

ORDINANCE NO. 2798

AN ORDINANCE OF THE CITY OF ALLIANCE, NEBRASKA, AMENDING THE MUNICIPAL CODE BY REMOVING SECTION 28-161 (j) LOAD MANAGEMENT CREDITS FOR AIR CONDITIONING UNDER THE GENERAL TERMS AND CONDITIONS, ALL RATES; MODIFYING SECTION 28-168 SECURITY LIGHT (CLASS 7), REPEALING PRIOR PROVISIONS OF THE MUNICIPAL CODE WHICH ARE INCONSISTENT WITH THIS ORDINANCE, AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ALLIANCE, NEBRASKA:

SECTION 1. The Alliance Municipal Code at Section 28-161 shall be amended as follows:

Sec. 28-161. - General terms and conditions, all rates.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Summer season* means the four billing periods beginning with the third cycle in June and ending with the second cycle in October, or from the first billing after June 15 and ending with the last billing before October 15.

*Winter season* means the eight-billing periods not included in the summer season.

- (b) *Production cost adjustment.* The rates and the billings for the service rendered hereunder may be adjusted administratively, with city council approval, from month to month to reflect the change in production cost adjustments charged by the city's suppliers. The monthly adjustment may be increased to reflect system losses as calculated for the previous calendar year.
- (c) *Tax clause.* The rates may be increased administratively by the amount of any new or increased tax or fee imposed and levied on the transmission, distribution, production or sale of electricity.
- (d) *Special terms and conditions.*
- (1) Special service requirements, if available, will be billed on an actual cost basis by AMES.
  - (2) AMES shall supply one electric service to a property at one point of delivery designated by the electric superintendent. For installation of additional electric services to a property, the customer or owner shall pay AMES an installation fee equal to the total cost of installing the service equipment except for the meter as supplied by AMES. Distribution from the point of delivery to points of use on the customer's premises shall be the responsibility of the property owner.
  - (3) When electric service is measured through more than one meter, the consumption registered on each meter will be billed separately unless installation is at the convenience of AMES and is approved by the electric superintendent. When a portion of a residential dwelling is used for commercial purposes, the residential rate shall apply provided:
    - a. The service is all taken from one meter;
    - b. The residential load exceeds the commercial load, as determined by AMES.

In all other cases the residential and commercial service will be separately metered and billed under the applicable rate, or all service to the premises will be billed under the applicable general service rate.

- (4) Single apartments will be considered residential property and residential rates shall apply.
- (5) Apartment building house meters will be considered commercial and the general service rates shall apply.
- (e) Power factor adjustment. The customer will be expected to maintain a power factor of 95 percent lagging or better. If the measured power factor is lower than this, the customer will be given 90 days to correct. If the power factor is not corrected, the monthly bill shall be increased by the ratio of 0.95 divided by the actual power factor expressed in decimals.
- (f) Primary metering. Primary metering shall be used where transformation equipment and appurtenances are customer owned and maintained and may be used at the convenience of AMES. Billings derived from primary metering data shall be reduced 1.5 percent for transformer losses and an additional two percent if all transformation is owned and maintained by the customer.
- (g) Additional equipment or transformation charge. The customer shall pay AMES an installation fee for installing equipment or transformers in excess of the required capacity as determined by AMES. Said fee shall be equal to the cost of the requested equipment or transformation, less the estimated cost of the needed equipment. AMES shall own and maintain all equipment thereafter.
- (h) Restoration of service. Any customer making a request for restoration of electric service within a 12-month period, in the same name or same customer, at the same address shall pay a restoration charge as established by administrative policy. This charge shall be paid prior to reconnection.
- (i) Fluctuating loads. Customer operating equipment having highly fluctuating loads, large instantaneous demand or equipment which generates interference or harmonics as determined by AMES shall be required to pay all nonbetterment costs of isolating the loads from the balance of the AMES system so that the load will not unduly interfere with service on the AMES lines. In addition, customers who fail to provide adequate corrective equipment shall be required to own and maintain his own transformers and other acceptable isolation equipment.

SECTION 2. The Alliance Municipal Code at Section 28-168 shall be amended as follows:

Sec. 28-168. - Security light (class 7).

Security light (class 7) rates are as follows:

- (1) *Security lighting; urban and rural.* Available to all customers served by the city, when the City Manager, or designed representative determines the current infrastructure can accommodate the service. Rates include fixture, energy and maintenance of an existing AMES pole. Any new pole placement or maintenance will be at the customers' expense.
- (2) *Security light rates.* Security light rates shall be as established by the city.

SECTION 3. All ordinances or parts of ordinances passed and approved prior to passage, approval and publication of this ordinance in conflict herewith are now repealed.

SECTION 4. This ordinance shall be in full force and effect from and after its approval, passage, and publication according to law.


PASSED AND APPROVED this 5<sup>th</sup> day of April, 2016.



Ralph Yeager, Mayor

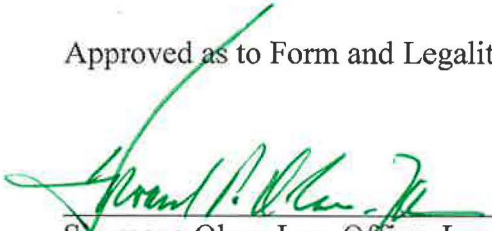
(SEAL)

Attest:



Linda S. Jines, City Clerk

Approved as to Form and Legality:



Simmons Olsen Law Office, Legal Counsel