

CITY OF GARRETT, INDIANA CODE OF ORDINANCES

[Link to City Code Table of Contents](#)

[Link to Main Page / garrettindiana.us](#)

CHAPTER 53: ELECTRICITY

Section

General Provisions

53.01 Adoption of electrical use curtailment rules by reference

Rates and Charges

53.15 Established generally

53.16 Deposits

53.17 Deferred payments

53.18 Residential service rate R

53.19 Reserved

53.20 Commercial service rate C

53.21 Power service rate PR

53.22 Municipal service rate M

53.23 Security lighting rate SL

53.24 Rate and fuel cost adjustments

53.25 Billing; delinquent accounts

53.26 Removal of the electric utility from the jurisdiction of the Indiana Utility Regulatory Commission

53.27 Disconnect and reconnect charges

53.28 Tampering fee

GENERAL PROVISIONS

§ 53.01 ADOPTION OF ELECTRICAL USE CURTAILMENT RULES BY REFERENCE.

The electric curtailment rules for the Electric Utility of the city as set forth in Appendix I, attached Ord. passed 2-18-78 are hereby adopted and made a part of this chapter as if fully set forth herein.
(’79 Code, § 20-111) (Ord. passed 2-18-78)

RATES AND CHARGES

§ 53.15 ESTABLISHED GENERALLY.

For the we of and the service rendered by the Electric Utility, rates and charges shall be collected from each and every consumer of such Electric Utility which rates and charges shall be payable as hereinafter provided and shall be in an

CITY OF GARRETT, INDIANA CODE OF ORDINANCES

[Link to City Code Table of Contents](#)

[Link to Main Page / garrettindiana.us](#)

amount determinable as provided in the following sections of this chapter.
(79 Code, § 20-118) (Ord. passed 7-13-76)

§ 53.16 DEPOSITS.

(A) No applicant or consumer shall be hereafter connected or reconnected for service by the Electric Utility or entitled to receive electricity from that department until such applicant or consumer shall apply at the utility office for such service, pay all delinquencies, if any, standing against such consumer, and make a deposit with such utility according to the type of service desired, as follows:

(1) For single-family residential rental unit connections, one-sixth of 12 months' estimated electrical bill, but in no event less than \$100.

(2) For multi-family residential unit connections, \$100 to \$250 as determined by the Electric Utility.

(3) For all other residential unit connections, \$100.

(B) A deposit of from \$100 to \$200 according to the kilowatts used shall be made by all commercial consumers of electric power furnished by the Electric Utility whether or not the commercial consumer owns the real estate to which the power is furnished.

(C) The deposits set out in this section shall be paid by the consumers to the collector of the municipal utilities of the city prior to the time of the furnishing of power to the consumer. The deposit shall be retained by the collector until such time as the consumer shall notify the municipal utilities that the power is no longer to be furnished to the consumer in his name, at which time the collector shall refund to the consumer the deposit herein required, after the deduction from the deposit of all current or delinquent bills due from the consumer to the municipal utilities.

(79 Code, § 20-119) (Ord. passed 6-4-74; Am. Ord. passed 11-18-86; Am. Ord. 94-20, passed 10-18-94)

§ 53.17 DEFERRED PAYMENTS.

All bills on the schedules set out in this subchapter shall be rendered and due monthly. If not paid by the 15th day following the date of the bill, there shall be added 10% of the first \$3 of the bill, plus 3% of the amount of the bill in excess of \$3. Remittances sent by mail on or previous to the 15th day, as evidenced by the U.S. Post Office mark on the envelope in which they are received, will be accepted as a tender of payment within the time limit. When the 16th day of the month falls

CITY OF GARRETT, INDIANA CODE OF ORDINANCES

[Link to City Code Table of Contents](#)

[Link to Main Page / garrettindiana.us](#)

on Saturday or Sunday or any other legal holiday, the first business day thereafter shall be considered as being within the time limit.

('79 Code, § 20-119.1) (Ord. passed 9-5-78; Am. Ord. passed 11-4-86)

§ 53.18 RESIDENTIAL SERVICE RATE R.

(A) *Availability.* The Electric Utility is available for residential service, except such service as is precluded by any of the provisions of the Aspecial terms and conditions@ set forth in this rate schedule. The customer must be located on the utility's distribution lines.

(B) *Character of service.* The character of service to residential users under this section shall be alternating current, 60 cycle, at a voltage of approximately 120 volts, two wire, 120/240 volts, three wire, where available.

(C) *Rate.* The rates for residential users under this section shall be as follows:

(1) Schedule.

- (a) First 40 kwh used per month \$.1256 per kwh.
- (b) Next 60 kwh used per month \$.0946 per kwh.
- (c) Next 200 kwh used per month \$.0532 per kwh.
- (d) Next 800 kwh used per month \$.0428 per kwh.
- (e) All over 1,100 kwh used per month \$.0367 per kwh.

(2) Electric space heating service. Electric space heating service shall be available under this tariff, provided that the customer cannot qualify under the all-electric residential service tariff.

(3) Minimum charge. The minimum charge per meter shall be \$3.50 per month.

(4) Reconnection charge. When the service has been turned off by the Utility for nonpayment of bills, a reconnection charge of \$25 must be paid by the customer before such service is reconnected. When a vacation interruption of service is made, at the customer's request, a charge of \$25 will be made by the Utility for resumption of service.

(5) Special terms and conditions.

CITY OF GARRETT, INDIANA CODE OF ORDINANCES

[Link to City Code Table of Contents](#)

[Link to Main Page / garrettindiana.us](#)

(a) No three-phase motor, regardless of its horsepower, and no single-phase motor of greater than three horsepower capacity, will be served under this rate, except in circumstances requiring such capacity to provide residential space heating service.

(b) Service to equipment having highly fluctuating or intermittent characteristics and having a combined input capacity in excess of three kva will not be permitted under this rate.

(c) The rate included in this section shall not apply to that portion of a residence which becomes regularly used for commercial or manufacturing purposes. Where a portion of the customer's premises becomes regularly used for commercial or manufacturing purposes, customer shall have the option of separating the wiring so that the residential portion of the premises can be served through a separate meter under this section, and the commercial or manufacturing portion of the premises can be served through a separate motor under the applicable schedule for the service required. If the customer does not exercise the option of separating the wiring, the applicable rate shall be applied to the total requirements of the customer.

(6) Rate adjustment. The above rates are subject to a purchased power cost adjustment tracking factor, in accordance with the order of the Public Service Commission of Indiana, approved December 17, 1976, in Cause No. 34614. The purchased power cost adjustment tracking factor stated in § 53.24 is applicable hereto and is issued and effective at the dates shown in said section.

(7) Fuel cost adjustment. Refer to § 53.24.

(D) All customers paying the Residential Service Rate shall be allowed to pay monthly bills on a budget plan as established by and through the policies and procedures of the electric utility and administered by the office of the Clerk-Treasurer.

('79 Code, § 20-120) (Ord. passed 7-13-76; Am. Ord. passed 9-7-78; Am. Ord. passed 6-2-81; Am. Ord. 2004-30, passed 12-22-04; Am. Ord. 2006-2, passed 1-17-06)

§ 53.19 RESERVED.

§ 53.20 COMMERCIAL SERVICE RATE C.

(A) *Availability.* The Electric Utility is available for commercial service, small industrial or power service and governmental service for customers located on the distribution lines of the Utility, including lighting and other service generally

CITY OF GARRETT, INDIANA CODE OF ORDINANCES

[Link to City Code Table of Contents](#)

[Link to Main Page / garrettindiana.us](#)

requiring less than 100 kva of connected transformer capacity.

(B) *Character of service.* The character of service under this section is alternating current 60 cycle single phase at approximately 120 volts, two-wire or 120/240 volts, three-wire service and three-phase service.

(C) *Rate.*

(1) Schedule.

- (a) First 40 kwh used per month \$.0791 per kwh.
- (b) Next 60 kwh used per month \$.0739 per kwh.
- (c) Next 400 kwh used per month \$.0677 per kwh.
- (d) Next 3,500 kwh used per month \$.0584 per kwh.
- (e) All over 4,000 kwh used per month \$.0424 per kwh.

(2) Minimum charge. \$2.28 per month per meter, where service requires metering of 15 amperes and appropriately more for larger service.

(3) Electric space heating service (not applicable to the first 1,500 kwh used each month). Where a customer has installed and has in regular use an electric space heating system used to heat the principal commercial space of the customer, the last 2,000 kwh used in any month shall be billed at the rate of \$.0367 per kwh; except that this tariff shall not be applicable to the first 1,500 kwh used each month.

(4) Reconnection charge. When the service has been turned off by the utility for nonpayment of bills, a reconnection charge of \$25 must be paid by customer before such service is reconnected. When a reconnection of service is made for a customer at the same location more often than once in a 12-month period, and service has, in each case, been disconnected at the customer's request, a charge of \$25 will be made by the Utility for such reconnection-of service.

(5) Rate adjustment. The above rates are subject to a purchased power cost adjustment tracking factor, in accordance with the order of the Public Service Commission of Indiana, approved December 17, 1976, in Cause No. 34614. The purchased power cost adjustment tracking factor stated in § 53.24 is applicable hereto and is issued and effective at the dates shown in said section.

CITY OF GARRETT, INDIANA CODE OF ORDINANCES

[Link to City Code Table of Contents](#)

[Link to Main Page / garrettindiana.us](#)

(6) Fuel cost adjustment. Refer to § 53.24. ('79 Code, § 20-123) (Ord. passed 7-13-76; Am. Ord. passed 9-7-78; Am. Ord. passed 6-2-81; Am. Ord. 2004-30, passed 12-22-04)

§ 53.21 POWER SERVICE RATE PR.

(A) *Availability.* The Electric Utility is available for manufacturing customers and commercial customers not qualifying for service under the commercial tariff. The applicant must be located adjacent to an electric transmission or distribution line of the Utility that is adequate and suitable for supplying the service required.

(B) *Character of service.* The character of service under this section is alternating current having a frequency of 60 cycles, three-phase, and furnished at a voltage which is standard with the Utility in the area served.

(C) *Rates.*

(1) Monthly rates.

(a) Demand charge. For all kw of billing demand, per kw, \$8.01.

(b) Reactive demand charge. For all rkva by which the reactive demand exceeds one-half the measured kw demand, per rkva, \$.5106.

(c) Energy charge, for all kwh, per kwh, \$.0223.

(2) Billing demand determination. The monthly billing demand will be the single highest 15-minute kilowatt demand measured during the month. The reactive demand will be the maximum 15-minute rkva measured during the month. Where service is supplied to multiple points of delivery at a single rate application, the billing demand and the reactive demand will be determined as the respective maximum simultaneous sums of the measured kw and rkva demand.

(3) Incidental lighting service. Power customers having 75 horsepower of connected capacity, regularly used and in active service, may connect incidental lighting to their power circuits providing, however, that the connected lighting load is not in excess of 30% of the connected power load. Any transformers or regulating equipment, which may be required for such lighting load from the power circuits, shall be furnished and maintained by the consumer. The lighting load shall be balanced between phases if, in the opinion of the Utility, such balancing is necessary.

(4) Metering. Where the utility deems it convenient and necessary to

CITY OF GARRETT, INDIANA CODE OF ORDINANCES

[Link to City Code Table of Contents](#)

[Link to Main Page / garrettindiana.us](#)

meter at primary voltage, the customer will be entitled to a discount equivalent to 1% of the kilowatt hours metered each month.

(5) Rate adjustment. The above rates are subject to a purchased power cost adjustment tracking factor, in accordance with the order of the Public Service Commission of Indiana, approved December 17, 1976, in Cause No. 34614. The purchased power cost adjustment tracking factor stated in § 53.24 is applicable hereto and is issued and effective at the dates shown in said section.

(6) Fuel cost adjustment. Refer to § 53.24.

(7) Credit for customer-supplied equipment. When the customer furnishes and maintains the complete substation equipment including any and all transformers and/or switches and/or other apparatus necessary for the customer to take his entire service at the primary voltage of the transmission or distribution line from which service is to be received, a credit of \$.15 per kw of monthly billing demand will be applied to each monthly net bill.

('79 Code, § 20-123) (Ord. passed 7-13-76; Am. Ord. passed 9-7-78; Am. Ord. passed 11-7-78; Am. Ord. passed 6-2-81; Am. Ord. 2004-30, passed 12-22-04)

§ 53.22 MUNICIPAL SERVICE RATE M.

The electric utility is available for municipal street lights and the rate shall be \$4.64 per month.

('79 Code, § 20-124) (Ord. passed 7-13-76; Am. Ord. passed 9-7-78; Am. Ord. passed 6-2-81; Am. Ord. 2004-30, passed 12-22-04; Am. Ord. 2006-4, passed 2-21-06)

§ 53.23 SECURITY LIGHTING RATE SL.

(A) *Availability.* The Electric Utility is available for dusk to dawn outdoor lighting service for lighting entrances, driveways and other private areas to customers who are located on the utility's electric supply lines suitable and adequate for supplying the service requested.

(B) *Character of service.* The utility will install, own and maintain a bracket-mounted, suburban-type lighting fixture including photo-electric control. Installations in incorporated cities and towns must be located on or extend over the property of the customer.

(C) *Rates.* The rates for electric service under this section shall be as follows:

(1) Rate per month.

CITY OF GARRETT, INDIANA CODE OF ORDINANCES

[Link to City Code Table of Contents](#)

[Link to Main Page / garrettindiana.us](#)

(a) Where the lighting fixture can be installed on an existing distribution-type wood pole and served from existing secondary facilities, with not more than one span of secondary, the rate shall be: \$8.37 per lamp for 175 watt mercury vapor lamp.

(b) If additional facilities are required to furnish service hereunder, the utility will install, operate and maintain such facilities at the following charges, such charges being additional to the charge set forth in division (C)(1)(a) above: \$1 for each 30-foot wood pole and span of secondary.

(2) Term of service. Any customer requesting service under this rate shall make written application for such service for an initial period of three years, and such service shall continue from year to year thereafter unless canceled by either party giving the other 60 days' prior written notice of the termination of service at the end of the initial period or any yearly period thereafter.

(3) Reconnection charge. Whenever the service is turned off for nonpayment of bills, a reconnection charge of \$25 must be paid by the customer before such service is reconnected.

(D) *Terms and conditions of service.*

(1) The utility shall adjust the automatic control on each installation to provide lighting service from dusk to dawn each night. Lamp replacements and repairs will be made within a reasonable period of time, during regular working hours, after customer's notification of the need for such maintenance.

(2) The facilities installed by the utility shall remain the property of the utility and may be removed by the utility if service is discontinued. ('79 Code, § 20-125) (Ord. passed 7-13-76; Am. Ord. passed 9-7-78; Am. Ord. passed 6-2-81; Am. Ord. 2004-30, passed 12-22-04)

§ 53.24 RATE AND FUEL COST ADJUSTMENTS.

(A) *Rate adjustment* (applicable to Rates R, C, and PR). The rate adjustment shall be on the basis of a purchased power cost adjustment which shall be on the basis of a purchased power cost adjustment tracking factor, occasioned solely by changes in the cost of purchased power.

(B) *Fuel cost adjustment* (applicable to Rates R, C, and PR). The fuel cost adjustment in dollars per kilowatt hour shall be the same as that most recently billed to the City Municipal Electric Utility by its purchased power supplier. The fuel cost adjustment shall also include any cost passed through to the City

CITY OF GARRETT, INDIANA CODE OF ORDINANCES

[Link to City Code Table of Contents](#)

[Link to Main Page / garrettindiana.us](#)

Municipal Electric Utility by its purchased power supplier for costs related to the regional transmission organization.

('79 Code, § 20-126) (Ord. passed 9-5-78; Am. Ord. passed 6-2-81; Am. Ord. 2006-2, passed 1-17-06)

§ 53.25 BILLING; DELINQUENT ACCOUNTS.

(A) The rates and charges for electric usage may be billed to the tenant or tenants occupying the property served, unless otherwise requested in writing by the owner, but such billing shall in no way relieve the owner from the liability for payment in the event payment is not made by the tenant as herein required. The owners of property served, which are occupied by a tenant or tenants, shall have the right to examine the collection records of the city for the purpose of determining whether bills have been paid by such tenant or tenants, provided that such examination shall be made at the office at which said records are kept during normal business hours.

(B) In addition to the other remedies and penalties as provided in this chapter, the city shall also have the right to bring a civil action to recover any delinquent and unpaid electric bill plus penalty, together with reasonable attorney's fees. (Ord. 94-3, passed 2-1-94; Am. Ord. 94-6, passed 2-15-94)

§ 53.26 REMOVAL OF THE ELECTRIC UTILITY FROM THE JURISDICTION OF THE INDIANA UTILITY REGULATORY COMMISSION.

The municipally owned electric utility of the City of Garrett, Indiana, shall be, and is, hereby removed from the jurisdiction of the Indiana Utility Regulatory Commission for the approval of rates and charges and for the issuance of stocks, bonds, notes, or other evidence of indebtedness. (Ord. 2004-12, passed 7-6-04)

§ 53.27 DISCONNECT AND RECONNECT CHARGES.

(A) *Disconnect.* Whenever electric service is disconnected, for any reason whatsoever, the customer shall be charged and shall pay a \$25 disconnect fee.

(B) *Reconnect.* Any customer reconnecting following a disconnect, for any reason whatsoever, shall be charged and pay a \$25 reconnect fee.

(C) *Customer disconnect request.* Whenever service is disconnected at a service location point at the request of the customer, the customer shall be charged and shall pay a service fee of \$50 to disconnect and subsequently

CITY OF GARRETT, INDIANA CODE OF ORDINANCES

[Link to City Code Table of Contents](#)

[Link to Main Page / garrettindiana.us](#)

reconnect the service for the first request in a calendar year. The customer shall be charged and shall pay a service fee of \$100 for such disconnect and reconnect for all subsequent requests in the same calendar year.

(D) *Disconnect/reconnect defined.* Service is considered disconnected and therefore subject to reconnection upon either of the following events:

(1) Actual disconnection where the electric service to the customer is terminated either at the meter, pole, or at such other point as deemed appropriate by the city; or

(2) The customer=s failure to pay all amounts due the city utilities by the deadline as stated in the past due utility bill from the city.

(Ord. 2006-2, passed 1-17-06)

§ 53.28 TAMPERING FEE.

No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with, in any manner, with any structure, appurtenance, equipment, including, but not limited to, wires, meters, and meter bases, which is a part of the municipal electric distribution system. In the event of such breakage, damage, destruction, uncovering, defacing, or tampering, the customer shall be charged and shall pay a tampering fee of \$200 per occurrence.

(Ord. 2006-2, passed 1-17-06)