

ARTICLE VI. ELECTRICITY¹

DIVISION 1. GENERALLY

Sec. 70-541. Department of electric utility.

- (a) There is established a department of electric utility composed of those divisions necessary to handle the generation and transmission of electric energy to customers of the electric utility system either in or outside the city, including interconnection of the system with other systems for the receipt or exchange of electric energy as permitted by law.
- (b) The department shall be operated under the direction of an electric utility director appointed by and responsible to the city manager, at such salary as may from time to time be authorized by the city council.
- (c) The electric utility director shall be responsible for the effective and efficient operation of the system, make such routine and special reports as may be required, make such recommendations as may be appropriate for the improvement and expansion of the system, and supervise any enlargement or modification of the system as may be approved by the city council. He shall be responsible for all engineering and design work in connection with the system, exercise prudent control, through the policies of control warehousing, over required inventories, and work closely with the finance officer on all financial matters relating to the system.

(Code 1961, § 2-12; Code 1985, § 24-91)

Secs. 70-542—70-560. Reserved.

DIVISION 2. USE REGULATIONS

Subdivision I. In General

Sec. 70-561. Unauthorized sale or disposition of service.

In case of any unauthorized remetering, sale, extension or other disposition of electric service, the customer's service is subject to discontinuance until such unauthorized remetering, sale, extension or other disposition of service is discontinued, full payment is made of bills for service calculated on proper classifications and rate schedules, and reimbursement in full has been made to the city for all extra expenses incurred, including expenses for clerical work, testing and inspections.

(Code 1961, § 21-1.1(3); Code 1985, § 24-94)

¹Cross reference(s)—Electrical code, § 82-261 et seq.; electrical installations in mobile home parks, § 98-70.

Sec. 70-562. Permitted and prohibited uses in easements.

- (a) *Permitted uses.* The following uses are permissible within electrical easements and rights-of-way, provided access to the transmission or distribution lines and the poles or structures supporting such lines are maintained, and provided height limitations specific to each electric easement and right-of-way location are observed: water or drainage retention areas, paved or unpaved parking lots, green space, roads, streets, agriculture (crops and livestock), outdoor sales if the merchandise is easily movable, displays and signs with height limitations, underground facilities, recreation areas except swimming pools, and fences with gates approved by the electric utility department.
- (b) *Prohibited uses.* The following uses are not permissible within electric transmission or distribution easements and rights-of-way except as otherwise provided in this section: permanent structures (buildings), fences without gates, swimming pools, and immovable items if such items prohibit safe access to electrical transmission or distribution lines and poles or structures.

(Code 1985, § 24-95; Ord. No. 2626, § 1, 7-22-96)

Sec. 70-563. Franchises.

- (a) No entity or person may occupy the rights-of-way of the city, or use electric utility facilities located within the rights-of-way of the city, for the purpose of selling, providing or wheeling electric utility services to any customer within the corporate limits of the city, as those corporate limits may be extended from time to time, without first obtaining a franchise from the city. If granted, the franchise agreement shall be nonexclusive and shall contain, at a minimum, the term of the agreement, the franchise fee or other valuable consideration that is to be paid to the city, the specific electric utility services to be provided within the city limits, reasonable terms and conditions of service including provisions and conditions for the utilization for the city's streets and rights-of-way, and appropriate health and safety regulations. Attached to Ordinance No. 2662 as schedule A is a form franchise ordinance, which shall be used as a model for franchise agreements to be entered into pursuant to this section; provided, however, mutually acceptable changes to the form franchise may be made. The terms of any franchise agreement shall not be construed to limit the city's ability to require permits for the construction or maintenance of electric utility facilities.
- (b) This section shall not require an entity or person which, on October 31, 1996, sold or provided electric utility services to any customer within the corporate limits of the city, to obtain a franchise from the city in order to sell or provide electric utility service to such customer at the same location to which service was provided on such date.
- (c) Nothing in this section shall require an electric utility or electric utility authority owned, operated or established by the city to obtain a franchise from the city.

(Code 1985, § 24-96; Ord. No. 2662, § 1, 10-31-96; Ord. No. 2721, § 1, 5-6-97)

Secs. 70-564—70-580. Reserved.

Subdivision II. Service Rules

Sec. 70-581. Generally.

This subdivision sets forth the terms and conditions upon which electric service may be applied for and supplied to customers from facilities of the city.

(Code 1961, § 21-44(A)(12); Ord. No. 1625, § 1, 1-3-84; Code 1985, § 24-122.1)

Sec. 70-582. Definitions.

The following words, terms and phrases, when used in this subdivision, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Connected load means the total rated capacity in horsepower (hp), kilowatts (kw) and kilovolt-amperes (kva) of all electric equipment, appliances, apparatus and other current-consuming devices which are connected in and to the customer's installation and which may utilize service.

Customer means any person or entity that receives and utilizes the city's electric service, and is further defined as that person who has applied for and requested that services be made available at the specific location and has agreed to pay for all usage of such services occurring at the location.

Customer's installation means wires, enclosures, switches, appliances and other apparatus, including the service entrance, forming the customer's facilities utilizing service for any purpose on the customer's side of the point of delivery.

Maximum demand means the highest 15-minute demand for electrical power, measured in kilowatts or kilovolt-amperes, as registered with an integrated measuring device.

Net revenue means the non-power portion of revenue for the applicable utility rate that applies to the customer.

Point of delivery means the point of attachment where the utility's service drop is connected to the customer's service entrance.

Rate schedules means the applicable schedules of rates and charges for service rendered which may be revised from time to time as approved by the city council by separate resolution.

Service means the supply of electricity, by the city, to the customer, including the readiness and availability of electrical energy at the customer's point of delivery at the required voltage and frequency, whether or not utilized by the customer.

Service drop means the portion of the city's facilities, between the pole or underground cable and the point of attachment at the service entrance, which brings the service from the city's supply lines to the customer.

Service entrance means wires and enclosures owned by the customer and connecting the customer's installation to the service drop.

Temporary service means the supply of electricity by the utility to the customer for construction purposes; or for fairs, displays, exhibits and similar services; and for the other services which will be in use for less than one year.

Utility means the city's electric utility department.

(Code 1961, § 21-44(A)(12)a.1; Ord. No. 1625, § 1, 1-3-84; Code 1985, § 24-122.2; Ord. No. 2784, § 5, 9-16-97; Ord. No. 5702, § 3, 8-21-07; Ord. No. 5753, § 1, 12-18-07)

Cross reference(s)—Definitions generally, § 1-2.

Sec. 70-583. Service classifications.

The services of the utility are divided into the following classifications:

-
- (1) *Residential.* Full domestic residential electric service consumers in private residences, served through one residential meter or individually metered apartments for all domestic uses, and electric service to common areas of residential multifamily units, where the electricity used does not exceed 0.3 kilovolt-ampere per associated residential unit.
 - (2) *General service/non-demand.* All commercial customers, including, churches, schools and public meeting places, where the measured monthly kilovolt-ampere demand has not met or exceeded 50 kilovolt-amperes for more than two months out of the past 12 months.
 - (3) *General service/demand.* Utility customers, other than residential or recreational outdoor lighting, where the measured monthly kilovolt-ampere demand is 50 kilovolt-amperes or more for three or more months out of the past 12 months. Also, this service may be provided at the option of any customer with demands of less than 50 kilovolt-amperes who agrees to pay for service under this rate schedule for a minimum initial term of 12 months.

(Code 1961, § 21-44(A)(12)a.2; Ord. No. 1625, § 1, 1-3-84; Code 1985, § 24-122.3; Ord. No. 2550, § 11, 9-5-95)

Sec. 70-584. Availability and establishment of service.

- (a) *Application for service.* Information may be obtained from the electric engineering division as to the availability of service at the location where it is desired. Application for such service should be made by the customer, **at the customer service center or using the online application tool**, at the earliest possible time so that details for furnishing service may be determined. Unless otherwise agreed in writing by the utility, and except as provided in section 70-585, applications will be accepted only upon the condition that the utility shall not be under any obligation to render service other than that character of service then available at the proposed point of delivery. Any such application or agreement shall be subject to all the provisions of this division and the rate schedules.
- (b) *Installation of underground facilities.* All electric service extensions to new developments subject to the site plan or platting process for the city or Marion County and within the city electric utility service territory will be installed underground and all differential charges, contribution-in-aid-of-construction, and other applicable fees as provided for elsewhere in these ordinances will be paid by the developer.

Exemptions: The following items shall be exempt from complying with the provisions of this section. Additional exceptions where installing underground electric would cause undue hardship may be considered on a case-by-case basis for exemption by the city electric engineering division with approval from the director of the electric utility or designee.

- (1) Any new preliminary or amended site plan submitted prior to the effective date of this section unless underground electric facilities are already installed or planned by the city.
- (2) Any preliminary or revised preliminary subdivision plat application, submitted to the city or Marion County prior to the effective date of this section unless underground electric facilities are already installed or planned by the city.
- (3) Any residential or agricultural lot or parcel greater than 40,000 square feet in size where an overhead source is available. If an underground source is already available or planned, underground will be required.
- (4) Temporary facilities installed to provide emergency utility services.
- (5) Utility equipment utilized for street lighting purposes.
- (6) Utility equipment utilized exclusively for vehicular and pedestrian traffic control purposes.

-
- (7) Utility equipment appurtenant to underground facilities, such as pad-mounted transformers, switches, terminal boxes, meters, cabinets, vaults, and pedestals.
 - (8) Temporary utility equipment utilized or to be utilized exclusively in conjunction with construction projects, seasonal, or special event installations. Upon installation of permanent utility service, above ground service shall be removed.
 - (9) Electric substations, electrical distribution lines designated as main feeder lines on the utilities distribution switching schematic, or electrical transmission lines rated for greater than 15 kV.
 - (10) Equipment installed by the utility which should not be installed underground for engineering, safety, or environmental regulatory reasons.
 - (11) Utility lines where severe disruption of existing improvements, diminished quality of service, or undue difficulty in repair would occur.
 - (12) Utility lines where an affected adjoining property owner will not consent to modification of easements.
- (c) *Submission of load data.* In order to ensure that capacity is available to provide satisfactory service to the customer, load data must be submitted to the electric engineering division at the earliest possible time to allow for ordering of materials.
 - (d) *Temporary installations.* The utility will, where it has a source of supply readily available, furnish service for temporary installations as provided for in the utility's rate tariff temporary service (TS).
- (Code 1961, § 21-44(A)(12)b; Ord. No. 1625, § 1, 1-3-84; Code 1985, § 24-122.4; Ord. No. 2784, § 6, 9-16-97; Ord. No. 5753, § 2, 12-18-07)

Sec. 70-585. New service extensions.

- (a) Extensions of electric facilities for residential developments, multi-occupancy developments, and mobile home parks will pay 100 percent of the cost to provide service to the development as provided for in section 70-603.
- (b) For extensions of electric facilities to commercial or industrial developments, the utility shall not be required to make the extension unless the estimated net electric revenues from the customer, together with additional revenues from other reasonably anticipated prospective customers, shall be sufficient to afford a fair and reasonable return on the cost of making the extension as determined by the city.
- (c) Subject to the terms and conditions in this article, the utility will extend its lines if the cost of the extension, less other applicable charges as contained in these ordinances, does not exceed four times the estimated annual Net Revenue (for 48 months) to be derived from the customer.
- (d) If the cost of the line extension exceeds the cost-to-revenue ratio in subsection (c) of this section, the utility shall require the customer to advance the utility a sum of money in cash as a contribution in aide of construction for construction costs, sufficient in amount to make up the deficiency in meeting the criteria specified in subsection (c) of this section.
- (e) Where contributions in aide of construction money are advanced under subsection (d) of this section an electric service agreement will be required. At the end of the 48-month period an accounting of the actual revenue and expenses will be made. Any over payment will be refunded and any shortage will be billed to the customer.
- (f) The utility will not use private property for line extensions unless an easement is granted by the owner of the property in accordance with the following provisions:

-
- (1) The utility shall construct, own, operate and maintain distribution lines within easements, public streets, roads and highways which the utility has the legal right to occupy.
 - (2) Where service conductors are wholly within the property they service, no easement is required.
 - (3) All easements shall be obtained by the customer upon the city's standard easement agreement form properly executed by the grantor, and shall be made without cost to the city.
 - (4) Rights-of-way and easements suitable to the utility must be furnished by the applicant in a reasonable time to meet service requirements. They must be cleared of obstructions, as specified by the job design, staked to show property lines and final grade, and must be graded to within six inches of final grade by the applicant before the utility will commence construction, all at no charge to the utility. Clearing and grading must be maintained by the applicant during construction by the utility. Grade stakes must be provided at transformer locations.
- (g) Customer installation shall be in accordance with the following provisions:
- (1) Prior to rendering service, the utility requires that all wiring installations be inspected and approved by an authorized city or county electrical inspector unless the building is exempt from the provisions of the Florida Building Code under Florida law (e.g., F.S. § 553.73(f)).
 - (2) The utility reserves the right to inspect the customer's installation prior to rendering service, and from time to time thereafter; but the utility assumes no responsibility for the customer's installation as a result of any inspection, an exemption from inspection, or the utility's failure to make an inspection, and will not be responsible in any way for defects in the customer's installation, or any part thereof, or for any damage which may result from such defect.
- (h) *Relocation or removal of existing facilities.* If the utility is required to relocate or remove existing facilities for the benefit of the applicant, the applicant shall pay the cost to replace like facilities. Costs will include the cost of labor for relocation and removal, cost of material less depreciation, the in-place value (less salvage) of the facilities so removed and any additional costs incurred by the utility. The utility may participate in a portion of the cost if the relocation results in betterment, as determined by the utility, of the electric utility system including, increase in electrical capacity, increase in structural capacity to meet regulatory requirements, increased accessibility to facilities, and replacement of deteriorated equipment.
- (Code 1961, § 21-44(A)(12)c; Ord. No. 1625, § 1, 1-3-84; Code 1985, § 24-122.5; Ord. No. 2784, § 7, 9-16-97; Ord. No. 5195, § 1, 8-25-03; Ord. No. 5753, § 3, 12-18-07; Ord. No. 2010-2, § 1, 11-3-09)

Sec. 70-586. General terms and conditions of service.

- (a) *Service equipment.* The utility's connection with the customer's service entrance shall be made with a service drop, and shall be backed up by such transformers and related facilities and equipment as may be necessary to supply adequate electric service to the customer in accordance with the load data furnished by the customer.
- (b) *Access to premises.* The duly authorized agents of the utility shall have access at all reasonable hours to the premises of the customer for the purpose of inspecting the customer's installation for installing, maintaining or removing the utility's property, for reading meters, and for other purposes incident to the rendering or termination of service to the customer. In acting under this subsection, neither the utility nor its authorized agents shall be liable for trespass. When the meter or other utility equipment is located such that the utility employee encounters a locked fence, building door, obstructions, dog or other protective animal, device or person, or any perceived personal hazard, the following steps will be taken to ensure that the utility's equipment may be inspected, maintained, connected, disconnected and read for billing purposes:

-
- (1) *Relocation of equipment.* The customer, at his own expense, may relocate the utility's equipment to a point on the property where ready and safe access is available.
 - (2) *Customer-read meters.* In the case of customer-read meters:
 - a. A permanent residential customer may read his own meter three out of four months by guaranteeing the utility access to read with its own personnel on the fourth month;
 - b. The customer will be responsible to get the reading to the utility business office on or before the specified reading date;
 - c. The customer will be responsible for any late payment charges or other adjustments caused by a delayed, incorrect or forgotten reading;
 - d. The customer will accept an estimated reading by the utility when a customer reading is not received on time;
 - e. The customer will be responsible for any over or under readings provided by him when the utility reads the meter on the fourth month; and
 - f. Any extra expenses incurred by the utility in dealing with the customer will be billed as a surcharge to the customer.
 - (3) *Estimated readings.*
 - a. When the meter reader cannot read the meter due to reasons of safety, obstructions or security, the reading will be estimated by the Customer Service Center and the bill presented will be due and payable without contact with the customer. If the customer requests that the meter be reread to get an actual reading, there will be a reread charge as specified in Schedule A*.
 - b. If, for subsequent months, the customer has not made arrangements to allow the meter reader access to read the meter, the customer will continue to receive an estimated reading and the estimated bills will continue until the utility is provided access to read the meter. These estimated bills shall be due and subject to late charges or other penalties as any other monthly utility bill.
 - c. When access is provided, and the utility can get an actual reading of the meter, the customer will be responsible for all consumption used between actual readings by the utility. If the estimated bills result in an overpayment, the customer will receive a credit based on rates in effect for the month of the actual reading. No attempt to reallocate credit over the months of estimated usage will be done.
 - (4) *Disconnection of service.* Failure to provide access or other arrangements satisfactory to the utility will be cause for the utility to disconnect such service from the property until satisfactory arrangements are made.
 - (5) *Attacks by dogs or other animals.* Utility personnel are authorized to use approved sprays, mace, cattle prods or other means to ward off attacks by dogs or other animals that they perceive to be a threat to their well-being while performing their appointed duties.
- (c) *Protection of equipment.* The customer shall provide proper protection for the utility's equipment and facilities located on the customer's premises, and shall permit no one but the utility's agents, or persons authorized by law, to have access to the utility's equipment or facilities.
 - (d) *Service interruptions.*
 - (1) Electric service is inherently subject to interruptions and to change in normal characteristics from time to time as a result of storms, operating conditions and other causes. Further, the utility may manually or electrically interrupt service to any customer for the protection of life or property, for making

-
- repairs, changes or improvements in any part of its system, or for the safety of the general public. In an emergency, the utility may interrupt, curtail or suspend electric service to all or some of its customers and, provided the utility is acting in good faith and exercising reasonable care and diligence, the selection by the utility of customers to be interrupted, curtailed or suspended shall be conclusive on all parties concerned, and the utility shall not be held liable with respect to any such interruption, curtailment or suspension.
- (2) In the event of an interruption, curtailment or suspension of electric service from any cause, the utility reserves the right to solely determine the method of restoration of service and to establish the priority of restoration within the shortest time practicable consistent with safety. The utility shall not be held to be in default of rendering adequate electric service because of the utility's preservation of system integrity, or for priority in the restoration of customer service.
- (3) Whenever service is interrupted, curtailed or suspended for the purpose of performing planned construction work on lines or equipment, the work shall be done at the time, if at all practicable, which will cause the least inconvenience to the customers, and the utility shall attempt to notify in advance (except in cases of emergency) those customers whom the utility knows may be affected.
- (e) *Indemnification of city.* The customer shall indemnify, hold harmless and defend the city from and against any and all liability, proceedings, suits, costs or expense for loss, damage, death or injury to persons or property, in any manner directly or indirectly connected with or growing out of the use or disposition of electricity by the customer at or on the customer's side of the point of delivery, unless such loss, damage, death or injury shall result from the sole negligence of the city.
- (f) *Type and character of service.* The type and character of service shall be as follows:
- (1) It is essential that the customer consult the utility's engineering division regarding the type of service which may be furnished at a particular location before proceeding with purchase of equipment or installation of wiring.
- (2) Service is provided with alternating current at a normal frequency of 60 hertz (cycles).
- (3) The voltage and number of phases supplied by the utility will depend on the type, size and location of the load, and existing utility facilities. In addition, standard voltages are 120/240, 120/208, and 277/480. Only one of these sets of voltages is normally available at any given location. If a voltage is requested other than that which is currently established at the desired location, it may be supplied at the utility's option, and the customer will be charged a contribution in aid of construction to cover the cost to supply the requested voltage.
- (4) Single-phase, three-wire service or three-phase, four-wire service will be provided according to the following:
- a. Customers receiving electric energy under a residential rate will be provided 120/240-volt single-phase service. Three-phase service to such customers may be supplied where a single motor or heat pump load larger than five horsepower, five kilovolt-amperes or five tons is present, and the required primary source is available at the site. The customer will be charged for any additional cost for three-phase service.
- b. In multi-occupancy buildings or complexes served by 120/208-volt, three-phase facilities, normal service to individual occupancies will be 120/208 volt, single-phase, three-wire.
- c. Commercial and industrial customers located in commercial/industrial areas will be provided with three-phase service only if it is currently available at the location, or if the loads meet the size requirement specified in subsection (f)(4)a. of this section, or if special three-phase loads are involved. The utility will not supply three-phase, 480-volt service to customers with demand less than 150 kilovolt-amperes unless approved in writing by the director of the utility or his designee.

-
- (g) *Refusal or discontinuance of service.* The utility will refuse or discontinue service for certain reasons including, but not limited to the following.
- (1) Nonpayment of bills for electric service and checks returned for insufficient funds.
 - (2) Refusal or failure to make a deposit to ensure payment of bills.
 - (3) Failure to rectify a deficiency or defect in the customer's wiring or other facilities after receiving notice from the utility that such condition exists.
 - (4) Unauthorized use of electric energy.
 - (5) Operation of equipment which causes voltage flicker or objectionable service characteristics to other customers.
 - (6) Unauthorized connections to, or tampering with, utility meters, metering equipment or meter seals, or evidence thereof, which shall subject the customer to immediate discontinuance of service, prosecution under the laws of the state, adjustment of prior bills for service rendered, and reimbursement of the utility for all extra expense incurred on the account. An additional deposit will be required before service is restored.
 - (7) If a hazardous condition is found to exist on the customer's property by the utility, such as a grounded water pump or heater, the customer's service will be discontinued without notice.
 - (8) Failure to provide access to metering equipment as outlined in section 70-586(b).
 - (9) Failure to provide approved meter sockets, meter enclosures, or other metering devices or apparatuses.

(Code 1961, § 21-44(A)(12)d; Ord. No. 1625, § 1, 1-3-84; Code 1985, § 24-122.6; Ord. No. 2784, § 8, 9-16-97; Ord. No. 5702, § 4, 8-21-07; Ord. No. 2011-46, § 1, 3-1-11)

***Editor's note**—Schedule A is not set out herein, but available as an attachment to Ord. No. 5702.

Sec. 70-587. Meter installations.

- (a) *Installation of meters; ownership of meters.* The utility will install and maintain, at its own expense, such standard electricity meters, instrument transformers, recording meters and devices, as may be necessary to measure all electric energy sold to the customer on a metered basis. Title to such meters and metering equipment shall be and will remain with the utility.
- (b) *Sealing of meters.* All meters will be sealed by a representative of the utility. Such meter seals must not be removed, destroyed or tampered with by any person other than an authorized representative of the utility. The utility reserves the right to lock and/or seal all enclosures containing unmetred conductors or buses. The utility further reserves the right to modify meter and metering equipment enclosures for the purposes of safety and security. Locks on meter vaults, or any other secured area, shall be keyed to conform to the utility master lock system.
- (c) *Tampering with meter.* Unauthorized connections to or tampering with utility meters, meter seals or metering equipment, or indications or evidence thereof, shall subject the customer to a fine as indicated in the City of Ocala Utility Tariffs, replacement costs of damaged equipment, prosecution under the laws of the state, adjustment of prior bills for services rendered and liability for payment of the adjusted amount, and to liability for reimbursement to the utility of all extra expenses incurred as a result thereof, and to discontinuance of service until such indebtedness has been paid in full.
- (d) *Meter enclosure and equipment standards.* To avoid the costs associated with having to replace unacceptable electric meter enclosures or equipment; all electric meter enclosures and equipment installed

on the utility's system shall comply with the city's meter enclosure and equipment standards. These standards may be accessed from the Ocala Utility Services link, on the City of Ocala website: (www.ocalafl.org). The contractor should contact the utility's meter division for information and details prior to acquiring any related materials. Requirements in the city's meter enclosure and equipment standards are in addition to requirements of the latest version of the National Electrical Code or local code enforcement agencies. Failure to comply may result in service being denied.

(Code 1961, § 21-44(A)(12)e; Ord. No. 1625, § 1, 1-3-84; Code 1985, § 24-122.7; Ord. No. 2313, § 1, 10-27-92; Ord. No. 2784, § 9, 9-16-97; Ord. No. 3014, § 1, 12-7-99; Ord. No. 2011-46, § 2, 3-1-11)

Editor's note(s)—Ord. No. 2011-46, § 2, adopted April 28, 2011, renamed § 70-587 from "Meter installations and service arrangements" to "Meter installations."

Sec. 70-588. Customer utilization equipment.

- (a) The facilities of the utility are designed and maintained to supply adequate service to all customers using standard appliances and equipment included in the load data furnished by the customers. Since the appliances and equipment installed or used by one customer may very materially affect the adequacy and continuity of service to other customers, and because the misuse of such appliances or equipment might constitute a fire hazard or endanger life, the customer shall consult the utility concerning the attachment of any special or heavy use appliances or equipment to the customer's installation.
- (b) The customer's installation shall be adequately protected, with approved type fuses or circuit breakers and lightning arresters, in accordance with the requirements of local ordinances pertaining thereto and the requirements of the National Electrical Code; and, in order to safeguard both the property of the customer and that of the utility, the customer shall not overload or overfuse any service or branch circuit thereof.
- (c) Customer utilization equipment should be selected and used with the view of obtaining the highest practicable power factor. No appliance or device which, in the opinion of electric utility or building department, is not properly constructed, controlled or protected, or which may adversely affect the utility's service to other customers, shall be connected to the customer's installation. In addition:
 - (1) All utilization equipment attached to the customer's installation shall be such that starting and operating characteristics will not cause an instantaneous voltage drop of more than three percent of the standard voltage or cause objectionable flicker in other customers' lighting.
 - (2) All motors connected to the customer's installation shall be equipped with satisfactory starting devices to prevent abnormal voltage fluctuation of greater than three percent of the standard voltage. It is a requirement that motors be provided with devices which will protect the motor installation against under-voltage, over-voltage, single-phasing and short circuit. The customer shall provide the electric utility and building department with running load amps, locked rotor amps, maximum starting amps, type of starting device and secondary impedances to calculate voltage flicker, or provide the necessary calculations to the electric engineering and inspections division.
 - (3) Customers are encouraged to provide power factor correction apparatus satisfactory to the utility on all low power factor (less than 95 percent lagging) motors, lighting equipment, window and central air conditioning units and electric welding equipment.
- (d) Changes which, in the opinion of the utility, would adversely affect the normal operation of the utility's system or facilities shall not be made in the customer's installation, and the customer shall be liable for any damage resulting from a violation of this rule. Accordingly, the customer shall give due notice to the utility of any proposed changes in the customer's installation involving substantial increases or changes in the customer's electrical requirements, since failure to do so may affect the quality of the customer's service as well as that of the other customers supplied from the same facilities.

-
- (e) The utility assumes no responsibility for accidental grounds upon the customer's installation, but the utility will undertake, where practicable, to notify the customer of such accidental grounds whenever they are discovered by or come to the attention of the utility.

(Code 1961, § 21-44(A)(12)f; Ord. No. 1625, § 1, 1-3-84; Code 1985, § 24-122.8; Ord. No. 2314, § 1, 10-27-92; Ord. No. 2784, § 10, 9-16-97; Ord. No. 2016-6, § 1, 12-1-15)

Sec. 70-589. Limitations on service.

- (a) *Use of service generally.* Electric service furnished to a customer shall normally be rendered directly to the customer through the utility's individual meter, and shall be solely for the customer's own use.
- (b) *Resale of service.* In accordance with the laws of the state and the city, the utility shall not sell electricity to any customer for resale, and no customer shall be permitted to resell any electric energy purchased from the utility.
- (c) *Remetering.* Electric service furnished to the customer shall not be remetered by the customer for the purpose of selling or otherwise disposing of electric service to lessees, tenants or others on a metered basis; provided, however, that the customer may, with the consent of the utility, install facilities for remetering when such remetering shall not violate this division.
- (d) *Supplying electricity to other property.* No customer shall extend electric lines or facilities across or under a street, avenue, alley, lane, court or other public way in order to make electric energy available through one meter to a structure or facility on an adjacent tract of land, except under the following conditions:
 - (1) The structure or facility on adjacent land is at all times operated and utilized by the same customer for the same business or enterprise;
 - (2) Electric service through such single meter is utilized solely by such customer;
 - (3) Such single meter electric service is otherwise permissible under applicable utility rules and regulations and the applicable rate schedule;
 - (4) The customer obtains written approval from the utility on plans, and any extension or revision thereof, for such single meter service arrangements; and
 - (5) The customer obtains and keeps currently effective any and all required permits from the required public authorities for crossing of public ways with the customer's electric facilities.
- (e) *Placing wires, signs or other items on or near poles or other facilities.* Customers and others are forbidden to use the utility's poles or other facilities for the purpose of fastening or supporting wires, signs or items of any nature, without written permission, or to locate any such items in such proximity to the utility's poles or other property or facilities as to cause, or to be likely to cause, interference with the utility's operations or its supply of electric service, or a dangerous condition in connection therewith. The utility shall have the right to remove any such items without notice and without liability for damages arising from such removal.

(Code 1961, § 21-44(A)(12)g; Ord. No. 1625, § 1, 1-3-84; Code 1985, § 24-122.9; Ord. No. 2784, § 11, 9-16-97)

Secs. 70-590—70-600. Reserved.

Subdivision III. Underground Distribution

Sec. 70-601. Definitions.

The following words, terms and phrases, when used in this subdivision, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Applicant means any person or governmental agency controlling or responsible for the development of a new subdivision or dwelling unit and applying for the construction of underground electric facilities.

Building means any structure within a development.

Conduit system means any combination of ducts, conduits, manholes, hand holes and vaults joined to form an integrated whole.

Development means any parcel of land which is subdivided into lots for the purpose of resale. As referenced in this subdivision, developments may be apartment complexes, single-family residential subdivisions, mobile home parks, condominiums, duplex, triplex, or quadruplex developments, zero lot line developments, commercial/industrial parks, commercial office parks, shopping centers, etc.

Direct burial means a type of construction involving the placing of conductors in the ground without the benefit of conduit or ducts. Other facilities, such as transformers, may be above ground.

Distribution system means electric service facilities consisting of primary and secondary conductors, service laterals, transformers, and necessary accessories and appurtenances for the furnishing of electric power at utilization voltage.

Feeder main means a three-phase primary installation which serves as a source for primary laterals and loops through suitable overcurrent devices.

Point of delivery is defined as the line side of the meter socket for a single enclosure, residential, self contained installation. For CT metered or multi-position meter installations, the point of delivery is the utility's vault or transformer as determined by the utility.

Primary lateral means that part of the electric distribution system whose function is to conduct electricity at the primary level from the feeder main to the transformers serving the secondary street mains. It usually consists of a single-phase conductor or insulated cable, together with necessary accessory equipment for supporting, terminating and disconnecting from the primary mains by a fusible element.

Service lateral means the underground service conductors between the street or rear property main, including any risers at the pole or other structure or from transformers, and the first point of connection to the service entrance conductors in a terminal or meter box inside or outside the building wall.

(Code 1961, § 21-44(A)(12)h.1; Ord. No. 1625, § 1, 1-3-84; Code 1985, § 24-125.1; Ord. No. 2041, § 1, 11-15-88; Ord. No. 2784, § 12, 9-16-97; Ord. No. 5753, § 4, 12-18-07)

Cross reference(s)—Definitions generally, § 1-2.

Sec. 70-602. General rules.

- (a) The underground electric system will be installed using approved conduits for all conductors, unless otherwise specifically stated. The required conduits shall be furnished and installed by the developer using the utility's design and specifications. The utility will own and maintain the electric distribution facilities up to the designated point of delivery. Any materials supplied, work performed, or payment made by the applicant under the provisions of this subdivision will not convey to the applicant any rights of ownership.
- (b) In order for the utility to provide service when required, it is necessary that the applicant notify the utility during the early stages of planning major projects. Close coordination is necessary throughout the planning

and construction stages by the utility, the architect, the builder, the subcontractors and the consulting engineer to avoid delays and additional expense. Particular attention must be given to the scheduling of the construction of paved areas and the various subgrade installations of other utilities. All correspondence and inquiries regarding underground electric service will be through the utility's electric engineering division.

- (c) The applicant shall pay for any additional costs incurred by the utility due to changes made by the applicant in the development layout or grade as originally agreed upon between the applicant and the utility.
- (d) The utility will be responsible for the design of the electric facilities after receipt of approved construction plans by the authorizing agency. Changes made to the approved construction plans after receipt by the utility will be considered a major revision and subject to rescheduling and repricing. Twenty working days after submittal to the utility, the electric engineering division will return an electric distribution plan to the developer for his review. The developer will submit an acceptance letter and appropriate payment to the utility.
- (e) Where the applicant requests underground electric facilities not specifically covered by this subdivision and where overhead facilities would otherwise be provided, the applicant shall pay the utility the estimated differential cost between the underground facilities and comparable overhead facilities.
- (f) The applicant shall be responsible to ensure that the utility's distribution system, once installed, is not damaged, destroyed or otherwise disturbed during the construction of the project. This responsibility shall extend not only to those in his employ, but also to his subcontractors, and he shall be responsible for the full cost of repairing such damage.
- (g) The electric distribution system shall not be energized until all provisions and conditions of this subdivision have been met, including applicable payments.
- (h) The utility shall retain the sole right to the design and specifications of the electric distribution system.
- (i) The utility reserves the right to install or have installed any electric distribution facilities not associated with present development but deemed necessary for future improvements of the distribution system. The cost of such improvements shall be borne by the utility.
- (j) Final grade, plus or minus six inches, shall be achieved before installation of the conduit system begins. Any exception to this requirement shall be approved by the utility's electric engineering division. Installation of conduits by the applicant will be regularly inspected by the utility.
- (k) Incorrect placement of conduits by the applicant as per drawings will be corrected at the expense of the applicant.
- (l) The cost of relocation of electric facilities caused by the relocation of buildings, grade changes, water retention areas, lot lines, etc., will be paid by the applicant.
- (m) The conduit shall be guaranteed free of defects and improper workmanship for one year after acceptance by the utility. During this one-year period, the applicant shall be responsible for costs of repairs made by private contractors or the utility.
- (n) Upon acceptance, the conduit system shall be ready for use, be free of obstructions, contain the required pull string and be capped.
- (o) The following provisions shall apply to rights-of-way and easements:
 - (1) The utility shall construct, own, operate and maintain distribution lines only within easements, public streets, roads and highways which the utility has the legal right to occupy, and on public lands and private property across which rights-of-way and easements satisfactory to the utility may be obtained without cost.

-
- (2) Rights-of-way and easements suitable to the utility must be furnished by the applicant in a reasonable time to meet service requirements, and must be cleared of obstructions as specified by job design, staked to show property lines and final grade, and graded to within six inches of final grade by the applicant before the utility will commence construction, all at no charge to the utility. Such clearing and grading must be maintained by the applicant during construction by the utility. Grade stakes must be provided at transformer locations.
 - (3) A ten foot utility easement parallel to the right of way on both sides will be required for all underground subdivisions. Exceptions may be granted by the Electric Utility providing all the following conditions are met:
 - (a) There must be a substantial reason that providing an electric (utility) easement would be detrimental to the project and not in the best interest of the city (or Marion County) as a whole.
 - (b) Where a subdivision has reduced setback provisions that would place transformers closer than 20 feet to buildings.
 - (c) Those developments where curb and gutter are used and a minimum of 12 feet from back-of-curb to back of right-of-way is present on both sides of the right-of-way. The maximum slope from back-of-curb to back of right-of-way shall be no more than .1, with no swales or other obstructions that would interfere with the safe operation and maintenance of the electric facilities.
 - (d) There must be no foreseeable need to widen the roadways within the project to the point that would require relocation of installed OEU facilities.
 - (e) There must be room within the right-of-way to set aside the five-foot furthest from the road on both sides of the right-of-way solely for installation of underground and pad mounted electric facilities. This reserved area must be specified on the Improvement Plan and be approved by OEU prior to final approval by the city or Marion County.
 - (f) If water or gas facilities are to be installed within the right-of-way, there must be at least a five-foot horizontal separation between electric and water or gas facilities.
 - (g) Locating the electric facilities within the right-of-way will not pose any increased safety risk of injury or property damage to either OEU or the public.
 - (4) Where underground distribution facilities are located in dedicated road or street rights-of-way, no easement is required.
 - (5) Where underground distribution facilities are located on private property wholly within an area covered by a recorded subdivision utility easement, namely a reservation, and there is a recorded plat of an easement of public utility purpose, no other easement is required.
 - (6) Where underground service conductors are located on private property and portions not covered by recorded subdivision utility easements are wholly within the private property they service, no easement is required.
 - (7) Where underground distribution facilities are located on private property other than as described in subsection (4) of this subsection, or easements are required, they must be prepared on the city's standard easement form.
 - (8) Where underground primary and secondary distribution facilities for service to a mobile home park or a multiple-occupancy project are located on a tract of land having one ownership and the easement area cannot be described without a detailed survey, a blanket easement covering the entire premises may be utilized at the discretion of the utility.

-
- (9) Any property owner desiring that the city vacate, abrogate or quitclaim any electric utility easement or electric right-of-way shall make application therefore to the electric department on forms approved by the department. Such application shall contain the name and address of the applicant, the recording data of the easement, and such other information and data as may be required by the department, and shall be accompanied by a nonrefundable fee of \$100.00. The department, upon receipt of the application, shall investigate the application and shall submit in writing its recommendation upon the application to the city council together with such documents as necessary for the city council to act upon the request.

(Code 1961, § 21-44(A)(12)h.2; Ord. No. 1625, § 1, 1-3-84; Code 1985, § 24-125.2; Ord. No. 2041, § 2, 11-15-88; Ord. No. 2529, § 1, 6-20-95; Ord. No. 2784, § 13, 9-16-97; Ord. No. 2906, § 1, 11-17-98; Ord. No. 5753, § 5, 12-18-07)

Sec. 70-603. Residential subdivisions, multiple-occupancy developments and mobile home parks.

- (a) *Generally.* When requested by the applicant, or as required elsewhere in these ordinances, the utility will provide underground electric distribution facilities for residential subdivisions, multiple-occupancy developments and mobile home parks.
- (b) Pursuant to section 70-585 and before construction begins, the applicant will pay the following:
- (1) 120 percent of the estimated cost to install all primary and secondary electric facilities. When construction is complete, the utility will make a final accounting and refund any excess funds or bill the applicant for any additional construction costs.
 - (2) A feeder recover fee as contained in the City of Ocala Utility Services Schedule of Tariffs.
- (c) *Service voltage* shall be 120/240 volt single phase.
- (d) *Responsibilities of applicant.* The responsibility of the applicant shall be to:
- (1) Furnish details and specifications of the proposed development. The utility will use these in the design of the electric distribution system.
 - (2) Where the utility determines the transformer is to be located inside the building:
 - a. Provide the vaults necessary for the transformers and the associated equipment, including the ventilation equipment and sump pump;
 - b. Provide the necessary conduits for the utility to install cables from the utility's point of supply to the transformer as provided by the utility's plans and specifications;
 - c. Install conduits underneath all buildings when required for the utility to install cables. Such conduits shall be part of the overall conduit system designed for joining to the utility's facilities; and
 - d. Provide the service entrance conductors and raceways from the applicant's service equipment to the designated point of delivery within the vault.
 - (3) Where the utility determines that the transformers are to be located outside the building:
 - a. Provide the transformer enclosure or space for pad-mounted equipment, if required; and
 - b. Extend conduit of the size specified by the utility from the meter enclosure to the transformer or other secondary point of connection specified by the utility.
- (e) *Responsibilities of utility.* The utility will:

-
- (1) Provide the applicant with the utility's plan to supply the proposed building or complex of buildings, and the specifications for the facilities to be provided by the applicant.
 - (2) Furnish and install primary or secondary conductors from existing or proposed facilities adjoining the property to the point of delivery.
 - (3) Furnish and install the necessary transformers and associated equipment located either outside the building or in the vaults within the building.
 - (4) Be solely responsible for the installation, operation and maintenance of all its electrical facilities. The city reserves the right to provide primary service to specific areas of the development on a priority and transformer loading schedule. Each increment of underground construction may be limited to an area that has been developed and where building construction is underway at the utility's discretion. An increment of the planned underground system may be installed prior to building construction upon payment by the applicant of the total cost to the city for furnishing and installing the facilities.
- (f) *Point of delivery.* The point of delivery shall be determined by the utility and will be on the side of the building that is nearest the point at which the underground secondary electric supply is available to the property. The point of delivery will only be allowed on the rear of the building by special exception. The applicant shall pay the estimated full cost of service lateral length required in excess of that which would have been needed to reach the utility's designated point of service.
- (g) *Location of meter socket.* The applicant shall install a meter socket at the point designated by the utility in accordance with the utility's specifications. Every effort shall be made to locate the meter socket in unobstructed areas in order that the meter can be read without going through fences or other obstructions.

(Code 1961, § 21-44(A)(12)h.3; Ord. No. 1625, § 1, 1-3-84; Code 1985, § 24-125.3; Ord. No. 2041, § 3, 11-15-88; Ord. No. 2784, § 14, 9-16-97; Ord. No. 2906, § 2, 11-17-98; Ord. No. 5753, § 6, 12-18-07; Ord. No. 2010-2, § 2, 11-3-09)

Sec. 70-604. Underground service laterals from overhead systems to new residential buildings.

- (a) *Generally.* When requested by the applicant, or as required elsewhere in these ordinances, the utility will install underground service laterals from overhead systems to newly constructed residential buildings containing not more than one separate dwelling unit and does not exceed 400 Amp service.
- (b) *Payment of costs.* The applicant will be required to pay, in advance of construction, an amount estimated to be the difference between the requested underground system and an equivalent overhead system.
- (c) *Responsibilities of applicant.* The responsibility of applicant shall be to:
- (1) Have the service entrance equipment and meter installation arranged to accept underground service.
 - (2) Provide conduit from the meter enclosure to the utility's designated secondary source in accordance with the utility's current conduit policy.
 - (3) Coordinate with telephone and cable companies if the trench is to be shared by others.
- (d) *Responsibilities of utility.* The responsibility of the utility shall be to:
- (1) Provide and install the secondary conductors in the meter base and at the service supply.

(Code 1961, § 21-44(A)(12)h.4; Ord. No. 1625, § 1, 1-3-84; Code 1985, § 24-125.4; Ord. No. 5753, § 7, 12-18-07)

Sec. 70-605. Underground service laterals replacing existing overhead service to residential buildings.

- (a) *Generally.* In accordance with the utility's overhead to underground customer incentive program, the utility will install underground service laterals from existing overhead lines as a replacement for existing overhead services to existing residential buildings.
- (b) *Responsibilities of applicant.* The responsibility of the applicant shall be as follows:
 - (1) To have the service entrance and metering equipment rearranged to accept underground connections in accordance with the utility's specifications.
 - (2) To locate all existing underground facilities such as sprinkler systems, water and gas lines, septic tanks and drainfields; and to coordinate with the telephone and cablevision utilities if an open trench is to be used by others.
 - (3) To provide conduit from the meter enclosure to the utility's designated secondary source in accordance with the utility's current conduit policy.
- (c) *Responsibilities of utility.* The responsibility of the utility shall be to furnish and install underground conductors from the metering point or other approved point of attachment.

(Code 1961, § 21-44(A)(12)h.5; Ord. No. 1625, § 1, 1-3-84; Code 1985, § 24-125.5; Ord. No. 2784, § 15, 9-16-97; Ord. No. 5753, § 8, 12-18-07)

Sec. 70-605.5. Residential customers replacing both primary and secondary overhead service with underground system.

- (a) *Generally.* Any customer who is presently served from an overhead system may have his service replaced with an underground system with approval of the utility.
- (b) *Payment of costs.* The applicant shall pay, before construction begins, the estimated cost of underground service plus the remaining life of installed facilities less any salvage value and less the pro-rated replacement cost of like overhead facilities.
- (c) *Responsibilities of applicant.* The responsibility of the applicant shall be to:
 - (1) Furnish and install the primary, secondary and service conduits.
 - (2) Convert associated metering equipment.
- (d) *Responsibilities of utility.* The utility shall be responsible to furnish and install all transformers, secondary and service cable and make all connections.

(Ord. No. 5753, § 9, 12-18-07)

Sec. 70-606. Commercial buildings requiring both primary and secondary underground service.

- (a) *Generally.* When requested by the applicant, or as required elsewhere in these ordinances, the utility will provide underground electric distribution facilities for commercial buildings in accordance with its general rules and the provisions of this section.

-
- (b) *Payment of costs.* The applicant shall pay, before construction begins, the difference between the estimated cost of underground service and the equivalent overhead installation.
- (c) *Responsibilities of applicant.* The responsibility of the applicant shall be to:
- (1) Furnish details and specifications of the proposed development. The utility will use these to design the electric distribution system.
 - (2) Furnish and install the primary and secondary conduits, and secondary wiring.
 - (3) Provide all trenching and backfilling.
 - (4) Install associated metering equipment supplied by the utility.
 - (5) Where the utility determines the transformers are to be located inside the building, provide the vaults necessary for the transformers and the associated equipment, including the ventilation equipment, sump pump and grounding.
 - (6) Provide the service entrance conductors and raceways from the applicant's service equipment to the designated point of delivery within the vault.
 - (7) Where the utility determines that the transformers are to be located outside the building, provide:
 - a. The space for pad-mounted equipment if required, including pad.
 - b. Provide physical protection for the transformer switch gear or other exposed equipment and provide adequate grounding at the transformer location.
- (d) *Responsibilities of utility.* The responsibility of the utility shall be to:
- (1) Furnish and install all transformers.
 - (2) Furnish and install all primary cable between transformers and the point of supply.

(Code 1961, § 21-44(A)(12)h.6; Ord. No. 1625, § 1, 1-3-84; Code 1985, § 24-125.6; Ord. No. 2041, § 4, 11-15-88; Ord. No. 2784, § 16, 9-16-97; Ord. No. 5753, § 10, 12-18-07)

Sec. 70-607. Commercial buildings requiring secondary underground service only.

- (a) *Generally.* If requested by the applicant, or as required elsewhere in these ordinances, secondary underground electric distribution facilities for commercial buildings may be installed by the applicant.
- (b) *Responsibilities of applicant.* The responsibility of the applicant shall be to comply with the following:
- (1) The applicant will furnish and install all conduits, wire and associated equipment to connect the applicant's service to the utility's supply point.
 - (2) Installation shall conform to all local and national electrical safety codes.
 - (3) The contractor shall supply adequate spare cable at the utility's connection point to reach the point of attachment, including current transformers and drip loops, without the need for splicing.

(Code 1961, § 21-44(A)(12)h.7; Ord. No. 1625, § 1, 1-3-84; Code 1985, § 24-125.7; Ord. No. 2041, § 5, 11-15-88; Ord. No. 2784, § 17, 9-16-97; Ord. No. 5753, § 11, 12-18-07)

Sec. 70-608. Commercial customers replacing secondary overhead service with underground system.

- (a) *Generally.* Any customer who is presently served from an overhead system may have his service replaced with an underground system.
- (b) *Responsibilities of applicant.* The responsibility of the applicant shall be to comply with the following:
 - (1) The applicant shall rearrange the metering and point of service suitable for underground service.
 - (2) If secondary service only is required:
 - a. The applicant will furnish and install all conduits, wire and associated equipment to connect the applicant's service to the utility's service supply.
 - b. The applicant shall conform the installation to all local and national electrical safety codes.
 - c. The contractor will be required to leave adequate spare cable at the utility's connection point to reach the point of attachment, including current transformers and drip loops, without need for splicing.
 - d. Spare conduit will be required under all buildings and paved areas when original service is by direct burial cable.
- (c) *Responsibilities of utility.* The responsibility of the utility shall be to:
 - (1) Make the connections to the service supply.

(Code 1961, § 21-44(A)(12)h.8; Ord. No. 1625, § 1, 1-3-84; Code 1985, § 24-125.8; Ord. No. 5753, § 102, 12-18-07)

Sec. 70-609. Commercial customers replacing both primary and secondary overhead service with underground system.

- (a) *Generally.* Any customer who is presently served from an overhead system may have its primary and secondary service replaced with an underground system.
- (b) *Payment of costs.* The applicant shall pay, before construction begins, the estimated cost of underground service plus the remaining life of installed facilities less any salvage value and less the pro-rated replacement cost of like overhead facilities.
- (c) *Responsibilities of applicant.* The responsibility of the applicant shall be to:
 - (1) Furnish and install the primary and secondary conduits, secondary wiring, and associated secondary connections.
 - (2) Provide all trenching and backfilling.
 - (3) Install associated metering equipment supplied by the utility.
 - (4) Provide and install foundations for pad-mounted transformers.
 - (5) Provide physical protection for transformer equipment and provide adequate grounding for the transformer location. See section 70-606 if the transformer is to be located inside a building or vault.
- (d) *Responsibilities of utility.* The responsibility of the utility shall be to furnish and install all transformers, and primary cable, and make connection to the primary supply system.

(Code 1961, § 21-44(A)(12)h.9; Ord. No. 1625, § 1, 1-3-84; Code 1985, § 24-125.9; Ord. No. 2784, § 18, 9-16-97; Ord. No. 5753, § 113, 12-18-07)

Secs. 70-610—70-620. Reserved.

Subdivision IV. Street Lighting

Sec. 70-621. Streetlights required.

The developer of any property within the city shall be responsible for the cost to install street lighting on all city, county and state roads, both internal to and adjacent to the development, at the time the development is subdivided into individual lots or at the time of final site plan approval. The intent of this requirement is to provide for adequate lighting of the streets in and around all new construction, whether residential or commercial in nature, as determined appropriate by the city. Private streets will be lighted as part of the development design and paid for and maintained, including energy costs, by the developer.

(Code 1985, § 24-126(a); Ord. No. 1906, § 1, 2-17-87; Ord. No. 2961, § 1, 6-22-99; Ord. No. 2010-2, § 3, 11-3-09)

Sec. 70-622. Payment of costs.

The developer shall pay to the city, or if the provider of electric service to the property is not the city, the non-city provider, the estimated cost to install all street lighting before the city or provider begins construction of electrical facilities.

(Code 1985, § 24-126(b); Ord. No. 1906, § 1, 2-17-87; Ord. No. 2989, § 1, 10-5-99; Ord. No. 2010-2, § 4, 11-3-09)

Sec. 70-623. Responsibilities of developer.

The developer shall provide plans for the development sufficiently in advance of construction to permit the street lighting system to be designed and installed at the same time other overhead or underground electrical facilities are required to be installed.

(Code 1985, § 24-126(c); Ord. No. 1906, § 1, 2-17-87)

Sec. 70-624. Responsibilities of city or other provider of electric service.

- (a) Where the city is the provider of electric service, the City of Ocala Electric Engineering Division shall prepare the design of the street lighting system (overhead or underground). The cost estimate will be established based on the use of standard poles, light fixtures, wire and necessary material and labor rates in effect at that time.
- (b) Where a non-city provider provides electric service, the City of Ocala Electric Engineering Division will approve the streetlight design. The non-city provider will establish the cost to install the required street light system. The developer will pay to the non-city provider the cost to install the street lighting system based on the non-city provider's cost estimate.
- (c) The city, or if the provider of electric service to the property is not the city, the non-city electric service provider, shall:

-
- (1) Install and energize streetlights in areas where other electrical facilities are installed to serve permanent residential or commercial structures.
 - (2) Be responsible for perpetual maintenance of all poles and fixtures supplied and installed by the city or non-city electric service provider.
- (d) The city will be responsible for the cost of energy and maintenance charges of streetlights within the city limits. If the lights are provided by a non-city energy supplier, the city will pay for on-going energy and maintenance charges based on the electric service provider's filed tariffs.
- (Code 1985, § 24-126(d); Ord. No. 1906, § 1, 2-17-87; Ord. No. 2989, § 2, 10-5-99; Ord. No. 2010-2, § 5, 11-3-09)

Secs. 70-625—70-640. Reserved.

DIVISION 3. SERVICE RATES AND CHARGES²

Sec. 70-641. Generally.

The city council shall establish by separate resolution a minimum uniform schedule of rates, charges and classifications for the use of the city's electric utility.

- (1) *Rates.* The rates to be charged and collected for electric energy furnished by the city to retail consumers shall be in accordance with the schedule adopted by city council by separate resolution, set out in Schedule A* and placed on file as Rate Schedule Tariffs with the Florida Public Service Commission.
- (2) *Taxes.* An amount equal to all applicable taxes imposed against the sale or consumption of electric energy shall be added to the rates hereinabove set forth. The United States of America, the State of Florida, and all political subdivisions, agencies, boards, commissions, and instrumentalities thereof, and all recognized places of religious assembly of the State of Florida are exempt from the city's utility tax.
- (3) *Surcharge for consumers outside city limits.* The rates to be charged and collected by the city for electric energy furnished by the city outside of its corporate limits to consumers of retail electric service shall be the base rates as set forth above, plus a surcharge equal the amount of the city utility tax charged consumers inside the city limits; provided, however, that the United States of America, the State of Florida, and all political subdivisions, agencies, boards, commissions, and instrumentalities thereof and all recognized places of religious assembly of the State of Florida are exempt from the payment of the surcharge imposed and levied thereby.
- (4) *Availability.* This service is available to consumers both within and outside the corporate limits of the city and is subject to the electric utility department's rules and regulations for electric service.
- (5) *Minimum monthly bill.* The minimum monthly bill will be the customer service charge plus other applicable charges covered by ordinance, state statute or federal law.

(Code 1985, § 24-106; Ord. No. 5702, § 5, 8-21-07; Ord. No. 2010-2, § 6, 11-3-09)

* **Editor's note**—Schedule A is not set out herein, but available as an attachment to Ord. No. 5702.

²State law reference(s)—User fees authorized, F.S. § 166.221; authority of public service commission to prescribe rate structure for municipal electric utility, F.S. § 366.04(2)(b).

Sec. 70-642. Reserved.

Editor's note(s)—Ord. No. 5702, § 6, adopted Aug. 21, 2007, repealed § 70-642 in its entirety. Formerly said section pertained to rate schedule R-S, residential service as enacted by Code 1961, § 21-44(A)(1); as subsequently amended.

Sec. 70-643. Reserved.

Editor's note(s)—Ord. No. 5428, § 1, adopted Sept. 13, 2005, repealed § 70-643 in its entirety. Formerly, said section pertained to rate schedule RLM, residential load management as enacted by Code 1985, § 24-107.1; as amended.

Sec. 70-644. Reserved.

Editor's note(s)—Ord. No. 5702, § 7, adopted Aug. 21, 2007, repealed § 70-644 in its entirety. Formerly said section pertained to rate schedule GS, general service non-demand rate as enacted by Code 1961, § 21-44(A)(2); as subsequently amended.

Sec. 70-645. Reserved.

Editor's note(s)—Ord. No. 5702, § 8, adopted Aug. 21, 2007, repealed § 70-645 in its entirety. Formerly said section pertained to rate schedule GSD, general service demand rate as enacted by Code 1961, § 21-44(A)(3); as subsequently amended.

Sec. 70-646. Reserved.

Editor's note(s)—Ord. No. 5702, § 10, adopted Aug. 21, 2007, repealed § 70-646 in its entirety. Formerly said section pertained to rate schedule GSLLF, general service low load factor as enacted by Code 1961, § 21-44(A)(4); as subsequently amended.

Sec. 70-647. Reserved.

Editor's note(s)—Ord. No. 5702, § 11, adopted Aug. 21, 2007, repealed § 70-647 in its entirety. Formerly said section pertained to rate schedule CL, constant load tariff as enacted by Code 1961, § 21-44(A)(5); as subsequently amended.

Sec. 70-648. Reserved.

Editor's note(s)—Ord. No. 5702, § 12, adopted Aug. 21, 2007, repealed § 70-648 in its entirety. Formerly said section pertained to rate schedule T, temporary service tariff as enacted by Code 1961, § 21-44(A)(6); as subsequently amended.

Sec. 70-649. Reserved.

Editor's note(s)—Ord. No. 2010-2, § 7, adopted Nov. 3, 2009, repealed § 70-649, in its entirety. Former § 70-649, pertained to Rate schedule L-P, private area lighting. See Code Comparative Table for derivation.

Sec. 70-650. Reserved.

Editor's note(s)—Ord. No. 5702, § 13, adopted Aug. 21, 2007, repealed § 70-650 in its entirety. Formerly said section pertained to rate schedule RST, residential service time-of-use as enacted by Code 1961, § 21-44(A)(8); as subsequently amended.

Sec. 70-651. Reserved.

Editor's note(s)—Ord. No. 5702, § 14, adopted Aug. 21, 2007, repealed § 70-651 in its entirety. Formerly said section pertained to rate schedule GST, general service non-demand time-of-use as enacted by Code 1961, § 21-44(A)(9); as subsequently amended.

Sec. 70-652. Reserved.

Editor's note(s)—Ord. No. 5702, § 15, adopted Aug. 21, 2007, repealed § 70-652 in its entirety. Formerly said section pertained to rate schedule GSDT, general service demand time-of-use as enacted by Code 1961, § 21-44(A)(10); as subsequently amended.

Sec. 70-653. Reserved.

Editor's note(s)—Ord. No. 2010-2, § 8, adopted Nov. 3, 2009, repealed § 70-653, in its entirety. Former § 70-653, pertained to bulk power cost adjustment. See Code Comparative Table for derivation.

Sec. 70-654. Reserved.

Editor's note(s)—Ord. No. 2010-2, § 9, adopted Nov. 3, 2009, repealed § 70-654, in its entirety. Former § 70-654, pertained to energy management cost adjustment. See Code Comparative Table for derivation.

Sec. 70-655. Reserved.

Editor's note(s)—Ord. No. 2010-2, § 10, adopted Nov. 3, 2009, repealed § 70-655, in its entirety. Former § 70-655, pertained to qualifying facility transmission tariff. See Code Comparative Table for derivation.

Secs. 70-656—70-680. Reserved.