

CITY OF CHENEY

ORDINANCE NO. W-43

AN ORDINANCE AMENDING CHAPTER 14.08 OF THE CHENEY MUNICIPAL CODE ENTITLED "SERVICE" FOR THE PURPOSE OF ESTABLISHING CHARGES, FEES AND OTHER CONDITIONS OF ELECTRIC UTILITY SERVICE THROUGH RESOLUTION OF THE CITY COUNCIL, AND PROVIDING FOR OTHER MATTERS RELATED THERETO

WHEREAS, Chapter 14.08 of the Cheney Municipal Code sets forth the rates and regulations relating to the delivery and use of electricity to include the establishment of rates, charges and fees for such service;

WHEREAS, it is reasonable and necessary to amend the above ordinance in order to provide for the establishment of charges and fees through resolution of the City Council as a uniform and convenient method of establishing and modifying rates for electric service;

WHEREAS, the City Council finds it is in the best interest of the utility and its customers to provide for the matters set forth herein.

NOW, THEREFORE, the City of Cheney City Council do ordain as follows:

1. **Section 1.** **Amendment.** Section 14.08.010 entitled "Purpose" is hereby amended as follows:

**14.08.010 Purpose.**

This chapter ~~announces~~ establishes the policy of the city for: additions to the electrical power facilities of the city; ~~establishes the charges and allowances for premises not furnished electrical power supply at the effective date of the ordinance codified in this chapter, and establishes charges and allowances for certain changes in the method of delivery of electrical energy~~ electric service; and other matters related to the delivery and acceptance of electrical energy.

2. **Section 2.** **Amendment.** Section 14.08.020 entitled "Policy statement" is hereby amended in title and substance as follows:

**14.08.020 ~~Policy statement~~ Conditions of service.**

~~It is the policy of the city, that, s~~Subject to the supply of electrical energy available to the city as ~~determined by the city's agreements with the~~ through Bonneville Power Administration and ~~its~~ other electrical power suppliers, the city will furnish electrical energy to ~~those prospective power~~

~~consumers~~ customers within the city's service area as ~~may~~ make application therefor and shall comply in compliance with all the terms of this chapter.

3. **Section 3.** **Amendment.** Section 14.08.030 entitled "Determination that electrical power is available" is hereby amended as follows:

**14.08.030 Determination that electrical power is available.**

~~Upon receipt of an application to purchase electrical energy and/or application that extend the city's electrical distribution system be extended to an area within the city's service area not then served by the city, then the director shall determine whether or not electrical energy is available to the applicant-city to furnish the electrical energy applied for, taking into account the then existing obligations of the city to furnish electrical energy, the energy available to the city from its electrical energy suppliers and the electrical energy requirements reasonably expected to be required to supply the applicant or the area included in such application. Should the director determine that adequate electrical energy is not available as required in to the city to furnish the electrical power supply contemplated by the application, then he shall reject such the director may reject the application and furnish the applicant provided the reasons for such rejection are stated in writing. Should the director determine that adequate electrical energy is available to the city to furnish the electrical power supply contemplated by the application, then he shall grant such application, subject to the charges and allowances set out in this chapter.~~

4. **Section 4.** **Amendment.** Section 14.08.040 entitled "Rates for new extensions and installations - Aboveground services" is amended as follows:

**14.08.040 Rates for new extensions and installations—Aboveground services.**

~~The following charges are applicable when an applicant requests aboveground service which requires an extension of new or alteration of existing primary or secondary electrical service from the city's power lines, either residential or commercial:~~

~~The charges to the customer for the extension of new primary or secondary service or alteration of existing aboveground primary or secondary electrical service from city electrical lines, including poles, transformers, conductors and other equipment necessary for the a line extension, service or service change to the lines or services facilities to the point of interconnection with the customer's equipment, shall be at the full cost of labor, equipment and materials thereof, with a minimum charge of \$100.00 as established by resolution of the City Council.~~

5. **Section 5. Amendment.** Section 14.08.050 entitled "Rates for new extensions and installations - Underground services" is hereby amended as follows:

**14.08.050 Rates for new extensions and installations—Underground services.**

~~The following charges are applicable when an applicant requests underground service which requires extension of new or alteration of existing underground primary or secondary electrical service from the city's power lines, either residential or commercial:~~

The charges to the customer for the extension of new primary or secondary service or alteration of existing underground primary or secondary electrical service from city electrical lines, including underground conduit, vaults, transformers, conductors and other equipment necessary for the line extension; service or electrical service change to the lines or services facilities to the point of interconnection with the customer's equipment, shall be at the full cost of labor, equipment and materials thereof, with a minimum charge of \$100.00 as established by resolution of the City Council.

6. **Section 6. Amendment.** Section 14.08.060 entitled "cancellation or change of service request" is hereby amended as follows:

**14.08.060 Cancellation or change of service request.**

When a customer requests to cancel or change the service date for a previously submitted service request, either for a connect or a disconnect, the customer shall be charged a cancellation/change fee of \$10.00 as established by resolution of City Council.

7. **Section 7. Amendment.** Section 14.08.070 entitled "Address correction fee" is hereby amended as follows:

**14.08.070 Address correction fee.**

When a customer submits a service request for the wrong service address, the customer may be charged an address correction fee of \$25.00 as established by resolution of the City Council.


8. **Section 8. Severability.** If any section, sentence, clause or phrase of this ordinance shall 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.

9. **Section 9. Effective Date.** This ordinance shall become effective thirty (30) days after its passage, approval, and publication.

Introduced this 22<sup>nd</sup> day of July, 2014.

Passed by the City Council this 26<sup>th</sup> day of August, 2014.

Approved by the Mayor this 26<sup>th</sup> day of August, 2014.

  
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Tom Trulove, Mayor

ATTEST:

  
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Cynthia L. Niemeier, City Clerk

APPROVED AS TO FORM:

  
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Stanley M. Schwartz, City Attorney