

Title 14
PUBLIC UTILITIES*

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Chapter 14.04
ELECTRICAL UTILITY

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* For statutory provisions authorizing cities and towns to purchase, establish, erect, maintain and operate within or without their corporate limits, heating plants, waterworks, gasworks, or electric light or power plants, with all the necessary requisites of such operations, see I.C.A. 397.1.

14.04.010 State Regulations Adopted. The "Regulations Governing Service Supplied by Electric Utilities" required by the Iowa State Commerce Commission, Utilities Division in compliance with Chapter 490A, Code of Iowa, 1966 are hereby adopted by reference as the official regulations governing service supplied by the City of Denver electric

utility. An official copy of the "Regulations" as adopted is on file in the office of the City clerk and is available for public inspection. (Ord. 2-66 §1, 1966)

14.04.020 Adoption of Rules and Charges for Services. (a) In accordance with Chapter 476.1A of the code of Iowa, the City of Denver is exempt from the filing of a tariff to the Iowa State Commerce Commission. The City Council shall, by resolution, in lieu of the tariff, adopt and establish rules of operation for the municipal electric utility.

(b) As part of these rules of operation the City Council shall also adopt, by resolution, charges and fees for services other than service rates established in Section 14.04.200 of the revised ordinances of the City of Denver, Iowa. (Ord. 3-95)

14.04.030 Electrical Distribution System Established. The establishment, erection, maintenance and operation of an electrical distribution system consisting of lights, poles, wires, and other apparatus by the City is hereby confirmed. (Ord. 9-64 §1, 1964)

14.04.040 Clerk's Duties. In addition to the various other duties of the City clerk, the City clerk shall be responsible for assessment and collection of rates, rentals and penalties, and the keeping of books of accounts for the distribution and sale of electrical energy within the City. (Ord. 9-64 §2, 1964)

14.04.050 Other Accounts. Besides an account with each of the patrons of the City, other full and correct accounts shall be kept such as may be required by the laws of the state or ordinances of the City or by the direction of the City Council. (Ord. 9-64 §3, 1964)

14.04.060 Rules, Regulations and Contract with Customer. The rules, regulations and rates, herein provided for or that may at any time be adopted or provided for, shall be considered a part of a contract with every person, company or corporation who is or hereafter may be supplied with electric current through the system, and every such person, company or corporation by taking or using the electric light or power shall be considered to express his, their or its assent thereto and to be bound thereby. (Ord. 9-64 §4, 1964)

14.04.070 Current Cut Off for Violation. Whenever any of the rules or regulations herein established or that hereafter may be adopted by the Council, are violated, the electric current shall be cut off from the building or place of the violation, and shall not be turned on again except by order of the City Council, and upon payment of the expense of cutting it off and turning it on, and compliance with such other terms as the City may determine, and upon satisfactory understanding with the party that no further cause of complaint shall arise. (Ord. 9-64 §5, 1964)

14.04.080 Violation--Forfeiture of Payment. In case of violation of any rules, or regulations herein set forth or that may hereafter be adopted by the Council, the Council shall have the right to declare any payment made for the light or electric current by the person committing the violation to be forfeited, and the same thereupon shall be forfeited. (Ord. 9-64 §6, 1964)

14.04.090 Application for Service. Every person desiring to be supplied with electric current must make application in writing therefor to the City Council in such form and setting forth such

details as may be prescribed by the Council for that purpose, the blanks therefor to be furnished at the office of the City clerk, and secure a permit in such form as the Council may prescribe. No service wires may be attached until the proper application has been made and permit granted therefor. (Ord. 9-64 §7, 1964)

14.04.100 Maintenance of Equipment. All persons taking electric current shall keep their own house wires and apparatus in good repair and protected at their risk and expense, and shall prevent all unnecessary waste of power; and it is expressly stipulated that no claim shall be made against the City, its electrician or employees by reason of the breaking of any service wires or if from any cause the power should fail, or from damage arising from shutting off the power to repair wires, make extension or connection or for any other purpose that may be deemed necessary; and the right is hereby reserved to shut off the supply of electricity at any time, any permit or rule to the contrary notwithstanding. The City in no event shall be liable for any rebate or damages on account of cutting off or failure of current, other than a proportional reduction in the monthly rental for the time lost, in case of flat rates. It is further expressly agreed and understood and hereby specifically made a part of the contract with every consumer of electric current and with every person who may have wiring or other electric work done or materials furnished to be used in connection with the system that no liability shall attach to the City, and it shall not be held responsible for any damage or injury caused by the electrical current furnished or from any defect of any kind or nature whatsoever, either in materials of work, whether the work has been done or materials furnished by the City, or the same has been inspected and approved by its duly authorized representative; it being contemplated that the City by furnishing materials or rendering services or inspecting and approving materials furnished or work done by others, does not guarantee work or materials, but only attempts to afford measurable protection to the consumer against inferior work or material. (Ord. 9-64 §8, 1964)

14.04.110 Access to Premises. Any person authorized by the City Council shall have free access to premises and buildings in which lights or power are used at all hours of the day between seven a.m. and nine p.m. or at any other reasonable hours to examine the wires and fixtures and to determine the manner in which the electricity is being carried, distributed and used; and consumers must at all times frankly and without concealment answer all questions put to them by any of the persons above mentioned relative to the use of the current. (Ord. 9-64 §9, 1964)

14.04.120 Use. The electric current when used for power shall be used only for the purposes contracted for according to the rate paid. (Ord. 9-64 §10, 1964)

14.04.130 Current Supplied Through Meter. Electricity shall be supplied to consumers through a meter of manufacture, kind and capacity to be prescribed by the City Council, and the electrical energy passing through the meter shall be paid for at the meter rates hereinafter specified. (Ord. 9-64 §11, 1964)

14.04.140 Meters--When read, Meters shall be read monthly and in the City clerk's discretion may be read in any case at shorter intervals. Readings shall be preserved and furnished to the consumer in receipted bills. The Council may at any time demand

payment for light, cooking, heating, or power current as well as meter rental, furnished to date of demand, whereupon the same shall be due and payable at once. Without demand, all rates shall be due when the utility bills are received and may be paid without penalty any time within the month in which the bill has been received. Each consumer must pay a **minimum charge of one dollar per month for light furnished to a particular service, the same being exclusive of charge for meter rental and not subject to any discount below that amount.** (Ord. 9-64 §12, 1964)

14.04.150 Payment Delinquent When. In the event payment has not been received by the City by the last day of the month in which the bill was submitted to the consumer, it shall be deemed to be delinquent and the City clerk shall proceed to collect the same, together with a penalty in the amount of ten percent, and this provision shall be strictly enforced. When rates charges and rents are due and unpaid on the first day of the month following the month in which the bill was submitted to the consumer, or whenever any of the rules or regulations established by Chapter 14.04 or that may thereafter be adopted by the City Council, are violated, the electric current shall be cut off from the building or place of such violation. The current shall not be turned on again until the rates and penalties are paid together with a fee of five dollars for turning the current back on. (Ord. 2-69 §2, 1969; Ord. 9-64 §13, 1964)

14.04.160 Minimum Rate. It is expressly provided, however, that each and every building, tenement, premises, or each and every separate service connected with the system, shall be charged and shall pay monthly for the use of current measured and registered by a meter a minimum rate of one dollar which minimum state is due and payable. The minimum rate shall be applied in payment of electricity consumed as measured and registered by the meter during the month preceding, according to the rates established. (Ord. 9-64 §14, 1964)

14.04.170 Placement of Meters. All meters hereafter installed shall be so placed as to be accessible at all times and shall be so situated that readings may be taken without the reader entering into any building. (Ord. 9-64 §15, 1964)

14.04.180 Charge--Determination When Meter Faulty. Should the glass covering the dial become broken or the dial become injured from any cause, or the meter have been or appear to have been tampered with, the amount of electricity to be paid for during the month shall be determined by the average of such preceding time as the City clerk may direct. Should the accident or injury have been caused by the negligence, interference or intentional act of the consumer or his family or employees, he shall be subject to a fine of ten dollars and costs. (Ord. 9-64 §16, 1964)

14.04.190 Bill Payment--Location. Payment of the bills will be accepted at the City clerk's office any Friday or Saturday from eight a.m. to twelve noon and one p.m. to five p.m. Payment may be made through the mail at any time. (Ord. 9-64 §17, 1964)

14.04.200 Rate Schedule. (a) There are enacted the following rates, not including tax, for electric services furnished by the municipal distribution system of the City:

(1) Residential and Commercial Rate.

First 3000 KWH	\$.0775
All over 3000 KWH	.0600

The minimum charge for the residential and commercial rate per month shall be five dollars (\$5.00). One and one half percent (1.5%) of the total unpaid balance shall be added if the bill is not paid by the end of the month in which the bill is received. (Ord. 2-2003)

14.04.210 Meters Furnished by City. All electric meters and their connections as well as all other fixtures or property hereinafter necessary to measure electrical energy consumed shall be furnished by the City, at no expense to the consumer or property owner. (Ord. 2-67 §1, 1967)

14.04.220 Meters Property of City. All electric meters, their connections and other material furnished pursuant to Section 14.04.210 shall be and remain the sole property of the City, and are severable and devisable from any real estate. In the event of sale of any premises, the equipment will remain the sole property of the City. (Ord. 2-67 §2, 1967)

14.04.230 Meters--Installation. All electric meters hereinafter installed shall be so placed so as to be accessible at all times and so situated that readings may be readily taken within the premises or on the outside of the premises. The City and its authorized workmen and agents may enter the building or premises and remove, repair, install and maintain the electric meters during reasonable business hours. (Ord. 2-67 §3, 1967)

14.04.240 Tampering Prohibited. It is unlawful for any person to tamper with, cut, break, mark, deface, injure or destroy any electric meter, or interfere therewith, and the meters and their connections shall be under the sole control of the City and the property thereof. (Ord. 2-67 §4, 1967)

14.04.250 Service Connections. (a) Any new service connections installed shall be underground. A connection charge in an amount, as is determined by resolution of the City Council from time to time, will be charged and assessed against the property owner for each new service connection which services have not been connected prior to the effective date of the ordinance codified in this section. The City will install the service and make the connection to the building at any approved service switch and meter socket. The service switch shall have a minimum capacity of two hundred amperes, two hundred and twenty volts single phase. Any service in excess of said minimum will be considered a special service requiring special equipment and the charge will be billed to the owner at the cost to the City in lieu of the charge set forth above for the minimum service connection.

(b) Temporary service at a distance not to exceed fifty feet to a building site will be installed at a price as determined by resolution of the City Council from time to time. The minimum service charge shall include service no more than one hundred feet from the City distribution system and any service exceeding one hundred feet shall be paid solely at the expense of the owner.

(c) Any changes in existing service after the effective date of the ordinance codified in this section shall be paid solely at the expense of the owner, and any such changes shall be at no cost to the City. (Ord. 1-79 §1, 1979)

Chapter 14.08
WIRES AND POLES

Sections:

- 14.08.010 General Provisions
- 14.08.020 Wires
- 14.08.030 Wires
- 14.08.040 Over Buildings
- 14.08.050 Poles
- 14.08.060 Poles in Streets
- 14.08.070 Damage
- 14.08.080 Supervision by Mayor
- 14.08.090 Notice to Mayor
- 14.08.100 Removal of Poles
- 14.08.110 In Case of Fire

14.08.010 General Provisions. All electric wires and poles shall be constructed and maintained in accordance with the provisions of the National Electrical Code of the National Board of Fire Underwriters as now or hereafter adopted. (Ord. 43 §1, 1929)

14.08.020 Wires. All electric light and power wires, used for carrying electric current, shall be kept properly insulated and so placed as not to interfere with the use of public or private property, and so as to insure the safety and comfort of the public and all persons employed in working about these wires or any other wires in the municipality. (Ord. 43 §2, 1929)

14.08.030 Wires. All telephone, telegraph or electric wires shall be so placed as to clear the ground at least twenty feet and shall be so kept as to be free from other electric and power wires or from contact with any substance other than their insulating support. (Ord. 43 §3, 1929)

14.08.040 Over Buildings. All electric light wires shall be at least four feet above the highest point of any roof over which they pass or to which they are attached. Whenever possible wires crossing any building shall be supported on poles independent of the building. (Ord. 43 §4, 1929)

14.08.050 Poles. All poles shall be removed from the streets and placed in the alleys whenever the Council shall so order by resolution. The Council shall have full authority when and where to remove poles and the poles shall be so placed as not to interfere with ordinary private and public use of any alley, street or private property. (Ord. 43 §5, 1929)

14.08.060 Poles in Streets. All poles erected in any street shall be erected just within the curb lines. All poles used for crossing electric light and power wires, erected in any of the streets, alleys, highways or other places, shall be at least twenty feet above the ground, set securely in the ground and properly guyed. (Ord. 43 §6, 1929)

14.08.070 Damage. Any damages to any pavement, sidewalk, water pipe, sewer and other public or private property resulting from or in the setting of telephone, telegraph or electric poles, in any of the streets, alleys, highways or other places, shall be paid by the company so erecting them and the municipality shall not be responsible for any damages resulting therefrom. (Ord. 43 §7, 1929)

14.08.080 Supervision by Mayor. The Mayor shall have general supervision over the erection of all telegraph, telephone and electric wires and the poles and supports thereof placed in or over the streets, alleys and highways and along and over any public or private grounds, and it shall be his duty to enforce the provisions of this chapter. (Ord. 43 §8, 1929)

14.08.090 Notice to Mayor. Before any person, company or corporation, having authority to do so, erects any telephone, telegraph or other electric poles in any street, alley, highway or other place, they shall serve a three days' notice, in writing, upon the Mayor, setting forth the time, place and manner in which the same are proposed to be erected, and it is the duty of the Mayor to see that the same are erected in compliance with the provisions of this chapter. (Ord. 43 §9, 1929)

14.08.100 Removal of Poles. Any poles opposite public or private property which interfere with the use thereof, or any poles erected in violation of the provisions of this chapter, or whenever the public interest demands the removal of any pole or poles from any street, alley or other place, shall be moved by the person, firm or corporation owning the same upon the written order of the Mayor. If the order is not complied with within twenty days, the Mayor may cause the street commissioner to remove the same after giving the person, firm or corporation ten days' notice, in writing, of his intentions to do so, and all expenses of the removal shall be charged to the person, firm or corporation (Ord. 43 §10, 1929)

14.08.110 In Case of Fire. In case of fire or other emergencies, the poles, wires and street fixtures may be cut and removed by order of the Mayor or by any two Councilmen, without any liability or expense on the part of the municipality of such officers, but the owner or his employees in charge of the work shall, if possible, be previously notified of the necessity to do so. (Ord. 43 §11, 1929)