

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed Sept 10, 2023

ORDINANCE NO: O-2023-9

VILLAGE OF HASKINS, WOOD COUNTY, OHIO

**ORDINANCE AMENDING THE ORDINANCE ESTABLISHING TERMS,
CONDITIONS AND RATES FOR THE SALE OF ELECTRICITY BY THE VILLAGE
OF HASKINS**

WHEREAS, the Village of Haskins has determined a rate change is necessary to the terms, conditions and rates for the sale of electricity by the Village of Haskins

WHEREAS, on October 20, 1997, the Council of Haskins Village adopted Ordinance Number 385 which established terms, conditions and rates for the sale of electricity by the Village of Haskins and adopted Ordinance O-2018-5 amending Ordinance Number 385 on December 7th, 2020 and adopting Ordinance O-2023-9 on August 7th, 2023.

WHEREAS, the Committee of the Whole of the Council of Haskins Village approved changes to the terms, conditions and rates for the sale of electricity by the Village of Haskins and following the recommendations of the Rate Study completed in 2023 it is recommended to the Council of Haskins Village that such changes be adopted, and

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Village of Haskins, Wood County, Ohio, that:

Section 1: That electricity be sold by the Village of Haskins, Ohio, upon the terms, conditions and rates hereinafter set forth.

Section 2: DEFINITION OF "UTILITY" AND "VILLAGE".
That as used herein the term "Utility" shall mean the Utility Section of the Finance Department of the Village of Haskins, Ohio, and the term "Village" shall mean the Village of Haskins, Ohio.

Section 3: APPLICATION
That a copy of the schedules and standard terms and conditions under which service is to be rendered to the customer be furnished upon request at the Utility Office. The utility Office shall determine which schedule is applicable to service the Application. Once the application is approved, service will be commenced, with a copy of the agreement to be furnished to the customer upon request. If the customer desires delivery of energy at more than one point, a separate agreement shall be required for each separate point of delivery. Service delivered at each point of delivery may be billed separately under the applicable schedule.

Section 4: DEPOSITS
That a deposit may be required of the customer at any time or from time to time before or after service is commenced. Deposit criteria and amounts will be set by the City Manager and/or Finance Director.

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Section 5: COMPLIANCE WITH ORDINANCES

That it is to the interest of the customer to properly install and maintain his wiring and electrical equipment and that he shall at all times be responsible for the character and condition thereof; and that the Utility makes no inspection thereof and in no event shall the Utility or the Village be responsible therefor; and that where a customer's premises are located or serviced by the Village of Haskins or other governmental subdivision where ordinances are in affect, the Utility may withhold furnishing service to new installations until it has received evidence that all Village ordinances have been complied with; and that in addition, if the Village or other governmental subdivisions shall determine that such ordinances are no longer being complied with in respect to an existing installation, the Utility may suspend the furnishing of service thereto until it has received evidence of compliance with such ordinances. Where a customer's premises are located outside of an area where ordinances are in effect, the Utility may require the delivery by the customer to the Utility of an agreement duly signed by the owner and tenant of the premises authorizing the connection to the wiring system of the customer and assuming responsibility therefor; and that no responsibility shall attach to the Utility or the Village because of any waiver of these requirements.

Ordinances referred to above include building codes, electrical codes, plumbing codes, fire safety codes, zoning ordinance, subdivision control ordinance and any ordinance of the Village affecting usage of land and buildings thereupon.

Section 6: SERVICE CONNECTIONS

That the Utility will, when requested to furnish service, designate the location of its service connection, and that the customer's wiring must, except for those cases listed below, be brought outside the building wall nearest the Utility's service wires so as to be readily accessible thereto and that when service is from an overhead system, the customer's wiring must extend at least 18 inches beyond the building. And that where customers install service entrance facilities which have capacity and layout specified by the Utility, and/or install and use certain utilization equipment specified by the Utility, the Utility may provide or offer to own facilities on the customer's side of the point where service wires attach to the building. And the all inside wiring must be grounded in accordance with the requirements of the National Electrical Code, or the requirements of any local inspection service authorized by the State of Ohio or Haskins. And that when a customer desires that energy be delivered at a point or in a manner other than that designated by the Utility, the customer shall pay the additional cost of same. And that where service is supplied from an underground distribution system which has been installed at the Utility's expense the customer shall make arrangements with the utility for the Utility to supply and install a continuous run of cable conductors including necessary ducts from the manhole or connection box to the meter base. And that the customer shall pay the cost of installing the portion of the cable and duct from the property line to the terminus or cable outside the building. Any new construction will be required to be underground.

All electric service within the corporate lines of Haskins shall be distributed exclusively by the Village of Haskins.

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Section 7: UTILITY'S LIABILITY

That the Utility will use reasonable diligence in furnishing a regular and uninterrupted supply of energy but does not guarantee uninterrupted service. And that neither the Utility nor the Village shall be liable for damages in case such supply should be interrupted or fail by reason of an act of God, the public enemy, accidents, labor disputes, orders or acts of civil or military authority, breakdowns or injury to the machinery, transmission lines, distribution lines or other facilities of the Utility, extraordinary repairs, or acts of the Utility taken to prevent or limit the extent or duration of interruptions or disturbances of service on the Utility's system.

And that unless otherwise provided in a contract between Utility and customer, the point at which service is delivered by Utility to customer, to be known as "delivery point, shall be the point at which the customer's facilities are connected to the Utility's facilities. And that neither the Utility nor the Village shall be liable for an loss, injury, or damage resulting from the customer's use of his equipment or occasioned by the energy furnished by the Utility beyond the delivery point. And that the customer shall provide and maintain suitable protective devices on his equipment to prevent an loss, injury or damage that might result from single-phasing conditions or any other fluctuation or irregularity in the supply of energy. And that neither the Utility nor the village shall be liable for any loss, injury, or damage resulting from single-phasing condition or any other fluctuation or irregularity in the supply of energy which could have been prevented by the use of such protective devices And that the Utility will (when same are required by conditions or contract between the parties thereto), meters and other apparatus which may be required for the proper measurement of and protection of its service. And that all such apparatus shall be and remain the property of the Utility.

Section 8: CUSTOMER'S LIABILITY

That in the event of loss or injury to the property of the Utility through misuse by, or the negligence of, the customer or the employees of the same, the cost of the necessary repairs or replacement thereof shall be paid to the utility by the customer. And that customer will be responsible for tampering with, interfering with, or breaking the seals of meters, or other equipment of the utility installed on the customer's premises. And that the customer hereby agrees that no one except the employees of the utility shall be allowed to make any internal or external adjustments of any meter or other piece of apparatus right at all reasonable hours to enter the premises of the customer for the disposing of its apparatus and property, and the right of entire removal of the utility's property in the event of the termination of the contract for any cause.

Tampering and/or theft of utility service will be charged under the Ohio Revised Code 4933.18, 4933.19, and 4933.21. Any seal found broken will be replaced and a charge of \$100.00 for first offense; \$200.00 2nd offense will be assessed to the customer or person responsible. 3rd offense service will be terminated.

Section 9: EXTENSION OF SERVICE

That the electrical facilities of the utility will be extended or be expanded to supply electric service when the revenue is sufficient to justify the cost of making such additions, or in lieu of sufficient revenue the utility may require a long term contract, contribution and aid of construction, monthly minimum charge and/or a definite and written guarantee, from a customer or group of customers in additions to any

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Ordinance No. _____ ~~minimum payment required by the schedule as may be necessary.~~ ^{Passed} ~~20~~. And that this requirement may also be applied to cover the distribution lines for electric service or for reservation of electrical capacity when such service or reservation will not otherwise provide sufficient revenue to justify the cost of tapping said lines.

Section 10: LOCATION AND MAINTENANCE OF UTILITY'S EQUIPMENT

That the utility shall have the right to construct its poles, lines and circuits on the property and to place its transformers and other apparatus on the property or within the buildings of the customer, at a point or points convenient for such purpose as required to serve such customer and the customer shall provide suitable space for the installation of necessary measuring instruments so that the latter may be protected from injury by the elements or through the negligence or deliberate acts of the customer or of any employee of the same, and that all obstructions to reading the meters be removed.

Section 11: USE OF ENERGY BY CUSTOMER

That the schedules for electric energy given herein are classified by the character of use of such energy and are not available for service except as provided therein.

And that with particular reference to power customers it shall be understood that upon the expiration of a contract the customer may elect to renew the contract upon the same or another schedule published by the utility and applicable to the customer's requirements, except that in no case shall the utility be required to maintain transmission, switching or transformation equipment (either for voltage or form of current charge) different from or in addition to that generally furnished to other customers receiving electrical supply under the terms of the schedule elected by the customer.

And that a customer may not change from one schedule to another except with the consent of the utility. And that the service connections, transformers, meters and appliances supplied by the utility for each customer have a definite capacity and no additions to the equipment, or load connection thereto, will be allowed except by consent of the utility. And that the customer shall install only motors, apparatus or appliances which are suitable for operation with the character of the service supplied by the utility, and which shall not be detrimental to same, and electric power must not be used in such a manner as to cause unprovided for voltage fluctuations or disturbances in the utility's transmission or distribution system, and that the utility shall be sole judge as to the suitability of apparatus or appliances, and also as to whether the operation of such apparatus or appliance is or will be detrimental to its general service. And that no attachment of any kind whatsoever may be made to the utility's lines, poles, cross arms, structures or other facilities without the express written consent of utility.

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Section 12: POWER FACTOR OF LIGHTING EQUIPMENT

That when neon, fluorescent or other types of lighting equipment having similar power factor characteristics are installed, the customer shall furnish, install and maintain at his own expense, corrective apparatus designed to increase the power factor of the individual units or the entire group of such units to not less than 90 percent lagging. And that where old equipment, including signs, is moved to a new location, it will, under this paragraph, be considered as a new installation.

Section 13: CLASSES OF SERVICE

The classes of service that will be offered within the Village electric distribution system are as follows.

Schedule A: Not more than 25 KVA of installed or allocated transformer capacity is required, and using only single phase (120-240 voltage)

Schedule B: More than 25 KVA but less than 150 KVA of transformer capacity and all three phase services.

Schedule C: Requiring 150 KVA or more of transformer capacity.

Section 14: TERMS AND RATES

2024 RATES

	MINIMUM MONTHLY SERVICE CHARGE	COST/ KILOWATT HOUR	COST/EACH KW DEMAND
Schedule A	\$18.00	.11980	-0-
Schedule B	\$30.50	.08420	15.25
Schedule C	\$110.00	.08100	19.25

2025 RATES

	MINIMUM MONTHLY SERVICE CHARGE	COST/ KILOWATT HOUR	COST/EACH KW DEMAND
Schedule A	\$20.00	.12908	-0-
Schedule B	\$33.00	.08167	16.75
Schedule C	\$114.00	.08100	19.75

2026 RATES

	MINIMUM MONTHLY SERVICE CHARGE	COST/ KILOWATT HOUR	COST/EACH KW DEMAND
Schedule A	\$22.00	.13424	-0-
Schedule B	\$35.50	.07922	18.25
Schedule C	\$118.00	.08100	20.25

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The Village shall determine, based on service requested, the schedule to be assigned to each customer.

The above rates are net if all accounts for this service are paid in full within 15 days from date of bill. If not so paid, the gross rates shall apply which are 10% in excess of the above net rates.

Section 15: DEMAND DETERMINATION

Customers demand shall be taken monthly, or by test at any time during the month to the highest registration of a 15-minute integrating demand meter or indicator, or the highest registration of a thermal type demand meter. The monthly billing demands will be based on 60% or the highest measure of KVA demand reading during the preceding 11 months or actual demand of current month; whichever is highest. Where energy is delivered through two or more meters, the monthly billing demand will be taken as the sum of the two demands separately determined. Demand meters shall be used for all customer s in Schedule B and C.

The utility and/or Village reserves the right to install such demand meters as it, in its sole discretion, may deem reasonable and/or proper. In lieu of the installation of a demand meter, the utility and/or Village may estimate the demand of the customers.

Section 16: SPECIAL TERMS AND CONDITIONS OF SCHEDULE A

Service under the schedule shall not be resold or shared with others.

The size of individual single phase motors shall not exceed 15 H.P. nameplate rating except when written permission is granted by the utility. The utility reserves the right to require that all mothers 10 H.P. and larger be equipped with reduced voltage starting equipment so as to avoid unnecessary surges on the utility's system.

Section 17: SPECIAL TERMS AND CONDITIONS OF SCHEDULE B AND C

In the event the utility, in order to prevent voltage fluctuations or disturbances on its system, installs separate transformer or transformers to supply service to welders, x-ray machines, etc. will be \$5.00 per kilovoltampers of installed transformer capacity.

This schedule is also available to customers having other sources of energy supply, but who desire to purchase energy from the utility. Where such conditions exist, the customer shall contract from the maximum amount of demand in KW which the utility might be required to furnish, but not less than three (3) KW.

The utility shall not be obligated to supply demands in excess of that contracted for. In the event that they customer's actual demand as determined by demand meter or indicator in any month exceeds the amount of his then, existing contract demand, the contract demand shall then be increased automatically to the maximum demand so created by the customer. Where service is supplied under the provisions of the paragraph, the billing demand each month shall be Five (5) KW or the contract demand, whichever is greater, and the minimum charge shall be as follow instead of the minimum charge set forth under paragraph "Minimum Charge" above:

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First 3 KW or fraction there of
Contract demand \$10.00 month

Each KW of contract demand in
Excess of 3 KW \$5.00 month/KW

Credits Modifying Rate: Bills computed under the rate set forth herein will be modified by credits as follows:

Equipment supplied by customer. When the customer furnishes and maintains the complete substation equipment including any and all transformers and/or switches and/or other apparatus necessary for the customer to take his entire service at the primary voltage of the transmission or distribution line from which service is to be received, a credit of 10% per KW of monthly billing demand will be applied to each monthly net bill.

Section 18: POWER COST ADJUSTMENT

The following method will be used in calculating monthly cost adjustment. To be applied to conditions in Section 14.

1. Customer usage will be evaluated based on the last six months of actual operation and maintenance expenses will be compared to the actual expenses and used to calculate a Power Cost Adjustment that will be included in the calculation of the customer's bill.
2. This calculation/formula will be applied to each customer account with a "look back" of six months for each month calculated.

Section 19: INSTALLATION OF LIGHTS AND POLES ON PRIVATE PROPERTY

That the utility is authorized to install lights on private property, upon the request of the landowner, and to lease same to landowner at a cost of \$7.50 per month for a 150 watt security fixture; \$12.50 per month for a 150 watt Flood light. And that said utility is further authorized to install poles incidental to said private property at a cost equal to the cost of said poles to the Village.

Section 20: MISCELLANEOUS CHARGES

New Construction Fee	\$800.00
Plus actual cost of installation from meter to pole	
New Construction fee outside Village limits	\$1100.00
Plus actual costs	
Meter Test at Customer Request:	Actual Cost
Service on and off for remodeling	\$50.00
Meter read by appointment	\$25.00

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Change service fee	\$25.00
Bad Check Charges	\$40.00

Section 21: PAYMENTS

That bills will be rendered by the utility to the customer monthly in accordance with the schedule selected applicable to the customer's service, and that all bills are payable at the business office or authorized collection agencies of the utility within the time limits specified in the schedule; and that the work "month" as used herein and in the schedules is hereby defined to be the elapsed time between two successive meter readings approximately thirty (30) days apart; and that in the event of the stoppage or the failure of any meter to register the full amount of energy consumed, the customer will be billed for such period on an estimated consumption based upon his use of energy in a similar period of like use. The utility reserves the right to estimate usage at any time it deems necessary.

For all service furnished, the current property owner of record of the land involved is responsible for the payment all electric bills-irrespective of who incurred such unpaid bills or when such bills were incurred or who owned or occupied the property at the time such bills were incurred.

The following rates shall be charged for special services which will be furnished under the following conditions:

1. For relocation of security lights at consumer's request: Consumer shall pay Utility the actual cost of the lamp relocation as determined under determination of construction costs but not less than \$60.00
2. For relocation of line or pole at consumer's request: Before work starts, consumer shall agree in writing to reimburse utility for all costs incurred and shall make an advance deposit equal to the estimated costs, to be determined in the manner specified in Determination of Construction Costs below.
Upon completion of the project, any excess deposit over actual costs will be refunded. If the deposit is insufficient, consumer shall pay the additional amount required to make up the deficiency and consumer's service shall be subject to disconnection until the deficiency is paid.
3. Determination of construction costs: All special services furnished to consumer as referred above shall be paid for by the consumer and shall include the following items of cost: Direct Labor, Materials, Transportation, Store Expenses and all other Direct and allocatable cost.

Section 22: DISCONTINUANCE OF SERVICE FOR NON-PAYMENT

1. Utility services charges, including charges for electric, shall be a lien on all real property serviced by such utility and for certification of delinquent payments to the Wood County Auditor for special assessment on the tax duplicate, in accordance with the Ohio Revised Code.
2. Any utility services, the charges for which are delinquent greater than five (5) days after payment due date, shall be discontinued.

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3. Disconnected utility service shall not be reconnected unless and until the customer's account is current and a reconnection fee has been paid. The reconnection fee shall be sixty dollars (\$60.00). If, at the discretion of the customer, reconnection is required outside normal working hours, the reconnection fee shall be One Hundred Dollars (\$100.00).

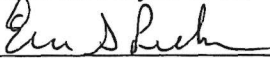
Section 23: That all ordinances and resolutions and parts of ordinances and resolution inconsistent herewith are hereby repealed.

Section 24: That this Ordinance shall be published in accordance with Chapter 4.11B of the Revised Code of the State of Ohio.

Vote on passage: 5 Yeas ___ Nays ___ Abstentions

Roll Call:

Passed this 18th day of Sept 2023

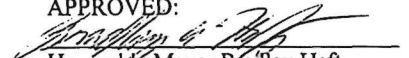


President Pro Tempore

ATTEST: 

Clerk-Treasurer Lisa D. Heft

APPROVED:


Honorable Mayor Bradley Heft