

BOROUGH OF PITCAIRN

ORDINANCE NO. 1001 of 2014

AN ORDINANCE OF THE BOROUGH OF PITCAIRN, ALLEGHENY COUNTY COMMONWEALTH OF PENNSYLVANIA ESTABLISHING RULES AND REGULATIONS AND SETTING RATES TO BE CHARGED BY THE BOROUGH OF PITCAIRN FOR THE FURNISHING OF ELECTRICITY BY THE PITCAIRN ELECTRIC DEPARTMENT TO THE RESIDENTS OF THE BOROUGH OF PITCAIRN.

WHEREAS, the council for the Borough of Pitcairn desires to enact an Ordinance to establish rules, regulations and rates and charges for electric service provided to its residents.

NOW, THEREFORE, BE IT ORDAINED and it is hereby ordained and enacted by the Borough Council of the Borough of Pitcairn, Allegheny County, Commonwealth of Pennsylvania, at a duly convened meeting, quorum present as follows:

RULES AND REGULATIONS

RULE 1: Definitions and Interpretations. Unless otherwise provided herein, the singular shall include the plural and the masculine shall include feminine and the neuter. For purposes of this Ordinance the following terms and phrases shall have the meaning set forth as follows:

- 1.1 **Auxiliary Service.** Electric service that is not interconnected to service supplied by the Electric Department, which supplements the Electric Department service where arrangements are made so that either one or both sources can be utilized in whole or in part.
- 1.2 **Borough.** The Borough of Pitcairn, Allegheny County, Pennsylvania.
- 1.3 **Contract for Service.** The provision of electrical service by the Borough of Pitcairn and the acceptance of that service by any customer shall constitute an agreement between the Borough and the customer to be bound by the laws, rules and regulations of the Borough which regulate the provision of electric service.
- 1.4 **Customer.** Any person, partnership, corporation or government agency receiving electric service from the Borough.
- 1.5 **Residential Service.** That electric service supplied to an individual dwelling unit, including a single family dwelling, mobile home, or an individually metered apartment, where there is not more than

3,000 watts connected load associated with a commercial activity served as part of the dwelling unit.

- 1.6 **Dwelling Unit.** A building or portion thereof arranged or designed for occupancy by not more than one family and having separate cooking, sleeping and sanitary facilities.
- 1.7 **Electrical Code.** The National Electrical Code, as amended from time to time or other such Code, as adopted by the Council of the Borough
- 1.8 **Electric Department.** The employees, agents, and representatives of the Borough authorized by the Borough Council to provide electrical service to any customer and to otherwise enforce the provisions of this Ordinance.
- 1.9 **Electric Distribution Line.** An overhead or underground electric line, supplying either primary or secondary voltage, located on a roadway or right-of-way acquired by the Electric Department's general electric supply system.
- 1.10 **Electric Service.** Alternating current supply at 60 hertz delivered at the Electric Department's standard voltages, as defined by the Electric Department from time to time, in such quantities sufficient to supply the customer's maximum requirements, based upon the customer's advise to the Electric Department, whether or not the customer makes any use of the service.
- 1.11 **Purchase Power Adjustment.** A charge per KWH, as set by Resolution, and applied to all KWH billed to customers.
- 1.12 **Non Residential Service.** Electric service for any general use purpose other than Residential Service.
- 1.13 **Person.** Any natural person, firm, association, government agency, partnership or corporation.
- 1.14 **Point of Delivery.** The single point at which the Electric Department's service line terminates and the customer's electric facilities for receiving service begins.
- 1.15 **Service Line.** That electrical supply line that connects the Electric Department's distribution facilities to the customer's point of delivery.

1.16 Special Facilities. Any lines or other electrical equipment, the cost of which shall be paid for by the customer, as determined by the Borough.

1.17 Standby Service. Service which can be used for reserve in case of an emergency, breakdown, or failure of the customer's regular source of supply.

RULE 2

2.1 Requirements for the Furnishing of Electric Service. Compliance with all provisions of this Ordinance shall be the initial requirements for the furnishing of electric service

2.2 Contract for Services. The use of electric service supplied by the Borough shall be deemed a request by the customer (including the owner of the property and the tenant or lessee of the premises) for electric service and an acceptance by the customer of all rules, regulations, rate schedules, terms, conditions and provisions of this Ordinance.

2.3 Service is no Transferable. Electric service is not transferable. In every instance, the new occupant or occupants of a property shall make application for service at the Borough office in the form required.

2.4 Failure to Comply. Failure of any customer to comply with any of the provisions of this Ordinance shall be deemed a breach of conditions precedent to the furnishing of electric service and the Borough, upon notice, may discontinue said service and remove any and all Borough property from the premises of the customer in default.

2.5 Liability of Owner of Leased Premises. Pursuant to the Laws of the Commonwealth of Pennsylvania, the owner of a property shall be liable along with the tenant for the payment for electric service supplied to the leased premises on the property and for all damages arising out of the lessee's misuse of electric service and/or equipment.

RULE 3

SERVICE APPLICATION

3.1 Special Requirements Agreements. Each applicant for electric service involving special facilities or equipment shall be required to complete and execute an agreement identifying all special requirements of applicant's installation or use of electricity, and agreeing to comply with the conditions of service and such other

requirements as may be deemed by the Electric Department to be reasonably necessary for safe and efficient electric service.

- 3.2 Borough's Right to Reject an Application.** The Borough reserves the right to reject any application for service for any reason, including, but not limited to those instances where such service is not available under a standard rate schedule or where such service would otherwise require excessive service or installation costs or where such service may adversely affect the level of service to other customers.

RULE 4 Description of Service.

- 4.1 Electric Service Characteristics.** Electric Service supplied by the Borough Electric Department is 60 hertz, alternating current, delivered at the following nominal voltages:

- Single phase: 120/140; 120/208.
- Three phase: 120/240; 120/208Y; 277/480Y
- Primary three phase: 4,000; 12,000.

- 4.2 Available Service.** Prior to the purchase of service or the installation of any electrical equipment, the customer is responsible to secure from the Electric Department, a written confirmation of the type of electrical service available to the customer.

- 4.3 Service Installation.** All electric service facilities of the customer shall be installed and maintained in accordance with the National Electrical Code adopted by the Borough.

- The Borough will not connect electric service or facilities to a structure or building (or major alteration of a structure or building) which has new wiring unless a certificate of occupancy is issued for the building or structure by the Borough Code Enforcement Officer and a certificate of approval is issued by a fire underwriter's association qualified and authorized to do business in the Commonwealth of Pennsylvania.
- No person or organization shall occupy any dwelling or building within the Borough unless electric service is furnished in accordance with the Borough's standard requirements for electric service and an authorized fire underwriter's approval is obtained.

- 4.4 Service Supply.** The Borough does not guarantee that it will provide a continuous supply of electric energy but will employ its best efforts to supply electric energy in such a manner as to maintain voltage and frequency within reasonable limits. The Borough shall not be liable for any damage, direct or consequential, which the customer may sustain by reason of either the failure of supply or variation in voltage characteristics or phase reversal.
- 4.5 Right-of-Way and Easement.** Prior to any installation of electric service by the Borough, the property owner shall provide, at no expense to the Borough, suitable easements and/or rights-of-way for all said installations. In addition, all such easements and rights-of-way shall be suitably improved to accommodate the installation. Improvements shall include, but are not limited to, rough grading, ground line clearing of trees, brush or any other obstructions as may be identified by the Electric Department.
- 4.6 Borough Personnel Access to Customer Premises.** The Electric Department, through its officers, employees or authorized agents shall have the right of access to any customer's premises at all reasonable hours for the purpose of reading, inspecting, testing, repairing or removing its meters or other property, and to inspect and determine the connected service load. No person shall interfere in any manner with any such officer, employee, or authorized agent while in the performance of his duties or exercising his authority under this Ordinance.
- 4.7 New Service.** The installation of any new service or service provided to new construction will not be provided unless and until advance payment of a fee for all costs is made by the customer to the Borough. Borough costs shall include but are not limited to installation, including the cost of transformer(s), removal of materials, labor, and metering equipment. Fees for said costs shall be established from time to time by resolution of Borough Council.
- 4.8 Use of Electric Service.** Electric service is provided solely through the Borough's electric meters or other metering devices to the customer for use by the customer on customer owned or rented/leased premises. No customer may resell any electric service provided by the Borough or install any unauthorized metering system.
- 4.9 Change of Service.** The Electric Department's facilities have a definite capacity at the customer location. No additions to the customer's installation shall be made unless a written application

has been made to the Borough and the Borough has approved all proposed changes or additions to service. The customer shall be responsible for all damages to Borough facilities and equipment which result from a violation of this Section.

- 4.10 Standby Service.** The rate schedules contained herein are based on the customer purchasing all electric energy requirements from the Borough. If the customer requires Standby Service, the customer should notify the Borough in writing of his Standby Service requirements and the Borough will subsequently provide the customer, monthly charges to such service.

RULE 5 Billing and Payment for Electric Service.

- 5.1 Billing Period.** All bills for electric service will be rendered on a monthly basis or, at the Borough's option, at other regular intervals. The Borough may prorate bills for shorter periods, at its option.
- 5.2 Late Payment Charge.** A late payment charge of five percent (5%) of the unpaid balance will be added to any bill not paid in full by the due date. The due date is approximately 15 days from the date the bill is rendered and will be listed on the bill.
- 5.3 Returned Check Charge.** A charge of thirty dollars (\$30) will be added to the account of any customer when a check is returned to the Borough by the financial institution due to insufficient funds.
- 5.4 Security Deposit.** The Borough reserves the right to require a security deposit from all customers as a security of payment, in the amount equal to the estimated bill for service for any single billing period plus one month. At the request of the customer, such deposit may be returned to the customer at the expiration of at least a two (2) year satisfactory payment history without interest.
- 5.5 Security Deposit-Temporary Service.** A security deposit shall be required for all temporary service provided by the Borough. All connection and reconnection costs will be paid in advance by the customer. Security deposit fees shall be established from time to time by resolution of Borough Council. The balance of any security deposit (less any outstanding charges and fees) held by the borough shall be returned to a customer upon the discontinuation of the temporary service without interest.
- 5.6 Disputed Bill.** Any bill disputed by the customer shall be paid in full by the customer and the customer shall provide to the Borough

written documentation as to why the bill is being challenged. The Borough agrees to promptly investigate the dispute and issue a report to the customer detailing the findings.

RULE 6 Disconnection and Reconnection of Electric Service.

6.1 Reasons for Disconnection.

- Written request by the Customer to the Borough.
- Failure to make payments on any bill for electric service within forty-five (45) days of the date the bill was rendered.
- Failure to pay any required security deposit within forty-five (45) days of the date demand for said payment.
- Any customer installation determined by the Electric Department to be dangerous and/or defective.
- Any customer installation determined by the Electric Department which has been tampered with, altered or in any way caused electric energy to be improperly diverted from meter registration.
- Any customer violation of any Provision of this Ordinance.

6.2 Procedure for Disconnection. Except in case of an emergency, the following procedures for disconnection will be followed.

- When payment for electric service is not received by the Borough by or on the due date, a delinquent notice shall be mailed to the customer which states:
 1. The total amount in arrears, including late charges.
 2. The date by which the arrearage must be paid or service will be terminated.
- Except in the case of emergency disconnections, the Electric Department will not disconnect electric service for non-payment on Friday, Saturday or Sunday or on officially declared Holidays.
- If service is to be terminated due to nonpayment of the electric bill by the owner of a property that is subject to the provisions of the Utility Service Tenant Rights Act (Act 299 of 1978), the Borough will follow the procedures set forth in that Act.

6.3 Exceptions to Disconnection. Such exception shall include when a customer demonstrates a current inability to pay an outstanding bill in full and 1) pays a reasonable portion of the outstanding bill, 2) agrees to pay all future bills by the due date, and 3) agrees to pay a portion of the outstanding arrearage with interest. Further, the Electric Department will not disconnect a customer when the Borough is in receipt of a certification from a Pennsylvania Licensed physician that a seriously ill or disable person resides at the premises receiving electric service. This exception is for only a thirty (30) day period and can only be used once every six (6) months.

6.4 Disconnection Without Notice Includes Any of the Following:

- Willful misuse of the service.
- Dangerous or hazardous electric wiring or equipment.
- Meter Tampering.
- Electrical current diversion.
- Emergency repairs or maintenance of Borough facilities.
- Any power shortage or interruption of the Borough's source of power by its supplier.
- The vacating of a premise by a customer who is delinquent in payment of his account.
- An unauthorized electrical connection.
- Customer equipment which is adversely affecting other customers' service.
- Any emergency request for disconnection by Fire Department or other Emergency Personnel.
- Electric Departments right to disconnect.

6.5 Customer Disconnection Responsibility. Disconnection does not relieve the customer of any liability for services provided by the Borough.

6.6 Reconnection of Service. Electric service will not be reconnected until all account balances have been settled. The property owner, whether the account is in the name of the property owner, tenant or lessee, is liable for the account balance. The Borough reserves the right to place a municipal lien upon the real property upon which the demand for payment has been made.

6.7 Reconnection Fee. No electric service shall be reconnected until a Reconnection Fee has been paid. The reconnection fee shall be established from time to time by resolution of the Borough Council.

RULE 7. Meters and Meter Reading.

7.1 Meters, Transformers and Other Equipment. The Electric Department shall furnish, own and maintain one meter or a unified set of meters and metering equipment for each electric service. The Electric Department will determine the location and placement of the meter on the customer's building or structure. It is the customer's responsibility to provide, at customer expense, suitable space for the installation and use of the Department's meter and transforming equipment. The customer shall permit properly identified Borough personnel to remove, inspect and alter such equipment. Any Borough owned equipment damaged, destroyed, altered or otherwise prevented from properly registering the energy supplied to the customer due to the act, failure to act or negligence of the customer or his representative, will result in customer's responsibility for all necessary repairs, equipment replacement and the reasonable costs of investigation needed to determine the amount of energy not registered and an estimate of the energy not registered.

7.2 Meter Reading Intervals for Customers Without Demand Meters. Meters shall be read at regular intervals of approximately sixty (60) days. Since bills will be rendered on a monthly basis, the customers' electric use will be estimated for the interim billing month and the necessary adjustment will be made upon actual reading of the meter.

7.3 Meter Reading Intervals for Customers With Demand Meters. All customers with a demand meter will have their meter/s read on a monthly basis, approximately thirty days (30). If such scheduled meter reading cannot be obtained, the customers' use will be estimated and the demand kW shall be based on the customers' history. Any adjustment in the bill will be made on the next meter reading.

RULE 8 Customer Facilities.

8.1 Service Location. The customer shall request from the Electric Department the electric service location prior to commencing any electrical installation work.

8.2 Point of Delivery. The point of delivery for electrical service is that point at which the service connection of the Borough terminates and the customer's wiring and installation begins.

8.3 Customer Wiring.

- All wiring shall be installed and maintained in accordance with the current version of the National Electrical Code. Compliance with the Code should result in an installation essentially free from hazard but not necessarily efficient, convenient, or adequate for good service or future expansion of electrical use.
- In buildings where wiring is new or where a major alteration of wiring or equipment has taken place, the Electric Department shall not furnish service until the Borough has received a certificate of approval issue by a Fire Underwriters Inspector or other Borough approved electrical inspector.
- The Borough is not responsible for any injury or damage which may result from defects in customer wiring or devices upon connection of the customer's wires to the Borough's system.
- All equipment provided by the Borough shall remain the exclusive property of the Borough. Any facilities installed by the Electric Department not provided in a standard installation, shall be paid for by the customer for whom the facilities are installed.

RULE 9 Borough Facilities.

- 9.1 Capacity of Facilities.** The Electric Department facilities installed for the customer are in accordance with information provided by the customer. Any facility damaged because of incorrect information and/or customer electrical load increased not reported to the Borough will be the responsibility of the customer.
- 9.2 Single Phase Service.** The Electric Department reserves the right to restrict the types of load connected to a single phase service and may require loads deemed objectionable be removed from the system.
- 9.3 Meter Testing.** The Department shall not be required to test its poly phase meters more than once within an eight (8) year period or its single phase meters more than once within a thirty (30) year period. The Customer may request a meter be tested only upon payment of a fee established by Borough Council Resolution. The

fee shall be retained by the Department whenever the accuracy of the meter is determined to be within the limits of plus or minus two percent (2%). Whenever the accuracy of the meter is determined to be outside the limits of plus or minus two percent (2%), the Department shall repair the meter, refund the fee, and adjust the customer's account accordingly.

- 9.4 Distribution Line Extension.** The Department may, at its discretion, construct, own and maintain all distribution line extensions up to 100 feet along a public street. All other costs in excess will be the responsibility of the customer. Customer shall make a non-refundable payment for the estimated costs for the line extension.
- 9.5 Service Line Extension.** The Department will extend overhead service lines on public or private property for a distance of not more than a nominal 100 feet at no cost to the customer. Any customer who requires a service line in excess of 100 feet shall make a non-refundable payment of the estimated costs for the line in excess of 100 feet.
- 9.6 Undergrounding of Facilities.** At the request of the customer, the Department may determine the practicality and costs of providing underground service to the customer. If the Department agrees to install such service, the customer shall, prior to any installation, pay to the Department all costs in excess of the costs which would be incurred for normal overhead service. The customer will be required to provide the necessary trenching and backfilling for such underground service.
- 9.7 Pole Removal or Relocation.** The costs of any pole removal or relocation made at the request of the customer is the costs responsibility of that customer. Payment for such relocation/removal shall be paid prior to any work performed.

RULE 10 Emergency Load Control

Load Emergency. A load emergency shall exist whenever the demands for power on all or on a portion of the Borough's electric system exceed or threaten to exceed system capacity, or whenever system instability could result in expected or actual system overloads. In such an event, the Department shall take such reasonable steps under the circumstances to control the load upon the system. Such measures may include but are not limited to the reduction or interpretation of electrical service to one or more customers.

RULE 11 Limits of Service Agreement.

Agreements. No promises, agreements or representations by any Borough employee, agent or representative shall be binding on the Borough unless expressly authorized by this Ordinance or incorporated in a written contract for electric service.

RULE 12 Miscellaneous Provisions.

The following list of schedules, procedures and manuals are approved as a result of this ordinance and may be revised, from time to time by resolution of the Borough Council.

- 12.1 The Schedule of Service Fees
- 12.2 Employees' Customer Service and Procedures Manual
- 12.3 Service, Equipment and Wiring Rules

RATES FOR ELECTRIC SERVICE

Residential Services Rate Schedule (RS)

Application of Rate Schedule for Residential Service. This Rate Schedule is for single phase residential service when supplied in accordance with the Use Provisions as set forth below.

Monthly Rate. (Effective April 1, 2008)

The monthly customer charge shall be \$5.00

All KWH billed @ 11.34 cents per KWH

Minimum Charge. The Monthly Minimum Charge shall be \$5.00

Use Provisions. This Rate Schedule is for sixty (60) hertz, single phase, 120/240 volt service and is applicable to the following:

1. Single family dwelling units and its appurtenances
2. Single family dwelling units in a multiunit building
3. A family of persons, no more that eight, who unite to establish a common dwelling place.
4. Temporary dwelling units with installed cooking facilities.
5. Volunteer fire company facilities.
6. Senior citizens' centers.

This Rate Schedule does not apply to:

1. Residential service that includes more than 3,000 watts of connected load for non-residential service.
2. Any service deemed to be professional or commercial by the Electric Department.
3. Welding equipment, electric furnaces or motors greater than one (1) horsepower.
4. Electric water heaters with a connected load that exceeds 5,500 watts.
5. Central heating furnaces with switched loads in excess of 10,000 watts.

Payment. The above Monthly Rate applies if bills are paid within 20 days after billed. A late payment charge of 5% will apply if the bill is not paid within 20 days.

Contract Period is for not less than one year.

General Service Rate Schedule (GS).

Application of Rate Schedule for General Service. This Rate Schedule is for any use not included under the RS Rate Schedule. Three phase service is only available from an existing three phase distribution line unless the new installation facilities are paid for by the customer. Service is provided in accordance with the Use Provisions as set forth below.

Monthly Rate. (Effective April 1, 2008)

All Demand KW in excess of 5 KW billed @ \$5.00 per KW.

The First 300 KWH shall be billed @ 15.84 cents per KWH
The Next 700 KWH shall be billed @ 10.04 cents per KWH
All Excess KWH shall be billed @ 9.54 cents per KWH

Minimum Charge. The Monthly Minimum Charge shall be \$10.00.

Billing KW. Measurement of load, when necessary for billing purposes, shall be determined monthly from the highest registration of a 15 minute block interval type meter rounded to the nearest KW.

Use Provisions. This Rate Schedule is for 60 hertz, single or three phase, 120/240 volt service and is applicable to the following:

- All customer installations, original and additions, shall be inspected and approved by an Electric Department approved inspector before connection to the Borough's electric system.
- No more than 20 KW of electric space heating may be switched at any one time.

Payment. The above Monthly Rate applies if bills are paid within 20 days after billed. A late payment charge of 5% will apply if the bill is not paid in 20 days.

Contract Period is not less than one year.

General Power Rate Schedule (GP).

Application of Rate Schedule for General Power Service.

This Rate Schedule is available for electrical loads over 100 KW. Electric service is for three phase, 60 hertz electricity for general power service supplied to the customer at 240 volts and higher.

Monthly Rate. (Effective April 1, 2008).

The Monthly Customer Charge shall be billed @ \$ 25.00.

All Monthly Billing KW shall be billed @ 3.5 per KW.

All KWH shall be billed @ 9.20 cents per KWH.

Voltage Credit. Twenty cents per KW Demand when the service is supplied at 1,000 volts or greater.

Minimum Charge. The Monthly Minimum Charge shall be \$3.50 per KW for all KW of Customer's current Monthly Demand.

Billing KW. Measurement of load, when necessary for billing purposes, shall be determined monthly from the highest registration of a 15 minute block interval type meter rounded to the nearest KW.

Use Provisions. This Rate Schedule is for 60 hertz, three phase, 240 volt or higher service and is applicable to the following:

- All customer installations, original and additions, shall be inspected and approved by an Electric Department approved inspector before connection to the Borough's electric system.
- No more than 20 KW of electric space heating may be switched at any one time.

Payment. The above Monthly Rate applies if bills are paid within 20 days after billed. A late payment charge of 5% will apply if the bill is not paid in 20 days.

Contract Period is for not less than one year.

Purchase Power Adjustment

A Purchase Power Adjustment will be applied to all KWH charges billed under all Customer Rates as amended from time to time by resolution.

Street Lighting Service Rate Schedule.

Availability of Street Lighting Service. This service is available for lighting of roadways, bridges and highway interconnections, and private parking lots or other private areas as approved by the Electric Department. Mercury vapor lighting is restricted and is not available to new locations.

Monthly Rate. (Effective April 1, 2008 or as may be amended from time to time by resolution).

Mercury Vapor

8,150 Lumens-175 watts-----	\$12.00 each
74 KWH per Month	
11,500 Lumens-250 watts-----	\$17.00 each
103 KWH per Month	
21,500 Lumens-400 watts-----	\$21.00 each
162 KWH per Month	

Sodium Vapor

9,500 Lumens-100 watts-----	\$13.00 each
51 KWH per Month	
22,000 Lumens-200 watts-----	\$18.50 each
86 KWH per Month	
50,000 Lumens-400 watts-----	\$27.50 each
167 KWH per Month	

Payment. The above Monthly Rate applies if bills are paid within 20 days after billed (30 days for governmental accounts). A late payment charge of 5% will apply if the bill is not paid in 20 days.

Contract Period is for not less than five years.

SEVERABILITY. It is hereby declared to be the intention of the Council of the Borough of Pitcairn that the several provisions of this Ordinance are separable. If any Court of competent jurisdiction shall declare any words, sentences, sections or provisions of this Ordinance to be invalid, such a ruling shall not affect any other words, sentences, sections or provisions of this Ordinance not specifically included in said ruling.

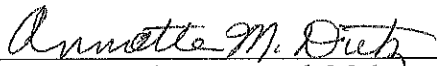
REPEALER. All ordinances or parts of ordinances, which are inconsistent herewith, are hereby repealed.

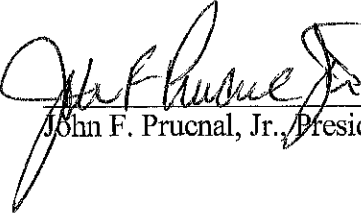
EFFECTIVE DATE. This ordinance shall take effect immediately upon its approval in accordance with the Borough Code.

ORDAINED and ENACTED this 20 day of March, 2014.

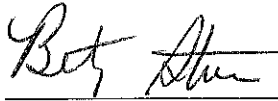
ATTEST:

BOROUGH OF PITCAIRN:

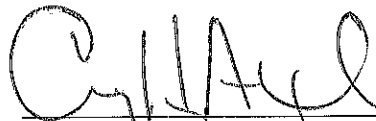

Annette M. Dietz, Borough Manager


John F. Prucnal, Jr., President,

EXAMINED AND APPROVED by me this 20 day of March, 2014.


Betsy Stevick, Mayor

APPROVED AS TO FORM:


Craig H. Alexander, Esquire