

2025 ELECTRIC UTILITY TARIFFS

EFFECTIVE JANUARY 15, 2025



CITY OF SEWARD
PO BOX 167
SEWARD, AK 99664



Seward City Code

Title 14, Utilities



TITLE 14 UTILITIES

See AS 29.35.070 for state provisions allowing municipalities to establish, change, regulate, etc., utility service rates; see AS 42.05.641 as to exemption from regulation by the Alaska Public Utilities Commission; see Title 16 of this Code as to required utility improvements within subdivisions.

- Chapter 14.01. General Provisions
- Chapter 14.05. Garbage and Refuse
- Chapter 14.10. Water
- Chapter 14.15. Electricity
- Chapter 14.20. Sewage Disposal

Chapter 14.01. General Provisions

See § 7.10.222 as to unauthorized utility connections in the small boat harbor; see § 9.05.238 as to discontinuance of electric and water service due to the presence of a vicious dog; see §§ 13.01.015 and 13.01.020 as to permit requirements for utility service excavation in rights-of-way.

- 14.01.010. General provisions.
- 14.01.015. Definitions.
- 14.01.020. Waiver of modification of regulations.
- 14.01.025. Application for utility service.
- 14.01.030. Deposits.
- 14.01.035. Access to premises.
- 14.01.040. Rates and charges.
- 14.01.045. Billing.
- 14.01.050. Payment responsibilities.
- 14.01.055. Late payments and penalties.
- 14.01.060. Termination of service by customer.
- 14.01.065. Discontinuance of service and remedies by city.
- 14.01.070. Restoration of service.
- 14.01.075. Service complaints.
- 14.01.080. Liability.

14.01.010. - General provisions.

The general provisions apply to all utility services provided by the city. In the event of a conflict between these general provisions and a specific provision addressed to a particular type of service, the latter shall prevail. (*Ord. 504, 1982*)

14.01.015. - Definitions.

Unless the context specifically indicates otherwise, the meaning of terms used in this title shall be as follows:

Applicant. Means a person, including a corporation, partnership, association, and governmental unit or agency, who requests utility service or the extension of utility facilities under these provisions and who may be synonymous, as circumstances permit, with "developer," "owner," "contractor," "builder," and similar terms associated with the improvement and development of real property and the construction of buildings and related improvements and their heirs, successors.



BOD (denoting biochemical oxygen demand). Means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees Centigrade, expressed in milligrams per liter.

Building drain. Means that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet (1.5 meters) outside the inner face of the building wall.

Building sewer. Means the extension from the building drain to the service connection or other place of disposal.

Class of service. Means the type of service rendered by the city to a customer under a particular rate schedule.

Clean-out. Means a pipe inserted into the sewer extension through which a cleaning device can be inserted into the sewer extension.

Collection system. Means the system of public sewers to be operated by the city and designed for the collection of sewage.

Combined sewer. Means a sewer receiving both surface runoff and sewage.

Commercial service—Non-demand metered. This classification applies to single phase, nondemand metered general lighting, incidental power, and other services used by commercial and industrial enterprises whose demand capacity is less than 25 KW, and by multiple dwelling units when supplied through one meter. A residential service through which an additional service point not directly associated with the primary residence is likewise serviced will be billed under this schedule. Customers will be classified as non-residential unless they are clearly a residential account. The burden of proof will be on the customer.

Commercial service—Demand metered. This classification applies to demand metered general lighting, incidental power, and other services used by commercial and industrial enterprises whose demand is equal to or greater than 25 KVA.

Commercial user. Means a person or premises used for commercial or business purposes which discharges domestic waste, not industrial waste.

Composite. Means the make-up of a number of individual samples so taken as to represent the nature of sewage or industrial wastes.

Constituents. Means the combination of particles or conditions which exist in the industrial wastes.

Contribution-in-aid-of-construction. Means that sum of money representing the cost of making additions or modifications to utility distribution facilities and underground installations, which the applicant or customer must pay as a condition precedent to installing the facilities requested, and which becomes the property of the city and is not otherwise subject to refund to the contributor.

Customer. Means the person, partnership, corporation or entity in whose name a utility account is held and the occupant, resident or tenant of any premises served by a city utility. In those cases where a utility service is not separately metered to individual tenants in a building, the landlord/owner shall be considered a customer.

Demand. Means the maximum rate of delivery of electric energy during a month, measured in kilowatts (KW) registered over a 15-minute period by a demand meter.

Domestic waste. Means any sewage emanating from residential dwellings or from domestic activities by or for private citizens having a BOD of less than 250 ppm and/or a total suspended solids of less than 250 ppm.

Economically feasible. Means an extension of distribution facilities will be considered economically feasible if anticipated annual revenue from the project will recover all annual costs plus reasonable margins to provide service to that point, and that this balance of revenue to costs/margins can reasonably be expected to continue for the service life of the facilities constructed for the requested service extension.



Electric service. Means the availability of electric energy at the point of delivery for use by the customer, irrespective of whether electric energy is actually used.

Engineering. Includes the preparation of electric layouts, designs, specifications, and other drawings and lists associated with electric construction. It also includes, but is not limited to, making construction estimates, inspecting construction for conformance with design criteria and specifications, staking, right-of-way acquisition, and similar and related activities necessary to the technical planning and installation of electric distribution facilities.

Garbage. Means all animal and vegetable refuse from food or food preparation, dead animals and the accumulation from restaurant grease traps, but not dish water nor wastewater, ice, salt and similar materials.

Industrial. This classification applies to electrical services with demand equal to or greater than 750 KW. Industrial services with demand of equal to or greater than 5,000 KW will be served by contract only, and only by cost-based rates of those services.

Industrial user. Means a person or premises which discharges sewage having the characteristics of industrial wastes as distinct from domestic wastes or which has a BOD of 250 ppm or greater and/or which has a total suspended solids of 250 ppm or greater.

Industrial wastes. Means the sewage from industrial manufacturing processes, trade, or business as distinct from domestic waste.

Key box (curb valve, curb cock). Means the shut-off point for water service, which is the property of the customer.

Mobile home. Means manufactured housing, as defined in section 8.15.110 of this code, built on a chassis and/or in accordance with Department of Housing and Urban Development standards contained in Code of Federal Regulations Title 24, Chapter 20. A mobile home shall be construed to remain a mobile home, subject to all regulations applying thereto, whether or not wheels, axles, hitch, or other appurtenances of mobility are removed and regardless of the nature of the foundation required.

Mobile home park. Means any parcel, or adjacent parcels of land in the same ownership, which is used for occupancy by two or more mobile homes. The term does not include camper parks as defined in section 8.15.110 of this code.

Multiple residential structures. Means any building or collections of buildings having common walls, containing two or more residential units, which include such common residential arrangements as apartments, townhouses, row houses and condominiums.

Natural outlet. Means any outlet into a watercourse, pond, ditch, lake, or other body of surface water or ground water.

On-site sewage disposal. Means the use of any privy, cesspool, septic tank or similar facility for disposal of sewage which is not connected to the collection system.

Permanent electrical service. Means service entrance and metering equipment installed at a given location with intent to remain for the useful service life of the city's electrical facilities constructed for that service. The equipment will be mounted on a city pole, or customer's building or other structure on a permanent, non-moveable foundation. The city reserves the right of final determination of whether a service will be classified permanent. All facilities will be designed and installed in accordance with applicable codes, standards and practices of the industry for the class of service offered.

pH. Shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Point of delivery. Is that predetermined location where the city terminates its equipment or conductors and connects with the customer's equipment or conductors.

Premises. Means the real property of the customer in a single location being served by the city.

Pretreatment. Means that physical treatment given to sewage prior to discharge into the collection system, or those processes utilized for this purpose.

Primary service. Means the conductors and equipment necessary to supply the customer with electricity at the available primary voltage above 480 volts.



Primary voltage. Means the voltage supplied to the high voltage side of distribution transformers, which include three-phase service 7,200/12,470 and 14,400/24,900.

Properly shredded garbage. Means the remnants from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in the collection system, with no particle greater than one-half inch (1.27 centimeters) in any dimension or overall.

Public sewer. Means any sewer collection system operated by or under the authority of the city.

Public works department. Means the city of Seward public works department.

Raceway. Means a channel for holding wires, cables, or busbars, which is designed expressly and used solely for that purpose.

Receiving waters. Means those natural outlets into which sewage is discharged.

Refuse. Means all garbage, rubbish and waste material.

Residential or domestic user. Shall mean a person or premises who discharges an average normal volume of domestic waste to the collection system.

Residential service. Means the providing of a utility to a single-family dwelling. Except for "home occupations" as defined in sections 15.10.140 and 15.10.240 of this Code, activities of a nature requiring a business license, advertising, or whose profits and expenses are shown against federal income taxes will be classified as "commercial."

Rubbish. Means tree and plant trimmings, paper products, rags, rubber, carpets, clothing, straw packing, packing materials, furniture and all other kinds of combustible waste material which ordinarily accumulates in the operation of a household or business. "Rubbish" does not include manure or waste from any yard or stable.

Sanitary sewer. Means a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

Secondary service. Means service at available voltage of 480 volts or less.

Secondary voltage. Means the voltage for delivery directly to the service entrance of the customer, i.e., the low voltage side of a distribution transformer, or utilization voltage.

Security lights. Means a fixture or fixtures installed to illuminate private homes and areas, including places and areas to which the public has access but which are privately owned and controlled.

Service. Means the furnishing of a utility to a given location.

Service connection. Means the pipe and appurtenances required to connect an individual property or facility to the sanitary sewer. The service connection shall start at the collection system and terminate at the property line or easement limit and shall not include the building sewer.

Sewage. Means any combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and stormwaters as may be present.

Sewage treatment plant. Means any arrangement of devices and structures used for treating sewage.

Sewage works. Means all facilities for collection, pumping, treating, and disposing of sewage.

Sewer. Means a pipe or conduit for carrying sewage.

Slug. Means any individual or combined discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds, for any period longer than 15 minutes, more than five times the average 24-hour concentration or flows during normal operation.

Storm drain and storm sewer. Means a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

Street light. Means a system or fixture of such system, for the illumination of streets, alleys, and other public places and areas, installed and operated at public expense.

Subdivision. Means a tract or parcel of land divided into two or more lots, sites, or other divisions according to applicable law.

Suspended solids. Means solids that either float on the surface of or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.



Temporary secondary service. Means service provided on an interim basis during a construction phase or any other service provided by use of facilities which cannot be reused or continued as permanent facilities and must be removed when the temporary need has ceased. The duration of the service will not exceed 180 days.

Thaw wire. Means the wire leading from the water main, parallel with the service line and coming up to the ground surface at the key box.

Toxic. Means constituents of sewage which are considered from time to time by the U.S. Environmental Protection Agency in its listing of NRDC Priority Pollutants Schedule as adversely affecting facilities or conditions similar to the collection system, the sewage treatment plant, or the receiving waters.

Waste material. Means broken crockery, glass, wire, ashes, cinders, bottles, tin cans, metals and other similar noncombustible waste material resulting from the operation of a household or business. Discarded vehicle bodies or other bulky or heavy objects, waste material resulting from any manufacturing, building or construction operation, and similar materials shall not be considered waste material and must be disposed of by the property owner.

Water connection or water service connection. Means that part of the water distribution system, including pipe and appurtenances, used to conduct water from the water main to a point at or near the property line of the premises to be served.

Water connection extension. Means that part of the water distribution system extending from the water connection into the premises served.

(Ord. 504, 1982; Ord. 525, § 2, 1984; Ord. 610, 1988; Ord. 95-06)

14.01.020. - Waiver of modification of regulations.

The provisions contained herein may not be waived by an officer, agent or employee of the city of Seward. Any modification or amendment shall be submitted to and approved by the council of the city of Seward. (Ord. 504, 1982)

14.01.025. - Application for utility service.

(a) Persons desiring utility service shall apply on forms provided. No utility service shall be provided before the applicant has entered into a contract (approved application) with the city.

(b) If an application is accepted verbally, the taking of utility service shall constitute a contract between the applicant and the city, obligating the applicant to pay for the utility service and to comply with all applicable provisions of the code, and the customer shall sign a written application upon request.

(c) The minimum term for which service will be rendered is 30 days. A customer taking service for less than this minimum term will be billed the minimum monthly charge or for the actual usage as specified under the applicable rate schedule.

(Ord. 504, 1982)

14.01.030. - Deposits.

(a) The person applying for utility services shall deposit an amount equal to two months fixed charges or such other amount as may be established by resolution. The deposit may be waived if the applicant provides a letter or other written verification from the electric utility that last provided comparable service for a period of at least 24 months to the applicant, stating that the applicant was not delinquent in payment for the last 12 consecutive months of service at that prior location. No further deposit shall be required from existing customers unless a customer's account becomes delinquent or another account is established.



(b) The deposit, plus interest as required by AS 29.35.070, shall be refunded after five years if the city has not terminated that customer's service for reasons of delinquency in payment and if the customer has not been delinquent in payment more than once in any 12 consecutive months. The rate of interest is based upon the current rate paid on a regular savings account at the local bank with which the city has its banking services. The rate is applied monthly and customers whose deposits are on file will receive a credit on their accounts every year for interest accrued over the prior year. The deposit does not relieve a customer from the obligation of paying bills promptly when due. The deposit, less any moneys due the city, will be refunded within 30 days after the customer signs a disconnect order to discontinue utility service.

(Ord. 504, 1982; Ord. 518, 1983; Ord. 610, 1988; Ord. 95-05)

14.01.035. - Access to premises.

Applicants and customers shall, after notice and at reasonable hours, grant admittance to premises to any city representative for the purpose of inspecting, repairing, maintaining, replacing, or operating any facilities connected with or owned or operated by the city. *(Ord. 504, 1982)*

14.01.040. - Rates and charges.

Utility service rates and charges shall be established by resolution following a public hearing. Notice of the public hearing shall be published in a newspaper of general circulation and shall be posted in at least three public places within the city at least ten days prior to the hearing. *(Ord. 394, 1973; Ord. 415, 1975; Ord. 430, 1977; Ord. 453, 1978; Ord. 454, 1978; Ord. 465, 1978; Ord. 480, 1980; Ord. 484, 1980; Ord. 504, 1982; Ord. No. 2005-04, § 1, 9-28-2005)*

14.01.045. - Billing.

(a) Customers shall be billed monthly. Payment shall be due within 20 days of the billing date printed on the monthly statement if the bills are mailed on or before the billing date.

(b) Failure of the city to bill for utility services shall not relieve the customer of payment responsibility.

(c) If the city is unable to read a meter at the usual or scheduled time due to locked premises, weather conditions, road conditions, presence of dangerous animals or other circumstances, the city will bill the customer based upon the estimated consumption and adjust the account in accordance with the next subsequent meter reading.

(d) A bill is delinquent when the customer fails to make payment within 20 days of the billing date; delinquency subjects the customer to termination and disconnection of any or all utility services until all billings have been brought current. The city may, at its discretion, make other contractual arrangements for payment of past due accounts.

(e) The city may charge a return check fee. Any returned check shall not be considered payment.

(f) Billing disputes.

(1) Whenever a customer has a dispute with the city over charges billed, a customer should request the city utility manager to investigate the grounds for dispute. The city utility manager will investigate the dispute and notify the customer as to the results of the investigation.



(2) If this reply is not satisfactory to the customer and the differences between the customer and the city cannot be reconciled by the city's staff or management, the customer may request an opportunity to present his case to the city council for final resolution.

(3) During this review process, the customer must pay the undisputed portion of the bill in a timely manner. If an error is found to exist, the customer's current account will be adjusted accordingly.

(Ord. 504, 1982)

14.01.050. - Payment responsibilities.

(a) *Payment for usage.* All persons receiving utility services from the city shall be obligated to pay for such services. The city presumes that a person intended to deprive the city of compensation for service from the city if:

(1) The person possesses or has access to a city service metering device which is being used to meter service and has been interfered with, avoided, or altered to inhibit or prevent the accurate measurement of service without the permission of the city or the person has access to a city line which has been tapped without the permission of the city; or

(2) The person enjoys the use or receives the economic benefit of any unmetered electric utility service. The city expects compensation due for any service received by unauthorized usage.

(b) *Change of occupancy.* A customer who is listed on city records as the person or entity responsible for utility consumption at a specific location shall give written five-day notice of a contemplated change in occupancy, specifying the date on which service is to be discontinued. If the customer fails to provide the required written notice, he will be charged for utility service furnished to the premises until the city is provided with notice of change of occupancy.

(c) *Vacancy between renters.* The owner of rental property may execute an agreement with the city providing for the automatic continuance of service in the owner's name during periods of vacancy between renters. During periods of vacancy, the owner will be billed as specified in the applicable rate schedule for regular customers of the same class until a new customer has applied for service and established credit as provided in sections 14.01.025 and 14.01.030
(Ord. 504, 1982; Ord. 610, 1988; Ord. 95-06)

14.01.055. - Late payments and penalties.

(a) Failure to make timely payment will subject the customer to a late payment charge set by resolution.

(b) Interest at a rate set by resolution shall accrue on all accounts from the date of delinquency.
(Ord. 504, 1982)

14.01.060. - Termination of service by customer.

(a) *Permanent disconnect.* A customer may discontinue utility service by providing written notice to the city not less than five days in advance of the date upon which termination of the service is requested.



(b) *Temporary disconnects.* Unless the city is notified in writing that a customer wishes to stop utility services, charges will be made and the customer will be liable therefor. No shut-off of utility services for less than three months will be made without payment of a charge in an amount to be established by resolution.

(Ord. 504, 1982)

14.01.065. - Discontinuance of service and remedies by city.

(a) *Termination of service.* Upon five days' written notice, the city reserves the right to discontinue or reduce any one or more utility services for any one or more of the following reasons:

- (1) Intent to defraud the city of payment for all or any part of such use;
- (2) Use in an illegal manner or for the furtherance of an illegal purpose or for any purpose other than that described in the application for service;
- (3) Resale or redistribution of a utility service;
- (4) Tampering with any utility service connection or property of the city;
- (5) Nonpayment of any bills for utility services;
- (6) Refusal of reasonable access to the premises for inspection, repair, maintenance, replacement or operation;
- (7) Noncompliance with any requirement imposed by the code or by resolution;
- (8) Failure to repair any defect or break in utility service, to the extent it is the customer's obligation to do so;
- (9) Other equipment or structures which by their proximity or nature introduce a safety hazard;
- (10) Such other reason or condition as the city may deem appropriate.

(b) *Lien on property.* Charges levied in accordance with this title shall be a debt due to the city and a lien upon the property which has been benefitted by the services. Change of ownership or occupancy of premises delinquent shall not be the cause for reducing or eliminating any applicable penalties.

(c) *Expenses.* The expense of discontinuance, reduction, removal or closing, as well as the expense of restoring service, shall be a debt due to the city (and a lien upon the property) and may be recovered by civil action in the name of the city against customer, the person, or both.

(d) *Criminal penalties.* Any person who shall continue any violation other than an obligation to pay money beyond written notice and reasonable time to cure shall be guilty of a misdemeanor in addition to being liable in damages and, upon conviction thereof, shall be fined in an amount not exceeding \$25.00 for each violation. Each day in which any such violation shall continue shall be deemed separate offense.

(e) *Safety.* Conditions which cause a clear and immediate safety hazard to customers or other personnel shall be cause for immediate disconnection of service without notification.



(Ord. 504, 1982; Ord. 610, 1988; Ord. 95-06)

14.01.070. - Restoration of service.

Service which has been terminated may be restored after the customer has paid a restoration charge or charges in the amount(s) established by resolution, and after the customer has complied with the following:

- (1) Payment of all unpaid bills, penalties and late charges for all utility services;
- (2) Placement with the city of a deposit, in an amount to be established by resolution, to ensure future payment of bills;
- (3) Correction of any condition found in violation of any applicable provision of the code or any resolution.

(Ord. 504, 1982)

14.01.075. - Service complaints.

(a) All customer service complaints are to be delivered to the city utility manager either in person, by mail, or by telephone.

(b) If within 14 days after having made a complaint a customer is not satisfied with the resolution of the complaint, the customer may file a written complaint with the city manager's office for final resolution.

(c) All customers are encouraged to contact the city whenever utility service is interrupted or service is unsatisfactory. Customers should notify the city whenever defects, trouble, accidents or potentially hazardous conditions are observed. This prompt notification of trouble will allow the city to continue to provide reliable service for all customers.

(Ord. 504, 1982)

14.01.080. - Liability.

(a) Any person violating any of the provisions of this title shall become liable to the city for any expense, loss or damage caused by such violation.

(b) Any unauthorized tampering with city utility property, equipment, or facilities will be punishable under AS 42.20.030 and other applicable statutory provisions.

(c) The customer is responsible for the safekeeping of the city's property located on the customer's premises and shall take all reasonable precautions against unlawful interference with the facilities. The customer may not connect to, interfere with or alter the conductor, meters, seals or other utility facilities used in connection with rendering utility service or permit connection to, interference with, or alteration by any person other than an authorized agent or employee of the city. The customer shall pay for any damage to city property caused or permitted directly or indirectly by the customer. If the city determines it to be necessary to protect its property or other individuals, the customer shall install, at his expense, suitable protective or security devices designated by the city on the customer's premises.

(d) Appliances, devices or facilities provided at the expense of the city are the property of the city and may be removed by it at any time on the termination of an agreement for its maintenance or the



discontinuance of service. The city may elect to seal the electrical switch or other utility device, equipment or facilities located on the customer's premises.
(Ord. 504, 1982; Ord. 610, 1988)

Chapter 14.05. - Garbage and Refuse

See AS 29.35.050 for state provisions allowing municipalities to provide for a system of garbage and solid waste services; see AS 29.35.060 for state provisions allowing municipalities to grant franchises; see § 7.10.210 et seq. as to garbage disposal in trailer courts.

14.05.010. - Refuse service provided and required.

(a) Every person occupying and/or owning any house, apartment building, duplex, triplex, condominium, townhome, mobile home park or home outside of a mobile home park, trailer, other residential or commercial dwelling or commercial building, including buildings under construction, within the city shall use and pay for the system of refuse disposal provided in this chapter, unless the person utilizes a carrier holding a valid permit from the Regulatory Commission of Alaska.

(b) The city shall either provide or contract for collection and disposal of refuse. The public works department of the city or the contractor shall prescribe routes and days for collection. When such routes or days are established or changed, reasonable notice thereof shall be given to affected customers. No other carrier other than one authorized by the Regulatory Commission of Alaska may collect, dispose, or remove refuse from any premises in the city. Nothing in the preceding sentence shall be deemed to prohibit an occupant and/or owner from removing or causing the removal of refuse accumulated on the premises occupied by him and disposing of the same in a lawful manner. Disposing of one's own refuse does not, however, eliminate the mandatory requirement to pay for solid waste service.
(Ord. 415, 1975; Ord. 428, 1976; Ord. 504, 1982; Ord. No. 2012-008, § 1, 9-10-2012; Ord. 2015-004)

14.05.015. - Deposit of refuse.

(a) No person shall place or deposit any refuse in or upon any public alley, street or highway, sidewalk, park or other public place in the city except as herein expressly authorized. No person shall place any refuse on land of another.

(b) Dumpsters or trash receptacles located on public property may only be used for depositing small quantities of refuse generated in connection with public activities such as picnicking, camping, touring, pleasure boating, sport fishing, or other outdoor recreation. No person shall deposit refuse generated by residential, commercial, or industrial uses in or near any dumpster or trash receptacle located on public property. No person shall deposit refuse in or near any dumpster or trash receptacle located on public property contrary to any instructions posted on or near the dumpster or trash receptacle.

(c) No person shall deposit refuse in a private dumpster without the owner's consent. Owners of dumpsters may post signage on or near privately owned dumpsters stating that unauthorized use is a violation of the City Code.

(d) Violation of this section is subject to a fine of \$100.00 for each offense.
(Ord. 504, 1982; Ord. 96-28)

**14.05.020. - Transportation.**

No person shall transport refuse within the city unless it is transported in a covered or enclosed vehicle or one which is loaded in such manner as to prevent any of the contents from escaping. (*Ord. 417, 1976; Ord. 504, 1982*)

14.05.025. - Use of containers and placement.

(a) Every person occupying and/or owning a building in the city shall provide containers suitable for collection of refuse. All refuse such as vacuum cleaner dust, nonexplosive liquids, sweepings and other refuse that poses a hazard to collection or risk of spillage in normal collection shall be individually packaged prior to placement in a container.

(b) Customer containers shall be placed abutting a dedicated public right-of-way. Only city containers may be placed upon the public right-of-way. (*Ord. 504, 1982; Ord. No. 2012-008, § 2, 9-10-2012*)

14.05.030. - Container specifications generally.

(a) All containers shall conform to the following minimum specifications:

- (1) Shall not exceed ninety-six gallons capacity;
- (2) Shall not exceed two hundred twenty pounds when filled;
- (3) Shall not exceed sixty-five pounds empty weight;

(4) Shall be watertight with an animal-proof lid and of adequate durability for continued use. No corrugated cardboard box shall be used except as herein provided. No fifty or fifty-five gallon steel petroleum drums or the like shall be permitted, whether cut down or otherwise altered.

(b) Certain bulk rubbish and waste material containers may be approved by the public works department of the city. Such containers shall be kept in a clean and sanitary condition and shall be provided with tight lids.

(*Ord. 504, 1982; Ord. 95-06; Ord. No. 2012-008, § 3, 9-10-2012*)

14.05.035. - Container racks.

Containers or container racks shall be designed so as to prevent the upsetting or spillage by wind, weather, animals, or accident. Violation of this section due to bear attractants is subject to a fine of one hundred dollars for each offense. The fine for the first offense only will be waived upon proof of purchase or lease of the appropriate containment measure (e.g. locking dumpster lid, bear-resistant dumpster, or bear-resistant garbage can), provided the containment measure is in place within thirty days of the date of the violation. More than one violation of this section by dumpster customers will require the occupant and/or owner to obtain a locking dumpster lid or bear-resistant dumpster for the period May through October. In addition to the one hundred dollar fine, more than one violation of this section by customers utilizing garbage cans will require the occupant and/or owner to purchase or lease a bear-resistant garbage can.

(a) Containers or container racks shall not be placed on the public right-of-way. (*Ord. 504, 1982; Ord. 95-06; Ord. No. 2012-008, § 4, 9-10-2012*)

**14.05.040. - Frequency of collection.**

All garbage and rubbish receptacles shall be emptied at least weekly. All garbage and rubbish receptacles shall at all times be kept clean by the person occupying and/or owning the property. All waste material must be removed at least once each month. Building or construction waste and debris shall be removed weekly and upon completion of construction. (*Ord. 504, 1982; Ord. 2015-004*)

14.05.045. - Brush, tree trimmings, etc.

Brush, trees, lawn cuttings or similar materials shall be securely bound in bundles not to exceed two feet in diameter. They may be placed in disposable cardboard containers. Branches or logs shall not be more than three inches in diameter or more than four feet in length. Containers shall not exceed 65 pounds in weight. (*Ord. 504, 1982*)

14.05.050. - Large boxes, crates, etc.

Large appliance cartons, shipping crates or small non-bulky items or furniture and similar materials shall be disassembled prior to collection. (*Ord. 504, 1982*)

Chapter 14.10. - Water

- 14.10.010. - Nature of services offered.
- 14.10.015. - Ownership.
- 14.10.020. - Key box, thaw wire and shut-off valve.
- 14.10.025. - Installation of water connections.
- 14.10.030. - Water main extensions.
- 14.10.035. - Fire hydrants.
- 14.10.040. - Mobile home parks.
- 14.10.045. - Multiple use buildings (apartments, offices).
- 14.10.050. - Responsibility for frozen water pipes and other damage.
- 14.10.055. - Interruption of service.
- 14.10.060. - Responsibility for charges; reselling of water prohibited.
- 14.10.065. - Persons authorized to turn on or off water service.
- 14.10.070. - Meters required.
- 14.10.075. - Minimum standards for water lines.
- 14.10.080. - Water system as electrical ground.

14.10.010. - Nature of services offered.

The city shall provide water service within the city limits. (*Ord. 504, 1982*)

14.10.015. - Ownership.

(a) The city owns and maintains the water service connection from the main, including the service line, thaw wire and the key box. The city has the exclusive right to control the flow of water by operation of the key box.

(b) The line between the key box and the premises shall be installed and kept in repair by the customer who shall be responsible for all breaks in said line and for any damages resulting incidentally therefrom (see section 12.05.025 as to adoption of Uniform Plumbing Code).



(Ord. 504, 1982)

14.10.020. - Key box, thaw wire and shut-off valve.

(a) The customer is responsible to know the location of his key box and thaw wire, and will be liable for any costs incurred in locating or repairing them when damage is caused by the negligence of the customer or those acting on his behalf. Such negligence shall include the customer's failure to apprise persons whom the customer knows or should know might damage the key box and thaw wire if not told of their location.

(b) All persons receiving service from the city shall provide a separate shut-off valve inside the building and located on the service line entering the building ahead of any branch lines and readily accessible in an emergency.

(c) Key boxes and thaw wires shall be located once without charge for each location of service.

A charge may be levied for subsequent locations of service as provided by resolution.

(Ord. 504, 1982)

14.10.025. - Installation of water connections.

(a) Water connection from the main to the key box shall be installed by the city upon application for such service, submission of a building permit and payment of established fees for such connection.

(b) Plans for all new water and sewer lines and connections must be approved by the city, and the completed lines must be inspected by the city prior to burial.

(c) An approved application and any applicable service charges shall be required to make any alterations in any conduit, pipe, or other fitting or to turn water service off or on at the key box. The customer is responsible for any damage resulting therefrom.

(d) Water connections larger than two inches may be installed by special agreement at actual cost to the customer. No water connection shall be longer than 80 feet. Water connections shall be installed on city property or easement.

(Ord. 504, § 1.)

14.10.030. - Water main extensions.

Water main extensions shall be made upon written application by the customer and deposit of two-thirds of the estimated cost of the extension, which shall be applied to the actual cost. If the actual cost exceeds that of the deposit, the applicant shall pay the additional amount. *(Ord. 504, 1982)*

14.10.035. - Fire hydrants.

(a) Customers may apply for a fire hydrant usage permit from May 1 to August 31 and shall use a hydrant designated by the fire chief or water system operator. A hydrant valve must be used.

(b) Only city personnel, or fire department personnel in the case of a fire, shall use any fire hydrant without first applying to the city and agreeing to pay the appropriate charges and deposits.

(Ord. 504, 1982; Ord. 95-06)

**14.10.040. - Mobile home parks.**

The owner or operator of a mobile home park shall report monthly the number of mobile homes and shall be responsible for all charges for water service for each mobile home. (*Ord. 504, 1982; Ord. 525, § 1(part), 1984*)

14.10.045. - Multiple use buildings (apartments, offices).

A single water connection shall serve only one customer unless more than one customer occupies an apartment house, duplex, office building, auto court, motel, hotel, commercial building or other premises which by its nature would normally remain under one ownership. (*Ord. 504, 1982*)

14.10.050. - Responsibility for frozen water pipes and other damage.

Customers shall be responsible for frozen water connections from the main to the building except when due to faulty installation by the city; burden of proof of the reason of freezing rests with the customer and when so proven, responsibility for thawing is the city's. (*Ord. 504, 1982*)

14.10.055. - Interruption of service.

(a) Water may be shut off without notice for repairs, emergencies, extensions or other necessary purposes. The city will not be liable for any loss or damage caused by failure of the city to deliver water.

(b) The city will not be liable for a deficiency or failure, regardless of cause, in the supply pressure of water nor for any damage caused thereby. (*Ord. 504, 1982; Ord. 95-06*)

14.10.060. - Responsibility for charges; reselling of water prohibited.

When water is supplied for the use of more than one person from one water connection, the party owning the premises adjacent to the curb cock shall be responsible for all charges as though he were the owner of all properties benefitted by water connection. No customer shall resell water. (*Ord. 504, 1982*)

14.10.065. - Persons authorized to turn on or off water service.

Only the city shall turn on or off any water service or open or close any fire hydrant; except, that a licensed plumber may turn on a water service for testing his work and a person holding a fire hydrant usage permit under section 14.10.035 may use a fire hydrant in accordance with that permit. (*Ord. 504, § 1; Ord. 610, 1988*)

14.10.070. - Meters required.

(a) The customer shall furnish water meters of the type and model specified by the city. Water meters shall also be provided for residential buildings containing five or more units.

(b) Water meters shall be furnished and installed by the customer at the option of the city for any existing commercial or industrial building or use, or for any state and federal building and use.

(c) All new commercial and industrial buildings and uses including all state and federal buildings and uses, shall install water meters at the customer's expense.



(d) All meter installations shall be approved in advance by the city when the customer applies for a building permit.

(Ord. 504, 1982; Ord. 95-06)

14.10.075. - Minimum standards for water lines.

All new water lines for major building remodeling or renovation (the cost of which exceeds 25 percent of the borough assessed value) shall be buried a minimum of nine feet below the surface of the ground, measured from the surface of the ground to the bottom of the pipe. If conditions prohibit this burial, then the line must be encased in insulation of a type and thickness which must be approved by the city. The city may allow the depth of burial with proper insulation to be less than nine feet, but not less than six feet. *(Ord. 504, 1982)*

14.10.080. - Water system as electrical ground.

The city recognizes that at times a plumbing system is used as an electrical ground. The city is not liable for the adequacy of this electrical ground and may make any structural or material changes in the city's water mains and water service connections without regard to the effect such changes may have on the overall adequacy of an electrical grounding system. The city will not be liable for the safety of any person who makes contact with a system that is used as an electrical grounding system. *(Ord. 504, 1982)*

Chapter 14.15. - Electricity

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- 14.15.730. - Consideration of complaints.

Article 1. - General Provisions

14.15.110. - Electrical service provided.

(a) The city provides 60-hertz alternating current, either single or three phase, at available standard voltages. Voltage, frequency and wave form are regulated to conform to the standard practices of the industry.



(b) Standard voltages:

120/208v	Single Phase	Secondary
120/240v	Single Phase	Secondary
120/208v	Three Phase	Secondary
240/480v	Three Phase	Secondary
120/240v	Three Phase	Secondary
480v	Three Phase	Secondary
277/480v	Three Phase	Secondary
7,200/12,470v	Three Phase	Primary
14,400/24,900v	Three Phase	Primary

(c) The city shall, unless otherwise provided, construct, operate and maintain the facilities necessary to deliver electrical energy to the point of service connection to the service equipment owned by the customer. Responsibility for the design of the city's lines and other facilities shall rest with the city.

(d) The city will not construct any service unless the approved service equipment is installed and available for connection. If the city's work crew or city's contractor is required to return to the customer's job site due to a lack of appropriate facilities, the customer will be responsible for all actual charges associated with additional trips.

(Ord. 504, 1982; Ord. 95-06)

14.15.115. - Types of service.

(a) *Permanent service.* Permanent service installations are as defined at section 14.01.015. Charges for construction of permanent services will be based on the service extension provisions. The entrance and metering equipment will be mounted on a city pole, or customer's building or other structure on a permanent, non-moveable foundation. The city reserves the right of final determination of whether a service will be classified as permanent. All facilities will be designed and installed in accordance with applicable codes, standards and practices of the industry for the class of service offered.

(b) *Temporary service.* Temporary services are as defined in section 14.01.015 and will be constructed under the provisions set forth in service extension provisions. Entrance and metering equipment may be installed on a city pole, or a customer's portable or skid-mounted building or other nonportable structure. The installation and equipment will comply with applicable technical and safety standards, practices and codes to protect the customer, the general public and the city's employees. Temporary services would include, but not be limited to, power for construction-sites, gravel pits, sawmills, mining sites, small boat harbor, refrigerated van plug-ins, or carnivals or similar organization. The customer for this type of service is liable for full cost of installation and removal of facilities, payable in advance of installation.

(c) *Non-standard service.* The city has the option of providing non-standard services. The customer will pay the cost of any special installations necessary to meet particular requirements for service at other than standard voltages, or for closer voltage regulation than provided by standard service or for service with characteristics different from those described in these provisions.

(Ord. 435, 1977; Ord. 504, 1982; Ord. 610, 1988; Ord. 95-06)

14.15.120. - Resale of electricity.



The city provides only retail service. No customer, with the exception of the small boat harbor, shall resell or rebill the power purchased from the city or provide service to any other person or premises. (*Ord. 504, 1982*)

Article 2. - Engineering Provisions

14.15.210. - Service classification.

The intended use of electricity will determine whether a service is residential or commercial. (*Ord. 504, 1982; Ord. 95-06*)

14.15.215. - Metering electricity use.

(a) The registration of the city's meter shall be accepted and received at all times and places as prima facie evidence of the amount of power and energy used by the customer. Quantity of energy use will be determined under the following provisions.

(1) *Energy use (KWH)*. Meters designed to quantitatively determine energy use measured in kilowatt hours will be installed, calibrated and monitored by the city on all services except where:

a. Energy use is fixed by type of service and fixed billings will accurately recover all costs;

b. Service is temporary and metering would be impractical. Energy usage would then be estimated and billed accordingly. The city reserves the final right to determine these exemptions; however, any customer under the above conditions who desires a meter will be provided one at the customer's expense.

(2) *Energy demand (KW)*. For certain rate schedules provisions for measuring and billing monthly noncoincident demands are required. Meters designed to indicate or record the highest 15 minute demand in the billing period will be installed, calibrated, monitored and read by the city on all affected customer services according to rate schedule requirements.

(b) When the service exceeds 200 amperes or 480 volts, the city will provide at customer expense current transformers and/or potential transformers (PT's or CT's) at a ratio designated by the city for metering. The customer shall install the PT's or CT's in a sealable enclosure and shall furnish and install all necessary meter sockets and raceways. The city will install the wiring from the instrument transformers to the meter sockets in raceways provided by the customer. In the case of customer's primary metering, which is generally installed on wood poles, the city shall install such equipment at customer's expense.

(*Ord. 504, 1982; Ord. 95-06*)

14.15.220. - Power factor adjustment.

All schedules requiring demand metering will be subject to the following power factor adjustment provisions:

(a) Demand-metered customers should attempt to maintain a unity power factor. If the power factor falls below 90 percent lagging, the customer will take corrective steps to return the power factor to 90 percent or higher. Also, the following charge for billed kilowatts will apply: $\text{Month Billing Demand} = \text{Maximum Demand} \times 90 \text{ Percent Actual Power Factor}$



(b) All power factor adjustment equipment installed by the customer must be approved by the city. Power factor can be determined by permanently installed monitoring equipment or by periodic testing at reasonable intervals, at the discretion of the city.
(*Ord. 504, 1982*)

14.15.225. - Phase balance.

Except for three-phase, four-wire delta service, the following phase balance requirements apply to all multi-phase services. Current unbalance between phase wires in any multi-phase service cannot exceed ten percent. The customer will take corrective steps to return unbalance to ten percent or less. (*Ord. 504, 1982*)

14.15.230. - Highly fluctuating loads.

(a) Any load that causes a large fluctuation in voltage on any given circuit and disturbs the service provided to other customers, such as large motors, starting equipment, unstaged heating loads, X-ray equipment or welders, etc., will be subject to disconnect by the city.

(b) The city may require, as a condition of service, that a customer install, at his own expense, equipment that will eliminate the undesirable load characteristics. Undesirable load characteristics include, but are not limited to, unbalanced load between phases, unacceptable variations from unity power factor, and unusual demand fluctuations produced by the customer's equipment. A customer planning to install electric welders or motors larger than two horsepower should consult the city before making the installation.
(*Ord. 504, 1982*).

14.15.235. - Addition of load.

If a single-phase customer plans to increase a given load past the capacity of the city's equipment installed to serve that particular location, the customer will be required to notify the city two months prior to the proposed changes. If a customer with a three-phase service plans to increase a given load past the capacity of the city's equipment installed to serve that particular location, the customer will be required to notify the city six months prior to the proposed changes. These prior notices will give the city sufficient time to design necessary changes in equipment to satisfactorily serve the anticipated new load. If the customer fails to notify the city and the additional load damages the city's equipment, the customer is liable for such damages and repairs or replacement of damaged equipment. (*Ord. 504, 1982*)

14.15.240. - Unauthorized attachments.

Written permission from the city is required prior to the attachment of any equipment or material to any city property including poles, guy wires, equipment or structures. Any unauthorized attachment is subject to removal at any time without notice. The city assumes no liability, and will not be responsible for any unauthorized attachments to the city's equipment. (*Ord. 504, 1982*)

14.15.245. - Wiring instructions.

Minimum wiring requirements that are necessary to meet local, state and national electric standards codes for the given customer service entrance installation are available from the city's engineering department (see section 12.05.035 as to adoption of National Electrical Code). (*Ord. 504, 1982*)



14.15.250. - Load protection.

The customer is responsible for overload, short circuit, and phase failure protection of his own equipment. Certain protective devices considered necessary for adequate motor protection are recommended hereunder:

(a) *Line starting protection.* Any motor 50 horsepower or greater in size which, in starting, might be damaged by the full line voltage requires some type of protective device to disconnect it from the line during interruptions in service, thus protecting the motor when service is restored. The city further recommends that such a device be equipped with a time delay mechanism so that the motor will not be disconnected by momentary fluctuations in voltage.

(b) *Overload protection.* Since the intense heat caused by overload might seriously damage the motor, the customer should install a device that will disconnect the motor if overload occurs. Fuses, thermal relays or circuit breakers which are specifically designed to operate when excessive current occurs, are the devices used for this purpose. Where the customer receives three-phase service, the city suggests that such protective devices be connected in all phases.

(c) *Single phasing protection.* Where the customer receives three-phase service, a relay should be installed which will disconnect the motor from the lines in the event one phase of the line becomes open.

(d) *Reverse phasing protection.* For three-phase installations of electric cranes, hoists, elevators, pumps and the like, the customer should install relays which will disconnect the motor from the line in the event of accidental phase reversal.

(Ord. 504, 1982)

14.15.255. - Meter testing.

(a) The city will, at its own expense, make tests and inspections, as required, on meters to insure standard accuracy of plus or minus two percent. The city will test a customer's meter upon request for the fee established by resolution.

(b) If a meter is found to be out of adjustment by more than plus or minus two percent, the customer's bill will be adjusted retroactively, not to exceed three months, to show a corrected billed amount. If it can be established that the error was due to some cause, the date of which can be fixed, the overcharge will be computed back to but not beyond that date.

(Ord. 504, § 1.)

14.15.260. - Authorized breaking of a meter seal.

Under certain circumstances, a customer may request permission to break a meter seal in order to facilitate disconnection for electrical work. Such requests should be addressed to the city. A fee will be charged for resealing the equipment. (Ord. 504, 1982)

Article 3. - Service Connection Provisions

14.15.310. - General requirements.

(a) The city will own, install, operate and maintain the overhead service necessary to the point of connection of the customer's service equipment and to the city's distribution facilities.



(b) The customer shall own, install, operate and maintain all wiring, service equipment and electrical facilities on the customer's side of the meter.
(Ord. 504, 1982)

14.15.315. - Point of delivery.

(a) Point of delivery for overhead services must be arranged so that the city's conductors can be attached in one place and one place only for drop into the customer's service entrance. The customer will be required to provide equipment for attaching the city's conductors to building surfaces with adequate strength to support the city's conductors. Point of delivery for services will be on a mutually acceptable location pre-arranged with the city's engineering department.

(b) The city will not be obligated to provide service to a structure at a point not designated by the city, and a customer who proceeds without the designation of location may be required to modify the wiring or other construction to provide for service equipment at a location subsequently designated by the city.

(c) It is the responsibility of the customer or electrical contractor to notify the city's engineering department of all special service requirements in advance of installing new equipment or modifying old equipment at the service entrance and to determine a suitable service entrance location acceptable to both the customer and the city.
(Ord. 504, 1982)

14.15.320. - Metered use for each class of service.

(a) The city shall establish by resolution separate rates for each individual customer class. Rates are based on supplying service to a customer through a single delivery or meter point. At each delivery point, a single meter will measure all usage for each affected class of service.

(b) Meter installations for services greater than two hundred amps will be provided only by special application to the city's engineering department.
(Ord. 504, 1982)

14.15.325. - Meter location.

(a) All meters will be installed on the outside of buildings or service structures, except for rural, mobile homes, temporary, construction, or small boat harbor service. Then, the meter may be attached on a separate meter pole. The customer will furnish a suitable location for placing the city's meter that is safely accessible by city employees, free from vibration, corrosive atmosphere, and abnormal temperatures, and protected from adverse climatic conditions or aggressive domestic animals.

(b) Meters will not be located under enclosed porches or breezeways, carports or under rain gutter downspouts or other drains. Meters shall be installed at such height that the center of the meter will be between 4.5 feet and 6 feet above the finished grade or platform.

(c) The customer shall, at his own expense, extend his wiring for a new and approved meter location whenever the existing meter has become inaccessible or potentially inaccessible for inspection, reading and testing.



(d) Meters shall have a main outside service disconnect located immediately adjacent to the meter. If the metering point is separate from the building(s) which it serves, there shall be a second service disconnect for each building.

(Ord. 504, 1982; Ord. 95-06)

14.15.330. - Primary facilities.

Loads in excess of fifty kilowatts of demand may require primary facilities for adequate service. If primary service is required, the customer will be required to provide space on his property at no cost to the city for the transformers, switches, regulators and other equipment necessary to serve the load. The space provided may be outdoors for pad-mount transformers or in a vault inside a building as approved by the city's engineering department. *(Ord. 504, 1982)*

14.15.335. - Three-phase service.

Three-phase service will not be provided to a customer if the connected load is less than five horsepower unless three-phase service is immediately available on existing circuits. *(Ord. 504, 1982)*

14.15.340. - Service for multi-occupant.

(a) *Apartments and condominiums.* Service will be supplied to only one location for each integrated structure. All metering and service entrance equipment will be located at this point. Each separate residential unit within the structure will be metered separately. No master-metering will be permitted. Laundry, furnaces and other common or joint-use equipment will be metered and charged according to appropriate commercial rate schedules.

(b) *Motels and hotels.* Service will be supplied to only one location for each integrated structure. All metering and service entrance equipment will be located at this point.

(c) *Townhouses.* Service for townhouses can be supplied under the provisions of (a) above. Alternatively, service for townhouses can be supplied to individual units if these properties are individually platted. However a borough-approved and recorded plat must be on file before such service can be constructed.

(d) *Commercial and office buildings.* Service for commercial or office buildings will be supplied to only one location for each integrated structure. All metering and service entrance equipment will be located at this point.

(e) A main disconnect shall be required at the metering point, normally on the outside of the structure.

(f) The city reserves the right to limit grouped meters to six units or less at any one location, or to require three-phase arrangements, or both, when it is deemed necessary for the technical requirements of the system.

(Ord. 504, 1982)

14.15.345. - Service for mobile home parks.

Existing mobile home parks with master metering may continue to use master metering. New mobile home parks may not use master metering. New mobile home parks will be connected as provided in section 14.15.525. *(Ord. 504, 1982; Ord. 525, § 1(part), 1984; Ord. 610, 1988)*



14.15.350. - Service for small boat harbor.

(a) *Generally.* The Harbormaster shall have the authority to manage the secondary distribution system serving shore power to vessel slip leaseholders. The management will also include meter reading, billing, and the collection of fees for service connects and disconnects.

(b) *Availability.* All permanent vessels using electrical power shall connect and pay the subject fees established by resolution of the Seward City Council.

(c) *Shore power.* Every effort shall be made by the harbormaster's office to provide "shore power" to those transient vessels that require such service. A deposit and a daily flat rate for power used, as established by resolution of the Seward City Council, shall be charged.

(d) *Type of service.* Single-phase, 120/208 voltage, thirty amp outlets shall be provided. Any customer requiring changes to the existing electrical facilities must receive authorization from the Harbormaster and agree to pay for all costs associated with change.

(e) *Maintenance and service repair.* All maintenance and service requests shall be made to the Harbormaster's office. The City will provide those services required to remove, repair or test installed meters. It will, in addition, provide any electrical maintenance assistance as requested by the Harbormaster. Any such work performed for the small boat harbor will be charged on a work order basis.

(Ord. 504, 1982; Ord. No. 2012-011, § 2, 12-10-2012)

Note: Ord. No. 2012-011, § 3, states that the City Manager is directed to have the Harbor staff refund the electrical deposits of all reserved moorage account customers that are not more than 30 days past due.

Article 4. - Interconnection to Customer-Owned Alternate Technology and Fossil Fuel Standby Generation Equipment

14.15.410. - Alternate technology generation.

(a) The city will permit the interconnection and operation of alternate technology generation facilities such as wind energy conversion systems or small scale hydroelectric facilities with its integrated distribution system upon compliance by the customer with the following provisions:

(1) A customer who owns any alternate technology generation shall request approval from the city to interconnect with its system at least three months prior to the date on which the customer intends to make any connection in any way to the electric circuitry common to the city's integrated distribution system.

(2) The customer shall submit to the city along with his request for interconnection complete documentation of alternate technology generation equipment including but not limited to: schematics; wiring diagrams; performance specifications; descriptions of energy storage devices, circuit protection equipment, regulation equipment, automatic disconnect equipment, and any other proprietary device provided by the equipment manufacturers.

(3) Upon approval of the interconnection by the city, the customer shall agree under special contract with the city to pay the cost of any special metering equipment or circuit modifications determined by the city as necessary to accomplish the interconnection; to install power factor corrective



equipment as necessary to maintain a power factor of not less than 0.9; to operate the generation equipment in strict compliance with safety procedures established by the city, and to accept the terms of purchase of energy or capacity or both as set forth in the contract.

(b) The city reserves the right to refuse interconnection with alternate technology generation facilities or to limit the number of interconnections with alternate technology generation facilities on any single substation circuit if it is determined by the city that any such interconnection would be harmful or hazardous to its system, its employees or other customers. If a proposed interconnection is refused by the city, the city will provide the customer within three months of the initial request written notice of refusal, including a statement of the reason(s) for the refusal.

(c) If an unauthorized interconnect is found, the city will immediately terminate service to those facilities and reconnect the service only when all conditions of these provisions are satisfied.
(Ord. 504, 1982)

14.15.415. - Fossil fuel standby generation.

The city will not permit the interconnection and operation of fossil fuel standby generation facilities, such as diesel or gasoline engine drive standby generators, with its integrated distribution system under any circumstances. Diesel or gasoline driven standby generators shall be connected to the customer's load only through a double-throw switch that will prevent parallel operation with the city's distribution system.
(Ord. 504, 1982)

14.15.420. - Customer liability.

(a) *Accidents.* The customer shall be solely responsible for all accidents or injuries to persons or property caused by the operation of the customer's equipment, or by any failure of the customer to maintain his equipment in a satisfactory and/or safe operating condition, and shall indemnify, defend and save harmless the city from any and all claims, suits, losses or damages for injuries to persons or property, of whatsoever kind or nature arising directly or indirectly out of the operation of such equipment or by the failure of the customer to maintain its equipment in satisfactory and/or safe operating condition.

(b) *Digging permits or utility locate requests.* The customer is solely responsible for the safety and security of city equipment on the customer's property whether in or out of a utility easement. The customer shall complete a digging permit or utility locate request prior to any digging, drilling, driving into the ground, or any subterranean disturbance. If "locate required" is indicated on the form, the customer shall not disturb the ground until all indicated locates are complete. The customer or his contractor shall not use mechanized equipment within two feet of any located utility. Failure to follow this procedure will make the customer liable to a \$500.00 fine plus any cost to repair the facility. Digging permits and utility locates are available free of charge upon request and will be done expeditiously.
(Ord. 504, 1982; Ord. 95-06)

Article 5. - Service Extensions

14.15.510. - Cost considerations.

(a) The city will extend service to any accessible land-based location within the city's service area upon written application by a customer. Docks, marinas and other marine structures will be served from a shore-based delivery point only. No city facilities will be mounted on marine-type structures. The terms, conditions, and costs for service extensions will vary according to the following criteria:



- (1) Length of the service extension, determined by the distance from adequate existing city facilities to the indicated service location;
- (2) Whether construction calls for single-phase or three-phase service;
- (3) Materials and associated facilities required to adequately serve anticipated loads and voltages;
- (4) Methods of construction required due to terrain, accessibility or weather conditions;
- (5) Whether a service is temporary or permanent;
- (6) Whether the service extension requires primary distribution extension, secondary distribution extension or both;
- (7) Whether the requested service design requires overhead or underground construction, or both;
- (8) Load and voltage requirements at the requested service.

(b) Customer participation in a service extension shall be limited to activities on his own property:

- (1) The customer may dig his own secondary trench up to ten feet from city equipment. He may not backfill this trench.
 - (2) The customer may not dig within easements or rights-of-way.
 - (3) The customer shall, prior to digging, complete a digging permit or utility locate request.
 - (4) The customer may clear and landscape his own property.
- (Ord. 504, 1982; Ord. 95-06)*

14.15.515. - Standard service extensions.

(a) Any permanent service extension, whether single phase or three phase, overhead or underground, primary or secondary, will be constructed by the city under the following conditions.

(1) Any extension with estimated costs less than \$750.00 will be constructed at no cost to the customer. The customer will not be required to enter into a contract with the city for these extensions. All other applicable fees and deposits shall apply.

(2) Any single-phase service extension with estimated costs greater than \$750.00 will be constructed under the following conditions:

a. For line extensions 1,500 feet or less, the estimated costs for construction in excess of \$750.00 will require a nonrefundable contribution-in-aid-of-construction equal to ten percent of the estimated total cost of construction to be paid to the city prior to construction. The remaining balance of those costs over \$750.00 and in excess of the ten percent contribution-in-aid-of-construction will be paid in advance or will be repaid to the city at 12 percent interest, in 36 equal monthly payments. This



will be a monthly service extension charge. All estimated costs for construction greater than \$25,000.00 will be recovered in full as a contribution-in-aid-of- construction payable prior to construction.

b. For line extensions greater than 1,500, those costs in excess of the \$750.00 allowance and the ten percent contribution-in-aid-of-construction will be repaid to the city at 12 percent interest in 60 equal monthly payments. This will be a monthly service extension charge. All estimated costs for construction greater than \$25,000.00 will be recovered in full as a contribution-in-aid-of-construction payable prior to construction.

(3) Any estimated costs for three-phase construction greater than \$1,500.00 will be recovered in full as a contribution-in-aid-of-construction payable prior to construction.

(b) Any line extension requiring a monthly service extension charge will be subject to credit approval as a prerequisite to these service extension provisions.

(c) For large general service and small general service accounts, the city manager shall have the authority to waive the requirements of subsections (a)(2) and (a)(3) above when the customer can demonstrate that five times the estimated annual revenue (5 x EAR) exceeds the estimated construction cost of the service extension. The customer will execute an agreement with the city for a monthly "excess minimum" charge based on the actual construction costs of the service extension divided by 60.
(*Ord. 504, 1982; Ord. 92-20; Ord. 95-06*)

14.15.520. - Temporary service construction.

The customer will pay the city for all construction and subsequent removal costs for any temporary service prior to construction. This payment will be classified as a contribution-in-aid-of-construction. The city reserves the right to determine which services shall be classified as temporary. (*Ord. 504, § 1.*)

14.15.524. - Service extensions to multi-occupant buildings.

(a) *Apartments, condominiums, and townhouses.* Service extensions to these facilities shall be treated as multiple service extensions based on the number of meters for "credits."

(b) *Motels, hotels, commercial, and office buildings.* Service extensions to these facilities, although they may have multiple meters, will be treated as one service extension for "credits."
(*Ord. 95-06*)

14.15.525. - Mobile home parks.

All facilities installed in mobile home parks will require a contribution-in-aid-of-construction of total estimated costs prior to construction. (*Ord. 504, 1982; Ord. 525, § 1(part), 1985*)

14.15.530. - Service upgrades.

(a) If a customer requests an upgrade in service to accommodate additional load requirements, the city will construct the upgrade under the following conditions:

(1) For service extensions less than 36 months old, the customer will be required to pay all the estimated upgrade costs as a contribution-in-aid-of-construction prior to construction.



(2) For extensions over 36 months old, the customer will be allowed upgrades, with cost estimates less than \$400.00 at no additional charge. Any estimated costs greater than \$400.00 will be treated under the standard service extension payment procedures outlined in section 14.15.515

(b) If a service upgrade includes an additional service extension for the upgrade, the costs of construction are subject to the above conditions (1) and/or (2).

(Ord. 504, 1982; Ord. 610, 1988)

14.15.535. - Construction of subdivision service extensions and/or idle facilities.

(a) If active service locations are served by requested service extension, each such extension shall be treated under the standard service extension procedures outlined in section 14.15.515 and subject to other applicable conditions of service as outlined in these service extension and utility provisions of the city. If service extensions to inactive service locations are requested or included by design along with service extensions to active service locations, the estimated cost associated with the extensions to the inactive service locations shall be paid by the customer or developer in full as a contribution-in-aid-of-construction prior to construction.

(b) If service extensions to inactive service locations become active within 60 months of the original construction, a refund of all contributions-in-aid-of-construction paid up to \$2,000.00 maximum will be made. Inactive service extensions that become active after 60 months subsequent to the original construction will receive no refund. The customer will be required to pay charges for any trips made by city work crews or contractors needed to make the conversion from inactive to active, independent of any refund.

(c) Service extensions to a portion of the subdivision may be allowed with the approval of the city. The portion served will be determined by the city based on customer request(s) and sound engineering practice. The entire subdivision will be designed at the time of the original service request(s) and subsequent extensions will be done according to this design unless the city determines that economic considerations, a change in the plat, or other circumstances require a redesign of the electrical system.

(Ord. 504, 1982; Ord. 610, 1988; Ord. 95-06)

14.15.540. - Adding services to existing service extensions.

(a) If a new service extension is added to an existing extension within 60 months of the completion of the existing extension, one of the following adjustments will be made:

(1) The original service extension monthly charge will be reduced to reflect a contribution of up to \$400.00 for each new extension added to the original service extension;

(2) The original service extension contribution-in-aid-of-construction will be refunded \$400.00 for each new extension added, not to exceed the original contribution-in-aid-of-construction. If more than one customer sponsored the original service extension, the refund or monthly service extension reduction will be apportioned among the original customers.

(b) If a new service extension is added to an existing extension subsequent to 60 months from the completion of the original extension, there will be no refund or adjustments.

(c) New service extensions added to existing service extensions regardless of age will be treated under the provisions of section 14.15.515 and estimated costs will be calculated only on construction of the new extension from the existing lines plus any necessary existing system upgrading.



(Ord. 504, 1982; Ord. 610, 1988; Ord. 95-06)

14.15.545. - Relocation of facilities.

The city will relocate any portion of its facilities on request if the relocation will not interfere with, or increase the cost of, service to its customers. The party requesting the relocation shall execute a written agreement to pay the cost of relocation which shall be calculated as the cost of constructing and installing the new facilities, plus the cost of removing the replaced facilities, less the accrued depreciation and salvage value of the replaced facilities. Service conductors and equipment will be relocated at the sole cost and expense of the requesting party. Relocations at the request of the Alaska Department of Transportation and Public Facilities will be performed in accordance with the applicable laws of the state of Alaska. *(Ord. 504, 1982)*

14.15.550. - Conversion of temporary service; extensions to permanent service extension.

If a service has been installed at a temporary location for construction power at a building site, the customer may request it be converted to permanent service. The cost of the service shall be recalculated in accordance with section 14.15.515 and fees and charges adjusted for a permanent service installation. Excess money already paid will be refunded, or deficiency paid. In addition, the customer will be required to pay costs associated with making the conversion from temporary to permanent, independent of any refund. Except as noted herein, other temporary installations are not eligible for conversion or refund. *(Ord. 504, 1982; Ord. 610, 1988)*

14.15.555. - Security light construction.

(a) The city will provide security light service to customers by installing a single light and fixture on an existing pole with no more than one secondary span from the customer's installed existing overhead service facilities at no charge other than the standard security light installation fee.

(b) If security light construction is required without existing secondary service, the customer will be required to pay all the estimated additional construction costs. These costs will be paid prior to construction as a contribution-in-aid-of-construction. The security light service will be constructed and billed as an individual, non-metered service. *(Ord. 504, § 1.)*

14.15.560. - Estimating service extension costs.

(a) The city estimate used in determining service extension cost will be calculated on an average per foot cost based on the most recent actual construction costs plus the cost of transformers.

(b) Costs will vary based on the physical characteristics of the extension as detailed in section 14.15.515. For non-standard construction, the estimates will reflect extraordinary costs for materials, transportation and/or labor. *(Ord. 504, 1982; Ord. 610, 1988)*

14.15.565. - General service extension provisions.

(a) The city reserves the right to refuse service to any load or location determined to be detrimental to the city's existing system.



(b) Applications for service and service extension agreements must be signed by the legal property owner or the lessee of state, federal or municipal property. Lessee/renters on private property may sign only with the consent of owner in writing.

(c) Service extension agreements may be assumed by another customer providing that the customer is the new legal owner or lessee of the property to which the service extension was made, and further providing that it is agreed to in writing by the city, the assignor and the assignee of the agreement.

(d) The city reserves the final right to determine the technical or economic feasibility of any service extension. Construction requirements for single-phase or three-phase service extensions will be determined solely by the city. The city may refuse any type of construction it deems technically unfeasible or the city may charge in advance as a contribution-in-aid-of-construction for any type of construction it deems non-standard or economically unfeasible.

(e) The city shall be the sole judge of whether extensions, construction conditions, and material requirements are standard or non-standard. In non-standard construction the city will adjust service extension costs based on use of non-standard construction labor, materials or transportation.

(f) If constructing service extensions require the services of a registered land surveyor, the applicant will be liable for costs incurred for any extra property or boundary surveys necessary to determine correct placement of the city's facilities on the applicant's property or intervening property.

(g) For any service extension the customer must provide satisfactory right-of-way to the city for placement of its facilities as needed to provide service to the customer's desired service location. These rights-of-way shall be provided to the city at no cost. Right-of-way agreements must be signed by the legal property owner.

(h) The length of the electric line required for an extension of service will be the distance from the nearest suitable existing distribution facility to the point where the customer's transformer bank is attached to the end of the service extension. The city will determine the length along the shortest practical route which is not in conflict with any previous plan to render service, and shall not be required to deviate from such previous plan of extension. The length of the extension will be computed based on the actual length of construction involved.

(i) In all cases the facilities provided shall be constructed in accordance with the city's specifications, and shall be the city's property up to the point of delivery.

(j) If more than one applicant requests service on the same extension, the guaranteed total minimum revenue or contributions-in-aid-of-construction will be apportioned among the applicants.

(k) In cases where service extensions cross federal, state, municipal or native lands, the applicant will be liable for all filing, easement or other required fees.
(Ord. 504, 1982)

Article 6. - Liability

14.15.610. - Interruption of service.

(a) The city will exercise reasonable care to provide adequate and continuous electric service. However, the city assumes no liability for injury, loss or damage resulting from system failure or



curtailment of service, unless such injury, loss or damage results from the sole negligence of the city. Such failure or curtailment shall not be deemed breach of contract.

(b) The city also reserves the right to temporarily interrupt service to make system repairs or system upgrades. In the event such interruptions are required, the city will make efforts, where practical, to give advance public notice. The city will also schedule these outages to be as short as possible and at times of least inconvenience.

(c) Should a serious power shortage develop for reasons beyond control of the city, and should it become mandatory that the city place into effect a curtailment program, then in this event, the city reserves the right to limit the use of electrical energy to such extent and duration as may become necessary.

(Ord. 504, 1982)

14.15.615. - Customer's equipment.

(a) Neither by inspection, nor non-rejection, nor in any other way, does the city give a warranty, expressed or implied, as to the adequacy, safety or other characteristics of structures, equipment, wires, conduit, appliances or devices owned, installed or maintained by the customer or leased by the customer from third parties.

(b) It is the customer's responsibility to install and maintain all wiring and equipment beyond the agreed point of delivery. The customer will also provide an Underwriter's Laboratory approved meter socket or sockets as specified by the city for the appropriate types of service. If instrument transformers are required, they will be supplied by the city at customer expense. The customer will provide the necessary space and equipment enclosures for mounting these devices as specified by the city's engineering department. The customer shall furnish and install meter sockets for instrument-rated metering according to the city's specifications.

(c) The city will install and maintain meters and special monitoring equipment as needed. Because the city cannot guarantee normal operating standards at all times due to conditions or circumstances beyond the city's control, the customer is responsible for providing suitable protective equipment (i.e., fuses, breakers, relays, etc.) for protection against phase failure at excessive voltage fluctuation.

(d) All wiring will comply with local, state and national electrical code standards. The city is not, in any way, liable for any damages or accidents to the customer or third parties due to contact with, or failure of, customer-owned installations.

(Ord. 504, 1982; Ord. 95-06)

14.15.620. - Consequential damages.

The city is not liable for any injury, loss or damage resulting in any way from the supply or use of electricity or from the presence or operations of the city's structures, equipment, wires, conduit, appliances or devices on the customer's premises, unless such injury, loss or damage results from the sole negligence of the city. *(Ord. 504, 1982)*

14.15.625. - Power outage.

If a power outage occurs, the customer should attempt to determine if the outage is caused by failure of the customer's equipment or of the city's equipment. If the customer determines the fault to be the city's



responsibility, the city will send a serviceman to investigate the reported outage. If the cause of the outage is determined to be the failure of the city's equipment, the city will correct the problem and restore service as soon as possible. However, if the cause of the outage is determined to be in the customer's portion of the service, the customer will be charged for all actual expenses associated with the serviceman's visit to the customer's service location. (*Ord. 504, 1982*)

Article 7. - Rules for Responding to Inquiries from Qualifying Facilities Having a Capacity of Greater Than 100 KW

14.15.710. - Application, purpose, and waiver.

(a) These rules govern the City of Seward, Electric Enterprise Fund ("Utility") implementation of the cogeneration and small power production regulations prescribed by the Federal Energy Regulatory Commission ("FERC"), 18 C.F.R. Part 292, as amended, under Section 210 of the Public Utility Regulatory Policies Act of 1978, as amended, 16 U.S.C. § 824a-3, ("PURPA"), as such rules apply to qualified cogeneration and small power production facilities ("QFs") with a design capacity of more than 100 kilowatts ("kW").

(b) The purpose of these rules is to set forth guidelines for the implementation of FERC's cogeneration and small power production regulations on a case-by-case basis.

(c) Any requirement in these rules may be waived, in whole or in part, or be modified by the City Council of the City of Seward ("City Council") upon application and a showing of good cause, provided that such waiver is not otherwise prohibited by applicable law.

(*Ord. 2000-14, § 1, 2000*)

14.15.715. - Availability of system cost data.

(a) Except as provided for in (b) of this section, no later than 60 days after the effective date of this tariff, the utility shall compile and maintain for public inspection upon request, the following data, or data comparable thereto, to enable QFs to estimate the utility's avoided costs:

(1) The utility's estimated avoided energy costs for various levels of purchases from QFs, expressed in cents per kilowatt hour, for the current calendar year and each of the next five years;

(2) The utility's plan for the addition of capacity by amount and type, for purchases of firm energy and capacity, and for capacity retirements, for each of the next ten years; and

(3) The estimated capacity costs at completion of the planned capacity additions and planned firm capacity purchases, on the basis of dollars per kilowatt, and the associated energy costs of each unit, expressed in cents per kilowatt hour.

(b) After public notice in the utility's service area, and after opportunity for public comment, the utility may provide data different from those which are otherwise required by this section if the utility determines that avoided costs can be estimated from such data.

(c) Except as otherwise required by applicable law, the utility shall not be required to disclose information that would compromise the integrity or confidentiality of the utility's competitive power supply procurement process or that might otherwise result in the disclosure of competitively sensitive information. The utility may, at its sole discretion, require a QF to enter into a confidentiality agreement prior to gaining access to competitively sensitive information.



(Ord. 2000-14, § 1, 2000)

14.15.720. - Procedures for responding to inquiries from QFs.

(a) Upon receiving a written request by a QF to sell power to the utility, the utility shall provide to the requesting QF a copy of the utility's "standard form contract" for interconnection, power purchases, and power sales with a QF. The standard form contract shall be adopted, and modified from time to time, by council resolution. The standard form contract shall not constitute an offer by the utility to interconnect, purchase power, or sell power. Instead, the standard form contract is intended solely to inform the QF regarding some of the general terms and conditions that would typically apply to such transactions with a QF. The standard form contract shall contain a number terms which will require negotiation between the utility and the QF with respect to the specific circumstances of the QF project being proposed.

(b) After reviewing the standard form contract, the QF shall notify the utility in writing if it desires to further pursue selling power to the utility.

(c) If the QF desires to further pursue selling power to the utility, the utility shall notify the QF regarding what information the QF must provide to enable the utility to (1) accurately calculate its avoided cost and (2) determine what contract terms and conditions are appropriate given the specific circumstances of the proposed QF project (facility).

(d) The information to be provided by the QF under (c) shall be determined by the utility; such information may include, but shall not be limited to, the following:

- (1) Detailed description of the facility;
- (2) Detailed explanation demonstrating that the facility qualifies as a "qualifying facility" as that term is defined in 18 C.F.R. Part 292;
- (3) Precise location of the facility;
- (4) Nameplate electric generating capacity, net electric energy output, and plant factor of the facility;
- (5) Minimum and maximum availability of firm capacity and/or energy from the facility during the utility's daily and seasonal peak periods;
- (6) Projected date on which deliveries of capacity and/or energy would commence;
- (7) Plans for facility construction; facility financing; and the acquisition of all necessary property rights, permits, authorizations, and fuel contracts;
- (8) Expected and demonstrated annual and seasonal reliability of the facility;
- (9) Periods of scheduled maintenance and outages;
- (10) Plans for dispatchability of the facility;
- (11) If applicable, plans for acquiring access to adequate firm transmission services and the terms and conditions of such access; and



(12) Any other information the utility deems appropriate under (c) of this section.

(e) In addition to the requirement in (c) of this section, the QF shall advance to the utility a cash deposit in the amount of the utility's estimated total costs of performing computer modelling to calculate the utility's avoided costs associated with the specific characteristics of the facility, plus a contingency margin of 10 percent. After all final calculations of the utility's avoided costs are complete, if the actual costs incurred by the utility to perform such modelling are less than the amount advanced by the QF, the utility shall refund the difference to the QF within 30 days. If the actual costs incurred by the utility exceed the amount advanced by the QF, the QF shall pay the utility the difference within 30 days.

(f) After the QF has satisfied all requirements provided for in (c) through (e), the utility shall initiate the collection and analysis of whatever data are necessary for the utility to fulfill its obligations under FERC's cogeneration and small power production regulations. Within a reasonable period of time after the QF has satisfied all the requirements provided for in (c) through (e), the utility staff shall take one of the following actions:

(1) Initiate negotiations with the QF for a contract specifying the charges, rates, terms, and conditions of interconnection, purchases, and sales between the utility and the QF, in compliance with FERC's cogeneration and small power production regulations; or

(2) Notify the city council and any affected QF that, due to special circumstances, the utility is not obligated under FERC's cogeneration and small power production regulations to purchase power from the QF, and provide sufficient explanation to the city council in support of its conclusion.

(g) If the utility staff initiates negotiations with the QF pursuant to (f)(1) and the utility and the QF are able to successfully negotiate a contract for interconnection, purchases, and sales within a reasonable period of time, the utility staff shall file the contract with the city council for its consideration under the procedures prescribed in section 14.15.725.

(h) If the utility staff and the QF are not able to successfully negotiate such a contract within a reasonable period of time, or if the utility staff notifies the city council that, due to special circumstances, the utility is not obligated under FERC's cogeneration and small power production regulations to purchase power from the QF, the QF may file a written complaint with the manager of the utility for consideration by the city council under the procedures prescribed in section 14.15.730.

(i) After public notice in the utility's service area, the utility may at any time apply to FERC for a waiver from its obligations under FERC's cogeneration and small power production regulations. In such event, the procedures provided for in this article 7 may be suspended pending final disposition of the utility's application, including any administrative or judicial appeals.
(*Ord. 2000-14, § 1, 2000*)

14.15.725. - Consideration of contracts between the utility and a QF.

(a) Consideration by the city council of a contract for interconnection, purchases, and sales between the utility and a QF shall be undertaken only after notice and opportunity for written comment and public hearing.

(b) After the filing of such a contract with the city council, the utility shall provide reasonable notice to the public regarding consideration of the contract in the following manner. Not less than 45 days prior to the date of the public hearing, the utility shall publish notice of the hearing with the utility's



billing statement and/or in a newspaper of general circulation in the utility's service area and post notice of the hearing at the utility's main offices in a place that is readily accessible to the public. The notice shall state:

- (1) The date, time, and place of the public hearing;
- (2) A general description of the contract to be considered;
- (3) That any member of the public may submit written comments concerning the contract no later than 25 days prior to the date of the public hearing; and
- (4) How a copy of the contract may be obtained.

(c) The public hearing shall be held on the record. The city council may suspend the hearing in order to obtain any additional information it finds necessary to render a decision regarding the contract. The city council shall render a final decision regarding the contract by resolution on the record.

(d) In rendering its final decision, the city council shall determine (1) whether the contract is consistent with FERC's cogeneration and small power production regulations, and (2) if the contract is consistent with FERC's cogeneration and small power production regulations, whether the contract should be approved as proposed.

(e) Notwithstanding Seward City Code Section 14.15.415, the city council may approve, and the utility may perform, a contract that includes terms and conditions for interconnection with a qualified QF if such interconnection is required by FERC's cogeneration and small power production regulations. (*Ord. 2000-14, § 1, 2000*)

14.15.730. - Consideration of complaints.

(a) Consideration of a complaint filed by a QF shall be undertaken only after notice and opportunity for written comment and public hearing.

(b) Upon receiving a written complaint by a QF, the manager of the utility shall forward such complaint to the city council. The utility staff shall have 30 days to file a written answer to the complaint and a recommendation to the city council.

(c) After receipt of the utility staff's answer and recommendation by the city council, the utility shall provide reasonable notice to the public regarding consideration of the QF's complaint in the following manner. Not less than 45 days prior to the date of the public hearing, the utility shall publish notice of the hearing with the utility's billing statement and/or in a newspaper of general circulation in the utility's service area and post notice of the hearing at the utility's main offices in a place that is readily accessible to the public. The notice shall state:

- (1) The date, time, and place of the public hearing;
- (2) A general description of the matter to be considered;
- (3) That any member of the public may submit written comments concerning the matter no later than 25 days prior to the date of the public hearing; and
- (4) How a copy of the QF's complaint and the utility staff's answer may be obtained.



(d) The public hearing shall be held on the record. At its sole discretion, the city council may opt to appoint or hire a hearing officer to conduct the public hearing. The public hearing shall afford reasonable opportunity for the QF, the utility, and the public to present testimony. The city council may suspend the public hearing in order to obtain any additional information it finds necessary to render a decision regarding the complaint. The city council shall render a final decision regarding the complaint by resolution on the record.

(e) In rendering its final decision, the city council shall determine whether the utility staff's position and recommendation are consistent with FERC's cogeneration and small power production regulations. If the city council finds that the utility staff's position and recommendation are not consistent with FERC's cogeneration and small power production regulations, the city council shall take whatever action it deems appropriate to effect the utility's compliance with FERC's cogeneration and small power production regulations.

(Ord. 2000-14, § 1, 2000)

Chapter 14.20. - Sewage Disposal

14.20.010. - Use of public sewers required; time of connection.

14.20.015. - Unlawful discharge.

14.20.020. - Property owner responsibility.

14.20.025. - Construction of on-site system.

14.20.030. - Permit required.

14.20.035. - Separate connections and sewers required.

14.20.040. - Minimum standards.

14.20.045. - Check valve required.

14.20.050. - Property owner costs.

14.20.055. - Unlawful connections.

14.20.060. - Unlawful discharges.

14.20.065. - Unlawful damage.

14.20.070. - Frozen lines.

14.20.075. - Consequential damages.

14.20.010. - Use of public sewers required; time of connection.

Whenever a public sewer system is installed and accepted by the city for operation, each owner of a parcel upon which a house, building, or property is used for human occupancy, employment, recreation, or other purposes situated within the city of Seward and any boundary of which is within 200 feet of the sewer system shall install a building sewer within 12 months; provided, that this time period may be extended for a maximum of six additional months at the discretion of the city engineer due to adverse weather conditions. This requirement shall not be affected by the availability of any on-site sewage disposal system. *(Ord. 504, 1982)*

14.20.015. - Unlawful discharge.

It shall be unlawful to discharge sewage in any unsanitary manner on public or private lands or any natural outlet within the city limits of Seward. *(Ord. 504, 1982)*

**14.20.020. - Property owner responsibility.**

Each property owner shall be solely responsible for the installation, maintenance and operation of any building sewer or any on-site sewage disposal system, whether or not such system has been approved or inspected by the city. (*Ord. 504, 1982*)

14.20.025. - Construction of on-site system.

It shall be unlawful to construct or maintain any on-site sewage disposal system within the city of Seward unless the following conditions are met:

- (a) No public sewer is available within 200 feet of any property line or boundary upon which the structure to be serviced is located;
- (b) The proposed system meets at least the following minimum design criteria:
 - (1) A minimum lot size of one acre, or meets the minimum separation required between a private well as provided in subsection c., following;
 - (2) A minimum allowable percolation rate of 60 minutes/inch (MPI). Systems with less percolation than 60 MPI must be designed by an engineer registered in the State of Alaska;
 - (3) A minimum of 100 feet separation of any treatment or disposal system from a private well. Private sewer lines must be a minimum of 25 feet from a private well;
 - (4) A minimum septic tank size of 1,000 gallons for a three bedroom home and 250 gallons for each additional bedroom;
 - (5) Leach field capacity shall conform to the Manual of Septic Tank Practices, U.S. Department of Health, Education and Welfare.
- (c) Review and approval of the system by the city engineer;
- (d) System meets all requirements of the Alaska Department of Environmental Conservation as being adequate to protect the ground water and general public welfare;
- (e) The owner agrees to comply with section 14.20.010.
- (f) All construction methods and details for on-site sewage disposal systems shall follow standard accepted practice.
(*Ord. 504, 1982; Ord. 610, 1988*)

14.20.030. - Permit required.

A sewer hook-up permit must be obtained from the city prior to making a connection to a public sewer. All work must be inspected and coordinated within the department of public works. (*Ord. 504, 1982*)

14.20.035. - Separate connections and sewers required.

A separate service connection and building sewer shall be provided for every building unless physical constraints prevent it. Old service connections and building sewers may be used only if they are in good



repair. Construction of the service connection shall meet the Uniform Plumbing Code and Building Code as required by Title 12 of this code. Adequate clean-outs must be provided. All connections to existing sewers shall be with a saddle. (*Ord. 504, 1982; Ord. 610, 1988*)

14.20.040. - Minimum standards.

All sewer lines shall meet the minimum standards as set forth in section 14.10.075 of this title. (*Ord. 504, 1982; Ord. 610, 1988*)

14.20.045. - Check valve required.

All new building sewers shall include a check valve if the lowest outlet in the building to be served is below the elevation of the top of the manhole nearest the downstream pump station. (*Ord. 504, 1982*)

14.20.050. - Property owner costs.

All costs and expenses incidental to the installation and connection of the building sewer and any necessary service connection to the public sewer system shall be borne by the owner. The owner shall be assessed a one-time hook-up fee. (*Ord. 504, 1982*)

14.20.055. - Unlawful connections.

It shall be unlawful to connect roof downspouts, exterior foundation drains, area runoff or ground water to a building sewer or building drain. In addition, it shall be unlawful to discharge uncontaminated cooling water or unpolluted industrial process waters to any sanitary sewer. (*Ord. 504, 1982*)

14.20.060. - Unlawful discharges.

(a) No person shall discharge or cause to be discharged any of the following described waters or wastes in any public sewer:

(1) Any gasoline, benzene, naphtha, fuel oil, or other explosive liquid, solid, or gas;

(2) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanide in excess of two mg/12 as CN in wastes as discharged to the public sewer;

(3) Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works;

(4) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

(b) No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the city engineer that such wastes can



harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving waters, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the city engineer will give consideration to such factors as quantities of subject wastes in relation to flows and velocities in the sewers, materials and construction of the sewers, nature of the sewage treatment process, capacity of the sewage, treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

(1) Any liquid or vapor having a temperature higher than 150 degrees Fahrenheit (65 degrees Centigrade);

(2) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred mg/l or containing substances which may solidify or become viscous at temperatures between 32 and 150 degrees Fahrenheit (zero and 65 degrees Centigrade);

(3) Any garbage that has not been properly shredded;

(4) Any waters or wastes containing strong acid iron, pickling wastes, or concentrated plating solutions whether neutralized or not;

(5) "Septic" sewage.

(Ord. 504, 1982; Ord. 95-06)

14.20.065. - Unlawful damage.

No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is part of the sewage works. *(Ord. 504, 1982)*

14.20.070. - Frozen lines.

The customer is responsible for all frozen and/or plugged service connections and building sewers unless it is determined that the back-up; and/or freezing was caused by a main line plug or failure. In any case, liability of the city shall be limited to reimbursement for use of a power rodder or for steam thawing performed by an authorized contractor. *(Ord. 504, 1982)*

14.20.075. - Consequential damages.

The city shall not be responsible for any consequential damages caused by any failure of the sewage works. *(Ord. 504, 1982)*

Electric Rates & Charges 2025

As of January 15, 2025 via Res 2025-xxx

ELECTRIC RATES & CHARGES
RATES FOR ELECTRICAL POWER BY CLASS OF SERVICE

Class of Service	Seward Utility Charge /kWh	Demand Charge /kWh **	Customer Charge	Cost of Power Adjustment (COPA)
Residential	Base Rate			
Summer *	\$0.1817	N/A	\$22.10	Monthly cost adjustment passed directly to Seward by Chugach Electric Association (CEA), based upon CEA's cost of power
Winter	\$0.1251	N/A		
Small General Service (less than 25 kW)	Base Rate			
Summer *	\$0.1869	N/A	\$42.22	See explanation above
Winter	\$0.1327	N/A		
Large General Service	\$0.1361 (1" 200kWh/kW) \$0.0864 (Additional kWh)	\$26.93	\$44.23	See explanation above
Industrial	\$0.1037	\$30.00	\$100.00	See explanation above
Yard Lights	N/A	N/A	\$9.94 (175 watts) \$14.75 (250 watts) \$28.09 (400 watts) \$70.21 (1000 watts) LED equivalent is ½ of cost	\$10.23 (175 watts) \$15.19 (250 watts) \$28.92(400 watts) \$72.29 (1000 wats)
Metered Street Lights	\$0.2064	N/A	\$44.23	N/A

Cost of Power Adjustment (COPA) is based on the cost of energy and demand from Chugach Electric Association (CEA) and will change when there is an adjustment to CEA rates charged to the City of Seward.

* Summer is defined to mean the period from April 15 through October 15, with Winter defined as the remainder of the year.

** Demand Charges will be based on the maximum demand recorded over a 15-minute period.

The Large General Service rate will be applicable to all services with a demand of 25 kilowatts or greater for three or more consecutive months during a year.

A Small General Service customer may elect to be billed under the Large General Service schedule. However, the election to change the billing rate from one customer group to another may not be made more often than once every 12 months.

The Industrial rate will be applicable to all services with energy usage equal to or greater than 1 million kWh/year.

Definitions and Miscellaneous Charges

System Delivery Charge: A System Delivery Charge (SDC) of \$28.75 will be applied to any service that uses less than 150 kWh/month, whether or not electric service is used. This replaces the Seward Utility energy charge and the Cost of Power Adjustment and is subject to proration. SDC under this schedule is an addition to the customer charge and is based on a monthly usage of 150 kWh times the energy rate and the COPA. Absent an active customer, the registered property owner will be billed this monthly minimum charge.

Cost of Power Adjustment (COPA): The Cost of Power adjustment charge from the Power Provider is a direct pass-through of the monthly total Power bill, including fuel costs, energy charges, customer charges, demand charges, and other miscellaneous adjustments, prorated according to the number of kilowatt hours the Seward Electrical Utility customers consumed during the billing period. The monthly rate for COPA may be modified as frequently as monthly, or through the use of a balancing account intended to reduce rate fluctuations.

Seward Fuel Adjustment: The Seward Fuel Adjustment cost may be included in the COPA in the event The City operates the standby generation plant, including fuel, labor, maintenance and repair when the cost exceeds the amount budgeted. The cost will be prorated according to the number of kWh the customers consumed during the billing period.

VAR Change (Power Factor Adjustment): All schedules requiring demand metering will be subject to the following power factor adjustment provisions:

1. Demand-metered customer should attempt to maintain a unity power factor. If the power factor falls below ninety percent lagging, the customer will take corrective steps to return the power factor to ninety percent or higher. Also, the following charge for billed kilowatts will apply:

$$\text{Monthly Billing Demand} = \frac{\text{Maximum Demand} \times 90\%}{\text{Actual Power Factor}}$$

2. All power factor adjustment equipment installed by the customer must be approved by the city. Power factor can be determined by permanently installed monitoring equipment or by periodic testing at reasonable intervals, at the discretion of the City.

Standby Generation: The cost of operating the standby generation plant to meet a specific customer's need will be charged directly to that customer. Such cost will be the total cost of operating the plant, including fuel, labor, overtime, maintenance, repair and overhead, less the value of energy generated in excess of customer's need.

Other Miscellaneous Fees and Charges: Fees and charges for existing facilities can be found on the following pages, as well as engineering service fees and charges for new facilities. Fees are listed according to service zones as follows:

ZONE I	Inside City Limits (excluding the Boat Harbor)
ZONE II	City limits to Mile 12 Seward Highway, and all roads connecting to the highway within this area
ZONE III	Mile 12 to Lawing

APUC Regulatory Cost Charge: A special surcharge of \$0.000626/kWh imposed on electrical utilities by the Regulatory Commission of Alaska (RCA) in response to the state's intent to assess user fees to support activities of the RCA and departments. This charge was recommended by the RCA as a pass-through charge to retail utilities customers.

Alternative Power Rebate: Calculated by subtracting kWh generated by an alternative power source from the kWh supplied to the customer from the City of Seward during the billing cycle. The difference is multiplied by the City's utility/energy charge and the Cost of Power Adjustment (COPA), which are itemized and shown on the bill.

Alternative Power Excess Credit: If a customer's alternative power source generates more kWh than supplied from the City of Seward during the billing cycle, the difference is credited to the customer's account at the non-firm avoided cost rate (dollars per kilowatt-hour) of the City's Electric Department. The non-firm avoided cost rate for Seward is defined as those expenses equal to the variable cost per kilowatt-hour for purchased power during the billing cycle—adjusted upward by X percent* to account for line losses. Credits are not provided for capacity.

The variable cost of purchased power for Seward is equal to the sum of the base energy rate (BER) and the purchased power & fuel (PP&F) cost as set by Seward's wholesale power supplier.

Electric Reliability Organization (ERO) Charge: This charge supports the state mandated **Railbelt Reliability Council (RRC)** which was approved as the Electric Reliability Organization (ERO) by the Regulatory Commission of Alaska in September of 2022. The City Seward is subject to this charge through state statute. The primary mission of the RRC is to ensure grid reliability by **developing and enforcing technically** sound reliability standards, reducing long-term costs through grid-wide resource planning, **and designing consistent** interconnection protocols for grid users. The ERO Surcharge is based on **monthly kWh usage**.

*The percentage used for line losses will be updated annually based on the previous year's line loss rate and rounded to the nearest half percentage point

EXISTING FACILITIES
SCHEDULE OF FEES AND CHARGES

Service	Zone I	Zone II	Zone III
Meter testing Per test, when results determined meter is accurate	\$77.99	\$109.20	\$140.37
Reconnection to approved existing meter installation	\$31.20	\$39.00	\$46.81
Reconnection to approved existing meter installation outside regular business hours	\$218.39	\$265.14	\$311.95
New connection fee	\$227.69	\$227.69	\$227.69
Minimum deposit - Residential account	\$125.14	\$125.14	\$125.14
Minimum deposit - Commercial or Industrial account	\$250.29	\$250.29	\$250.29
Deposit - Interruptible, Off-peak account	The larger of twice the estimated bill or \$250.29	The larger of twice the estimated bill or \$250.29	The larger of twice the estimated bill or \$250.29
Tampering with or unauthorized breaking of meter seal	\$758.88	\$758.88	\$758.88
Per annum interest on delinquent account	10.5%	10.5%	10.5%
Door hanger fee	\$36.14	\$36.14	\$36.14
Monthly late fee on delinquent account	\$6.52	\$6.52	\$6.52
Dishonored check fee	\$40.76	\$40.76	\$40.76
Seasonal turn-on or seasonal turn-off fee (excludes brand new service; includes new account name or same account name; waived if < 2 months between turn-off and turn-on)	\$161.13 each	\$161.13 each	\$177.27 each
Reconnection during regular business hours following disconnection of delinquent account	\$59.02	\$73.81	\$88.58
Reconnection outside regular business hours following disconnection of delinquent account	\$206.68	\$250.93	\$296.31
Transmission rate	\$7.90/kW per month	\$7.90/kW per month	\$7.90/kW per month

**NEW FACILITIES
ENGINEERING SERVICES**

SCHEDULE OF FEES AND CHARGES

Service	Zone I	Zone II	Zone III
Temporary secondary service	\$75.89	\$91.08	\$106.25
Primary overhead extensions - Residential	\$75.89	\$91.08	\$106.25
Primary underground extensions - Residential	\$75.89	\$91.08	\$106.25
Secondary service	\$75.89	\$91.08	\$106.25
Primary overhead extensions - Subdivision, Mobile Home Park, Multi-Residence	\$151.77	\$182.19	\$212.51
Primary overhead extensions - Commercial, Industrial	\$303.56	\$364.27	\$394.63
Primary underground extensions - Commercial, Industrial	\$303.56	\$364.27	\$394.63
Modifications of existing facilities	\$151.77	\$182.19	\$212.51
Street lighting systems & Yard lights	\$75.89	\$91.08	\$106.25

NOTE: The Zone Fee or Charge is non-refundable until the service is connected. If the service is constructed and connected, the charge will be adjusted to the actual cost of engineering services.