

**VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2022-28**

REPEALING SECTION 1042.02 "SPECIAL PROVISIONS RELATED TO ELECTRIC SERVICE" OF THE CODIFIED ORDINANCES OF THE VILLAGE OF YELLOW SPRINGS, OHIO AND ENACTING NEW SECTION 1042.02 "SPECIAL PROVISIONS RELATED TO ELECTRIC SERVICE" AND DECLARING AN EMERGENCY

Whereas, Section 1042.02 of the Codified Ordinances of the Village of Yellow Springs, Ohio provides for special provisions related to electric service charges in the Village; and

Whereas, Village Council has determined that it would be in the best interest of the Village to adopt a new Section 1042.02 of the Codified Ordinances of the Village of Yellow Springs, Ohio in order to update and improve the Code; and;

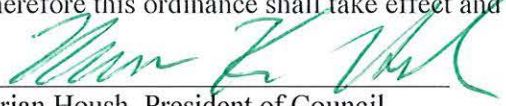
Whereas, immediate action is necessary to protect health, safety and welfare as due to inflation and supply chain problems, the fee the Village charges for installation of electric meters no longer covers the costs of the materials or labor, and enterprise utility funds cannot operate at a loss;

NOW, THEREFORE, COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO HEREBY ORDAINS THAT:

Section 1. Existing Section 1042.02 "Special Provisions Related to Electric Service" of the Codified Ordinances of the Village of Yellow Springs, Ohio is hereby repealed.

Section 2. A new Section 1042.02 "Special Provisions Related to Electric Service" of the Codified Ordinances of the Village of Yellow Springs, Ohio be enacted to read as set forth in Exhibit A, which is attached hereto and incorporated herein by reference, with new language underlined and **bolded** and deleted language in ~~strikethrough~~.

Section 3. Council finds an emergency exists with respect to the recovery of costs for an enterprise fund, therefore this ordinance shall take effect and be in full force at the earliest date permitted by law.



Brian Housh, President of Council

Passed: 6-21-2022

Attest: 

Judy Kinney, Clerk of Council

ROLL CALL

Brian Housh __Y__

Kevin Stokes __Y__

Marianne MacQueen __Y__

Carmen Brown __Y__

Gavin DeVore Leonard __Y__

EXHIBIT A

1042.02 SPECIAL PROVISIONS RELATED TO ELECTRIC SERVICE.

(a) Definitions.

(1) "Customer." The person or entity responsible for payment of all costs associated with providing electric service to a premises.

(2) "Electric distribution system." Facilities maintained and operated by the Village to distribute electricity to a customer's premises.

(3) "Facilities." All equipment and related appurtenances owned by the Village necessary to provide electricity to a premises.

(4) "Meter." The Village-approved device or apparatus, including associated remote registers, used to measure all power and associated energy being provided to a customer's premises.

(5) "Premises." The physical property to be provided electric service including but not limited to each of the following:

A. A single structure on a single parcel of land designed or used for single- family occupancy as a residence.

B. A single structure on a single parcel of land designed or used for single- family occupancy both as a residence and for professional or business purposes, when the business or profession is conducted by the resident. When not so conducted, the portion occupied by the resident constitutes one premises and each separate portion occupied by other persons for professional or business purposes constitutes a separate premises.

C. A single structure on a single parcel of land designed or used by customer for professional or business purposes.

D. A combination of adjacent structures on one or more adjacent parcels whether under common ownership or not when under the control of the customer.

E. A combination of adjacent structures designed or used by customer for professional or business purposes.

F. Each combination of rooms within a structure designed or used for single- family occupancy as a residence, within a multiple-unit building.

G. Each room or combination of rooms within a structure designed or used by customer for professional or business purposes within a house or within a multiple-unit building.

H. Each parcel of land where no structure exists for which electric service may be requested.

(6) "Property owner." Owner of the premises as evidenced by the County Records.

(7) "Service connection." The connection of the Village's Electric Distribution Circuit with the customer's service line on or near the premises, which connection enables the customer to receive electric service.

(8) "Structures." Buildings, sheds, garages and other man made objects located on the premises.

(b) Electric Service to Premises. When electric service is from an overhead system, the customer's wiring must extend at least 15 inches beyond the building. Where a customer installs electric service entrant facilities which have capacity and layout

specified by the Village, and/or install and use certain utilization equipment specified by the Village, the Village may provide or offer to own facilities on the customer's side of the point where electric service wires attach to the building. When a customer desires that energy be delivered at a point or in a manner other than that designated by the Village, the customer shall pay the additional cost of same. Where electric service is supplied from an underground distribution system which has been installed at the Village's expense within the limits of a Village street or right-of-way, the customer shall arrange for, at customer's expense, the installation of cable and duct from the property line to the terminus or cable outside the structure. At the customer's request, the Village may provide, at customer's expense, all necessary duct and cable for individual underground installations.

(c) Underground Service. All new development requires underground distribution systems. The real estate developer or the customer shall bear the costs for such underground systems.

(d) Interior Wiring. The customer shall install and maintain, at the customer's expense, interior wiring from the outlet of the meter box. The Village shall have no obligation to install, maintain, or repair said wiring. All inside wiring must be grounded in accordance with the requirements of the National Electrical Code, or the requirements of any local inspection service authorized by Village.

(e) Extension of Electric Distribution Lines. The Village will extend its distribution lines on any dedicated right-of-way without cost up to but not more than, a distance of twenty-five feet for each applicant. Upon application for an electric service extension of line in excess of twenty-five feet for each applicant, the Village may enter into a line extension agreement providing for a deposit with the Village of a sum deemed adequate by the Village to cover the cost to be incurred by it for that portion of the extension in excess of the footages which the Village will construct without cost to the applicant. The amount of deposit shall be determined by multiplying the excess footage as herein above determined by the average cost per foot to the Village of a similar size electric distribution line installed during the preceding calendar year. Where a line extension is necessary to provide service availability to commercial, institutional, residential real estate plots or real estate subdivisions, the owners or developers of such plots of lots or real estate subdivisions shall enter into a line extension agreement and deposit with the Village the estimated cost of that main extension.

~~—For each new connection to the Village's electrical system, a one-time charge to cover capital improvements in place and planned shall be collected from the owner(s) and/or developers of said properties. The costs for each connection shall be based established periodically by Council based on prior necessary improvements and future anticipated needs as outlined in the Village's Capital Improvement Plan directly related to the development.~~

(f) Connection Costs. For each new connection to the Village's electrical system, each property owner or developer shall pay a one-time capital charge to cover capital improvements in place and planned directly related to the development as well as the costs of meter installation. Such non-meter capital costs shall be based on prior necessary improvements and future anticipated needs as outlined in the Village's Capital Improvement Plan, updated annually through the Village budget and appropriations as approved by Council. This fee

does not apply to replacement or relocation of existing electric meters. For each connection to the Electrical system of the Village, fees shall be paid in accordance with the following schedule:

(1) Connection Rates

<u>Residential</u>	<u>Price</u>
<u>Service Charge</u>	<u>\$250 (Labor) plus Permit Fees</u>
<u>Service Upgrade</u>	<u>\$500 (meter cost) plus Aid to Construction plus Permit Fees</u>
<u>Solar Service</u>	<u>(\$650 (Solar Meter cost plus labor) plus permit fees</u>
<u>Commercial</u>	<u>Price</u>
<u>Meters</u>	<u>At Cost plus 25% for labor and administration</u>
<u>Electric Service</u>	<u>Aid to Construction plus Material cost plus 25% for labor and administration</u>