

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 196-17

AN ORDINANCE

amending Chapter 27 of the City Code as it relates to the City Utilities – Water and Light Department; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. Chapter 27 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 27-16. Definitions.

For the purpose of this article, the following words and terms shall the meanings respectively ascribed:

Billing period. The monthly utility usage period consisting of thirty (30) twenty-eight (28) to thirty-one (31) days, except for initial or final bills.

Customer. A purchaser of utility service.

Cycle billing. A system employed which results in the rendition of bills for utility service to various customers on different days of any calendar month.

Delinquent account. A bill remaining unpaid by a customer at least twenty (20) days from rendition of the bill by the department.

Department. ~~A~~ The department of ~~finance~~ utilities for the city.

Director. Unless otherwise indicated, the ~~The~~ director of the department of ~~finance~~ utilities for the city, or the director’s designee.

Discontinuance of service. A cessation of utility service to a customer not directly requesting termination.

Estimated bill. A bill for utility services calculated using one or more estimated meter readings for the billing period.

Fuel adjustment clause. The automatic adjustment procedure which recognizes variations in the cost of fuel for electric generation or purchased power.

In dispute. Any matter regarding a customer's utility service which is the subject of a pending disagreement, or complaint by the customer.

Non-summer. The period from October 1 through May 31.

Rendition of bill by the city. The actual date on which the bill was mailed or sent electronically by the city to the address provided by customer.

Residential service or use. The use of electricity and/or water for household purposes and/or the provision of sewer and/or refuse services.

Settlement agreement. An agreement between a customer and the city purporting to resolve any matter in dispute between the parties, or which provides for the payment of monies not in dispute over a reasonable period of time.

Summer. The period from June 1 through September 30 of each year.

~~*Summer surcharge.* An amount calculated, for summer water rates by averaging the daily use during the billing period and then excluding from the surcharge calculation all days not falling within the summer as defined above and applying the surcharge rate to the average daily water use amount during the remaining days which exceeds one hundred twenty (120) percent of the customer's average monthly use during the months of January, February and March after that monthly average has been reduced to a daily average for use in the surcharge calculation for the current billing period.~~

Termination of service. A cessation of utility service ~~request~~ requested by the customer.

Utility services. Water, electric, ~~sewage or wastewater, stormwater,~~ refuse collection ~~service,~~ or any combination or component of services thereof.

Sec. 27-17. Application for utility service.

Customers shall apply for utility service at a location designated by the city manager as the ~~utilities accounts and billing~~ utility customer service office by submitting their name and address, the kind of service requested, ~~and the location to be served,~~ by making the necessary deposits, paying the service initiation fee, paying any required connection fees, ~~and completing the customer service agreement,~~ and providing any additional information required by the director. No customer shall be refused service due to race, sex, creed,

national origin, marital status, age, number of dependents, gender identity, source of income, or place of residence in the service area.

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Sec. 27-19. Billing and payment.

(a) The city shall render a bill once during each billing period to every customer in accordance with the applicable rate schedule.

(b) The manner of furnishing the ~~statement~~bill shall be as determined by the ~~finance~~ director, provided each customer is billed in a reasonable, predictable manner.

(c) The city may divide the service area into sections, and/or the customers into various classes for the purpose of rendering ~~statements~~bills. Such sections or classes may be changed from time to time to meet the operating requirements of the city. Such sections or classes are for the sole purpose of establishing a billing rotation and shall have no effect on the amount or rate of billing.

(d) Each billing statement rendered by the city shall be computed on the actual usage during the billing period except as follows:

- (1) The city reserves the right to render a bill based on estimated usage for any of, but not limited to, the following reasons:
 - a. When extreme weather conditions, emergencies, or work stoppages prevent actual meter readings.
 - b. When a customer fails to provide safe and reasonable access to the customer's premises for the purpose of reading the meter.
 - c. As provided for by the ordinance establishing the service.
 - d. Should the meter be damaged or tampered with in any manner which may render its readings inaccurate.
- (2) Under no circumstances will the city render a bill based on an estimate as a customer's initial, or final bill of service.
- (3) When issuing an estimated bill, the city shall:
 - a. Maintain accurate records of the reasons therefor and efforts made to secure an actual reading.
 - b. Clearly and conspicuously note on the bill that it is based on estimated usage.

- c. Should the city underestimate a customer's actual usage, the customer will be given the opportunity, if requested, to make payment in installments.

(e) All utility service bills shall be due and payable in full twenty (20) days from the date the bill was ~~rendered~~ ~~mailed~~, after which ~~they~~ ~~the bill~~ shall be considered delinquent. If the last day for remittance falls ~~upon~~ on a weekend or federal holiday, or any other day when the offices of the ~~city department, regularly used for the payment of customer bills~~, are not open to the general public, the final payment date shall be extended through to the close of the next business day. The date of payment for remittance through the mail shall be the date on which the department receives the remittance.

(f) Except as otherwise provided in this section, the city shall assess late charges against all delinquent accounts. If a customer's bill is not paid in full by the date payment is due, the bill for the next billing period shall include a late charge equal to one and one-half (1½) percent of the amount remaining unpaid on the due date of the preceding billing period. Late charges shall not be assessed against the balance due on a delinquent account if the customer is current on the payments required by a settlement agreement for the account.

(g) Every bill for applicable utility service(s) shall clearly state:

- (1) Present and previous meter readings for ~~water and electric~~ metered utility service services as well as number of service days.
- (2) Fuel adjustment factor, except when value is zero.
- (3) Consumption of ~~water and electric~~ applicable services during billing period.
- (4) Billing date.
- (5) ~~Water and electric meter~~ Meter numbers for metered utility services.
- (6) Any previous balance.
- (7) Amount of in lieu of gross receipts tax and sales tax.
- (8) Date when bill will be considered delinquent.
- (9) Amount due for utility charges.
- (10) Current amount due and total bill.
- (11) Tax and rate classes.

(12) The address and/or phone numbers for resolution of disputes and where information may be obtained on the utility bill-bills.

(h) The department may include charges for special services together with utility charges on the same bill if the charges for special services are designated clearly and separately from utility charges.

(i) If partial payment is made, the department shall first credit all payments to the balance outstanding for utility service except for customers who have energy efficiency loans as authorized by section 27-167 of this code which are eligible for inclusion on the utility bill and subject to utility shut-off for nonpayment. In such event, a partial payment will be first credited to any delinquent energy efficiency loan payments.

(j) Whenever a customer shall order his services terminated or otherwise cease to be a customer, all amounts owed by the customer to the city shall immediately become due.

(k) Bills for accounts to which services have been terminated or discontinued for a period of thirty (30) days shall be considered delinquent thirty (30) days after the final billing date.

Should the account remain outstanding for a period of sixty (60) days, the account will be submitted to a collection agency for collection. All such collection costs, as well as any costs pertaining to adjudication, will be borne by the debtor.

(l) If, through no fault of the residential customer, the city fails to initiate billing in a timely manner or under-bills the residential customer, the residential customer shall not be billed an additional amount for any utility services received more than six (6) months before the current billing cycle.

(m) Customers paying by credit card shall be assessed a service fee to be determined by the ~~finance~~ director.

Sec. 27-20. Security deposits.

(a) Each new customer shall be required to make a security deposit as a condition of service.

(1) Customers requesting services to a one-family dwelling or one-family unit of a larger residential building shall deposit the following amounts for receiving utility services:

- a. Electrical service\$75.00
- b. Water service25.00

- c. Sewer service.....45.00
- d. Refuse service20.00

At the discretion of the ~~finance~~-director, the security deposit may be waived upon the customer establishing one (1) year (twelve (12) consecutive months) good credit or furnishing a letter of good credit from the customer's previous utility provider. The ~~finance~~-director will maintain a written policy that defines good credit.

- (2) When more than one of the above services is requested, the amount of the deposit shall be the total amount of the fees shown for all of the services requested. ~~The finance director may also increase security deposits for residential accounts to minimize the city's risks where appropriate.~~
- (3) The director may also increase security deposits for residential accounts to minimize the city's risks where appropriate. The director shall maintain a written policy that defines credit risk.

(b) A residential landlord requesting services for a rental unit must provide proof of a valid certificate of compliance from the community development department for each property. The landlord shall make a standard security deposit for each rental unit for which the landlord has utility services with the city at the rates noted in section 27-20(a)(1), or may apply to participate in the Landlord Reversion Program (LLRP) as follows:

- (1) Residential landlord participation in the Landlord Reversion Program (LLRP) requires completion of the LLRP application and written acknowledgement of the terms of the agreement as defined by the ~~finance~~-director. The maximum amount of cash security deposits a residential landlord shall be required to make, regardless as to the number of rental units, is one thousand five hundred dollars (\$1,500.00). At the discretion of the ~~finance~~-director, the customer may request the deposit be waived upon the customer establishing three (3) years (thirty-six (36) consecutive months) of good credit and timely payments with the City of Columbia. The ~~finance~~-director will maintain a written policy that defines "good credit."

(c) In order for customers to obtain service to a commercial establishment, a valid business license must be issued for that property address for any use other than single-family residential use, they shall be required to meet one (1) or both of the following provisions:

- (1) Make a deposit based on twice the estimated amount of thirty (30) days' bill for those services requested for new accounts, and be adjusted to twice the actual average as necessary. The ~~finance~~-director may also increase security deposits for commercial accounts to minimize the city's risks where appropriate.

- (2) Furnish equivalent bond or letter of credit.

At the discretion of the ~~finance~~ director, commercial security deposits may be waived upon the commercial customer having established a minimum of three (3) years' continuous timely payments.

(d) Service deposits may be transferred or applied to a new residence or business location if a customer moves. Adjustment shall be made if the amount of deposit is inadequate or excessive.

(e) The department may require an additional security deposit as a condition of continued service if, in an unauthorized manner, the customer interferes with or diverts the service of the utility situated on or about or delivered to the customer's premises. The department may require a signed application for service and additional security deposit from any customer giving false information to access City of Columbia Utility Services.

(f) No additional security deposit shall be required by the department on the basis of the customer's age, sex, race, creed, national origin, marital status, number of dependents, gender identity, source of income, or geographical area of residence.

(g) Upon termination of service, the deposit shall be credited to the final bill and the balance, if any, shall be returned to the customer.

(h) At the discretion of the ~~finance~~ director, the security deposit may be waived upon the customer establishing ~~one (1) year (twelve (12) consecutive months)~~ of good credit or furnishing a letter of good credit from the customer's previous utility provider. The ~~finance~~ director will maintain a written policy that defines good credit. Should the deposit be credited to a customer's account and the customer's services discontinued subsequently due to nonpayment, the customer will be required to make the proper security deposits in addition to other charges and fees as a requisite for resumption of services.

(i) The department shall maintain a record of all deposits received from customers, showing the name of each customer, the location of the premises occupied by the customer at the time the deposit was required and each successive location while the deposit is retained, and the date and amount of deposit.

(j) Each customer posting a security deposit shall, upon request, receive in writing at the time of tender of deposit a receipt ~~receipts~~ as evidence thereof, which, where applicable, contains the following minimum information:

- (1) Name of customer.
- (2) Place of payment.
- (3) Date of payment.

- (4) Amount of payment for fees and deposits.

In addition, each customer shall sign a service agreement which states the terms and conditions governing the retention, payment and return of deposits.

(k) The department shall apply deposit standards uniformly as a condition of utility service to all customers.

Sec. 27-21. Discontinuance of service.

(a) No person, except authorized employees of the city, shall disconnect any meter, connect to any meter, or disturb the service lines of any utility without written authorized permission. In the event the city shall discover evidence of tampering with any electric meter, lead in wire from the meter, any water meter, or lines used for water or sewage distribution, or other such line of the utility having the probable effect of rendering actual meter readings inaccurate, or to receive the service of the utility without proper payments, the city shall have the right to discontinue utility service to the customer and remove its property from the customer's premises. In addition, the ~~water and light~~ director may cause service to be discontinued due to:

- (1) Violation of electric codes as determined by written finding of the community development department director ~~(per recommendation of community development, inspection division);~~
- (2) Violation of health ordinance as determined by written finding of the public health and human services department director ~~(per recommendation of health department);~~
- (3) Fire hazard or danger as determined by written finding of the fire chief ~~Request of fire department due to fires or fire danger;~~
- (4) Other written request ~~Request~~ from the community development director because of unsafe condition of structure or dwelling;

provided, however, that the city may determine to continue service or to reconnect service upon compliance with city codes and/or payment by the customer whose demand, use or bill was affected by such tampering, of the following, or any combination thereof, fees or charges at the city's election as determined by the city:

- (1) The amount of any city revenue loss attributable to such tampering, with such amount loss determined by an estimate made by the ~~water and light~~ director ~~or his/her designee;~~
- (2) Cash deposit as determined by the ~~director of finance or his/her designee;~~ provided, however, that requests for such deposits shall be made only in the

event that the customer does not currently have on file with the city a cash deposit in an appropriate amount; and

- (3) The actual expenses incurred by the city in replacing and/or repairing the meter, service lines or wires, the making of any connection, and any bookkeeping and clerical expenses incurred in the preparation of the required billing.

Prior to any service disconnection for nonpayment, the city shall give five (5) working days' written notice of such intent by mail to the customer at ~~his~~customer's billing address. Such notice shall give a telephone number and address at which such discontinuance may be contested. The ~~finance~~ director is hereby authorized to promulgate rules and regulations to establish an administrative procedure to handle such contests.

(b) The city may discontinue service to a customer for any legitimate business reason including, but not limited to, the following:

- (1) Nonpayment of a delinquent account.
- (2) Failure to post required security deposit.
- (3) Failure to comply with the terms and conditions of a settlement agreement relating to a current or prior utility account.
- (4) Refusal to grant access at reasonable times to equipment installed upon the premises of the customer for the purpose of inspection, meter reading, maintenance or replacement:
 - a. If access is not provided within fifteen (15) days of initial notice, a second notice will be delivered ~~at~~to the customer's address, of intent to discontinue service unless reasonable access is provided within three (3) business days from the date of the second notice.
 - b. Following the expiration of three (3) business days, the account ~~shall~~ may be discontinued and legal proceedings undertaken to recover the city's equipment.
- (5) Failure of an applicant to use applicant's correct name when applying for utility service.

(c) If a customer fails to inform the department of ~~his~~the customer's intent to terminate utility services, or fails to respond to a delinquent notice, services may be discontinued and that customer's service deposits utilized as payment of any delinquent accounts. The ~~finance~~ director shall establish a standard procedure for distribution of deposits to delinquent accounts, which procedure shall be approved by the city manager. Any portion of the service deposits remaining after all amounts owed for any service have

been deducted shall be returned to the customer ~~transferred to the water and light fund.~~ Any person ~~claiming such money, after transfer, may make proof of claim to the council and the transferred amount shall be paid him, without interest, provided such claim has not been barred by limitation under the laws.~~

(d) The city may discontinue service between the hours of 8:00 a.m. and 4:00 p.m. on the date specified on the discontinuance notice, or within a reasonable time thereafter. Service shall not be discontinued on a day when the offices of the department are not available to the public for the purpose of reconnecting discontinued service. Service shall not be discontinued pursuant to nonpayment of a delinquent account within five (5) working days after an account becomes delinquent. Notice of discontinuance must be served five (5) working days prior to discontinuance. Service of notice is complete upon mailing. The department shall maintain an accurate record of the date of mailing.

(e) A notice of discontinuance shall contain the following:

- (1) Name and address of the customer.
- (2) Clear and concise statement of the reason for the proposed discontinuance, and cost of reconnection.
- (3) Date on, or after which service shall be discontinued unless action is taken by the customer.
- (4) Terms under which discontinuance may be avoided by the customer.
- (5) The telephone number, during working hours and after hours, where inquiry/complaint may be made.

(f) Immediately preceding the discontinuance of service, the employee of the city designated to perform such function shall make a reasonable effort to contact and identify himself-such employee to the customer or responsible person then upon the premises stating action taken, reason for action, and phone numbers where inquiries may be made.

(g) Notwithstanding any other provisions of this section, the city shall postpone the discontinuance of utility service to a residential customer for a time not in excess of twenty-one (21) days if the discontinuance will aggravate an existent medical emergency of the customer, a member of his/her-customer's family or other permanent resident of the premises where service is rendered.

(h) Electric service Services to a residence-residences will not be disconnected on any day when the temperature is thirty-two (32) degrees Fahrenheit or less or when the temperature exceeds ninety (90) degrees Fahrenheit; Prior to disconnection, the city employee shall make an effort ~~will be made~~ to determine the health status of the person(s) residing on the premises before proceeding with disconnection.

(i) If the department is advised, prior to the date of discontinuance that any portion of bill is in dispute, the department shall record the date, place and time the complaint was made, and enter into the resolution process with the customer.

(1) The complaint may be initiated in person, by phone, or in writing.

(2) The department, in attempting to resolve the dispute in a mutually satisfactory manner, may employ those methods set forth by the ~~finance~~ director in the customer complaints process.

(j) Failure of the customer to engage in the customer complaints process ~~enter into negotiation~~ with the department to resolve a dispute or enter into a settlement agreement shall constitute a waiver of the customer's right to continuance of service and the city may then proceed to discontinue service as provided.

(k) When a complaint is made, the customer shall make payment of the nondisputed amount; if customer fails to make payment of the nondisputed amount within three (3) working days from the date of registering the complaint, the customer shall waive ~~his~~ the right to continuance of service and discontinuance of service may proceed.

(l) Upon the customer's request, the city shall restore service promptly if the cause for discontinuance of service has been eliminated, applicable restoration charges paid and, if required, satisfactory credit arrangements have been made. At all times every effort shall be made to restore services upon the day restoration is requested, and in any event restoration shall be made no later than the day following the request.

Sec. 27-22. Customer complaint procedure.

(a) The department shall cause to be established procedures which will ensure the prompt, efficient and thorough receipt, investigation and, where possible, resolution of all customer inquiries, service requests and complaints regarding ~~residential~~-utility service and charges.

(b) The department shall establish personnel procedures which, as a minimum, ensure that:

(1) Qualified personnel shall be available and prepared at all times during normal business hours to receive and respond to all customer inquiries, service requests, and complaints. The department shall make reasonable arrangements to ensure that customers unable to communicate in the English language receive assistance.

(2) Qualified personnel shall be available during normal business hours to receive and initiate response to customer contacts regarding any discontinuance of service or emergency condition.

- (3) Qualified personnel responsible for and authorized to enter into such written agreements on behalf of the city shall be available at all times during normal business hours to respond to customer inquiries and complaints.

(c) The city shall prepare, in written form, information summarizing the responsibilities and rights of the city and its customers. Such information shall be displayed, and made available upon request at the department's utilities accounts and billing collection area, and issued to each new customer. The information shall concern, but not be limited to, the following:

- (1) Billing and estimated billing procedures.
- (2) Methods for customer verification of billing accuracy.
- (3) Explanation of operation of fuel adjustment clauses.
- (4) Customer payment requirements and procedures.
- (5) Security deposit requirements.
- (6) Discontinuance and reconnection of services.
- (7) Inquiry, service and complaint procedures.
- (8) Procedure whereby a customer may avoid discontinuance of service during an extended period of absence.

(d) The city shall maintain records on each of its customers, containing the following information:

- (1) The customer's payment performance in relation to due dates.
- (2) The number and general nature of complaints registered.
- (3) The number of settlement agreements that were made by the department and a synopsis of the terms, conditions and standards upon which the agreements were made.
- (4) Actual number of discontinuances of service and number of reconnections.
- (5) Refund of security deposits-Date and amount of security deposit along with the date and amount of any refund.

Sec. 27-23. Settlement agreements.

(a) When the director and a customer arrive at a mutually satisfactory settlement of any disputed amount, or the customer does not dispute liability to the utility but claims inability to pay the outstanding bill in full, the director and the customer may enter into a written settlement agreement. The decision to enter into a settlement shall be at the sole discretion of the ~~city~~ director.

(b) If a customer is in compliance with the terms and conditions of a settlement agreement, service shall not be discontinued for having a delinquent account.

(c) If the customer fails to comply with the terms and conditions of a settlement agreement, service may be discontinued.

(d) If a customer complaint or dispute involves the same question or issue presented in a prior ~~complain~~ complaint or dispute, the director may utilize the facts found in the prior complaint or dispute in resolving the current dispute.

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Sec. 27-36. Definitions.

For the purposes of this article, whenever any of the following words or terms are used herein, they shall have the meanings ascribed to them in this section:

Customer. The corporation, association, or individual legally using water or electricity supplied by the department.

Customer-generator. A consumer of electric energy who purchases electric energy from the city and is the owner of a qualified net metering unit.

Department. The Water and Light Department of the City of Columbia, Missouri. In lieu of a Water and Light Department, the city manager may establish a Utilities Department which shall perform the duties and functions of the Water and Light Department in addition to any other duties and functions assigned.

Director. The director of the water and light department of the city, or ~~his~~ the director's authorized representative. In lieu of a director of water and light, the city manager may appoint a director of utilities who shall perform the duties of the director of water and light, in addition to any other duties assigned by the city manager.

Easement. The land legally designated for the installation and maintenance of water, electric or other utility lines necessary to properly serve the public with utility services.

Lot. A parcel or portion of land in a subdivision, or parcel of land separated from other parcels or portions by description as on a subdivision plat of record, survey map, or by metes and bounds description.

Meter. A device installed at each customer's premises for the purpose of measuring the quantity attributes of the water or electric service ~~electricity used~~.

Net energy metering. The measurement of the amount of electric energy supplied to a customer-generator by the department and the measurement of the electric energy generated by a customer-generator that is delivered to the local distribution system at the same point of interconnection.

Plan. A map of a subdivision showing the location, arrangement and size of lots, streets, easements, and other rights-of-way.

Property. A lot, tract, or other parcel of land.

Property owner. An individual, corporation or association holding legal title or otherwise having legal control of a property.

Qualified net metering unit. An electric generation unit which:

- (a) Is owned by a customer-generator.
- (b) Is a hydrogen fuel cell or is powered by sun, wind or biomass.
- (c) Has an electrical generating system with a capacity of not more than one hundred (100) kilowatts (kW).
- (d) Is located on premises that are owned, operated, leased or otherwise controlled by the customer-generator.
- (e) Is interconnected and operates in parallel and in synchronization with the electric system.
- (f) Is intended primarily to offset part or all of the customer-generator's own electrical energy requirements.

Renewable energy credit, certificate or attribute (REC). A tradable certificate, credit, or attribute that is either certified by an entity approved as an acceptable authority by the Public Service Commission, or as validated through the Public Service Commission's approved REC tracking system, or a generator's attestation. An REC must be validated through an attestation signed by an authorized individual of the company owning the renewable resource and shall contain the name and address of the generator, the type of renewable energy resource technology, and the time and date of the generation. An REC represents that one (1) megawatt-hour of electricity has been generated from renewable

energy sources. An REC includes, but is not limited to, solar renewable energy credits. An REC expires three (3) years from the date the electricity associated with that REC was generated.

Resale service. Electrical service used by the customer for resale to another at a profit or at a cost related to the amount of usage.

Residential dwelling unit. A building or portion thereof with kitchen facilities, designated or used for residential occupancy, including but not limited to, such units when constituting or a part of one-family, two-family, and multiple-family dwellings, boarding and lodging houses, apartment houses and apartment hotels, but not hotels or motels, except where the units are occupied by the same individual or group of individuals for thirty (30) days or more.

Right-of-way. A street or roadway dedicated to the city or to the State of Missouri.

Service area. All of the city limits and any other areas where the department furnishes water and/or electric service.

Standby service. Electrical service which is not used as the primary source of energy for a specific function or purpose but which is used only as a reserve or as a backup to the primary source of energy for the specific function or purpose.

Subdivision. A parcel of land divided into two (2) or more lots or other divisions of land.

Submeter. A meter that is used in series with another meter for the purpose of measuring a quantity of water or electricity a second time.

Supplementary service. Electrical service which is not used as the primary source of energy for a specific function or purpose but which is used as a supplement to the primary source of energy, either routinely or on an emergency basis, for the specific function or purpose.

Value of electric energy. The average cost per kWh of the energy component of applicable kWh rates. This value will be based on purchased energy, including charge for energy, transmission, losses, and any fuel adjustments per kWh and will include fuel costs for energy generated at department facilities. Value of electric energy does not include capacity charges, distribution expenses, or other overhead expenses which may be part of applicable kWh rates.

Water and electric light works. All the physical property of the city including wells, pumping plants, pipe lines, generating plants, substations, transmission lines, distribution lines, buildings, and all other equipment, apparatus and property used for the sole purpose of obtaining, producing, generating, distributing and delivering water and electricity.

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Sec. 27-51. Definitions.

For the purpose of this division, the following words and terms shall have the meanings respectively ascribed:

Customer's water installation. All pipes, valves, stops, plumbing or ~~contrivances~~ other appurtenances owned by the customer and used in connection with, or forming a part of, the customer's installation for using water for any purpose including lines or pipes used for the purpose of connecting such installation to the department's water meter, curb stop, or water main, or other part of the distribution system as the case may be.

Distribution system. That part of the city's water and light works used to distribute water from points of treatment and storage to the customers served; including mains, valves, fittings, service lines, and other appurtenances.

Water main. The main lines or pipes, usually located in the street, and used for supplying water to a number of customers, or an entire area.

Water service line. The pipe, valves, fittings, water meter, meter box, and all other fixtures owned by the department and used to connect the customer's water installation to the water main.

Sec. 27-52. Water service lines—Ownership; application; fees.

(a) Water service lines, including the water main tap, the pipe, fittings, and valves between the main and the customer's installation, the water meter, its appurtenances and the meter box shall be and remain the property of the department, which shall be responsible for their perpetual maintenance.

(b) Application for a water service line shall be simultaneous with application for water service to previously unserved properties and shall be accompanied with the normal service deposit as well as a ~~connection fee~~ system equity charge and only after all requirements for water main extension and payment have been met. It shall be understood that the service will be placed into immediate use, and billing shall be started at the completion of the first full month after the connection.

(c) Water service lines to previously unserved properties or to properties previously served by an inadequate or non-city-owned service line within the water utility service area shall be installed upon application and only after all requirements for water main extension and payment have been met. The required fees for system equity charge ~~connection~~, tap and meter installation, where applicable, shall be paid at the time of application or may be billed during the normal billing cycle in the month subsequent to the date of application, at the city's option. The city may demand payment in cash.

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Sec. 27-57. Cross-connections.

(a) Cross-connections include any actual or potential connection or structural arrangement between a public water system and any other source or system through which it is possible to introduce into any part of the public water system any used water, industrial fluid, gas or substance other than the intended potable water with which the system is supplied ~~physical connection between a potable water supply and any waste pipe, soil pipe, sewer, drain, or any unapproved source or system. Cross-connections include any potable water supply outlet which is submerged or can be submerged in waste water or any other source of contamination and any source or system that is, in the opinion of the director, based on the standards of the Missouri Division of Health, nonpotable, and through which backflow can occur to contaminate the department's system.~~ Cross-connections include bypass arrangements, jumper connections, removable sections, swivel or changeover devices, and other temporary or permanent devices through which or because of which backflow can occur. Cross-connections may be direct or indirect. A cross-connection is direct when the department's water system is physically joined to a system containing unsafe water, sewage, or other waste that could contaminate the safe water system. A cross-connection is indirect when a source of contaminated water may be blown across, sucked, or diverted into the department's system.

(b) Unprotected cross-connections in the customer's water installation are not permitted. If an unprotected cross-connection is discovered, the department, after giving the customer no less than fifteen (15) days' notice of its intention, will discontinue service, unless the condition is corrected or an approved backflow prevention assembly ~~device~~ is installed by and at the expense of the customer. If, in the opinion of the director, a real and serious threat to public health is posed, the department may discontinue service without notice.

(c) Service connections will not be made nor allowed to continue where there is, in the opinion of the director, a strong potential for hazardous cross-connections, unless the customer will install and maintain, at the customer's expense, a backflow prevention assembly ~~device~~ approved by the department.

(d) Those facilities classified as actual or potential Class I backflow hazards (by the Missouri Department of Natural Resources or the director) shall be equipped, at a minimum, with an air gap separation or reduced pressure principle backflow prevention assembly. Those facilities classified as actual or potential Class II backflow hazards shall be equipped, at a minimum, with a double-check valve assembly.

The director, at the director's discretion, may require a device at other facilities dangerous to public health.

(e) Size, location and construction of backflow ~~Backflow prevention assemblies~~ devices shall be in accordance with the regulations, specifications and requirements of the

department and be approved by the director before installation by the customer and shall have been certified by a recognized testing laboratory acceptable to the director. Installation and initial testing shall be approved by the department.

(f) The customer shall install and maintain all backflow prevention assemblies ~~devices~~ in good working order and to make no piping or other arrangements for bypassing the assemblies ~~devices~~. The customer shall permit access to the premises by the certified backflow prevention assembly tester, supplier of water and DNR representatives, at reasonable times and upon presentation of identification, for inspection of the customer water system or testing of backflow prevention assemblies installed in accordance with this ordinance.

(g) Periodic testing and inspection schedules shall be established by the department for all backflow prevention assemblies ~~devices~~. Inspection intervals will not exceed the minimum requirements set out in the Rules of the Missouri Department of Natural Resources. As a courtesy only, the department may send a reminder notice to customers with known backflow prevention assemblies ~~devices~~.

(h) It shall be the responsibility of the customer to have each assembly inspected and tested by a properly certified and listed tester at the time of construction or installation and each year thereafter, no later than thirty (30) days after the anniversary of the original inspection test date. Backflow prevention assembly testers shall be certified through a Department of Natural Resources approved program and be listed with the department.

(i) Testers shall report to the supplier of water and the customer the results of inspections or tests conducted in compliance with applicable state regulations. Reports of tests shall contain the signature of the certified tester, attesting to the compliance or noncompliance of the assembly with established operational requirements. Reports shall be submitted to the department within thirty (30) days after performing the inspection or test.

(j) Testing, inspection, and overhaul of assemblies ~~devices~~ may be performed by department personnel when it is deemed in the interest of the department and other customers. The assembly ~~device~~ owner will be charged not less than the actual cost for the testing and inspection, plus any cost for replacement or repair parts and other materials.

(k) A violation of any part of this section may cause the customer's water supply to be disconnected by the department.

Sec. 27-58. Fire protection.

(a) The department shall not furnish ~~and or~~ install fire hydrants except to replace or relocate existing obsolete units or on new water mains installed by the department. Fire hydrants shall be furnished and installed as prescribed in division 3 in the same manner as other material used for water main extensions and shall be sized, located and constructed

in accordance with the regulations, specifications and requirements of the department and under the inspection and direction of the director.

(b) The department shall be responsible for supplying water at the point of connection and at minimum required~~in adequate~~ pressures and flows for fire protection purposes, everywhere within the city that water mains have been installed by the department or accepted for ownership by the council. The minimum flows for fire protection in single-family residential areas shall be eight hundred (800) gallons per minute for four (4) hours with a minimum system residual pressure of twenty (20) pounds per square inch. The minimum flow for fire protection in all other areas shall be determined by the fire chief₁ or ~~his~~ the fire chief's designee₁ using tactical formulas developed by the National Fire Academy or any other organization with expertise in firefighting techniques. The minimum flow for fire protection based on a tactical formula may be reduced by the fire chief₁ or ~~his~~ the fire chief's designee₁ following a thorough risk evaluation but shall be at least eighty (80) percent of the Insurance Services Office (ISO) needed fire flow. If a risk evaluation for certain property results in a needed fire flow exceeding three thousand five hundred (3,500) gallons per minute, the property owner, as a condition to receiving a building permit, may be required to provide facilities to meet the fire flow requirement or participate in the cost of city water system improvements needed to meet the fire flow standards.

(c) Hydrants may be installed by property owners or other interested parties outside the city limits on water mains distributing city water by approval of the director and in compliance with department specifications and under department inspection. Upon satisfactory inspection of the hydrant or council acceptance of the water main extension complete with hydrants, the fire hydrants shall become and remain the property of the city, in consideration of the perpetual upkeep and maintenance.

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Sec. 27-71. Extension of distribution water mains, generally.

(a) The extension of distribution water mains may be initiated and made in one of the following ways:

- (1) The city council may, by ordinance, declare the necessity for and direct the extension of water mains as a public improvement, as provided for in chapter 22 of this Code.
- (2) Any individual, group of individuals, corporation, association, institution, club or other parties desiring to become customers and to purchase water from the department, may upon approval of proper application and as otherwise herein provided, extend the city's water mains, provided all such extensions shall be wholly within the water service territory~~corporate city limits~~.

(b) All applications for permission to make such extension shall be submitted in writing to the director ~~of the water and light department~~, who shall approve or disapprove

such application. The application shall clearly indicate the desired area to be served by route and approximate length of the extension and that the applicant agrees to the following:

- (1) To construct the entire extension from the end of the existing water main to and across the entire frontage or other dimension of the lot or tract to be served, except as otherwise herein provided. Such extension shall be of pipe size, as determined by the director, which will provide adequate fire protection and service to the area, but in no case shall the pipe size be less than six (6) inches. Should the department require a pipe size larger than that required to provide adequate fire protection and service to the area, then the department shall pay for the difference in cost of such larger size.
- (2) To size, locate and construct the extension in accordance with the regulations, specifications and requirements of the department, and under the inspection and direction of the director.
- (3) Upon completion, and after passing final inspection and tests, to transfer ownership of the complete water main extension to the city in consideration of its perpetual upkeep and maintenance. The department shall not be required to provide service or to perform maintenance on such water main extension until after the transfer of ownership has been completed.
- (4) To assume the cost of the entire extension.
- (5) Applicant property owners requesting permission to extend water mains for the purpose of supplying one inch or smaller water service for a homestead, farmstead or recreational property zoned R-1 or A-1 shall:
 - a. Pay for the extension of the main to ~~his~~ owner's property line; and
 - b. Pay for the extension of the main across the frontage or other abutting dimension of his tract, unless the frontage or other abutting dimension exceeds two hundred (200) feet, in which case the property owner shall bear the costs of extending the main to a point adjacent to where service is required but in no event less than one hundred (100) feet.
- (6) In the event that an applicant property owner does not extend the main across the full lot frontage or above abutting dimension under the provisions of subsection (b)(5) herein, all holders of an interest in the property shall enter into a written agreement in a form approved by the city counselor, prior to such extension, obligating such owners to pay the balance of the cost of extension at such time as such extension is required by residential or commercial development of the tract or at the date future water services are requested for the subject tract.

(c) When the city council by ordinance directs the extension of water mains as a public improvement to be paid for by special tax bills issued to adjoining properties, lots, or tracts served by water mains that do not extend entirely across the frontage or other dimensions of such property, such property shall be assessed the cost of the extension across the remaining footage, at the time of such extension; provided, that if an owner of the property in question has previously paid for extension of a water main to provide water service to such property, the water main footage for which payment was previously made shall be taken into account in determining the amount of the assessment as follows:

Foot frontage of property minus water main footage for which payment was previously made equals footage to be assessed.

The terms and conditions for the sale of water outside the city limits shall be as established and approved by the council.

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Sec. 27-86. Definitions.

For the purpose of this division, the following words and terms shall have the meanings respectively ascribed:

Distribution system. That part of the city's water and light works used to distribute electrical energy from the generating plants or substations to the customers served, including poles, fixtures, wires, cables, conduits, manholes, switches, protective devices, transformers, meters, regulating equipment and other accessories.

Meter base ~~socket~~. A device used for mounting and connecting the electric meter.

Non-standard electric meter. Any electric meter that does not conform to the department's predominate specifications for electric meters will be considered non-standard. Non-standard electric meters shall be electro-mechanical in design and shall not have any radio read equipment installed. All department meters, including non-standard meters, must meet American National Standards Institute C12.1 and C12.20 standards.

Service drop. The overhead wires or cables installed from the department's electric line to the first point of attachment to the customer's building or other structure.

Service entrance. The conduit, wire, fittings and accessories used between the termination of the service drop or underground service and the customer's service equipment.

Service equipment. The main circuit breaker(s) or fused switch(es) and their accessories which constitutes the main control and means of cutoff for the supply to a customer's premises.

Underground service. The underground wire, cable, conduit and other devices installed from the department's electric line or facility to the customer's building or other structure.

Sec. 27-87. Availability of service.

(a) Electric service shall be available at any location within the department's electric service territory ~~city limits~~ as herein provided and provided the department's distribution system is within the area or can be extended to the area as herein provided in section 27-88 of this chapter.

(b) Single-phase service at 120/240 volts up to one hundred (100) kilowatts shall be available to any customer, except that the department may provide grounded wye service at 120/208 volts in areas where such existing secondary voltage is established.

(c) Three-phase service shall be available to any business or commercial establishment or industry whose premises is located within an area zoned by the city for business, commercial or industrial use, and shall be available to customers in other areas who utilize electric motors larger than ten (10) horsepower or customers who, in the opinion of the director, will have a maximum electric demand above one hundred (100) kilowatts. Three-phase service will not be provided to residential trailers, one-family dwellings, two-family dwellings, multiple-family dwellings, apartment buildings or any other buildings located in areas zoned for residential use, except as provided above.

(d) Electric service for space heating may be refused to any customer whose premises is not constructed and insulated in accordance with the latest recommendations and standards of the Electric Heating Association.

Sec. 27-88. Extension of distribution system.

(a) Any person or parties desiring electric service at a location which will require an extension of the distribution system shall make written request to the director for such extension.

(b) All extensions of the distribution system made within the boundaries of residential subdivisions, except major feeders installed along the perimeter of residential subdivisions, shall be made underground.

(c) All extensions of the distribution system not made within the boundaries of residential subdivisions shall be made underground, except when, in the judgment of the director, soil conditions, type of terrain, voltage class or capacity of circuit, or other conditions make underground extensions impractical or unfeasible.

(d) The person or parties desiring an extension of the distribution system shall provide right-of-way within the subdivision as required by the department for such extension.

(e) The cost of an underground extension in the department's electric service territory-city limits shall be shared by the department and the person or parties requesting the extension. The person or parties requesting the extension shall install or pay for the installation of the trenching and conduit system. Materials for the conduit system will be provided by the department. Where joint trenching with other utilities is done, the department will coordinate the work and reimburse the person or parties requesting the extension and doing the work the appropriate share of the joint trench cost sharing. The cost of the trenching will be based on the cost received by the department from its trenching contractor and will be updated annually. The department shall install the remainder of the electric system at its cost.

(f) The cost of overhead extensions in the department's electric service territory-city limits or to serve customers in the department's electric service territory-city limits shall be borne by the department.

(g) For extensions outside the department's electric service territory-city limits, the person or parties requesting such extension shall bear that portion of the costs required, in the judgment of the director, to make the extension economically feasible.

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Sec. 27-90. Same—Point of attachment.

(a) The customer shall provide the department a point on his customer's building or structure for attaching the service drop. Such point of attachment shall meet the department's requirements for strength and clearance and shall permit the attachment of the service drop in compliance with the provisions of the National Electrical Safety Code and all applicable city codes.

(b) The customer shall provide the point of attachment in a location that is accessible, and provides a route for the service drop that is clear and free of obstructions, and shall obtain approval of the location from the department. The department shall not be required to supply service to a customer who fails to obtain such approval or who fails to provide the point of attachment in the approved location as required herein.

Sec. 27-93. Underground service.

(a) Underground services are required in all new residential subdivisions, except that where poles and overhead lines have previously been installed or are required for reasons permitted by this Code, the service may be provided by the use of a service drop.

(b) Underground residential services shall be installed by the department at no cost to the person or parties requesting the service, except that when rock excavation or other extreme conditions create costs in excess of normal installation costs, as established

by the department records, the department may require the person or parties requesting the service to pay that portion of the costs which are in excess of a normal installation.

(c) All underground services, except residential underground services, shall be made in the same manner and under the same terms and conditions as an extension to the distribution system. (See section 27-88.)

(d) Underground services shall terminate in a junction box, meter socket or other enclosure located outside of the building or facility being served. The location of this enclosure shall be as designated and/or approved by the director. It shall be the customer's responsibility to extend ~~his~~ customer's service entrance from this enclosure.

(e) Any residential customer may request the department to extend the underground service beyond the approved and designated termination point. (See subsection (d) of this section.) Upon receipt of such request, the department shall make such extension under the following conditions:

- (1) The installation shall be made in complete compliance with the standards, specifications and construction requirements of the department.
- (2) The junction box, meter socket or other enclosure shall be located on the load end of the underground service and such location shall remain on the outside of the building.
- (3) The service line extension shall be made at the same time that the normal service is installed.
- (4) The customer shall pay the department for the actual cost of the additional service line, as established by the department.

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Sec. 27-100. Temporary electric service.

(a) When requested, the department will furnish and install a temporary electric service. When the following conditions exist, the charge for a single phase, 3 wire, up to one hundred (100) amperes, temporary electric service shall be seventy-five dollars (\$75.00).

- (1) The service will be used for the purpose of constructing a building or other facility which, when completed, will be permanently connected to the department's electric distribution system.
- (2) The permanent facility will utilize a service at the same phase and voltage as the temporary service.

- (3) All poles, wires, cables, transformers or other appurtenances utilized or installed, except the department furnished temporary service equipment, shall be placed in a permanent location and required for providing the permanent service.

At the above locations, the department will furnish and install one temporary electric service consisting of a meter base and meter, two 20 ampere, 120 VAC, grounded, duplex outlets and one 50 ampere, 4 wire, single phase, 240 VAC (208 VAC at some locations) outlet mounted in a weatherproof enclosure, installed on or beside the pole, transformer or secondary box that is to permanently serve the lot or facility. The temporary electric service equipment shall remain the property of the department and will be maintained by the department.

(b) Temporary electric service to any facility that will not be connected permanently to the department's electric distribution system, temporary service of a different phase or voltage other than that will be utilized permanently, temporary service requiring more than 100 amperes, single phase, or temporary service requiring the installation of any poles or wires, or other electrical distribution material or apparatus which will not be utilized permanently, shall be available only if the customer requesting such service assumes all costs incurred by the department in installing and removing such service, including the cost of labor, material not salvaged, engineering, supervision and overhead. The customer shall furnish and install the temporary service pole, or other approved support, for attachment of the service drop. The customer shall furnish and install the meter loop, service entrance, etc., in accordance with sections 27-92 and 27-96. All temporary service equipment and facilities furnished and installed by the customer shall conform to the following minimum requirements:

- (1) Weatherproof construction.
- (2) Minimum capacity of 150 amperes, single phase, 3 wire.
- (3) Neutral conductor and all metal parts grounded.
- (4) Where a service drop does not cross a public street or alley, the pole shall consist of two-inch by six-inch boards securely braced to withstand five hundred (500) pounds of horizontal force-pull at the top in the direction of the service drop.
- (5) Where a service drop crosses a public street or alley, the pole shall consist of a treated pine, or equivalent, pole having a circumference at the top of fifteen (15) inches or more and of sufficient length to provide eighteen (18) feet of clearance above the street or alley surface. The pole shall be placed a minimum of four and one-half (4½) feet into the ground and braced or guyed to withstand one thousand five hundred (1500) pounds of horizontal force-pull at the top in the direction of the service drop.

(c) Temporary electric service equipment, temporary poles, etc., shall be placed on the lot where the permanent structure is to be located and shall be located in an area that is accessible and provides a route for the service drop that is clear and free of obstructions. Temporary services shall not be attached to trees in any manner.

(d) All temporary service provided shall be subject to and in accordance with the City of Columbia Electrical Code. The department may disconnect temporary service at any time for failure to comply with the above, or for safety reasons. The department may, without notification, remove any temporary service that has been off for more than thirty (30) days.

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Sec. 27-104. Motor installations.

(a) Electric motors larger than ten (10) horsepower shall be three-phase, except by special approval of the director.

(b) The starting current for any three-phase motor shall not exceed eight (8) percent of the full load capacity for the department's distribution feeder which serves the motor. The maximum size motor which will be permitted to start across the line without current limiting starters for various feeder voltages, is as follows:

2,400 volt feeder	25 horsepower
13,800 volt feeder	150 horsepower

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Sec. 27-112. Same—Residential service rate.

(a) Application: The residential service rate applies to all customers where service is supplied to a residential dwelling unit. No other service rate shall be available for service to which the residential service rate applies. Each residential dwelling unit must have a separate meter through which the electricity supplied the residential dwelling unit shall be measured for billing by the department. If a portion of the electric service supplied to a dwelling unit is used for nonresidential purposes, the customer can arrange his customer's wiring in such manner that the electric service for residential purposes can be metered separately and this rate schedule is applicable to the portion used for residential purposes. The residential service rate shall not be available for standby, supplementary or resale services.

(b) Type of service: The type of service shall be single-phase, sixty-hertz, 120/240 or 120/208 volts.

(c) Monthly rate charge. The monthly rate per kilowatt hour shall be as follows, subject to fuel adjustments as provided in section 27-118:

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Sec. 27-113. Same—Residential heat pump rate.

(a) Application: Available for residential heat pump service to any customer receiving service at the same location and meeting the standards set forth for this type service.

(b) Type of service: The type of service shall be single-phase, sixty-hertz, 120/240 or 120/208 volts.

(c) Monthly rate charge: The monthly rate charge shall be as follows, subject to fuel adjustments as provided in section 27-118:

Customer charge	\$15.91 monthly
Non-standard electric meter customer charge.....	21.01 per month
First 300 kwh	7.67 cents per kwh
Next 450 kwh	10.0 cents per kwh
All kwh above 750 kwh	9.11 cents per kwh

The monthly rate would apply to permanently installed heat pumps for the non-summer season.

(d) Minimum: The minimum monthly rate charge shall be fifteen dollars and ninety-one cents (\$15.91). The minimum monthly rate charge for customers with a non-standard electric meter shall be twenty-one dollars and one cent (\$21.01).

(e) Special rules: Special rules and regulations specifying the equipment that qualifies for service under this rate, and the conditions of service hereunder are outlined in the department rules entitled "Heat Pump Rules and Regulations."

(f) In lieu of gross receipts tax payments and sales tax: In addition to the charge based on monthly rates as computed above, the total monthly charge for service shall include applicable sales taxes and an in lieu of gross receipts tax payment equal to 7.5268 percent of the monthly rate charge. Sales taxes shall be applied to the total of the monthly rate charge and the in lieu of gross receipts tax payment.

(g) Metering of residential dwelling units: Each residential dwelling unit must have a separate meter through which the electricity supplied the residential dwelling unit shall be measured for billing by the department. Metering of electricity supplying more than one (1) residential dwelling unit through a single meter for billing by the department (master metering) is prohibited.

(h) Net metering credit: Qualified customers under this rate may receive a per kWh discount for the energy supplied by a qualified net metering unit as outlined in section 27-120.1.

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Sec. 27-116. Same—Large general service.

(a) Application: The large general service rate shall apply to all electric service for a premises where the service is supplied at one (1) point of delivery and measured through one (1) meter and for a period of not less than one (1) year. This rate is not available for standby, supplementary, or resale service or for services of less than twenty-five (25) kw demand.

...

(d) Minimum bill: The minimum bill shall be the sum of the following: customer charge, the demand charge, and ~~plus~~ the charge for energy used during the month.

(e) In lieu of gross receipts tax payments and sales tax: In addition to the charge based on monthly rates as computed above, the total monthly charge for service shall include applicable sales taxes and an in lieu of gross receipts tax payment equal to 7.5268 percent of the monthly rate charge. Sales taxes shall be applied to the total of the monthly rate charge and the in lieu of gross receipts tax payment.

(f) Billing demand: Minimum demand charge of twenty-five (25) kw or the ~~The~~ maximum thirty-minute kw demand measured during the billing month but not less than seventy-five (75) percent of the maximum billing demand during the billing months of June, July, August and September of the preceding eleven-month billing period. If there has been a significant change in operation from the previous year, the director may reduce a customer's ratchet amount to fifty (50) percent until a new maximum billing demand is set during the forthcoming June, July, August and September.

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Sec. 27-118. Same—Fuel adjustment allowance.

(a) The monthly rate charge will be average annual cost per kwh above or below three and twenty-five hundredths cents (\$0.0325) per kilowatt hour. In determining the fuel adjustment allowance under the formula set forth above, the energy cost shall be the sum of the following:

- (1) Average cost of fuel in the city's generating plant based on the net kilowatt hour generated in the city's plant;
- (2) Cost of purchased energy based on the net kilowatt hour purchased;

- (3) The monthly capacity costs (including the demand cost of purchased power) less the amount billed under special contract rates.

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Sec. 27-120. Same—Small power producer/cogenerator rate.

(a) Available to: The small power producer/cogenerator rate schedule is available to any customer who owns and can operate generating equipment of one hundred (100) kw or less in parallel with the department ~~Columbia Water and Light Department~~, and having electrical power supply with the city.

(b) Applicable to: The small power producer/cogenerator rate is applicable to a residential or general service customer who contracts for service supplied at one (1) point of delivery. Applicable to single- and three-phase customers.

(c) Rate payment: In order to qualify for payment of capacity ~~charge~~ to the cogenerator or small power producer facility by the department ~~Columbia Water and Light Department~~, the qualified facility must be on line generating whenever the water and light loads are exceeding ninety (90) percent of the system's peak. Payment to the cogenerator or small power producer will be made monthly based on the following rate schedule:

- (1) Capacity ~~charge~~: Four dollars and sixty cents (\$4.60) per kW, with a total annual payment of fifty-five dollars and twenty cents (\$55.20) per kW.

- (2) Energy: Two and one-half cents (\$0.025) per kWh.

(d) Energy adjustments: The energy value ~~charge~~ will be adjusted quarterly to reflect changes in the average avoided cost.

(e) Interconnection: The customer will normally be required to furnish his customer's own transforming, protective, and other necessary equipment which must comply with specifications of the department ~~Columbia Water and Light Department~~.

(f) Supplementary service: Service will be available for supplementary power. The rate that will apply is the standard retail rate for the particular class of customer.

(g) Power factor: A qualifying facility will be required to maintain a power factor of not less than eighty-five (85) percent lagging. If the power factor is less than eighty-five (85) percent and the qualifying facility does not expeditiously take corrective action, the department can, at its option, discontinue service or can install necessary corrective equipment on its lines to improve the power factor to at least eighty-five (85) percent and will charge the qualifying facility for the total installation cost.

(h) Contract period: The contract period shall be automatically renewable annually, with notice to be given one (1) year in advance by either party.

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Sec. 27-121.2. Transmission service rate.

(a) Availability. Customers that anticipate usage that will exceed ten (10) megawatts of hourly load and that provide the infrastructure necessary to take service at either sixty-nine (69) kV or one hundred sixty-one (161) kV will be placed on the transmission service rate set forth in this section and will be subject to a contract governing delivery of the requested power that is negotiated by the water and light director with final approval by the city council.

(b) Application. The transmission service rate shall apply to all electric service for a premises where the service is supplied at one (1) point of delivery and measured through one (1) meter.

(c) Monthly rate charge. The monthly rate per kilowatt hour shall be equal to the actual cost of such energy to the city, based on the following:

- (1) Five (5) megawatt blocks of power purchased twenty-four (24) hours a day, seven (7) days a week for a minimum period agreed to by the customer and city.
- (2) Best market energy price as may be available, plus any actual monthly market capacity price that is imposed by any third party energy provider offering energy for sale to the city and customer, plus (or minus) other actual market charges that may apply to transactions in the energy and operating reserve market of the ~~Midwest~~ Midcontinent Independent System Operator (MISO).
- (3) Customer must pay for the full amount of all energy requested by customer even if not used, however, every effort will be made by the electric utility to sell excess energy back to the market and provide a credit to the customer.

(d) In lieu of gross receipts tax payments and sales tax. In addition to the charge based on monthly rates, the total monthly charge for service shall include applicable sales taxes and an in lieu of gross receipts tax payment equal to 7.5268 percent of the monthly rate charge. Sales taxes shall be applied to the total of the monthly rate charge and the in lieu of gross receipts tax payment.

...

Sec. 27-137. Installation.

No person shall install equipment for an air conditioning system or a refrigeration system which requires a connection to, or which will use water from the water system of the ~~water and light~~ department of the city, unless such equipment includes water conservation equipment such as cooling towers, evaporative condensers or other water cooling equipment which will allow reuse of all water with only the normal evaporative losses.

...

Sec. 27-147. Installation generally.

(a) Street lighting shall be installed on all public streets and alleys within the city limits, except as herein provided.

(b) Normally, such lighting shall be installed at the time streets are improved and the adjoining areas are developed.

(c) Unimproved streets shall be lighted if they are open to public travel and if they are being used sufficiently, by vehicles or pedestrians, as provided herein, to warrant such lighting.

(d) Streets that are dedicated to the public, but not open to public travel, shall not be lighted until such time as they are opened to the public and meet all other requirements set forth herein.

(e) Lighting will not be required on streets that are open to public use but which are located in undeveloped areas where the volume of use is less than twelve (12) vehicles or pedestrians during the night hour of maximum travel.

(f) Lighting on all state controlled highways or roadways within the city limits, including interchanges, ramps, outer-roadways or any other traveled way within the limits of state highway right-of-way, shall be in accordance with the policy of, and as permitted by the state highway commission.

(g) The director of public works, in cooperation with the director ~~of the water and light department~~, shall determine the need for new or additional lighting on all public streets and alleys. This determination shall consider the number of vehicles and pedestrians using the street during the night hours as herein provided. Priorities, when necessary, shall be given to those streets having the highest volume of use.

Sec. 27-148. Design—Generally.

(a) The type, location, size and general design of all street lights and street light circuits shall be as herein provided and as determined by the director ~~of the water and light department~~.

(b) Street lights may be mounted on wood, metal or concrete poles, or supports of other material specifically designed for such use and street light circuits may be placed overhead or underground.

(c) When existing power or telephone poles are in place along a street, such poles shall be utilized for street lighting as much as possible in order to keep the total number of obstructions along the street to a minimum.

(d) New street lights shall be of the high pressure sodium or other high-intensity type, generally attractive and modern in appearance, and shall be equipped with a glass or plastic refractor designed to control the light and reduce glare. A full cutoff refractor shall be used on mast-arm mounted luminaires in residential areas.

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Sec. 27-164. Energy efficiency reimbursement.

(a) The city hereby establishes the reimbursement programs listed in this section, subject to the availability of funds for such purposes, for qualified electric customers of the water and light utility.

(b) The following programs are established to encourage the purchase of approved equipment and approved installations:

- (1) New Home with Energy Star.
- (2) Residential Energy Efficiency.
- (3) Renewable Energy Projects.
- (4) Commercial Energy Efficiency.

(c) In order to be eligible for reimbursement, the customer must follow all program guidelines. Projects must be approved by the ~~water and light~~ department before the reimbursement will be awarded.

(d) Reimbursements will not be made in excess of documented expenses.

(e) For purposes of providing electric customer reimbursements, the ~~water and light~~ department shall establish policy and criteria for each program with regard to proper proof of purchase and installation of equipment to insure the integrity of each project. Each proposed project shall be reviewed by the ~~water and light~~ department to insure that it provides the intended benefits of the program.

(f) Reimbursements exceeding the maximum amount normally allowed under program policies will be conditional on a financial assessment by the ~~water and light~~ department and must be pre-approved by the ~~water and light~~ director. Such

reimbursements shall be reported to the water and light advisory board. Policies and procedures are subject to change.

Sec. 27-165. Energy efficiency grants.

(a) The city hereby establishes the grant programs listed in this section, subject to the availability of funds for such purposes, for qualified electric customers of the city water and light utility.

(b) The following programs are established to encourage the purchase of approved equipment and approved installations:

- (1) Tree Power.
- (2) Air Conditioner Tune-up.
- (3) Window Air Conditioner Exchange.
- (4) Compressed Air Leak Detection Program.
- (5) Infrared Thermography ~~Thermology~~.

(c) For purposes of providing electric customer grants, the ~~water and light~~ department shall establish policy and criteria for each program. Each proposed project shall be reviewed by the ~~water and light~~ department to insure that it provides the intended benefits of the program.

Sec. 27-166. Energy efficiency performance based incentives.

(a) The city hereby establishes the performance based incentives programs listed in this section, subject to the availability of funds for such purposes, for qualified electric customers of the city water and light utility. These incentives are quantified and measured with monitoring equipment.

(b) The following programs are established to encourage the purchase of approved equipment and approved installations:

- (1) Residential Performance Based Programs.
- (2) Commercial Performance Based Programs.

(c) For purposes of providing electric customer reimbursements, the ~~water and light~~ department shall establish policy and criteria for each program with regard to proper proof of purchase and installation of equipment to insure the integrity of each project. Each proposed project shall be reviewed by the ~~water and light~~ department to insure that it provides the intended benefits of the program.

(d) Reimbursements exceeding the maximum amount normally allowed under program policies will be conditional on a financial assessment by the ~~water and light~~ department and must be pre-approved by the ~~water and light~~ director. Such

reimbursements shall be reported to the water and light advisory board. Policies and procedures are subject to change.

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Sec. 27-168. Loan committee.

(a) The city manager is hereby authorized to appoint representatives of any applicable department ~~the water and light and finance departments~~ to administer the program. All loans shall be made based upon the following principles:

- (1) The program shall be conducted at all times based upon sound business principles and shall in no way be deemed a welfare or social service program of the city. No loan shall be made without having first ascertained the credit worthiness of the loan applicant and without having obtained adequate security for any loan.
- (2) After having established the credit worthiness of the applicant, the committee shall make its loans in such a manner to reduce, by the greatest amount possible, the consumption of electric energy within the city. This goal shall be attained by consideration of:
 - a. The total energy consumption of the applicant; and
 - b. The results of an energy audit made to determine the potential impact of a loan under the program, along with the ability of that loan to reduce the electric consumption of the applicant.

(b) No applicant shall be refused a loan because of sex, race, religion, place of national origin, marital status, age, sexual orientation, handicap, political affiliation or ancestry.

(c) ~~The director of water and light~~ is hereby authorized to develop application forms for use in the program.

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Sec. 27-200. Definitions.

For the purposes of this article, whenever any of the following words or terms are used herein, they shall have the meanings ascribed to them in this section:

Customer. The corporation, association or individual receiving rail service supplied by the department.

Department. The ~~Water and Light Utilities~~ Department of the City of Columbia, Missouri.

Director. The director of the ~~water and light utilities~~ department of the city, or ~~his~~ the director's authorized representative.

Lot. A parcel or portion of land in a subdivision, or parcel of land separated from other parcels or portions by description as on a subdivision plat of record, survey map, or by metes and bounds description.

...

Sec. 27-204. Administration.

The Columbia Terminal shall be administered as a separate division of the Columbia ~~Water and Light Utilities~~ Department. All engineering review, administrative services, liaison between the Columbia Terminal, shippers and connecting Class I railroads, and all marketing promotions for the Columbia Terminal shall be provided by the ~~water and light utilities~~ department.

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SECTION 2. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2017.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor