

City of Cheney
609 Second Street
Cheney, Washington 99004

**CITY OF CHENEY, WASHINGTON
ORDINANCE NO. Y-4**

**AN ORDINANCE AMENDING PORTIONS OF CHAPTER 14.20 AND
14.30 OF THE CHENEY MUNICIPAL CODE THAT RELATES TO NET
METERING AND PROVIDING FOR OTHER MATTERS RELATED
THERE TO**

WHEREAS, RCW Chapter 80.60 entitled "Net Metering of Electricity" was adopted through City Ordinance No.V-88; and

WHEREAS, in order to reflect changes in RCW Chapter 80.60 the City desires to make amendments to Chapters 14.20 and 14.30, as set forth below.

NOW, THEREFORE, the City Council of the City of Cheney does ordain as follows.

Section 1. Section 14.20.020 of the Cheney Municipal Code is revised as follows:

14.20.020 - Definitions.

The definitions in this section apply throughout the chapter unless the context clearly indicates otherwise.

Customer-generator means a user of a net metering system.

Net metering means measuring the difference between the electricity supplied by an electric utility and the electricity generated by a customer-generator that is fed back to the electric utility over the applicable billing period.

"Net metering system" means a fuel cell, a facility that produces electricity and used and useful thermal energy from a common fuel source, or a facility for the production of electrical energy that generates renewable energy, and that:

- (1) Uses as its fuel either solar, wind, biogas or hydropower;
- (2) Has a generating capacity of not more than 100 kilowatts;

- (3) Is located on the customer-generator's premises;
- (4) Operates in parallel with light department's transmission and distribution facilities; and
- (5) Is intended primarily to offset part or all of the customer-generator's requirements for electricity.

"Meter aggregation" means the administrative combination of readings from and billing for all meters, regardless of the rate class, on premises owned or leased by a customer-generator located within the service territory of a single electric utility.

Section 2. Section 14.20.030 of the Cheney Municipal Code is revised as follows:

14.20.030 - Net metering required.

The city shall offer to make net metering available to eligible customer-generators on a first come, first served basis until the cumulative generating capacity of net metering systems equals ~~135~~ 1080 kilowatts, which represents ~~one-half of one~~ four percent of the light department's peak demand during 1996.

- (C) Excess kilowatt-hours credits earned by the net metering system, during the same billing period, shall be credited equally by the electric utility to remaining meters located on all premises of a customer-generator at the designated rate of each meter.
 - (D) Meters so aggregated shall not change rate classes due to meter aggregation under this section.
- (5) At the beginning of each calendar year, any remaining unused kilowatt-hour credit accumulated during the previous year shall be granted to the Light Department, without any compensation to the customer-generator.

Section 4. Severability. If any section, sentence, clause, or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance.

Section 5. Effective Date. This ordinance shall be effective no later than thirty days after passage, approval and publication.

Introduced this ____ day of _____, 2021.

Passed by the City Council this ____ day of _____, 2021.

Approved by the Mayor this ____ day of _____, 2021.

Chris Grover, Mayor

ATTEST:

Cynthia L. Niemeier, City Clerk

APPROVED AS TO FORM:

City Attorney