CITY OF ST. CHARLES

ORDINANCE NO. 1992-M-71

AN ORDINANCE AMENDING TITLE 13,
"PUBLIC UTILITIES,"
CHAPTER 13.08, "ELECTRICITY"

ADOPTED BY THE

CITY COUNCIL

OF THE

CITY OF ST. CHARLES

THIS 21ST DAY OF DECEMBER, 1992

PUBLISHED IN PAMPHLET FORM BY
AUTHORITY OF THE CITY COUNCIL
OF THE CITY OF ST. CHARLES,
KANE AND DU PAGE COUNTIES,
ILLINOIS, THIS 28TH DAY OF
DECEMBER, 1992

Jane M. Conner

CITY CLERK

(S E A L)

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NEWSPAPER

REFER TO:
MINUTES 12-21-92
PAGE

ORDINANCE NO. 1992-M-71

AN ORDINANCE AMENDING TITLE 13, "PUBLIC UTILITIES"
CHAPTER 13.08, "ELECTRICITY"

WHEREAS, the City Council has authority regarding a municipal electric utility pursuant to a continuum of State of Illinois Constitutional and Statutory Authority including the common law and statutes prior to 1913, and the provisions of Chapter 24, Paragraph 11-117-1 through 11-117-14 and 11-119-1 through 11-119-5 of the Illinois Revised Statutes (1991 ed.) as amended; and

WHEREAS, in 1892 the City of St. Charles started a municipal electric utility and paid the costs thereof; and

WHEREAS, pursuant to Chapter 24, Paragraph 11-117-1, et.seq. of the Ill. Rev. Stat. (1991 ed.) the City may fix the rates and charges for the product sold and the services rendered by the municipal electric utility and make all needful rules and regulations in relation thereto; and

WHEREAS, pursuant to Section 11-117-12 the charges fixed for the products applied or service rendered shall be sufficient at least to bear all cost of maintenance and operation to meet interest charges on the bonds and certificates issued on account thereof and to permit the accumulation of a surplus or sinking fund to meet all unpaid bonds or certificates at maturity, and to establish a service charge for the late payment of rates charged; and

WHEREAS, St. Charles Municipal Electric Utility has established

a need for a SERVICE ORIGINATION CONNECTION CHARGE and a SERVICE ENROLLMENT CONNECTION charge, all as hereinafter described; and

WHEREAS, St. Charles Municipal Electric Utility has established that in the absence of the imposition of a SERVICE ORIGINATION CONNECTION CHARGE and a SERVICE ENROLLMENT CONNECTION charge, the ratepayers, in proportion to their energy purchases, must not only bear all of the costs of operation and maintenance of the Electric Utility; but, they must additionally bear the costs of providing CUSTOMER ELECTICAL DISTRIBUTION SYSTEMS for new customers and increasing the capacity of existing installations.

WHEREAS, the City Council finds that the procedure for calculating the SERVICE ORIGINATION CONNECTION CHARGE is appropriate and reasonable; and

WHEREAS, the City Council finds that the SERVICE ORIGINATION CONNECTION CHARGE for a CUSTOMER ELECTRICAL DISTRIBUTION SYSTEM which has previously been installed at the expense of the St. Charles Municipal Electric Utility is appropriate and reasonable; and

WHEREAS, the City Council finds that the procedure for calculating the SERVICE ENROLLMENT CONNECTION CHARGE is appropriate and reasonable.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DU PAGE COUNTIES, ILLINOIS, AS FOLLOWS:

1. That Title 13, "Public Utilities", Chapter 13.08,

"Electricity", Sections 13.08.015, 13.08.135, 13.08.150, 13.08.160, and 13.08.165 of the St. Charles Municipal code, be and are hereby amended by deleting the same and substituting and adding the following therefore:

"Section 13.08.015 DEFINITIONS

A. CITY OF ST. CHARLES MUNICIPAL ELECTRICAL UTILITY (SCMEU)

The CITY OF ST. CHARLES MUNICIPAL ELECTRIC UTILITY (SCMEU) is an "Illinois Municipal Utility " which, since 1892 to the present time, has been owned and operated by the City of St. Charles, Illinois pursuant to a continuum of State of Illinois Constitutional and Statutory Authority. (e.g., Common Law, Statutes prior to 1913; "Municipal Ownership Act" of 1913; Illinois Revised Statutes (1991 ed.) as amended, including but not limited to Chapter 24 § 11-117-1 through § 11-117-14; § 11-119-1 through § 11-119-5)

B. CUSTOMER

Any person, partnership, corporation or other legal entity that has a contractual or other arrangement with SCMEU whereby SCMEU provides service to CUSTOMER PREMISES.

C. CUSTOMER PREMISES (CP)

Any land, space or area e.g., single family residence, apartment, condominium, store, office, factory, etc., which is to be occupied by a CUSTOMER and which is served by one or more separate CUSTOMER ELECTRICAL DISTRIBUTION SYSTEMS.

D. CUSTOMER ELECTRICAL INSTALLATION (CEI)

Electric service apparatus, electric wiring, lighting, apparatus, and equipment of all sorts which are located on Customer premises for the utilization of electric energy distributed by SCMEU.

E. SECONDARY VOLTAGE POINT OF CONNECTION (SVPC)

An input point of connection of a secondary voltage power source to a CUSTOMER ELECTRICAL INSTALLATION (CEI).

F. MUNICIPAL UTILITY ELECTRICAL SYSTEM (MUES)

Land and land rights; structures and improvements; station equipment; poles,

towers, and fixtures; overhead conductors and fixtures; underground conduits; underground conductors and devices; transformers; system protection; and cables, conductors, conduits, poles and apparatus of every sort by which electric energy is transmitted to CUSTOMER ELECTRICAL INSTALLATIONS.

G. CUSTOMER ELECTRICAL DISTRIBUTION SYSTEM (CEDS)

That portion of the "MUNICIPAL UTILITY ELECTRICAL SYSTEM" apportioned to serve a "CUSTOMER ELECTRICAL INSTALLATION".

H. PRIMARY VOLTAGE POINT OF CONNECTION (PVPC)

An input point of connection of a primary voltage power source to a CUSTOMER ELECTRICAL DISTRIBUTION SYSTEM.

I. CUSTOMER CONNECTION (CC)

That portion of the MUNICIPAL UTILITY ELECTRICAL SYSTEM (MUES) connecting a CUSTOMER ELECTRICAL DISTRIBUTION SYSTEM to a CUSTOMER ELECTRICAL INSTALLATION.

J. NEW ELECTRIC SERVICE (NES)

Electric service, of any kind, to a CUSTOMER ELECTRICAL INSTALLATION (CE) not served by a CUSTOMER CONNECTION (CC).

K. UPGRADED ELECTRIC SERVICE (UES)

Any upgrade of electric service to a CUSTOMER ELECTRICAL INSTALLATION (CE).

L. TEMPORARY CUSTOMER CONNECTION (TCC)

A temporary CUSTOMER CONNECTION that will be removed after a short period of time e.g.,a temporary connection used during construction on CUSTOMER PREMISES; or a temporary connection to accommodate a casual use of premises.

M. PERMANENT CUSTOMER CONNECTION (PCC)

A permanent CUSTOMER CONNECTION to an established CUSTOMER.

N. SERVICE

"SERVICE" is used in its broadest and most inclusive sense, and includes not only the use or accommodation afforded CUSTOMERS, but also "any product or commodity furnished by SCMEU; and the plant, equipment, apparatus,

appliances, property and facilities employed by, or in connection with, SCMEU performing any service or in furnishing any product or commodity and devoted to the purposes in which SCMEU is engaged and to the use and accommodation of the public.

O. RATE

"RATE" includes every rate, charge, fee, rental or other compensation of SCMEU or any schedule or tariff thereof, and any rule, regulation, charge, practice or contract relating thereto.

P. CHARGE

"CHARGE" is used in its broadest and most inclusive sense, and includes any and all billing rendered by SCMEU, or on behalf of SCMEU, as compensation of SCMEU for SERVICE rendered.

Q. MONTHLY CUSTOMER CHARGE

A CHARGE fixed by Ordinance for maintaining SERVICE to an established CUSTOMER. This is the minimum monthly charge to a CUSTOMER.

R. ENERGY CHARGE

A unit CHARGE fixed by Ordinance for electric energy supplied to a CUSTOMER.

S. DEMAND CHARGE

A unit CHARGE fixed by Ordinance for the maximum metered demand within a stated period of time e.g., month.

T. CUSTOMER SERVICE CLASSES

1. RESIDENTIAL SERVICE (RS)

RESIDENTIAL SERVICE means SERVICE to: (a) a single family residence; (b) each living unit of an apartment building, condominium, or other multiple unit dwelling; and each trailer space in a trailer park; however, RESIDENTIAL SERVICE does not include service to hotels and motels.

2. STREET LIGHTING SERVICE (SLS)

STREET LIGHTING SERVICE means service to a governmental entity for dusk to dawn illumination.

3. GENERAL SERVICE (GS)

GENERAL SERVICE means SERVICE other than RESIDENTIAL SERVICE and STREET LIGHTING SERVICE.

U. IN PLACE COST (IPC)

The cost of an electric system installation, e.g. a CUSTOMER ELECTRICAL DISTRIBUTION SYSTEM (CEDS), and/or a CUSTOMER CONNECTION (CC), as determined by the most recent experience in the construction of similar installations in the area served by SCMEU; or a reasoned estimate of costs to be incurred by construction of a proposed electric system installation.

V. SERVICE ORIGINATION CONNECTION CHARGE (SOCC)

A CHARGE corresponding to the IN PLACE COST of the CUSTOMER ELECTRICAL DISTRIBUTION SYSTEM allocated to serve a CUSTOMER PREMISES.

W. ADMINISTRATIVE ENROLLMENT CHARGE (AEC)

A CHARGE corresponding to the costs incurred in processing an application for electric service

X. SERVICE ENROLLMENT CONNECTION CHARGE (SECC)

A CHARGE corresponding to the IN PLACE cost of a CUSTOMER CONNECTION; and an ADMINISTRATIVE ENROLLMENT CHARGE.

Y. SERVICE UPGRADE CHARGE (SUC)

A CHARGE corresponding to the IN PLACE cost of providing any requested UPGRADED ELECTRIC SERVICE.

Z. LATE PAYMENT CHARGE (LPC)

A CHARGE prescribed by Ordinance for late payment of charges.

AA. ENGINEERING CHARGE (EC)
A CHARGE corresponding to the estimated cost of preparing working drawings, specifications, and cost estimates to establish a "SERVICE ORIGINATION CHARGE(s)";and for preparation of a proposed contract for completion of the requested construction at a specified time."

"Section 13.08.135 APPLICATION PROCEDURES AND CHARGES

(A) An application requesting electric service shall be required of all CUSTOMERS. An application shall provide all information required by SCMEU to process the request, including but not limited to the following:

1. Residential - Name, service address, billing address, home phone, driver's license number, and, if not an individual, the Taxpayer's

identification number;

2. General - Name of business, type of business organization, service address, billing address, phone number, owner and/or president, manager, Taxpayer's identification number.

(B) A Customer requesting installation of a CUSTOMER CONNECTION to any CUSTOMER ELECTRICAL DISTRIBUTION SYSTEM, which was installed at the expense of SCMEU, is to pay both a SERVICE ORIGINATION CONNECTION CHARGE of $1,500.00 plus four and one-half percent (4 1/2%) per annum from January 1, 1993 until paid and SERVICE ENROLLMENT CONNECTION CHARGE prior to installation of the requested residential CUSTOMER CONNECTION.

(C) A Customer requesting installation of a CUSTOMER ELECTRIC DISTRIBUTION SYSTEM (CEDS) to serve either a RESIDENTIAL SERVICE CUSTOMER PREMISES or a GENERAL SERVICE CUSTOMER PREMISES, is required to:

(1) Make written application as provided by SCMEU;

(2) Along with the completed application, submit an ENGINEERING CHARGE as set by SCMEU as payment for the estimated cost of preparing working drawings, specifications, and cost estimates to establish a SERVICE ORIGINATION CHARGE(s); and for preparation of a proposed contract for completion of the requested construction at a specified time;

(3) Accept the contract proposal and arrange for payment of the charges specified therein prior to installation of the requested CUSTOMER ELECTRIC DISTRIBUTION SYSTEM(s).

(D) A Customer requesting installation of a CUSTOMER CONNECTION to any CUSTOMER ELECTRICAL DISTRIBUTION SYSTEM, which was installed at the expense of a person other than SCMEU, is to pay a SERVICE ENROLLMENT CONNECTION CHARGE prior to installation of the requested CUSTOMER CONNECTION.

(E) A Customer requesting any upgrade of a CUSTOMER CONNECTION or of a CUSTOMER ELECTRICAL DISTRIBUTION SYSTEM, is to pay a SERVICE UPGRADE CHARGE prior to installation of the requested upgraded service."

"13.08.150 <u>GENERAL TERMS AND CONDITIONS</u>

<u>GENERAL SERVICE AND MULTI-UNIT RESIDENTIAL BUILDINGS</u>

A. The CUSTOMER, as prescribed by: the 1987 edition NATIONAL ELECTRIC CODE, NFPA No. 70-1987 adopted by the National Fire Protection Association, THE NATIONAL ELECTRIC SAFETY CODE, 1984 Edition (ANSI C2-1984) RULES AND REGULATIONS of SCMEU, and directives of the Director of SCMEU, shall furnish, install & maintain:

1. Foundation and pad for transformers
2. Primary line conduit to the PRIMARY VOLTAGE POINT OF CONNECTION (PVPC)
3. Ground grid as required
4. Entrance service
5. Secondary line conduit & secondary conductors connected to entrance service
6. Vehicle barriers as required

B. SCMEU, upon receipt of a specified SERVICE ORIGINATION CONNECTION CHARGE (SOCC), will furnish, install, & maintain

1. Transformer(s), switch gear, circuit protection, ground connections for primary and secondary compartments
2. Primary cables and connections
3. Make secondary line connections at transformer"

2. That after the adoption and approval hereof the Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

PRESENTED to the City Council of the City of St. Charles, Illinois, this 21st day of December, 1992.

new_ord.008
October 7, 1992 ** 15:21
December 21, 1992 ** 17:55

PASSED by the City Council of the City of St. Charles, Illinois, this 21st day of December, 1992.

new_ord.008
October 7, 1992 ** 15:21
December 21, 1992 ** 17:55

APPROVED by the Mayor of the City of St. Charles, Illinois, this 21st day of December, 1992.

Mayor

ATTEST:

City Clerk

COUNCIL VOTE:

Ayes: 10

Nays: 0

Absent: 0

APPROVED AS TO FORM:

City Attorney

DATE:

new_ord.008
October 7, 1992 ** 15:21
December 21, 1992 ** 17:55

STATE OF ILLINOIS)
) **SS.**
COUNTIES OF KANE AND DU PAGE)

C E R T I F I C A T E

I, Jean M. Connors, certify that I am the duly elected and acting municipal clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

I further certify that on December 21, 1992 the Corporate Authorities of such municipality passed and approved Ordinance No. 1992-M-71, entitled AN ORDINANCE AMENDING TITLE 13, "PUBLIC UTILITIES," CHAPTER 13.08, "ELECTRICITY"

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 1992-M-71, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on December 28, 1992, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at St. Charles, Illinois, this 29th day of December, 1992.

Jean M. Connors
Municipal Clerk

(S E A L)