ORDINANCE NO. 6-18

AN ORDINANCE AMENDING CHAPTER 929 OF THE PAINESVILLE CODE OF 1998 RELATING TO ELECTRIC SERVICE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PAINESVILLE, LAKE COUNTY, OHIO:

SECTION I. That Chapter 929 of the Codified Ordinances of Painesville, Ohio, 1998, is hereby amended to read as follows:

Chapter 929 **ELECTRIC SERVICE**

929.01 RESIDENTIAL SCHEDULE.

For the purpose of paying the expenses of conducting and managing the Electric Division, Utilities Department of the City, the City Manager is hereby authorized and directed to charge the following rates for furnishing electric current for residential installations in a single-family house, a single suite in a multiple-family house, or a single suite in a multiple apartment, a mobile housing unit or any other single-family residential unit, which rates are hereby adopted, for all utility bills issued on and after implementation dates as identified below:

(a) (1)

Kilowatt-hour Charge

Within Corporate Limits:

Implemented on:	June 1, 2018 Cents / kWh		January 1, 2019 Cents / kWh		January 1, 2020 Cents / kWh	
	Summer	Winter	Summer	Winter	Summer	Winter
First 500 kWh	11.74	10.82	11.22	10.34	10.77	9.93
Next 500 kWh	11.74	10.82	11.22	10.34	10.77	9.93
All excess	11.74	7.90	11.22	9.31	10.77	9.93

Outside Corporate Limits:

Implemented on:	June 1, 2018 Cents / kWh		January 1, 2019 Cents / kWh		January 1, 2020 Cents / kWh	
	Summer	Winter	Summer	Winter	Summer	Winter
First 500 kWh	13.62	12.55	13.02	11.99	12.49	11.52
Next 500 kWh	13.62	12.55	13.02	11.99	12.49	11.52
All excess	13.62	9.16	13.02	10.80	12.49	11.52

(2) Seasonal rates. The winter rates specified above shall be applicable in seven consecutive monthly billing periods beginning with the November bills each year. The summer rates shall apply to all other billing periods.

(3) Monthly Customer Charge. A fixed monthly charge shall be collected for each metered service as follows:

Implemented on:	June 1, 2018 Monthly Charge	January 1, 2019 Monthly Charge	January 1, 2020 Monthly Charge
Within Corporate Limits	$ 3.00	$ 5.25	$ 7.50
Outside Corporate Limits	$ 3.48	$ 6.09	$ 8.70

(4) Minimum Charge. A minimum charge per month, or fractional part thereof, shall be made and collected for each metered service, as follows:

Within Corporate Limits	Outside Corporate Limits
$3.00	$3.63

(b) Space Heating/Water Heating Discount. This provision is available only for installations existing on November 28, 1973, and for those potential installations for which, in the opinion of the City, the original consumer had committed himself prior to November 28, 1973, to the purchase of electric heating equipment.

The summer and winter rates specified in subsection (a)(1) hereof shall be reduced by one, but not both, of the following provisions, if applicable:

(1) Where electricity is the sole source of energy for space heating, except for incidental requirements, the winter rates specified herein shall be reduced by one cent ($.01) per kWh for usage between 300 kWh and 600 kWh per month and by one-half cent ($.005) per kWh for all usage in excess of 600 kWh per month; or

(2) Where electricity is the sole source of energy for water heating and the electric water heating installation is approved by the City and is in service and in regular use, the rates specified herein shall be reduced by one cent ($.01) per kWh for usage between 300 kWh and 600 kWh per month and by one-half cent ($.005) per kWh for usage between 600 kWh and 2,000 kWh per month.

(c) Applicable Riders. The rates specified herein shall be modified in accordance with the provisions of the following applicable rider as detailed in Section 929.06: Power Cost Adjustment - Rider No. 1.

929.02 GENERAL COMMERCIAL SCHEDULE.

For the purpose of paying the expenses of conducting and managing the Electric Division, Utilities Department of the City, the City Manager is hereby authorized and directed to charge the following rates for furnishing electric current for any commercial or industrial installation having demands of less than 30 kW during the current month and preceding eleven months, which rates are hereby adopted, for all utility bills issued on and after implementation dates as identified below:
(a) (1)

Kilowatt-hour Charge
Within Corporate Limits:

Implemented on:	June 1, 2018 Cents / kWh		January 1, 2019 Cents / kWh		January 1, 2020 Cents / kWh	
	Summer	Winter	Summer	Winter	Summer	Winter
First 500 kWh	12.10	11.25	11.78	10.93	11.47	10.62
Next 7000 kWh	12.71	11.84	12.09	11.23	11.47	10.62
All excess	10.07	9.39	10.57	9.89	10.97	10.12

Outside Corporate Limits:

Implemented on:	June 1, 2018 Cents / kWh		January 1, 2019 Cents / kWh		January 1, 2020 Cents / kWh	
	Summer	Winter	Summer	Winter	Summer	Winter
First 500 kWh	14.04	13.05	13.66	12.68	13.31	12.32
Next 500 kWh	14.74	13.73	14.02	13.03	13.31	12.32
All excess	11.68	10.89	12.26	11.47	12.73	11.74

(2) Seasonal rates. The winter rates specified herein shall be applicable in seven consecutive monthly billing periods beginning with the November bills each year. The summer rates shall apply in all other billing periods.

(3) Monthly Customer Charge. A fixed monthly charge shall be collected for each metered service as follows:

Implemented on:	June 1, 2018 Monthly Charge	January 1, 2019 Monthly Charge	January 1, 2020 Monthly Charge
Within Corporate Limits	$ 5.00	$ 10.00	$ 15.00
Outside Corporate Limits	$ 5.80	$ 11.60	$ 17.40

(4) Minimum charge. A minimum charge per month, or fractional part thereof, shall be made and collected for each metered service, as follows:

Within Corporate Limits	Outside Corporate Limits
$12.10	$14.52

(b) Applicable Riders. The rates specified in subsection (a) hereof shall be modified in accordance with the provisions of the following applicable rider as detailed in Section 929.06:

Power Cost Adjustment - Rider No. 1.

929.03 LARGE COMMERCIAL SCHEDULE.

For the purpose of paying the expenses of conducting and managing the Electric Division, Utilities Department of the City, the City Manager is hereby authorized and directed to charge the following rates for furnishing electric current for any commercial or industrial consumer having a demand equal to or in excess of 30 kW during the current month or any of the preceding eleven months, which rates are hereby adopted; for all utility bills issued on and after implementation dates as identified below:

(a) (1) Kilowatt demand charge
(2) Kilowatt-hour charge

Within Corporate Limits:

Implemented on:	June 1, 2018		January 1, 2019		January 1, 2020	
Kilowatt demand charge	$ / kW		$ / kW		$ / kW	
	Summer	Winter	Summer	Winter	Summer	Winter
First 50 kW	8.45	7.60	8.85	7.95	9.25	8.30
All Excess kW	7.30	6.60	7.65	6.90	8.00	7.20

Kilowatt-hour charge	Cents / kWh		Cents / kWh		Cents / kWh	
	Summer	Winter	Summer	Winter	Summer	Winter
First 40,000 kWh	9.15	8.46	8.99	8.32	8.87	8.20
Next 60,000 kWh	8.25	7.50	8.11	7.36	7.96	7.24
All excess	7.44	7.50	7.36	7.36	7.24	7.24

Outside Corporate Limits:

Implemented on:	June 1, 2018		January 1, 2019		January 1, 2020	
Kilowatt demand charge	$ / kW		$ / kW		$ / kW	
	Summer	Winter	Summer	Winter	Summer	Winter
First 50 kW	9.80	8.82	10.27	9.22	10.73	9.63
All Excess kW	8.47	7.66	8.87	8.00	9.28	8.35

Kilowatt-hour charge	Cents / kWh		Cents / kWh		Cents / kWh	
	Summer	Winter	Summer	Winter	Summer	Winter
First 40,000 kWh	10.61	9.81	10.43	9.65	10.29	9.51
Next 60,000 kWh	9.57	8.70	9.41	8.54	9.23	8.40
All excess	8.63	8.70	8.54	8.54	8.40	8.40

(4) Minimum charge. A minimum charge per month, or fractional part thereof, shall be made and collected for each metered service, as follows:

Within Corporate Limits	Outside Corporate Limits
$30.25	$36.30

(5) Seasonal rates. The winter rates specified above shall be applicable in seven consecutive monthly billing periods beginning with the November bills each year. The summer rates shall apply in all other billing periods.

(6) Minimum charge. A minimum charge per month, or fractional part thereof, shall be made and collected for each metered service, as follows:

Within Corporate Limits	Outside Corporate Limits
$30.25	$36.30

(7) Maximum charge. If a consumer's use in any month is at such a low load factor that the sum of the kilowatt demand, kilowatt-hour and power cost adjustment charges produces a rate in excess of twenty cents (20¢) per kWh, the bill shall be reduced to that rate per kWh of use in that month but not less than the minimum charge.

(b) Applicable Riders. The rate specified in subsection (a) hereof shall be modified in accordance with the provisions of the following applicable riders as detailed in Section 929.06: Power cost adjustment - Rider No. 1; Primary metering discount - Rider No. 2.

(c) Special Rules.

(1) Combined billing. Where two or more separate installations of different classes of service on the same premises are supplied separately with service connections within ten feet of each other, the meter registrations shall be combined for billing purposes, unless the consumer shall make written request for separate billing.

(2) Schedule transfers. If, for a period of twelve consecutive months, the demand of one installation or the undiversified total demand of several installations eligible for combined billing in each month is less than 30 KW, subsequent service and billing shall be under the terms of the General Commercial Schedule, Section 929.02, as long as such schedule is applicable.

(3) Service interruption. Upon written notice and proof within ten days of any service interruption continuing longer than twenty-four hours, the City will make a pro-rata reduction in the Kilowatt demand rate. Otherwise, the City will not be responsible for service interruptions.

929.04 INDUSTRIAL SCHEDULE.

For the purpose of paying the expenses of conducting and managing the Electric Division, Utilities Department of the City, the City Manager is hereby authorized and directed to charge the following rates for furnishing electric current to any consumer having a demand of less than 10,000 KW and using more than 500,000 KWH per month during the current month or any of the preceding eleven months, which rates are hereby adopted, for all utility bills issued on and after implementation dates as identified below: No resale or redistribution of electricity to other users shall be permitted under this schedule:

(a) (1) Kilowatt demand charge

(2) Kilowatt-hour charge

Within Corporate Limits:

Implemented on:	June 1, 2018		January 1, 2019		January 1, 2020	
Kilowatt demand charge	$ / KW		$ / KW		$ / KW	
	Summer	Winter	Summer	Winter	Summer	Winter
First 50 kW	8.45	7.60	8.85	7.95	9.25	8.30

All Excess kW	7.30	6.60	7.65	6.90	8.00	7.20

Kilowatt-hour charge	Cents / kWh		Cents / kWh		Cents / kWh	
	Summer	Winter	Summer	Winter	Summer	Winter
First 40,000 kWh	9.15	8.46	8.99	8.32	8.87	8.20
Next 60,000 kWh	8.25	7.50	8.11	7.36	7.96	7.24
Next 200 kWh per kW *	7.44	7.50	7.36	7.36	7.24	7.24
Next 200kWh per kW	7.16	7.00	7.07	6.91	6.99	6.83
All excess kWh	6.17	6.09	6.17	6.09	6.17	6.09

*But not more than 400,000 kWh

Outside Corporate limits:

Implemented on:	June 1, 2018		January 1, 2019		January 1, 2020	
Kilowatt demand charge	$ / kW		$ / kW		$ / kW	
	Summer	Winter	Summer	Winter	Summer	Winter
First 50 kW	9.80	8.82	10.27	9.22	10.73	9.63
All Excess kW	8.47	7.66	8.87	8.00	9.28	8.35

Kilowatt-hour charge	Cents / kWh		Cents / kWh		Cents / kWh	
	Summer	Winter	Summer	Winter	Summer	Winter
First 40,000 kWh	10.61	9.81	10.43	9.65	10.29	9.51
Next 60,000 kWh	9.57	8.70	9.41	8.54	9.23	8.40
Next 200 kWh per kW*	8.63	8.70	8.54	8.54	8.40	8.40
Next 200 kWh per kW	8.31	8.12	8.20	8.02	8.11	7.92
All excess kWh	7.16	7.06	7.16	7.06	7.16	7.06

*But not more than 400,000 kWh

(3) Seasonal rates. The winter rates specified above shall be applicable in seven consecutive monthly billing periods beginning with the November bills each year. The summer rates shall apply in all other billing periods.

(4) Minimum charge. A minimum charge per month, or fractional part thereof, shall be made and collected for each metered service, as follows:

Within Corporate Limits	Outside Corporate Limits
$181.50	$198.00

(b) Applicable Riders. The rates specified in subsection (a) hereof shall be modified in accordance with the provisions of the following applicable riders as detailed in Section 929.06:

Power cost adjustment - Rider No. 1.

Primary metering discount - Rider No. 2.

(c) Special Rules.

(1) Submetering or redistribution prohibited. This schedule is applicable only where all of the electricity supplied is used solely by the consumer for his own individual use.

(2) Schedule transfers. If, for a period of twelve consecutive months, the kilowatt-hour use in each such month is less than 500,000 KWH, subsequent service and billing shall be under the terms of the Large Commercial Schedule, Section 929.03, as long as such schedule is applicable.

(3) Service interruption. Upon written notice and proof within ten days of any service interruption continuing longer than twenty-four hours, the City will make a pro-rata reduction in the kilowatt demand rate. Otherwise, the City will not be responsible for service interruptions.

929.05 OUTDOOR LIGHTING.

For the purpose of paying the expenses of conducting and managing the Electric Division, Utilities Department of the City, the City Manager is hereby authorized and directed to charge the following rates for furnishing electric current for outdoor lights, which rates are hereby adopted, for all utility bills issued on and after July 1, 1990:
(Ord. 19-90. Passed 5-21-90.)

			Size (in Watts)	Within Corporate Limits Cost per Month	Outside Corporate Limits Cost per Month
(a)	Area Lighting				
	(1)	Mercury Vapor	175	$11.00	$12.10
			250	14.05	15.40
			400	18.70	20.65
			1,000	33.00	36.30
			1,000 Decorative	43.45	47.85
	(2)	High Pressure Sodium	250	18.70	20.65
			400	24.75	27.25
			1,000	43.45	47.85
(b)	Roadway Lighting				
	(1)	Mercury vapor	175	8.00	8.55
			250	9.35	10.20
			400	12.95	14.30
	(2)	High Pressure Sodium	250	15.15	16.80
			400	18.45	20.35

929.06 APPLICABLE RIDERS

(a) Power Cost Adjustment-Rider No. 1. The power cost adjustment per kWh, which shall be applied to all kWh units sold under these rate schedules, shall be calculated as a rolling twelve (12) month average, shall be the sum of purchased power supply costs based on data from the most recent twelve-month period preceding the start of the billing month to which the adjustment is to be applied, less an average retail power supply cost of $0.0600 per kWh, which has been incorporated into all retail base rate schedules. Components of the adjustment are hereby adopted for all utility bills issued on and after June 1, 2018, and are calculated as follows:

a.

$$\frac{\text{12 month P/S Cost (\$)}}{\text{12 month P/S units / 1.048}} - \$0.0600$$

(1) Power supply cost. The power supply cost increment per kWh shall include all costs incurred in the procurement of adequate power supply, transmission of power supply, and adjustments required to reconcile previous over/under PCA collections.

If at any time the power cost adjustment for a month increases by more than fifty percent (50%) over the preceding month, it may be spread equally over two billing periods. The portion to be carried over into the second billing period shall be adjusted by the ratio of the net kWh units of the first month to the net kWh units of the second month.

(b) Primary Metering Discount-Rider No. 2. If the electricity is metered on the primary side of the transformer, a discount of two percent (2%) of the primary meter registration in each of the City's electric schedules shall be allowed for electricity so metered.

(c) School Discount--Rider No. 3. For electricity provided to all public schools and property within the City corporation limits and under the jurisdiction of the local Board of Education, a discount of thirteen and seven tenths percent (13.7%) shall be allowed for the total electric billing plus power cost adjustments in each of the City's electric schedules.

929.07 MISCELLANEOUS CHARGES.

For the purpose of paying the expenses of conducting and managing the Electric Division, Utilities Department, of the City, the City Manager is hereby authorized and directed to charge the following rates, for all utility bills issued on and after the dates indicated below. These rates are applicable to service calls, unmetered services, standby power and miscellaneous installations which do not fall under the normal rate schedules, which rates are hereby adopted for all utility bills issued on and after July 1, 1990:

		Within Corporate Limits (cost per month)	Outside Corporate Limits (cost per month)
(a)	Phone booths - per month	$ 6.90	$ 7.45
(b)	Intersection flasher light per month	11.55	12.65
(c)	Standby power installation per kilovolt-ampere per month of installed capacity. This charge shall replace any minimum charge in a designated rate schedule	.30	.35
(d)	CATV power supply - per month	42.35	46.50
(e)	Warning sirens - per month	12.10	13.20
(f)	Other unmetered services - per KWH times the estimated consumption in KWH per month	.10	.11

(Ord. 19-90. Passed 5-21-90.)

929.08 CONDITIONS OF SERVICE.

The rate schedules set forth in this chapter are subject to the following conditions of service:

(a) Temporary Service.

(1) Any applicant desiring temporary service shall, in addition to the schedule rates, pay a charge for installing and removing such temporary services, as follows:

Within Corporate Limits	Outside Corporate Limits
$50.00	$60.00

(2) The City in lieu of installing metering equipment may, upon written application, compute demand and energy charges on an estimated basis under the applicable schedule. Such application may be accepted by the City for periods not exceeding sixty days and shall show the estimated maximum demand and kilowatt-hour use for the period. At the election of the City, the temporary service charge and billing for the entire period shall be payable in advance.

(b) Disconnecting Service; Initiated by the City. Service may be disconnected without charge, and the City may remove its meters, vaults, appliances and other property for any of the following reasons:

(1) The consumer's failure to comply with the terms and conditions of any schedule or with the general rules and regulations of the City.

(2) The consumer's failure to pay an indebtedness to the City.

(3) The consumer's connection of any unauthorized devices to the City's lines or equipment.

(4) The consumer's unauthorized use of the City's service, lines or equipment.

(5) The consumer's use of radio, x-ray or other apparatus, the operation of which causes disturbances on the City's general distribution lines.

(6) The consumer's electrical construction, apparatus or wiring does not meet with governmental codes and regulations and/or with the reasonable requirements of the City.

(7) The consumer's nonelectrical construction, facilities, operations or activities, by reason of location, pollution, contamination or corrosion, cause or may cause electrical disturbances, reduced reliability, unsafe conditions or other unreasonable impacts or disturbances on the City's general distribution lines or other facilities.

(c) Disconnecting/Reconnecting Service; Requested by Consumer. When a consumer requests temporary disconnecting followed by reconnecting service, for the purpose of adding aluminum siding to a structure, or for other similar purposes, a disconnection/reconnection charge shall be required, as follows:

Within Corporate Limits	Outside Corporate Limits
$35.00	$40.00

(Ord. 19-90. Passed 5-21-90.)

(d) (EDITOR'S NOTE: Former subsection (d) was repealed by Ordinance 30-03, passed December 22, 2003.)

(e) Credit Requirements.

(1) Security deposit. For service, a deposit or a suitable guarantee as security for the payment of bills may be required of the consumer at *any* time or from time to time before or after service is commenced.

(2) Use of deposits. The City may retain any deposit and apply the same upon bills for service or any indebtedness to the City.
(Ord. 19-90. Passed 5-21-90.)

929.09 ANNUAL RATE REVIEW.

The City Manager shall review the electric rates annually as part of each year's operating budget review, and recommend appropriate changes thereto to become effective at the earliest date possible thereafter.
(Ord. 11-83. Passed 5-23-83.)

929.10 EXCISE (KILOWATT-HOUR) TAX ADJUSTMENT.

The rates and charges set forth in this schedule shall be increased by an amount equal to the excise (kilowatt-hour) tax imposed on the City's electric distribution system under Ohio R.C. 5727.81. Said increase shall become effective with the bills that include May 1, 2001 as part of the usage period and shall thereafter be automatically adjusted to reflect any change in the kilowatt-hour tax imposed by Ohio R.C. 5727.81.
(Ord. 10-01. Passed 4-2-01.)

SECTION II. That this Ordinance is passed and adopted for the protection and preservation of the peace, health, safety and general welfare of the inhabitants of the City of Painesville, the proposed change is necessary to provide the highest and best use of land described and therefore, this ordinance shall be effective at the earliest date allowed by law.

PASSED: April 16, 2018.

Paul W. Hach II
President of Council

ATTEST:

Clerk of Council