

ORDINANCE NO. 2807

AN ORDINANCE OF THE CITY OF ALLIANCE, NEBRASKA, AMENDING THE MUNICIPAL CODE BY WITHIN CHAPTER 28 – UTILITIES, ARTICLE III, ELECTRIC SYSTEM, SECTIONS 28-65, 28-81, 28-83, 28-84, 28-85, 28-88, 28-89, 28-90, 28-91, 28-94, 28-95, AND 28-97; REPEALING PRIOR PROVISIONS OF THE MUNICIPAL CODE WHICH ARE INCONSISTENT WITH THIS ORDINANCE, PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.

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

SECTION 1. The Alliance Municipal Code at Section 28-65 shall be amended as follows:

Sec. 28-65. - Definitions.

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

*Alliance Municipal Electric System (AMES)* means the city manager, electric superintendent, employees or representatives or any combination of the persons mentioned within this definition.

*Code* means the National Electrical Code as adopted by the city and the 2007 edition of the National Electrical Safety Code.

*Customer, subscriber, user, or consumer* includes and refers to any individuals, developers, firms, agencies or corporations who may be a consumer of or an applicant for electric service.

*Line Extension* means a continuation of AMES existing electric distribution system as required to serve a proposed customer load.

*New Service* means a new run of conductors and associated hardware from the AMES' power distribution system to the point of connection at customer's premises.

*Notice to AMES* means the written or verbal notice or application addressed to: electric superintendent, the Utility Customer Service Office or AMES, P.O. Box D, Alliance, Nebraska 69301.

- (1) Nothing written in this article shall be interpreted to or place upon AMES any duty, obligation, or responsibility to install, maintain, or make repair (other than metering devices such as meters, current transformers, potential transformers or any AMES installed electrical equipment on the customer's premises or private property) on the customer's side of the point of delivery of electrical energy. This shall be the point the wires of AMES first attach to any building, structure, device or URD termination on the customer's premises or property.
- (2) No representative or employee of AMES shall have any right to promise, commit, or agree to anything not authorized by these rules and regulations. Written notice must be

presented to the city manager for consideration of authorization to delete or deviate from these rules and regulations.

*Rural Service* means outside of the City's corporate limits.

*Service Upgrade* means a change to the existing conductors and/or equipment for delivering energy from electric utility to customer premises being served.

*Urban Service* means inside the City's corporate limits.

SECTION 2. The Alliance Municipal Code at Section 28-81 shall be amended as follows:

Sec. 28-81. - Point of delivery and service entrance.

- (a) It shall be the sole responsibility of each prospective customer to obtain from AMES information as to the point at which AMES will provide service to the customer's premises, and thereafter to wire said premises in accordance with such information. AMES shall have no responsibility, duty or obligation to furnish service at any point other than that designated by the electric superintendent.
- (b) The point of delivery of all electric energy furnished by AMES to any customer shall be at the point where the wires of AMES first attach to any building, structure, device or wiring belonging to the customer. At such point AMES will attach its wires to approved devices. All approved structural brackets or framework required for attaching service wires to the customer's premises shall be furnished and installed by the customer at the customer's sole risk, cost and expense with the approval of AMES.

SECTION 3. The Alliance Municipal Code at Section 28-83 shall be amended as follows:

Sec. 28-83. - Same—Charges.

The customer shall pay 100% of the cost of any special installation, including labor, material and equipment costs, necessary to meet the customer's particular requirement for service other than standard voltages, or for the supply of closer voltage regulation or uninterrupted service than required by standard practice of AMES.

SECTION 4. The Alliance Municipal Code at Section 28-84 shall be amended as follows:

Sec. 28-84. - Length and type of electric service.

The length and type (either overhead or underground) of electric service wires which will be run to a residential, commercial or industrial customer will be established by AMES based on the wire size required, site conditions and normal service characteristic at customer's expense.

SECTION 5. The Alliance Municipal Code at Section 28-85 shall be amended as follows:

Sec. 28-85. - Installation of service.

- (a) AMES will permit the installation of service at any point on a building, residential or commercial, so long as the service wires and installation conform to the code. AMES will not be required to build additional line facilities in order to reduce customer wiring costs to serve a prospective customer when existing lines can be used. Where services are installed which will require the service wires to overhang the roof, the weatherhead shall be located at a sufficient height above the roof to permit code clearance between the roof and service conductors.
- (b) All overhead service wires carrying nominal voltages which supply single-phase or three-phase service shall be run from the point of delivery to the service switch and protective cabinet in continuous rigid metallic conduit which shall enter and be made fast to the protective cabinet by means of bushings and locknuts. AMES may at its option, if construction requirements warrant, permit the use of current transformers for electric metering when the service provides for a commercial or industrial load. All underground services shall be approved by AMES. All wires over which service is rendered at 600 volts or higher shall also be run in continuous rigid metallic conduit or schedule 80 PVC duct and shall terminate in terminators of proper electrical rating.
- (c) All service wires shall conform, in size and in conductivity, to all requirements of the code and in no case shall service wires be smaller or have lower conductivity than approved by the code.

SECTION 6. The Alliance Municipal Code at Section 28-88 shall be amended as follows:

Sec. 28-88. - Grounding of secondary and service wires.

All installations shall be grounded at the meter locations. The ground wire shall be continuous through those electric meter backs which have only one ground connector. The size of the ground wire and the method of installation thereof shall be in accordance with the code.

SECTION 7. The Alliance Municipal Code at Section 28-89 shall be amended as follows:

Sec. 28-89. - Service connection.

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

*Service connection.*

- (1) The term "service connection" means that portion of the distribution system installed for the particular use of any given customer, to-wit, that portion of the distribution system extending from the nearest pole or underground facility to the point of delivery, (i.e., to the first point of attachment to a building, device, wiring or other structure on the customer's premises).
  - (2) The term "service connection" does not include any lines, poles or facilities located on streets, alleys, public places or rights-of-way of AMES.
- (b) AMES shall own all service connections.
- (c) All underground services shall be code-approved insulated and/or shielded cable properly protected by metal conduit, schedule 40 or schedule 80 PVC, and shall terminate in an approved conduit, cable pothead, or other means as approved by AMES. The cable shall be protected with metallic conduit for a ten-foot length on any pole, an approved attachment bracket shall be installed by the customer for mounting of the conduits or adequately protected by schedule 80 PVC and a ten-foot length of PVC guard from ground level.
- (d) AMES inspections of these services must be completed before services will be energized.

SECTION 8. The Alliance Municipal Code at Section 28-90 shall be amended as follows:

Sec. 28-90. - Line Extension policy.

- (a) *Aerial construction line extension.*
- (1) *Single-phase for permanent, class 1, 2 or 3 nonseasonal loads.* Customer will pay actual costs in excess the credit as allowed in Sec. 28-90 (d), with 50 percent of the estimated cost paid prior to beginning of construction and the balance upon completion.
  - (2) *Single-phase for seasonal loads (including irrigation recirculation systems).*
    - a. Customer will pay actual costs in excess of the credit as allowed I Sec. 28-90 (d), with 50 percent of the estimated cost paid prior to the beginning of construction and the balance upon completion.
    - b. Motors up to and including 7.5 horsepower on seasonal loads are to be single phase (rural lines).
  - (3) *Three-phase for class 2, 3, 4 or irrigation.*
    - a. Customer will pay actual costs in excess of the credit as allowed in Sec. 28-90 (d) for construction or conversion from single phase, with 50 percent of the

estimated cost paid prior to beginning of construction and the balance upon completion.

- b. Center pivot irrigation system. The customer will be responsible for installing buried secondary service from transformer pole to pump location.
- (4) *Relocation of poles at the request of the customer.* The customer shall pay for all costs involved in relocating existing poles, transformers and equipment.
- (5) *Temporary line extensions.* Any temporary extension for use of construction, temporary power, or any other uses; customer will be charged labor, equipment and materials, plus 25 percent material handling charge to construct and salvage said extension. Salvage material, other than customers', will be retained by the city.
- (b) *Underground construction for extensions from aerial system at primary voltage.*
  - (1) *Single-phase to all service classifications seasonal or nonseasonal loads.* The customer shall pay actual costs in excess of the credit as allowed in Sec. 28-90 (d), with 50 percent of the estimated cost paid prior to beginning of construction and the balance upon completion.
  - (2) *Three phase for all service classifications.*
    - a. The customer shall pay actual costs in excess of the credit as allowed in Sec. 28-90 (d), with 50 percent of the estimated cost paid prior to beginning of construction and the balance upon completion.
    - b. If three-phase construction or single-phase conversion is required to extend aerial distribution to point of contact with underground, the extension conditions applicable to aerial extension shall apply as to any added costs.

Note—Subsection (b) of this section is to be interpreted as extending the line described in subsection (a) of this section from the AMES aerial distribution to transformers installed in close proximity to residence or commercial establishment for aesthetic or convenience of customer's load.

- (3) *Three-phase for irrigation.*

Customer will pay actual costs in excess of the credit as allowed in Sec. 28-90 (d), with 50 percent of the estimated cost paid prior to beginning of construction and the balance upon completion.
- (4) *Temporary URD extensions.* All approved temporary underground extensions will be at the customer's sole expense and risk, including metering at a point on AMES distribution system.
- (5) *Secondary services.* Services that are 600 volts and below from transformer installed on pole or individual pad-mount transformer:
  - a. Customer shall pay all URD costs, 50 percent of the estimated cost must be paid prior to beginning of construction and the balance upon completion.
  - b. Temporary services will be at customer's full expense, material, equipment and labor, to nearest existing distribution point.
- (c) *New areas by developers: service single- and/or three-phase systems.*
  - (1) The developer shall pay all actual costs of aerial or URD systems.

- (2) The developer shall install or cause to be installed all secondary services (120/240 volt three-wire) from transformer, pedestal or buried junction boxes installed as a part of the URD system.
  - (3) Any relocation, after initial installation, of any URD facility shall be at the expense of the developer or others.
- (d) *Allowable electric extension credits*
- (1) A credit of 50% of actual costs (including labor, equipment and materials) will be allowed for all extensions, where indicated elsewhere in Sec. 28-90.
  - (2) The credit is waived if the service is not energized within 6 months after completion.
  - (3) City assumes full actual costs of line extensions less than 100 feet for urban service and 650 feet for rural service.

SECTION 9. The Alliance Municipal Code at Section 28-91 shall be amended as follows:

Sec. 28-91. - Line extension.

- (a) AMES will extend its electric distribution system along roadways dedicated for public use or within the confines of utility easements wherever the electric superintendent considers it most desirable to locate such extensions. Extensions may be made either overhead or underground on such a basis as AMES determines to be economically and physically feasible. The applicant or group of applicants for an extension of the electric distribution system shall, as a part of the consideration of AMES extending its electric distribution system, execute and deliver without cost to AMES such easement indentures as in the opinion of AMES are or may be required at the time the extension is made or may be required in the future to extend its electric distribution system to an applicant or group of applicants located adjacent to the premises to be served by such extension. The applicant or group of applicants may also be required to contribute, in advance, that part of the estimated cost of construction in excess of the amount which, as provided in the line extension policy adopted by the city council.
- (b) AMES may not be required to set poles on or extend wires across lots or property owned by persons other than the applicant for electric service.
- (c) AMES shall not be required to extend its distribution system underground but may extend its distribution system when a contiguous group of customers or developers in a platted subdivision request the same. Such underground extensions shall be made on a basis as the electric superintendent determines to be economically and physically feasible.

SECTION 10. The Alliance Municipal Code at Section 28-94 shall be amended as follows:

Sec. 28-94. - Power installations.

- (a) Before purchasing any motor or power consuming appliance to be supplied from the system of AMES or before installing any power service, the customer or prospective customer should confer with AMES concerning such motor, other power consuming appliance or starting or controlling equipment therefor which the customer proposes to purchase or install. AMES specifically reserves and shall have the right to specify the character, type, voltage, frequency and phase of any power installation to be served from its system.
- (b) AMES will not install separate meters for single-phase lighting and power service unless the connected single-phase load is in excess of 7.5 horsepower.
- (c) All three-phase motors shall be served at voltages as approved by AMES.
- (d) Any motor or other power consuming appliance with a rating of 10 horsepower or more must have inherent characteristics or must be equipped with such starting or controlling device, a soft-start system, as will limit the starting current under all conditions to a value not exceeding three times the full load running current; however, these requirements may be waived for such period of time if AMES determines there is no adverse effect on the quality of services afforded other customers. Capacitors of adequate size will be installed on the above installations at the customer's expense, if not within the acceptable power factor limits, before service will be supplied by AMES. Starting or controlling devices shall follow the requirements of IEE Standard 519-1992 under HARMONIC GUIDELINES.

SECTION 11. The Alliance Municipal Code at Section 28-95 shall be amended as follows:

Sec. 28-95. - Transformer installation and transformer vaults.

- (a) Where a customer's electrical load is such that it cannot be served properly from a conventional service connection and where adequate and suitable space for installation of transformers in an adjacent street or alley is not available, the customer shall furnish and set apart, without charge, a space on the premises which, in the opinion of AMES, shall be satisfactory and adequate for the installation.
- (b) Where a customer's electrical load is such that, in the opinion of AMES, a vault inside the customer's building is required or needed for installation of transformers, the customer shall furnish and set apart, without charge, a space inside the building which, in the opinion of AMES, shall be satisfactory and adequate for the installation. The customer shall, at his sole cost and expense, construct and prepare the vault in conformity with all rules, regulations and requirements of the code and shall furnish and install all bus work, conduits, disconnecting devices and hardware in said vault.
- (c) AMES will provide, furnish and install transformers at the customer's cost for electric service from its distribution system of normal distribution voltages. Electric service with underground distribution shall be furnished and installed, or caused to be so, in compliance with AMES requirements by the customer at his sole cost and expense. Upon completion and acceptance the distribution line shall become the property of AMES.

SECTION 12. The Alliance Municipal Code at Section 28-97 shall be amended as follows:

Sec. 28-97. - Aerial or underground estimated costs.

- (a) Cost estimates for preliminary plats will be furnished to developers/owners for planning purposes on request. They will be given an estimated cost for the electric aerial or underground system for a subdivision, trailer park or planned unit development after meeting the following requirements:
  - (1) Furnish the electric department with two copies of the final approved subdivision plat.
  - (2) Furnish the number, size, and location of points of service at which electric service is requested.
- (b) When the developer/owner requests the actual construction of the project be started, a payment of 50 percent of the quoted estimated cost will be required. This partial payment need only be paid on the portion of the electric system which is to be constructed and not necessarily on the whole subdivision project provided said portion is suitable for partial electric service. Quoted estimated costs will include main feeders, primaries and streetlights as shown on the approved utility plat. Changes or modifications requiring additions to the quoted estimated cost shall be at the expense of the developer or owners.

SECTION 13. 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 14. 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 July, 2016.



Ralph Yeager, Mayor

(SEAL)

Attest:



Linda S. Jines, City Clerk

Approved as to Form and Legality:



Simmons Olsen Law Office, Legal Counsel