

## CHAPTER 54: ELECTRIC UTILITY REGULATIONS

Section

### GENERAL PROVISIONS

- 54.01 General operation
- 54.02 Use of electrical service
- 54.03 Use to circumvent chapter prohibited
- 54.04 Damage to electric system
- 54.05 Connections beyond city boundaries
- 54.06 Connection to electric system required
- 54.07 Electric deficiency, shut off and use restrictions

### ELECTRIC UTILITY REGULATIONS

- 54.25 Supply from one service
- 54.26 Repairs
- 54.27 Abandoned or unused services
- 54.28 Service materials
- 54.29 Construction requirements
- 54.30 Electrical connections; applications and charges
- 54.31 Electric meters

### RATES AND CHARGES

- 54.50 Electrical unit
- 54.51 Rates, fees and charges generally
- 54.52 Electric rates

### ADMINISTRATION AND ENFORCEMENT

- 54.70 Licensing
- 54.71 Powers and authority of inspectors
- 54.72 Discontinuance of service
- 54.73 Employees authorized to turn electricity on and off
- 54.74 Liability for expense, loss or damage

***Cross-reference:***

*Assessable current services, see Ch. 92*

## **GENERAL PROVISIONS**

### **§54.01 GENERAL OPERATION.**

The City does hereby continue its existing municipal electric system (hereinafter called the electric system) being operated as a public utility under provisions of an ongoing contract with Tri-County Electric Cooperative, located in Rushford, MN.

### **§54.02 USE OF ELECTRIC SERVICE.**

No person other than a city employee shall uncover or make or use any electric installation connected to the city electric system except in the manner provided by this chapter and in accordance with the National Electrical Code & the National Electrical Safety Code. No person shall make or use any installation contrary to the regulatory provisions of this chapter. Penalty, see §10.99.

### **§54.03 USE TO CIRCUMVENT CHAPTER PROHIBITED.**

No person shall permit the electric system to be used for any purpose to circumvent this chapter. Penalty, see §10.99

### **§54.04 DAMAGE TO ELECTRIC SYSTEM.**

No unauthorized person shall remove or damage any structure, appurtenance, or part of the electric system or fill or partially fill any excavation connecting to the city electric system.

### **§54.05 CONNECTIONS BEYOND CITY BOUNDARIES.**

No electric service shall be supplied outside the corporate boundaries of the City of Harmony.

### **§54.06 CONNECTION TO ELECTRIC SYSTEM REQUIRED.**

(A) Except where municipal electricity is not available, it shall be unlawful to construct, reconstruct, or repair any private electrical system.

(B) All new homes or buildings shall connect to the municipal electric system if said service is available to the property. At the time that electrical service becomes available to existing homes or buildings, a direct connection shall be made to the public system within 60 days. If the connection is not made pursuant to this chapter, a charge shall be made in an amount established by §53.51.

(C) Where new homes or buildings do not have electric service available to the property, the

city shall determine whether and under what conditions the municipal electric system will be extended to serve the property.

(D) If a property owner requests that electrical service be placed underground, the owner shall pay for the costs of trenching and/or directional drilling.

(E) Upgrades to current service must be approved by the city prior to beginning the upgrade. Costs of upgrading the city's portion of the service shall be borne by the city. The city shall be responsible for all electric service from the incoming utility line to the meter. The property owner shall be responsible from the meter into the building.

**§54.07 ELECTRIC DEFICIENCY, SHUT OFF AND USE RESTRICTIONS.**

The city shall not be liable for any deficiency or failure in the supply of electricity to consumers, whether occasioned by shutting the electricity off for the purpose of making repairs or connections or from any other cause whatsoever. In case of fire, or alarm of fire, or in making repairs or construction of new works, electricity may be shut off without notice at any time and kept off as long as necessary. In addition, the City Council shall have the right to impose reasonable restrictions on the use of the city electric system in emergency situations. For non-payment of charges, electric service may be discontinued according to the procedures established in Chapter 50.

## ELECTRIC UTILITY REGULATIONS

### §54.25 SUPPLY FROM ONE SERVICE.

With the exception of an unattached garage belonging to the owner of a home on the same property, no more than one housing unit or building shall be supplied from one service connection except by permission from the City Council. Each housing unit served shall have a separate electric meter or meters.

Penalty, see §10.99

### §54.26 REPAIRS.

(A) *Determination of need for repairs.* Based on the information supplied by the property owner or available to the city, the city will make a determination whether a problem exists in that portion of the service which is the city's responsibility. If the problem appears to exist in the areas for which the city has no responsibility, the private owners will be responsible for correction of the problem.

(B) *Repair of electric service.*

- (1) The city will arrange for the investigative repair of any electrical service where the problem apparently exists within that area for which the city has responsibility.
- (2) Unless it is clearly evident, however, that the problem is the responsibility of the city, the repair will not be made until the property owner requests the city in writing to repair the service and agrees to pay the cost.
- (3) The owner further agrees to waive public hearing and be special assessed the cost of the repair if the problem is found to be other than the city's responsibility. The city will make the determination for responsibility of the cost of investigation or repair.
- (4) The matter of whether the repair is done by city employees or a contractor would depend on the urgency or need for repair and the availability of city employees to do the work. Recovery by the city for faulty construction will depend upon the circumstances and the decision of the City Attorney on the likelihood of recovery.

(C) *Failure to repair.* In case of failure upon the part of any consumer or owner to repair any electric problem occurring in his or her service within 24 hours after verbal or written notice thereof, the electricity may be turned off by the city and shall not be turned on until the problem has been repaired.

Penalty, see §10.99

**§54.27 ABANDONED OR UNUSED SERVICES.**

- (A) If the premises served by electrical service have been abandoned, or if the service has not been used for one year, then the service shall be shut off by the city and the meter will be removed unless the owner of the property continues to pay the fee required to keep the meter running.
- (B) When new buildings are erected on the site of old ones, and it is desired to increase or change the old electrical service, no connections with the city service shall be made until all of the old service has been removed and new connections installed by the city at the owner's expense.  
Penalty, see §10.99

**§54.28 SERVICE MATERIALS.**

All materials used in the construction and/or installation of electrical service shall conform to the requirements of the National Electrical Code & the National Electrical Safety Code. All materials installed and connections to the municipal electric system shall be completed by a licensed electrician, and shall be subject to inspection by the State Board of Electricity Inspector and the City Utilities Superintendent.

**§54.29 CONSTRUCTION REQUIREMENTS.**

- (A) No electric service shall be installed until a permit, in the form of a "Request for Electrical Inspection", has been issued and the permit fee paid.
- (B) In case the installation is on a surfaced street, the following shall apply: All backfill materials shall be mechanically compacted in 12-inch layers to the density of the adjacent material in the roadway area and to the existing street grades in accordance with the Minnesota Dept. of Transportation standards. Complete surface restoration shall be made.  
Penalty, see §10.99

**§54.30 ELECTRICAL CONNECTIONS; APPLICATIONS AND CHARGES.**

(A) *Applications.*

(1) Unless installation is done by a licensed master electrician, all applications for line extension and installation of electrical service connections shall be made to the City Administrator/Clerk-Treasurer. All applications shall be made by the owner or agent of the property to be served and shall state the size and location of service connection required. The applicant shall, at the time of making application, pay to the city the required fees as established by the Ordinance Establishing Fees and Charges adopted pursuant to §30.11 of this code, as that ordinance may be amended from time to time, or the deposit required for the installation of the service connection.

- (2) The size of the service connections and meter shall be based on the specifications

found in Tri County Electric Coop's service information manual of connection rules and policies.

(3) Electrical billing shall start at the time of installation of the meter and shall be calculated on the monthly rate based on the monthly meter reading.

*(B) Permit fees and additional charges.*

(1) A permit, in the form of a "Request for Electrical Inspection", must be obtained to modify the existing electrical service in remodeling projects, new additions, etc. The fee for the permit shall be set pursuant to the fee schedule of the Minnesota Board of Electricity.

(2) Additional charges such as electrical connection fees, if any, shall be paid at the time of making application.

(3) When electrical service has been stopped because of a violation of this chapter, the city shall collect the fee established pursuant to §54.51 before service is recommenced.

(4) If a person desires to connect to the system and service a parcel that has not been assessed for the cost of service, then before a permit is granted the city shall collect an amount from the applicant that is established pursuant to §54.51.

Penalty, see §10.99

**§54.31 ELECTRIC METERS.**

*(A) Generally:*

(1) The city shall maintain and repair all meters when rendered unserviceable through ordinary wear and tear and shall replace them if necessary. When replacement, repair, or adjustment of any meter is rendered by the act, neglect or carelessness of the owner or occupant of the premises, any expense caused the city thereby shall be charged against and collected from the electric consumer.

(2) A consumer may, if he or she suspects that the meter readings are in error because of a faulty meter, have his or her meter tested by making a written request to the city and depositing the amount required to pay for testing, as established pursuant to §54.51.

(3) All electric meters and remote readers shall be and remain the property of the city. All new and replacement meters shall be installed on the exterior of all buildings so as to enable city employees to read them without entering the premises.

(4) Authorized city employees shall have free access at reasonable hours of the day to all parts of every building and premises connected with the electrical system for reading of meters and inspections.

(5) It shall be the responsibility of the consumer to notify the city to request a final reading at the time of the customer's billing change.

(B) *Electric meter setting.* All electric meters hereafter installed shall be in accordance with the National Electrical Code, Tri County Electric's *service information manual*, and any other standards established by resolution of the City Council.

Penalty, see §10.99

## **RATES AND CHARGES**

### **§54.50 ELECTRICAL UNIT.**

An electrical unit (hereinafter called unit) shall be one residential equivalent connection based on usage of 1 kilowatt of electricity.

### **§54.51 RATES, FEES AND CHARGES GENERALLY.**

The City Council shall establish a schedule of all electric rates, fees and charges for permits or services in the Ordinance Establishing Fees and Charges adopted pursuant to §30.11 of this Code, as that ordinance may be amended from time to time. Billing for all utilities is done by the city, pursuant to Chapter 50 of this code.

### **§54.52 ELECTRIC RATES.**

(A) The rate due and payable by each user within the city for electricity used shall be established pursuant to §54.51

(B) In case the meter is found to have stopped, or to be operating in a faulty manner, the amount of electricity used will be estimated in accordance with the amount used previously in comparable periods of the year.

(C) The minimum rates established pursuant to §54.51 shall begin to accrue after connection of the meter.

(D) In the event an electric service customer elects to discontinue the use of the municipal electric service, the regular or minimum charge shall continue until the date that service is disconnected and the meter pulled. Base service charges shall not be prorated. Penalty, see §10.99



## **ADMINISTRATION AND ENFORCEMENT**

### **§54.70 LICENSING.**

(A) All installation of lines and connections from the municipal electrical system to any building shall be completed by a licensed electrician in accordance with the National Electrical Code & the National Electrical Safety Code, and subject to inspection by the State Board of Electricity Inspector and the City Utilities Superintendent.

(B) No person, firm or corporation shall engage in the business of altering, repairing, installing or constructing municipal electrical connections within the city without being licensed. A master electrician licensed by the state under the provisions of M.S. §326.242, as it may be amended from time to time, is exempt from the provisions of this section.

### **§54.71 POWERS AND AUTHORITY OF INSPECTORS.**

Duly authorized employees of the city, upon proper identification, shall be permitted to enter upon all properties for the purpose of inspections, observation and testing in accordance with the provisions of this chapter.

### **§54.72 DISCONTINUANCE OF SERVICE.**

(A) Electric service may be shut off at any connection whenever:

- (1) The owner or occupant of the premises served or any person working on any equipment thereon which is connected with the electric system has violated, or threatens to violate, any of the provisions of this chapter.
- (2) Any charge for electric service, meter, or any other financial obligations imposed on the present or former owner or occupant served is unpaid.
- (3) Fraud or misrepresentation by the owner or occupant of the premises serviced in connection with an application for service.

### **§54.73 EMPLOYEES AUTHORIZED TO TURN ELECTRICITY ON AND OFF.**

No person, except an authorized city employee or, in the case of emergency, an employee of the city's contracted utility provider or a certified electrical contractor, shall turn on or off any electrical power supply unless authorized by the City Administrator/Clerk-Treasurer  
Penalty, see §10.99

**§54.74 LIABILITY FOR EXPENSE, LOSS OR DAMAGE.**

Any person violating any of the provisions of this chapter shall become liable to the city for any expense, loss or damage incurred by the city by reason of the violation.