

ARTICLE II. ELECTRICITY*

Sec. 27-21. Definitions.

For the purpose of this article, the following words and phrases shall have the meanings respectively ascribed to them in this section:

Business partners rate discount rider shall mean that written agreement in accordance with Appendix A, Utilities (1) 1. between the city and certain nonresidential electric service customers whereunder the retail rates otherwise applicable to such customers are discounted in exchange for a long term, electric service commitment by the customer. The rider shall be available to only the following retail customer rate classes: general service non-demand, general service demand, large power, or transmission service.

Consumer shall mean any person or entity that receives and utilizes electric service at a specific location.

Customer shall mean the person or entity responsible for payment for all electric, natural gas, water or wastewater services used at a specific location, and further defined as that person who has applied for and requested that services be made available at the specific location and has agreed to pay for all usage of such services occurring at the location. The customer and the consumer may be one and the same.

***Editor's note**—Ord. No. 3754, §§ 20--37, adopted Jan. 27, 1992, repealed various sections of Art. II, relative to electricity, and § 80 of said Ord. No. 3754 renumbered the remaining sections of this article to read as herein set out. The history notation has been retained in the renumbered sections for reference purposes. The repealed provisions of this article derived from Code 1960, §§ 28-2, 28-3, 28-5, 28-6, 28-8, 28-9, 28-14—28-21.1, 28-29; Ord. No. 3254, § 1, adopted Sept. 22, 1986; Ord. No. 3493, § 3, adopted Nov. 21, 1988; Ord. No. 3544, § 2, adopted July 10, 1989; Ord. No. 3644, § 1, adopted Aug. 20, 1990; Ord. No. 3665, adopted Sept. 24, 1990; Ord. No. 3695, §§ 2—4, adopted Feb. 18, 1991; Ord. No. 3696, §§ 1—5, 8, adopted Feb. 18, 1991. See the Code Comparative Table for a specific enumeration of repealed and renumbered sections.

Cross references—Electrical code, § 6-31 et seq.; minimum requirements for artificial lighting in housing code, § 13-126 et seq.

State law reference—Electrical code, F.S. § 553.15 et seq.

Developer shall mean any person or entity with ownership or control of a development that can contract with the utility for the construction of electrical facilities.

Curtailed electric service rider shall mean all nonresidential electric customers who are eligible for either large power or transmission electric service. Customers on this rate agree that the city may curtail at least 500 kW of power demand and must enter into an agreement designating the city as the customer's exclusive supplier of electricity for a minimum initial term of ten years. This rider may be applied to service that is a verifiable amount of electric power demand that can be reduced or interrupted upon request of the city by solely at the discretion of the customer.

Demand shall mean the greatest average amount of electric power measured in kilowatts required by a consumer throughout any thirty-minute interval during each billing month.

General service shall mean:

- (1) *Nondemand*. All nonresidential electric service where a demand of 50 kilowatts or greater has not been established. When a customer on this rate establishes a demand of 50 kilowatts, or greater, the appropriate demand rate will be applied for the current billing month plus a minimum of 11 succeeding billing months. All energy supplied shall be through a single meter and a single point of delivery. During the period beginning May 15 and ending October 15 each year, customers with an established billing demand of 50 kilowatts or greater may enter into an agreement for service under this schedule if their maximum demand established during peak periods does not exceed a demand of 49 kilowatts anytime within 12 consecutive billing months. Peak periods are defined in Appendix A, Utilities, Subsection (1)f.1.(ii)(B), Residential Service, Time-of-Use Rate. General service demand customers who wish to enter into an agreement for service under this schedule by metering demand during peak pe-

riods will pay a one-time meter installation charge in accordance with the schedule set out in Appendix A.

- (2) *Demand.* All nonresidential electric service with an established billing demand of 50 but less than 1,000 kilowatts per month. Customers in this rate will be changed to the nondemand rate for the current billing month at such time as their demand has been below 50 kilowatts for 12 consecutive billing months following the effective date of this subsection. Customers with a demand of 50 kilowatts or less may enter into an agreement for service under this schedule. All energy supplied shall be through a single meter and a single point of delivery.

Interruptible electric service rider shall mean all nonresidential electric customers who are eligible for either large power or transmission electric service. Customers on this rate agree that the city may interrupt at least 500 kW of power demand and must enter into an agreement designating the city as the customer's exclusive supplier of electricity for a minimum initial term of ten years. This rider may be applied to service that is electric power demand at a single metering point that can be totally interrupted either automatically or manually at the discretion of the city.

Large power service shall mean all nonresidential electric service with an established demand of 1,000 kilowatts per month or over. Customers in this rate will be changed to the applicable general service rate for the current billing month at such time as their demand has been below 1,000 kilowatts for 12 consecutive billing months. All energy supplied shall be through a single meter and a single point of delivery.

Meter tampering shall mean when any person shall willfully alter, injure, or knowingly suffer to be injured any electric meter or meter seal or other apparatus or device belonging to the city in such a manner as to cause loss or damage or to prevent any such meter installed for registering electricity, from registering the quantity which otherwise would pass through the same; or to alter the index or break the seal of any such meter; or in any way to hinder or interfere with

the proper action or just registration of any such meter or device or make or cause to be made any connection of any wire or appurtenance in such a manner as to use, without the consent of the city, any electricity without such electric service being reported for payment or such electricity passing through a meter provided by the city and used for measuring and registering the quantity of electricity passing through the same.

Metering point, as distinguished from point of delivery, shall mean the point at which the instrument is installed to meter the flow of electric energy from the city to the consumer. The city shall have the option to meter any service on either the primary or secondary side of the transformer.

Month shall mean an interval between successive meter reading dates, which interval may be 30 days, more or less.

Point of delivery shall mean the point where the city's wires or apparatus are connected with those of the consumer.

Residential service shall mean service to a single living unit located in a single-family or multiple-family dwelling or a living unit consisting of a sorority, fraternity, cooperative housing unit of a college or university or other nonprofit group living unit. A living unit shall be a place where people reside on a nontransient basis containing a room or rooms comprising the essential elements of a single housekeeping unit. Each separate facility for the preparation, storage and keeping of food for consumption within the premises shall cause a housekeeping unit to be construed as a single living unit. All energy supplied shall be through a single meter at a single point of delivery. This definition is intended to define a rate class. This definition is not to be construed as a definition of service conductors or related service entrance equipment.

Related civil infrastructure shall mean all components required to construct an underground duct system in addition to the conduit and concrete equipment foundations. These components include but are not limited to cable pull boxes,

manholes, vaults, transition boxes, pedestals and miscellaneous parts (i.e. couplings, bellends, pulling eyes and similar hardware).

Retained, expanded or attracted load service rider shall mean at the sole discretion of the city, this rider may be made applicable to nonresidential electric service provided under either of the following retail rate schedules: general service demand, large power, or transmission service. This rider may only be applied to service that is either retained, expanded or attracted load, as described below:

- (1) Retained load shall be continued service to a previously existing, credit-worthy customer facing definite cessation of local operations or a customer having a documented alternative source of electric supply either from relocation, self-generation or a third-party supplier. Retention of such load and/or customer must be determined by the city commission to be in the best interest of the city.
- (2) Expanded load shall be a minimum of 100 kW of additional verifiable service, within the same site, provided to a previously existing customer. The additional load cannot result from load shifted from another site or facility within the city's utility service area. Such expansion of load and/or facilities must be determined by the city commission to be in the best interest of the city.
- (3) Attracted load shall be new service of at least 100 kW that locates within the city's utility service area after having demonstrably considered sites within other feasible locations, not within the city's utility service area. Such new service, customer and facilities must be determined by the city commission to be in the best interest of the city.
- (4) The determination that approval of this retained, expanded or attracted load service rider is in the best interest of the city, shall be based upon the following minimal criteria:
 - a. Application of the rider is demonstratively necessary to either retain, expand, or attract electrical load;

b. Revenues foregone by the city under this rider, together with the fiscal cost of all other financial incentives to be offered by the city to the applicant coincidentally with this rider, shall not outweigh the long term quantitative and qualitative benefits to the city's taxpayers and utility rate payers.

c. The business activity associate with the retained, expanded, or attracted load shall be consistent with, but not limited to, the city's goals, objectives and policies regarding the following:

Land use and zoning

Consistency with existing policies and plans

Ability to obtain requisite approvals if any

Effect upon recreation

Sites within target re-development areas

Environmental impacts

Water and air emissions

Characteristics of solid waste generated and related control methods

Stormwater

History of environmental compliance

Energy efficiency

Economic development objectives

Improving underemployment

Industrial diversification

Job creation/retention

Workforce enhancement

Quality of jobs

Employee fringe benefits

Impact on existing business

Transportation infrastructure

Level of service

Public transportation access

Service shall include, in addition to all electric energy required by consumer, the readiness and ability on the part of the city to furnish electric

energy to the consumer; thus, the maintenance by the city at the point of delivery of approximately the agreed voltage and frequency shall constitute the rendering of service irrespective of whether consumer makes any use thereof.

Service leads shall mean the portion of the consumer's installation to which the city connects its service wires.

Service wires shall mean the wires of the city to which are connected the service leads of the consumer.

Transmission electric service shall mean non-residential consumers accepting service from the city directly from a transmission line of 138,000 volts or more and establishing a demand of 5,000 kilowatts or more. All energy supplied shall be through a single meter at a single point of delivery and shall be continuous service, three-phase, nominal 138,000 volts, 60 cycles per second, alternating current.

(Code 1960, § 28-1; Ord. No. 3665, § 1, 9-24-90; Ord. No. 3695, § 1, 2-18-91; Ord. No. 960270, § 1, 9-23-96; Ord. No. 960498, § 1, 5-27-97; Ord. No. 970434, § 1, 10-13-97; Ord. No. 980557, § 1, 11-23-98)

Cross reference—Definitions and rules of construction generally, § 1-2.

Sec. 27-22. Resale of electricity prohibited.

Electric energy received under either residential electric service, general electric service, large power electric service or transmission electric service shall be used for the consumers' direct use only. No resale of such electric energy shall be permitted.

(Code 1960, § 28-4; Ord. No. 3754, § 80, 1-27-92)

Sec. 27-23. Approval of premises required.

No electric service shall be rendered by the city to any consumer at any premises until such time as the appropriate building official, or his/her designee, shall have approved the premises for services as follows:

- (1) *Residential electric service.* Approval of a dwelling for residential electric service must be obtained before initial provision of electric service.

- (2) *Other customer classes.* Approval of the premises for electric service must be obtained prior to initial provision of service and/or transfer of electric service.

- (3) *Copy of approval.* Each applicant for service must submit a copy of the approval where required as part of the application for service.

(Code 1960, § 28-10; Ord. No. 3754, § 80, 1-27-92)

Sec. 27-24. Delivery voltages.

All newly constructed or renovated structures shall be served at the utility's standard delivery voltages: 120/240 volt single phase, 120/208 volt three-phase wye, or 277/480 volt three-phase wye. For the purposes of this section, a building shall be considered renovated if existing electrical facilities are replaced, upgraded or reconstructed as a result of changed use of the building or increased electric load of an existing use. This requirement may be waived by the general manager for utilities or his designee when 120/240 volt three phase delta is the only voltage available or in cases of extreme hardship.

(Ord. No. 3136, § 1, 6-10-85; Ord. No. 3754, § 80, 1-27-92; Ord. No. 980557, § 1, 11-23-98)

Sec. 27-25. Temporary electric service.

Temporary electric service may be provided for construction activities, fairs, exhibits and other similar temporary purposes under the general service electric rate schedule. A prepaid fee shall be required for each temporary service in accordance with the schedule in Appendix A. However, if additional electrical distribution facilities must be constructed, removed, or adjusted for the sole purpose of establishing temporary service(s), the estimated costs associated with the additional work shall also be due and payable in advance. The term of temporary service shall not exceed one year.

(Code 1960, §§ 28-7, 28-7.01; Ord. No. 3294, § 1, 10-13-86; Ord. No. 3493, §§ 1, 4, 11-21-88; Ord. No. 3695, § 5, 2-18-91; Ord. No. 3696, § 6, 2-18-91; Ord. No. 3754, §§ 17, 80, 1-27-92; Ord. No. 980557, § 2, 11-23-98)