed to have superseded all conflicting provisions previously entered into effect.

SECTION FOUR – Effective Date

[Choose One (1)]

_____ Pursuant to 11 O.S. '14-103, this Ordinance shall take effect thirty (30) days from its final passage unless the City Council specifies a later date:

[OR]

X EMERGENCY CLAUSE. For the immediate preservation of the public peace, health and safety, an emergency is hereby declared to exist whereby this Ordinance shall take effect immediately upon passage and publication as required by law. The question of emergency must be ruled upon separately and approved by the affirmative vote of at least : of ALL the members of the City Council (4 affirmative votes required). As required by 11 O.S. '14-103, an emergency measure must state in a separate section why it is necessary that the measure become effective immediately; the reason for the emergency measure is as follows:

It is necessary and proper to adjust the rates provided for
herein with the start of the new fiscal year.

It is in the public economic interest to enact this Ordinance immediately.



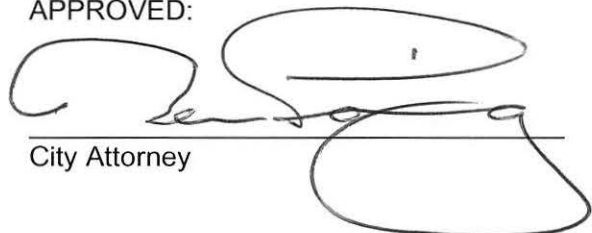
Rudy Schultz
Mayor

ATTEST:

Melissa Moore

City Clerk

APPROVED:



City Attorney

[seal]

