

Chapter 70ELECTRICITY

Sections:

CONTRACTORS; FEES; RESPONSIBILITIES; EXCEPTIONS

- 70-1 INSTALLATION OF WIRING TO BE BY ELECTRICAL CONTRACTOR OR OWNER
- 70-2 BOND TO BE GIVEN BY ELECTRICAL CONTRACTOR
- 70-3 CERTIFICATE OF LIABILITY INSURANCE
- 70-4 TOWN MANAGER TO BE NAMED STATUTORY AGENT OF CONTRACTOR
- 70-5 PAYMENT OF LICENSE TAX REQUIRED
- 70-6 DISPOSITION OF EXAMINATION FEES AND FINES
- 70-7 RESPONSIBILITY FOR DAMAGES
- 70-8 EXCEPTIONS
- 70-9 THROUGH 70-11 (RESERVED)
- 70-12 CUTTING OFF ELECTRICITY IN EMERGENCY
- 70-13 (RESERVED)

GENERAL PROCEDURES

- 70-14 NOTIFICATION AND PERMIT REQUIRED
- 70-15 APPLICATION FOR AND ISSUANCE OF PERMIT
- 70-16 DETAILED DRAWING REQUIRED FOR CERTAIN SERVICES
- 70-17 INSPECTION OF WIRES PRIOR TO CONCEALMENT
- 70-18 INSPECTION AFTER COMPLETION; CERTIFICATE OF INSPECTION
- 70-19 FEES
- 70-20 (RESERVED)

TELEVISION AND RADIO

- 70-21 PERMIT FOR INSTALLATION OF RECEIVING OR TRANSMITTING ANTENNAS
- 70-22 INSPECTION OF WIRING EQUIPMENT OR APPARATUS CORRECTION OF UNSAFE CONDITIONS

ELECTRIC RATE CHARGES

- 70-23 ELECTRIC CHARGES
- 70-24 THROUGH 36 (RESERVED)

GENERAL PROVISIONS

- 70-37 COMPLIANCE WITH STANDARDS AND REGULATIONS REQUIRED
- 70-38 THROUGH 70-41 (RESERVED)
- 70-42 MASTS, ANTENNAS AND TRANSMISSION LINES
- 70-43 RADIO AND TELEVISION MATERIALS, DEVICES OR APPARATUS
- 70-44 STANDARDS FOR MATERIALS, DEVICES OR APPARATUS
- 70-45 IDENTIFICATION OF MAKER ON CERTAIN DEVICES
- 70-46 (RESERVED)

ELECTRICAL CODE**70-47 ADOPTION OF STANDARDS****70-48 (RESERVED)****70-49 VIOLATIONS AND PENALTIES****GENERAL REQUIREMENTS****70-50 ELECTRICAL CONNECTION AND CHARGES****70-51 RATES FOR ELECTRICITY SUPPLIED BY THE TOWN****70-52 PAYMENT OF ELECTRIC BILLS****70-53 EXTENSION OF LINES TO PROPERTY****70-54 ATTACHING SIGNS OR OTHER MATERIALS TO POLES OR SUPPORTS
PROHIBITED****70-55 REFUSAL OF SERVICE****70-56 TYPE AND SIZE OF METER****70-57 LOCATION AND CONTROL OF METERS****70-58 UNAUTHORIZED INTERFERENCE OF BREAKING OF METER SEAL****70-59 CHARGE FOR REINSPECTION OF METER****70-60 DETERMINATION OF CONSUMPTION WHEN METER FOUND STOPPED****70-61 SALE OF ELECTRICITY RESTRICTED****70-62 LOCATION OF SERVICE ENTRANCE AND POINT OF ATTACHMENT OF
SERVICE WIRES TO BUILDING****70-63 MINIMUM ALLOWABLE AMPERAGE AND CHANGES IN LINE SERVICE
FOR THE CONVENIENCE OF THE CUSTOMER****70-64 UNDERGROUND SERVICE CONNECTIONS****70-65 AGGREGATION OF RETAIL CUSTOMER DEMAND RESPONSE****70-66 ANCILLARY SERVICES PROVIDED BY DEMAND RESPONSE RESOURCES**

Adopted by the Town Council of the Town of Front Royal 3-11-85 (*Chapter 7 of the 1965 Code including amendments 8-9-76; 6-9-80; 8-13-84. Sections 70-2A, 70-9; 70-14; 70-48 and 70-49 amended at time of adoption of Code. Added (70-23 D)“Charges for Electric Surge Protection Program”10-25-99 - Removed 1-28-19; Other amendments noted where applicable.*

CONTRACTORS; FEES; RESPONSIBILITIES; EXCEPTIONS**70-1 INSTALLATION OF WIRING TO BE BY ELECTRICAL CONTRACTOR OR
OWNER**

Any alterations or additions to be made in the existing wiring of any building or the wiring of any building or the wiring of any building for the placing of any electric lights, motors, heating devices or any apparatus requiring the use of electrical current shall be done by an electrical contractor and inspected by an electrical inspector, hereinafter defined, (hereinafter, an “Electrical Inspector”) being an individual meeting the following criteria according to the Code of Warren County, Virginia, Chapter 76, Building Construction, Electrical Inspections, as being certified by the Virginia Board of Housing, Office of Uniform Statewide Building Code, to perform electrical inspections of electrical conductors, wiring and equipment and to properly determine whether they conform to the requirements of the code; who has been designated by the

Middle Department Inspection Agency, hereafter referred to as "MDIA," from among its personnel who are available to perform the duties of Electrical Inspector as provided in this the Warren County Code, in accordance with an agreement between Warren County and MDIA; and a person who bears the credentials designating them as an inspector for Warren County issued by the Warren County Building Official. There may be more than one Electrical Inspector and where the word "the" is used in the Warren County Code with reference to an Electrical Inspector, it shall refer to any Electrical Inspector as defined in the Warren County Code in accordance with the provisions of that Code to do such work. The owner of a building may do such wiring in his own building; provided however, that the wiring shall be inspected by the Electrical Inspector in accordance with the provisions of this chapter.

(Amended 1-28-19-Effective Upon Passage)

70-2 BOND TO BE GIVEN BY ELECTRICAL CONTRACTOR

A. Every electrical contractor holding a certificate of competence shall give a surety bond payable to the Town in the sum of one thousand dollars (\$1,000.), with corporate surety approved by the Town Attorney and conditioned to indemnify and save harmless the Town, as well as any other person, from all expense and damage that may be caused by any negligent, defective or inadequate work done in the Town under any contract that such person may undertake and also conditioned upon the faithful performance of, and compliance with, all of the provisions of this chapter.

B. Such electrical contractor shall not engage in or carry on his trade or occupation until such bond has been given, nor shall any license be issued to such electrical contractor under Chapter 98 of this Code until such bond has been given.

C. Such bond shall be for the license period and shall be renewed upon renewal of license.

D. The Electrical Inspector and Town Manager shall have authority to declare such bond forfeited. Upon declaration of forfeiture, the electrical contractor shall have the right of appeal within thirty (30) days to Town Council to determine whether such expense and damage was caused by any negligent, defective or inadequate work done in the Town under any contract with such electrical contractor and whether such electrical contractor complied with the faithful performance of, and compliance with, all of the provisions of this chapter. Town Council shall have the authority to determine the admissibility of evidence without regard to the burden of proof, or the order of presentation of evidence, so long as a full and equal opportunity is afforded to all parties for the presentation of their evidence. All evidence shall be presented in the presence of the Town Council and the parties, except by mutual consent of the parties. Documents, exhibits and lists of witnesses are to be exchanged between the parties at least three (3) days in advance of the appeals hearing. The appearance of witnesses before the Town Council at the appeals hearing is strictly voluntary. A majority decision of the Town Council acting within the scope of the appeals hearing is final and binding on the parties.

(Amended (D) 1-28-19-Effective Upon Passage)

70-3 CERTIFICATE OF LIABILITY INSURANCE

An electrical contractor of whom a bond is required in Section 70-2 may give a certificate of liability insurance in lieu of such bond. Such certificate of liability insurance shall be subject to all the terms, conditions and requirements of Section 70-2.

70-4 TOWN MANAGER TO BE NAMED STATUTORY AGENT OF CONTRACTOR

A. It shall be provided in the surety bond, given as provided in Section 70-2, that the Town Manager shall be named as statutory agent of an electrical contractor holding a certificate of competence issued under this chapter, for all purposes under the provisions of this chapter.

B. It shall be unlawful for any such electrical contractor to fail, neglect or refuse to name the Town Manager as his statutory agent for all purposes under the provisions of this chapter.

70-5 PAYMENT OF LICENSE TAX REQUIRED

No person shall engage in or carry on the trade or occupation of an electrical contractor within the town without having paid the requisite license tax under Chapter 98 of this Code.

70-6 DISPOSITION OF EXAMINATION FEES AND FINES

All examination fees and all fines paid or collected consequent upon violations of this chapter shall be paid to the town and credited to the general fund of the Town.

70-7 RESPONSIBILITY FOR DAMAGES

In no case will the Energy Services Department be responsible for damage to walls or buildings where reasonable care has been exercised in making the service installations installed pursuant to Section 70-46.

(Amended to "Energy Services Department" 1-28-19-Effective Upon Passage)

70-8 EXCEPTIONS

The provisions of this chapter shall not apply to commercial broadcasting stations.

70-9 THROUGH 70-11 (RESERVED)

(Removed Section on "ELECTRICAL INSPECTOR" 1-28-19-Effective Upon Passage)

70-12 CUTTING OFF ELECTRICITY IN EMERGENCY

The Energy Services Department may cause the turning off of all electrical current and cut out or disconnect, in case of emergency, any wire where electrical current is dangerous to life or property or may interfere with the work of the Fire Department.

(Amended to "Energy Services Department" 1-28-19-Effective Upon Passage)

70-13 (RESERVED)

(Removed "RECORDS" 1-28-19-Effective Upon Passage)

GENERAL PROCEDURES**70-14 NOTIFICATION AND PERMIT REQUIRED**

No alterations or additions shall be made in the existing wiring of any building, nor shall any building be wired for the placing of any electric lights, motors, heating devices or any apparatus requiring the use of electrical currents, nor shall any alterations be made in wiring of any building after inspection, without first notifying the Electrical Inspector and securing a permit from Warren County therefor, except minor repair work, such as repairing flush and snap switches, replacing fuses, changing lamp sockets and receptacles, taping bare joints and repairing drop cords. This section shall not apply to the construction, maintenance or repair lines of public utility companies or other franchises of the Town.

(Amended to add "Warren County" 1-28-19-Effective Upon Passage)

70-15 APPLICATION FOR AND ISSUANCE OF PERMIT

Application for a permit, as required in Section 70-14, describing the electrical work, shall be made by the person installing such work, and the permit in question, when issued, shall be issued to such applicant.

70-16 DETAILED DRAWING REQUIRED FOR CERTAIN SERVICES

No permit, as required in Section 70-14, shall be issued for an electrical installation requiring a service entrance in excess of one hundred (100) amperes unless the person applying for such permit, as provided in Section 70-15, files a detailed drawing with the Electrical Inspector allowing a reasonable time for study before such work begins. Such drawing shall show the size and location of all mains, submains and branch feeders.

70-17 INSPECTION OF WIRES PRIOR TO CONCEALMENT

All wires which are to be hidden from view shall be inspected before concealment. Any person installing such wires shall notify the Electrical Inspector of such installation, giving him a reasonable time in which to make the required inspection before such wires are concealed.

70-18 INSPECTION AFTER COMPLETION; CERTIFICATE OF INSPECTION

Upon completion of work done pursuant to a permit as required in Section 70-14, it shall be the duty of the person making the installation in question to notify the Electrical Inspector, who shall inspect the installation within a reasonable time after such notice is given, and, if it is found to be fully in compliance with this chapter and does not constitute a hazard to life or property, he shall

issue to such person, for delivery to the owner, a certificate of inspection authorizing connection to the electrical service and the turning on of the current.

70-19 FEES

All fees for electrical inspections by the Electrical Inspector shall be determined by Warren County by general regulation.

(Amended to add “Warren County” 1-28-19-Effective Upon Passage)

70-20 (RESERVED)

(Removed “REVIEW OF CONDEMNATION OF ELECTRICAL INSTALLATIONS” 1-28-19-EffectiveUpon Passage)

TELEVISION AND RADIO

70-21 PERMIT FOR INSTALLATION OF RECEIVING OR TRANSMITTING ANTENNAS

Work shall not be commenced on the installation of television or radio receiving or transmitting antennas before a permit therefor is obtained from Warren County. An inspection fee, the amount of which shall be determined by Warren County, shall be paid for each permit.

(Amended to add “Warren County” 1-28-19-Effective Upon Passage)

70-22 INSPECTION OF WIRING, EQUIPMENT OR APPARATUS; CORRECTION OF UNSAFE CONDITIONS

The Electrical Inspector may inspect any wiring, equipment or apparatus conducting or using electric current for television, AM, FM, amateur, receiving and transmitting antennas in the Town, and, if conductors, equipment or apparatus are found to be unsafe to life or property, the Electrical Inspector shall notify the person owning or operating the hazardous wiring or equipment to correct the condition within the time specified by the Electrical Inspector. The Electrical Inspector may reinspect, without fee, existing television antennas erected too close to high-voltage electric lines so as to present a hazardous condition. Failure to correct violations in the specified time shall be unlawful.

ELECTRIC RATE CHARGES**70-23 ELECTRIC CHARGES**

A. The base rate for electric service for residential customers shall be as follows, effective for the electric meters read on or after March 25, 2019, and continuing as stated herein:

1. Effective from March 25, 2019, facilities charge per billing cycle, as established by the Town: eight dollars and fifty cents (\$8.50).

(Added 6-22-98-Effective 8-1-98 ; Amended/Added (a-c) 5-27-03-Effective 7-1-03)
(Amended (c)/Added (d) 7-25-05-Effective 8-1-05 ; Amended (a-b)/Removed (c-d) 6-26-06-Eff Upon Passage)
(Amended to decrease charge/removed (a-b) 6-25-07-Effective 7-1-07)
(Amended to extend rate 10-24-08-Effective 11-1-08 ; Amended to remove end date 6-8-09-Eff Upon Passage)
(Amended Rate 6-12-17-Effective 7-1-17; Amended Rate 3-25-19-Effective Upon Passage)

2. Effective from March 25, 2019, charges for all kilowatt hours per billing cycle, as established by the Town: \$0.09850 per kilowatt hour.

(Added 6-22-98-Effective 8-1-98 ; Amended/Added (a-c) 5-27-03-Effective 7-1-03)
(Amended (c)/Added (d) 7-25-05-Effective 8-1-05 ; Amended (a-b)/Removed (c-d) 6-26-06-Eff Upon Passage)
(Amended to decrease charge/removed (a-b) 6-25-07-Effective 7-1-07)
(Amended to extend rate 10-24-08-Effective 11-1-08 ; Amended to remove end date 6-8-09-Eff Upon Passage)
(Amended Rate 3-25-19-Effective Upon Passage)

B. The base rates for electric service for commercial customers shall be as follows, effective for the electric meters read on or after March 25, 2019, and continuing as stated herein:

1. Effective from March 25, 2019, facilities charge per billing cycle, as established by the Town: twenty dollars and zero cents (\$20.00).

(Added 6-22-98-Effective 8-1-98 ; Amended/Added (a-c) 5-27-03-Effective 7-1-03)
(Amended (c)/Added (d) 7-25-05-Effective 8-1-05 ; Amended (a-b)/Removed (c-d) 6-26-06-Eff Upon Passage)
(Removed (a-b) 6-25-07-Effective 7-1-07 ; Amended to extend rate 10-24-08-Effective 11-1-08)
(Amended to remove end date 6-8-09-Effective Upon Passage ; Amended Rate 6-12-17-Effective 7-1-17)
(Amended Rate 3-25-19-Effective Upon Passage)

2. Effective from March 25, 2019, charges for the first 700 kilowatt hours per billing cycle, as established by the Town: \$0.12600 per kilowatt hour.

(Added 6-22-98-Effective 8-1-98 ; Amended/Added (a-c) 5-27-03-Effective 7-1-03)
(Amended (c)/Added (d) 7-25-05-Effective 8-1-05 ; Amended (a-b)/Removed (c-d) 6-26-06-Eff Upon Passage)
(Removed (a-b) 6-25-07-Effective 7-1-07 ; Amended to extend rate 10-24-08-Effective 11-1-08)
(Amended to remove end date 6-8-09-Effective Upon Passage ; Amended Rate 3-25-19-Eff Upon Passage)

3. Effective from March 25, 2019, charges for all kilowatt hours over 700 per billing cycle, as established by the Town: \$0.08800 per kilowatt hour.

When a commercial customer requires capacity over 7.5 kilowatts, the first energy block shall be increased by 53 kilowatt hours for each 1/2 kilowatt required in excess of 7.5 kilowatts. The second energy block shall then include all kilowatt hours in excess of the first energy block as adjusted for such additional energy.

(Added 6-22-98-Effective 8-1-98 ; Amended/Added (a-c) 5-27-03-Effective 7-1-03)
 (Amended (c)/Added (d) 7-25-05-Effective 8-1-05 ; Amended (a-b)/Removed (c-d) 6-26-06-Eff Upon Passage)
 (Removed (a-b) 6-25-07-Effective 7-1-07 ; Amended to extend rate 10-24-08-Effective 11-1-08)
 (Amended to remove end date 6-8-09-Effective Upon Passage ; Amended Rate 3-25-19-Eff Upon Passage)

C. Effective July 1, 2017, all customers billed on the rates described in subsections A and B, above, shall, in addition to the rates therein described, be subject to a Power Cost Adjustment (PCA) charge. The maximum Power Cost Adjustment amount charged for each kilowatt hour of energy sold by the Town may be adjusted according to the following formula:

$$\text{Max (PCA)} = C - (B \times S)$$

C = The estimated cost of delivered purchased power in dollars by the Town for the twelve-month period.

S = The estimated total kilowatt hours to be sold by the Town for the twelve-month period.

B = The average cost of delivered purchased power per kilowatt hour purchased by the Town which is recovered in the Town's retail rate schedules.

The maximum Power Cost Adjustment (PCA) will be computed according to the above formula for a twelve-month period beginning July 1st of each year, but the Town may choose to charge less than the maximum PCA calculated by this formula. Should it appear at any time during the twelve-month period that continued use of the PCA then in effect for the remainder of the twelve-month period will result in a substantial under/over recovery of the delivered cost of power purchased by the Town, then the Town may modify the PCA (up or down), above, to recover the applicable power cost more accurately.

(Added (C) 10-24-08-Effective 11-1-08; Amended (C) 6-12-17-Effective 7-1-17)

D. Charges for Installation of Dusk to Dawn Light Poles.

1. Effective from July 1, 2007 the monthly rate for dusk-to-dawn lights shall be eleven dollars and seventy-eight cents (\$11.78).

(Amended 12-21-98-Effective Upon Passage ; Amended 10-25-99-Effective Upon Passage)
 (Amended/Added (a-c) 5-27-03-Effective 7-1-03 ; Amended (c) and Added (d) 7-25-05-Effective 8-1-05)
 (Amended (a-b)/Removed (c-d) 6-26-06-Effective Upon Passage ; Removed (a-b) 6-25-07-Effective 7-1-07)
 (Amended to extend rate 10-24-08-Effective 11-1-08 ; Amended to remove end date 6-8-09-Eff Upon Passage)

2. There shall be no installation charge for dusk-to- dawn lights in the event that a utility pole is located in the immediate vicinity to which the dusk-to-dawn light can be connected.

3. In the event that no utility pole is available in the immediate vicinity on which a dusk-to-dawn light can be installed, there shall be a charge, as established by resolution, for the installation of said pole. (Amended (3) 1-26-04-Effective 3-1-04)

4. The customer requesting the dusk-to-dawn light service must maintain the service for at least one full year or pay at least a total of twelve (12) installments of the rates as described above.

(Amended (4) 5-27-03-Effective 7-1-03)

E. 1. For residential temporary electrical service not to exceed 100 amperes in capacity and requiring one service drop existing distribution facilities will be charged a fee. (Chapter 12)

2. For larger residential and commercial temporary services, the charge will be at the customers' expense. The Town will perform the installation and bill the customer for the actual costs of such installation, including labor, vehicle usage and materials used, less the value of any salvageable materials recovered during the removal process of the temporary service.

(Added (E) 6-9-14-Effective 7-1-14)

70-24 THROUGH 36 (RESERVED)

GENERAL PROVISIONS

70-37 COMPLIANCE WITH STANDARDS AND REGULATIONS REQUIRED

Except as otherwise provided, all installations of electrical equipment shall be in conformity with the provisions of this chapter, with the statutes of the state, with the National Electrical Code and any orders, rules and regulations issued by authority thereof and with approved electrical standards as prescribed by this chapter or by the statutes of the state or by any orders, rules or regulations set forth by authority thereof.

70-38 THROUGH 70-41 (RESERVED)

(Removed 1-28-19-Effective Upon Passage)

70-42 MASTS, ANTENNAS AND TRANSMISSION LINES

The provisions of this section shall apply to masts and antennas and to transmission lines, as follows:

A. Masts or antennas shall be of noncombustible and noncorrosive material, except that in the case of ground support, a wooden pole may be used when adequately treated with a wood preservative. When a mast or antenna is installed on a roof, it shall be mounted on its own platform and be securely anchored with guy wires.

B. Outdoor antennas shall be of an approved type and shall not exceed the maximum height of fifty (50) feet above a roof support or seventy (70) feet above ground support. In areas where reception may be affected by the obstruction of tall buildings, antennas in excess of the above specified height may be installed only when approved by the Energy Services Department. Every antenna shall be adequately grounded for protection against lightning. In no case shall an antenna be installed nearer to a street or sidewalk than the height of the antenna plus one (1) foot, unless approved by the Energy Services Department. Anchor points for antennas, masts and guy wires shall be anchor screws or lead expansion shields drilled into solid block, concrete or other noncombustible construction. No wires, cables or guys shall cross or extend over any part of a public street, way or sidewalk.

(Amended (B) to "Energy Services Department" 1-28-19-Effective Upon Passage)

C. Transmission lines shall be kept at least twelve (12) inches from existing telephone or light wires. Rawl plugs are approved only for supporting transmission lines. Standoff support insulators must be used at least every ten (10) feet in running the transmission line down the building.

D. Lightning arrestors shall be approved by the Underwriters' Laboratories, Inc., and both sides of the line shall be adequately protected with proper arrestors or neon lamps to remove static charges accumulated on the line. When lead-in conductors of polyethylene ribbon type are used, lightning arrestors shall be installed in each conductor. If a coaxial cable is used for the lead-in, suitable protection may be provided without lightning arrestors by grounding the exterior metal sheath.

E. Antennas shall be designed and installed in such manner as to resist a wind pressure of twenty-five (25) pounds per square foot, and in no case shall guy wires be less than three-thirty-seconds-inch five-strand cable or equivalent, galvanized. Rawl plugs shall be used for guy wires or for mounting brackets.

F. Ground wires shall be of copper wire, not smaller than No. 10 for grounding masts and lightning arrestors, and shall be installed in a mechanical manner with as few bends as possible, maintaining a clearance of a least two (2) inches from the combustible material.

G. Ground straps for grounding masts and attaching arrestors to water pipe shall be approved ground fittings.

H. Miscellaneous hardware, such as brackets, turnbuckles, thimbles, clips, etc., shall be hot-dipped galvanized or similarly treated for weather protection. The turnbuckles shall be protected against turning by threading the guy wires through the turnbuckles.

70-43 RADIO AND TELEVISION MATERIALS, DEVICES OR APPARATUS

No electrical materials, devices or apparatus designed for attachment to or installation on any electrical circuit or system for television, AM, FM, amateur and commercial receiving shall be installed, used, sold or offered for sale for use in the Town unless such electrical materials,

devices or apparatus are in conformity with the approved methods of construction for safety to life and property.

70-44 STANDARDS FOR MATERIALS, DEVICES OR APPARATUS

Electrical materials, devices or apparatus shall conform with the standards of the Underwriters' Laboratories, Inc., and electrical materials, devices or apparatus so conforming are hereby approved for the use in the Town.

70-45 IDENTIFICATION OF MAKER ON CERTAIN DEVICES

The maker's name, trademark or other identification symbol shall be placed on all electrical devices sold or offered for sale for use or used in the Town requiring one hundred fifteen (115) volts or more.

70-46 (RESERVED)

(Removed "BOLTS, METER BASES AND RACKS" 1-28-91-Effective Upon Passage)

ELECTRICAL CODE

70-47 ADOPTION OF STANDARDS

There is hereby adopted by reference, for the purpose of prescribing rules and regulations governing the installation and use of electrical construction and all material and appliances used in connection with electrical work and the operation of all electrical apparatus within the town, that certain code known as the "National Electrical Code, latest Edition," being the standard of the National Board of Underwriters for electric wiring and apparatus, and such National Electrical Code, latest Edition, is hereby adopted and incorporated as fully as if set out at length herein, and from the date on which the Code of the Town of Front Royal, Virginia, shall take effect, the provisions thereof shall be controlling within the corporate limits of the Town; provided, however, that in the event of conflict or inconsistency between the provisions of the National Electrical Code hereby adopted and the provisions of any other ordinance to the Town, the more stringent provisions shall be construed to prevail.

(Amended to "latest" edition 1-28-19-Effective Upon Passage)

70-48 (RESERVED)

(Removed "AVAILABILITY OF COPIES OF STANDARDS" 1-28-19-Effective Upon Passage)

70-49 VIOLATIONS AND PENALTIES

Any persons failing, neglecting or refusing to comply with the National Electrical Code, latest Edition, adopted by reference in Section 70-47, shall be punished as provided in Chapter 1, Article II, Penalties, of this Code.

(Amended to "latest" edition 1-28-19-Effective Upon Passage)

GENERAL REQUIREMENTS

70-50 ELECTRICAL CONNECTION AND CHARGES

There shall be an electrical connection charge as provided below for connection with electrical lines or system. (Amended 9-25-06-Effective Upon Passage)

1. In new major subdivisions of five lots or more, the developer, builder or customer shall provide excavation and installation with pull ropes of conduits for underground service. The developer, builder or customer shall provide the complete assembly of all street light poles. The connection charge for lots not exceeding one acre in size shall be two thousand five hundred dollars (\$2,500.00). The connection charge for lots of at least one acre but not exceeding two acres in size shall be five thousand dollars (\$5,000.00). The connection charge for lots of at least two but less than three acres in size shall be seven thousand five hundred dollars (\$7,500.00).

(Added 9-25-06-Effective Upon Passage)

2. For the development of underground service to a single lot, to lots within a minor subdivision, or to a small, single-phase commercial user, the developer, builder or customer shall provide and set the meter base and shall provide excavation and installation of conduits with pull ropes for underground service from the meter base to the pole. After the building receives a satisfactory certification of the electrical inspection, the Town shall provide and install all other components of the service connection. The connection charge for such service shall be one thousand one hundred dollars (\$1,100.00) provided the service line does not exceed one hundred twenty-five feet (125') in length. For any service line exceeding one hundred twenty-five feet (125') in length, the developer, builder or customer shall be billed and shall pay to the Town on a times and materials basis for the actual time and materials expended by the Energy Services Department or its agents in performing the work.

(Added 9-25-06-Effective Upon Passage ; (Amended 1-28-19-Effectiv Upon Passage)

3. For the development on overhead service to a single lot, to lots within a minor subdivision, or to a small, single-phase commercial user, the developer, builder or customer shall provide and set the meter base, service mast, weather head and the wire from the meter base to the weather head, mast bracket, including an additional thirty-six inches (36") for the entrance service. After the building receives a satisfactory certification of the electrical inspection, the Town shall provide and install the service drop and shall attach the drop to the entrance service. The connection charge for such service shall be one thousand one hundred dollars (\$1,100.00) provided the service line does not exceed one hundred twenty-five feet (125') in length. For any service line exceeding one hundred twenty-five feet (125') in length, the developer, builder or customer shall be billed and shall pay to the Town on a times and materials basis for the actual

time and materials expended by the Energy Services Department or its agents in performing the work. The Town shall provide one (1) pole at no additional cost. For each additional pole required, the developer, builder or customer shall be billed and shall pay to the Town on a times and materials basis for the actual time and materials expended by the Energy Services Department or its agents in performing the work.

(Added 9-25-06-Effective Upon Passage ; Amended 1-28-19-Effectiv Upon Passage)

4. For the development of large commercial and industrial users on three-phase service, the developer, builder or customer shall be responsible for pouring the transformer pad and installing the conduit with pull rope from the pole to the pad. The developer, builder or customer shall pay for the transformer and shall install the service entrance (conduit and conductor) from the building to the transformer pad. The Town will set the transformer and complete the connection at the pole and at both sides of the transformer. The developer, builder, or customer shall pay for and provide a serviceable and appropriate transformer suitable for customer's needs at the developer's, builder's or customer's expense.

(Added 9-25-06-Effective Upon Passage ; Amended 1-28-19-Effectiv Upon Passage)

5. The connection charge for such service shall be three thousand five hundred dollars (\$3,500.00) provided the service line does not exceed one hundred twenty-five feet (125') in length. For any service line exceeding one hundred twenty-five feet (125') in length, the developer, builder or customer shall be billed and shall pay to the Town on a times and materials basis for the actual time and materials expended by the Energy Services Department or its agents in performing the work. The Town Shall provide one (1) pole at no additional cost. For each additional pole required, the developer, builder or customer-shall be billed and shall pay to the Town on a times and materials basis for the actual time and materials expended by the Energy Services Department or its agents in performing the work.

(Amended (5) 1-28-19-Effectiv Upon Passage)

70-51 RATES FOR ELECTRICITY SUPPLIED BY THE TOWN

Rates charged, as of the effective date of this chapter, by the Town, for electricity supplied by the Town shall continue in effect until changed by the Council.

70-52 PAYMENT OF ELECTRIC BILLS

Electric bills shall be paid and processed in accordance with the provisions contained in Section 134-71 of this Code.

(Amended 2-23-98-Effective Upon Passage)

70-53 EXTENSION OF LINES TO PROPERTY

All applicants for extensions of electric lines to property not served by such electric lines as of October 1, 2006 shall furnish the necessary right-of-way for the building of the line from the connection with the present high-voltage system to the end of the new line. The Town will build the line at the customer's expense in accordance with Section 70-50 of the Town Code, and in

accordance with its plans and specifications for the building of electric lines. All pole line hardware and other equipment shall be in accordance with standard practices of the Town.

(Amended 9-25-06-Effective Upon Passage)

70-54 ATTACHING SIGNS OR OTHER MATERIALS TO POLES OR SUPPORTS PROHIBITED

It shall be unlawful for any person to attach any material, signs or other devices to the poles or supports used by the Town in connection with the Town electrical system.

70-55 REFUSAL OF SERVICE

The Energy Services Department may refuse electrical service when he is notified by the Electrical Inspector that such work is being installed not in conformity with the National Electrical Code.

(Amended to “Energy Services Department” 1-28-19-Effective Upon Passage)

70-56 TYPE AND SIZE OF METER

The type and size of electrical meters to be furnished by the Town, when the Town furnishes electric service, shall be determined by the Town’s Director of Energy Services.

(Amended to “Town’s Director of Energy Services” 1-28-19-Effective Upon Passage)

70-57 LOCATION AND CONTROL OF METERS

All electrical meters shall be placed in such location in or on the building as designated by the Energy Services Department and shall at all times be under the exclusive management and control of the Energy Services Department.

(Amended to “Energy Services Department” 1-28-19-Effective Upon Passage)

70-58 UNAUTHORIZED INTERFERENCE OR BREAKING OF METER SEAL

It shall be unlawful for any person, except the duly authorized agent of the Energy Services Department, to break the seal placed on a electrical meter or to interfere with such electrical meter in any way.

(Amended to “Energy Services Department” 1-28-19-Effective Upon Passage)

70-59 CHARGE FOR REINSPECTION OF METER

A charge of as established by resolution, shall be added to the electric bill of each consumer who, by his request, has the Town test and inspect an electric meter, when said electric meter has

been tested and inspected by the Town at the request of the consumer twice within a previous twelve-month period. Should, however, the electric meter be found to be inaccurate or malfunctioning, the charge will not be assessed.

(Amended 1-28-02-Effective Upon Passage ; Amended 1-26-04-Effective 3-1-04)

(Amended to add “twice” 1-28-19-Effective Upon Passage)

70-60 DETERMINATION OF CONSUMPTION WHEN METER FOUND STOPPED

At any time an electricity meter is found stopped at the reading time, the consumption for the period the meter was stopped will be the average for the past four (4) readings.

70-61 SALE OF ELECTRICITY RESTRICTED

No person shall send or offer for sale any electricity purchased from the Town or generated by other means within the Town.

70-62 LOCATION OF SERVICE ENTRANCE AND POINT OF ATTACHMENT OF SERVICE WIRES TO BUILDING

The location of the service entrance and the point at which service wires are to be attached to the building shall be determined by the Energy Services Department after consultation with the owners of the property and the electrician or electrical contractor making the installation.

(Amended to “Energy Services Department” 1-28-19-Effective Upon Passage)

70-63 MINIMUM ALLOWABLE AMPERAGE AND CHANGES IN LINE SERVICE FOR THE CONVENIENCE OF THE CUSTOMER

A. No service entrance shall be wired for less than one hundred (100) amperes unless the owner can show proof that a sixty-ampere service will be satisfactory for his total needs.

B. Electric line changes, including but not limited to service and amperage upgrades, made for the convenience and at the request of the customer, and not out of necessity, when and while allowed and subject to the approval of the Town, shall be installed, maintained, changed, relocated, replaced or repaired at the expense of the customer. The Town will perform or provide for such installation, maintenance, change, relocation, replacement or repair and bill the customer for the actual costs of such installation, maintenance, change, relocation, replacement or repair, including labor, vehicle usage and materials used.

(Added (B) 9-25-06-Effective Upon Passage ; Amended 1-28-19-Effective Upon Passage)

70-64 UNDERGROUND SERVICE CONNECTIONS

A. In an area served by overhead lines, when a customer desires that the service shall run underground from the pole to the building, the owner shall install the requisite service

equipment. The Energy Services Department shall be consulted as to the advisability of such a service and shall specify the meter location and the pole from which the service shall be run. Either conductor suitable for underground installations in conduit or other cable approved for the purpose, installed in accordance with the utility's specifications, shall be used.

(Amended to "Energy Services Department" 1-28-19-Effective Upon Passage)

B. If at any time the Energy Services Department needs to replace a pole supporting an underground service connection, installed as provided in Subsection A, the customer shall be notified of the time, and he shall have his electricians on hand to take care of the service while pole replacement is being made.

(Amended to "Energy Services Department" 1-28-19-Effective Upon Passage)

70-65 AGGREGATION OF RETAIL CUSTOMER DEMAND RESPONSE

A. The Town of Front Royal, or its authorized designee, is the sole entity permitted to bid demand response on behalf of retail electric customers served by the Town's electric system directly into any Commission-approved independent system operator's or regional transmission organization's organized electric markets.

B. Retail electric customers served by the Town of Front Royal wishing to bid their demand response into a Commission-approved independent system operator's or regional transmission organization's organized electric markets may do so by participating in the program established by the Town of Front Royal or its authorized designee. Retail electric customers of the Town are not permitted to participate in the demand response program of any other entity without the express prior authorization of the Town of Front Royal, Virginia.

(Added Entire Section (A-B) 2-23-09-Effective Upon Passage)

70-66 ANCILLARY SERVICES PROVIDED BY DEMAND RESPONSE RESOURCES

A. The Town of Front Royal, Virginia, or its authorized designee, is the sole entity permitted to bid demand response on behalf of retail customers served by the Town's electric system directly into any Commission-approved independent system operator's or regional transmission organization's organized markets for energy imbalance, spinning reserves, supplemental reserves, reactive power and voltage control, or regulation and frequency response ancillary services (or its functional equivalent in the Commission-approved independent system operator's or regional organization's tariff).

B. Retail customers served by the Town of Front Royal's electric system wishing to bid their demand response into a Commission-approved independent system operator's or regional transmission organization's organized markets for energy imbalance, spinning reserves, supplemental reserves, reactive power and voltage control, or regulation and frequency response ancillary services (or its functional equivalent in the Commission-approved independent system operator's or regional organization's tariff) may do so by participating in the program established

by the Town of Front Royal or its authorized designee. Retail customers are not permitted to participate in the demand response program of any other entity without the express prior authorization of the Town of Front Royal.

(Ord. 2-09 Added Entire Section (A & B) 2-23-09-Effective Upon Passage)