

## **TITLE 19: ELECTRICITY AND GAS**

### **Chapter**

- 1. ELECTRICITY**
- 2. GAS**
- 3. NATURAL GAS TAP FEE AND RATE SCHEDULE**



## CHAPTER 1: ELECTRICITY

### Section

19-101 To be furnished by the Middle Tennessee Electric Membership Cooperative

### **' 19-101 TO BE FURNISHED BY THE MIDDLE TENNESSEE ELECTRIC MEMBERSHIP COOPERATIVE.**

The Middle Tennessee Electric Membership Cooperative shall provide electricity to the town and its inhabitants. The rights, powers, duties, and obligations of the town and its inhabitants are stated in the agreements between the parties.

(2007 Code, ' 19-101)



## CHAPTER 2: GAS

### Section

- 19-201 Creation and operation of the Gas Department
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- 19-226 Gas supply
- 19-227 Gas code adopted

### ***Cross-reference:***

*Project Assistance Board, see Title 2, Chapter 4*

### **' 19-201 CREATION AND OPERATION OF THE GAS DEPARTMENT.**

- (1) There is created a department to be known as the town=s natural gas system.

(2) The operation of the gas system shall be under the supervision and control of the Town Manager or his or her designee. It shall be the duty of the Town Manager or his or her designee to see that the Gas Department is operated in compliance with the rules and regulations promulgated by the Town Council, the town code, federal and state regulations, and the policies and procedures of the Gas Department as may be adopted by appropriate ordinance.

(3) The rates to be charged for services of the Gas Department shall be such rate schedules as the town may from time to time adopt by appropriate ordinance.

(4) The Town Manager or his or her designee, subject to the rules and regulations prescribed by the Town Council and the town code, is authorized and empowered to enter into contract with consumers for the furnishing of gas.

(5) Any consumer who fails to comply with the rules and regulations governing the operation of the gas system and the town code may have their gas supply discontinued.

(6) It shall be unlawful for any person to interfere with the operation of the gas system. Tampering with gas meters, the tapping of gas mains or service lines without permission of the Director of Utilities, or doing physical damage to meters or lines or in any manner interfering with the gas supply or the free flow of gas shall be unlawful. A tampering fee, as set or amended by T.C.A. " 65-35-102 through 65-35-105, will be charged for each occurrence.

(2007 Code, ' 19-201)

#### ' 19-202 APPLICATION AND SCOPE.

The provisions of this chapter are a part of all contracts for receiving gas service from the town and shall apply whether the service is based upon contract, agreement, signed application, or otherwise. The town adheres to the International Fuel Gas Code, as adopted in ' 19-227 of this municipal code.

(2007 Code, ' 19-202)

#### ' 19-203 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**COMMERCIAL SERVICE.** Customers engaged in selling, warehousing, or distributing a commodity or service in some business activity or profession or in some other form of economic or social activity. For example, and not by way of limitation, all local, state, and federal governmental agencies, any organizations or institutions whether profit or non-profit, with uses other than those involving industrial or residential requirements are classified as commercial customers. Also included are offices, stores, schools, dormitories, hotels, restaurants, apartment houses, religious institutions, orphanages, clubs, boarding and rooming houses, communes, motor courts, camps, and rehabilitation organizations.

**CUSTOMER.** Any person, firm, or corporation who receives gas service from the town under

either an express or implied contract.

**DWELLING.** Any single structure, with auxiliary buildings, occupied by one or more persons or households for residential purposes.

**GAS DEPARTMENT.** The town=s natural gas system, engaged in the operation of the natural gas distribution system. The use of the **GAS DEPARTMENT**, **TOWN=S NATURAL GAS SYSTEM**, and **TOWN** as titles in this chapter is interchangeable.

**INDUSTRIAL SERVICE.** Customers primarily engaged in a process that creates or changes raw or unfinished materials into another form or product, including the generation of electric power.

**PREMISES.** Any structure or group of structures operated as a single business or enterprise, provided, however, the term **PREMISES** shall not include more than one dwelling.

**RESIDENTIAL SERVICE.** Single private residences, including separate private units of apartment houses and other multiple dwellings, actually used for residential purposes, which are separately metered. A dwelling shall be considered nonresidential which has more than one apartment or condo on the same meter. A residential dwelling shall be considered commercial if, in the Gas Department=s judgment, such dwelling and/or usage is identifiable as being used primarily (more than 50%) for business or professional purposes.

**SERVICE LINE.** Consists of the pipeline extending from any gas main of the town to private property. Where a meter is located on private property, the **SERVICE LINE** shall be construed to include the pipeline extending from the town=s gas main to and including the meter.  
(2007 Code, ' 19-203)

#### ' 19-204 APPLICATION AND CONTRACT FOR SERVICE.

Each prospective customer desiring gas service is required to sign a standard form contract and pay a tap fee as determined under the applicable Arate schedule@ as approved or amended by the Town Council before a certificate of occupancy is issued. The tap fee shall be refundable if and only if the town cannot supply service in accordance with the terms of this chapter. If, for any reason, a customer, after signing a contract for service, does not take such service by reason of not occupying the premises or otherwise, the town may require the customer to reimburse the town for the expense incurred by reason of its endeavor to furnish the service. The receipt of a prospective customer=s application for service, regardless of whether or not accompanied by a tap fee shall not obligate the town to render the service applied for. If the service applied for cannot be supplied in accordance with the provisions of this chapter and general practice, the liability of the town to the applicant shall be limited to the return of any tap fee made by such applicant.  
(2007 Code, ' 19-204)

**Editor=s note:**

*This section was modified in the 2017 update*

**' 19-205 SERVICE CHARGES FOR TEMPORARY SERVICE.**

Customers requiring temporary service shall pay all costs for connection and disconnection incidental to the supplying and removing of service in addition to the regular charge for gas service. (2007 Code, ' 19-205)

**' 19-206 CONNECTION CHARGES.**

Service lines are laid by the town from its mains to the customer pursuant to ' 19-224(1). The town will determine the location of such lines. When service line is completed, the town shall be responsible for the maintenance and upkeep of such service line from the main to and including the meter, and such portion of the service line and meter shall belong to the town. The remaining portion of the service line beyond the meter shall belong to and be the responsibility of the customer. (2007 Code, ' 19-206)

**' 19-207 GAS MAIN EXTENSIONS.**

(1) Persons desiring gas main extensions must pay all of the cost of making such extensions except as otherwise noted. All such extensions shall be installed either by the Gas Department or by other forces working directly under the supervision of the Gas Department in accordance with plans and specifications prepared by the Gas Department or an engineer registered with the state. Upon completion of such extensions and their approval by the town, such gas mains shall become the property of the town. The persons paying the cost of constructing such mains shall execute any written instruments requested by the town to provide evidence of the town=s title to such mains. In consideration of such mains being transferred to it, the town shall incorporate the mains as an integral part of the municipal gas system and shall furnish gas service therefrom in accordance with these rules and regulations.

(2) The town reserves the right to extend gas mains, as it deems necessary, beneficial, and appropriate, to the town. All town-initiated extensions shall be approved as a part of the town=s annual budget and/or capital improvement plan. (2007 Code, ' 19-207)

**' 19-208 GAS MAIN EXTENSION VARIANCES.**

Whenever the Town Council is of the opinion that it is to the best interest of the town and its inhabitants to construct a gas main extension without requiring strict compliance with the preceding section, such extension may be constructed upon such terms and conditions as shall be required and approved by the Town Council. The authority to make gas main extensions under the preceding section is permissive only and nothing contained therein shall be construed as requiring the town to make such extensions or to furnish service to any person or persons. (2007 Code, ' 19-208)



**' 19-209 METERS.**

All meters shall be installed, tested, repaired, and removed only by the Gas Department. No one shall do anything which will in any way interfere with or prevent the operation of a meter. No one shall tamper with or work on a gas meter without the written permission of the Gas Department. No one shall install any pipe or other device which will cause gas to pass through or around a meter without the passage of such gas being registered fully by the meter.

(2007 Code, ' 19-209)

**' 19-210 MULTIPLE SERVICES THROUGH A SINGLE METER.**

No customer shall supply gas service to more than one dwelling or premises from a single service line and meter without first obtaining the written permission of the town. Where the town allows more than one dwelling or premises to be served through a single service line and master meter, the amount of gas used by all the dwellings and premises served through a single service line and meter shall be considered a commercial customer.

(2007 Code, ' 19-210)

**' 19-211 CUSTOMER BILLING AND PAYMENT POLICY.**

(1) Gas bills shall be rendered monthly and shall designate a standard net payment period for all customers of not less than ten days after the date of the bill. Failure to receive a bill does not release a customer from payment obligation. There is established for all customers a late payment charge not to exceed 10% for any portion of the bill paid after the net payment period. Payment must be received in the Town Hall no later than 4:30 p.m. on the due date. If the due date falls on Saturday, Sunday, or a holiday, net payment will be accepted if paid on the next business day no later than 4:30 p.m. If a meter fails to register properly, or if a meter is removed to be tested or repaired, or if gas is received other than through a meter, the town reserves the right to render an estimated bill based on the best information available.

(2) In the event a customer believes his or her gas meter is not registering the correct amount of gas flow through the meter, and the customer so requests in writing, the town's natural gas will replace the meter according to the following: should the customer request an adjustment to their bill, prior to making any adjustment, the town's natural gas will send the customer's gas meter to an independent testing facility where the meter will be tested for accuracy. The meter shall be deemed to register correctly if the test indicates the error is within plus or minus 2% and the customer will be responsible for the cost of the test (set by Town Council). Should the error be greater than plus 2%, the customer's most recent bill will be adjusted according to the percentage indicated by the test and the town's natural gas will pay for the test.

(2007 Code, ' 19-211)

**' 19-212 TERMINATION OR REFUSAL OF SERVICE.**(1) *Basis of termination or refusal.*

(a) The town has the right to discontinue gas service or to refuse to connect service for a violation of, or a failure to comply with, any of the following:

- (i) These rules and regulations, including the nonpayment of bills;
- (ii) The customer=s application for service;
- (iii) The customer=s contract for service; or
- (iv) Gas leakage or safety violation, including codes.

(b) Such right to discontinue service shall apply to all gas services received through collective single connections or services, even though more than one customer or tenant is furnished services there from, and even though the delinquency or violation is limited to only one such customer or tenant.

(2) *Termination of service.* Reasonable written notice shall be given to the customer before termination of gas service according to the following terms and conditions.

(a) Written notice of termination (cutoff) shall be given to the customer at least five days prior to the scheduled date of termination. The cutoff notice shall specify the reason for the cut-off and:

- (i) The amount due, including other charges;
- (ii) The last date to avoid service termination; and

(iii) In the case of nonpayment of bills, of the availability of special counseling for emergency and hardship cases, including the necessity of services related to medical conditions.

(b) In the case of termination for nonpayment of charges due, no service shall be terminated when a low temperature of 32°F or below is forecast for the next three days.

(c) Hearings for service termination, including for nonpayment of bills, will be held by appointment at the Town Hall between the hours of 8:00 a.m. and 4:30 p.m. on any business day, or by special request and appointment a hearing may be scheduled outside those hours.

(d) Termination will not be made on any preceding day when the Gas Department is scheduled to be closed.

(e) If a customer does not request a hearing, or, in the case of nonpayment of a bill, does not make payment of the bill, or does not otherwise correct the problem that resulted in the notice of termination in a manner satisfactory to the Gas Department, the same shall proceed on schedule with service termination.

(f) Service termination for any reason shall be reconnected only after the payment of all charges due or satisfactory arrangements for payment have been made or the correction of the problem that resulted in the termination of service in a manner satisfactory to the Gas Department plus the payment of a reconnection charge as approved or amended by the Town Council.

(2007 Code, ' 19-212)

### **' 19-213 TERMINATION OF SERVICE BY CUSTOMER.**

(1) Customers who have fulfilled their contract terms and wish to discontinue service must give at least three days= notice to that effect unless the contract specifies otherwise. Notice to discontinue service prior to the expiration of a contract term will not relieve the customer from any minimum or guaranteed payment under such contract or applicable rate schedule.

(2) When service is being furnished to an occupant of premises under a contract not in the occupant=s name, the town reserves the right to impose the following conditions on the right of the customer to discontinue service under such a contract.

(a) Written notice of the customer=s desire for such service to be discontinued may be required and the town shall have the right to continue such service for a period of not to exceed ten days after receipt of such written notice, during which time the customer shall be responsible for all charges for such service. If the town should continue service after such ten-day period subsequent to the receipt of the customer=s written notice to discontinue service, the customer shall not be responsible for charges for any service furnished after the expiration of such ten-day period.

(b) During such ten-day period, or thereafter, the occupant of premises to which service has been ordered discontinued by a customer other than such occupant, may be allowed by the town to enter into a contract for service in the occupant=s own name upon the occupant=s complying with these rules and regulations with respect to a new application for service.

(2007 Code, ' 19-213)

### **' 19-214 ACCESS TO CUSTOMER=S PREMISES.**

The town=s identified representatives and employees shall be granted access to all customers= premises at all reasonable times for the purpose of reading meters, for testing, inspecting, repairing, removing, and replacing all equipment belonging to the town, and for inspecting customers= gas plumbing and premises generally in order to secure compliance with these rules and regulations and any federal or state rules and regulations.

(2007 Code, ' 19-214)

**' 19-215 INSPECTIONS.**

(1) (a) The town shall have the right, but shall not be obligated, to inspect any installation or gas plumbing system before gas service is furnished or at any later time.

(b) The town reserves the right to refuse service or to discontinue service to any premises not in compliance with any special contract, these rules and regulations, or other requirements of the town.

(2) Any failure to inspect or reject a customer=s installation or gas plumbing system shall not render the town liable or responsible for any loss or damage, which might have been avoided, had such inspection or rejection been made.

(2007 Code, ' 19-215)

**' 19-216 CUSTOMER=S RESPONSIBILITY FOR SYSTEM=S PROPERTY.**

(1) Except as herein elsewhere expressly provided, all meters, service connections, and other equipment furnished by or for the town shall be and remain the property of the town.

(2) Each customer shall provide space for and exercise proper care to protect the property of the town on his or her premises.

(3) In the event of loss or damage to such property arising from the neglect of a customer to care for it properly, the customer shall pay the cost of necessary repairs or replacements.

(2007 Code, ' 19-216)

**' 19-217 CUSTOMER=S RESPONSIBILITY FOR VIOLATIONS.**

(1) Where the town furnishes gas service to a customer, such customer shall be responsible for all violations of these rules and regulations which occur on the premises so served.

(2) Personal participation by the customer in any such violations shall not be necessary to impose such personal responsibility on him or her.

(2007 Code, ' 19-217)

**' 19-218 SUPPLY AND RESALE OF GAS.**

All natural gas shall be supplied within the town exclusively by the town, and no customer shall, directly or indirectly, sell, sublet, assign, or otherwise dispose of the natural gas or any part thereof except with written permission from the town.

(2007 Code, ' 19-218)

**' 19-219 UNAUTHORIZED USE OF OR INTERFERENCE WITH GAS SUPPLY.**

No person shall operate any of the town=s gas, valves, or controls without express written permission or authority from the town.

(2007 Code, ' 19-219)

**' 19-220 DAMAGES TO PROPERTY DUE TO GAS PRESSURE.**

The town shall not be liable to any customer for damages caused to his or her gas plumbing or property by high pressure, low pressure, or fluctuations in pressure in the town=s gas mains.

(2007 Code, ' 19-220)

**' 19-221 LIABILITY FOR CUTOFF FAILURE.**

(1) The town=s liability shall be limited to the forfeiture of the right to charge a customer for gas that is not used but is received from a service line under any of the following circumstances:

(a) After receipt of at least ten days= written notice to cut off a gas service, the town has failed to cut off such service;

(b) The town has attempted to cut off a service but such service has not been completely cut off; or

(c) The town has completely cut off a service but subsequently the cutoff develops a leak or is turned on again so that gas enters the customer=s pipes from the town=s main.

(2) Except to the extent stated above, the town shall not be liable for any loss or damage resulting from cutoff failures. If a customer wishes to avoid possible damage for cutoff failures, the customer shall rely exclusively on privately owned cutoffs downstream of the meter and not on the town=s cutoff.

(2007 Code, ' 19-221)

**' 19-222 RESTRICTED USE OF GAS.**

In times of emergencies or in times of gas shortage, the town reserves the right to restrict the purposes for which gas may be used by a customer and the amount of gas which a customer may use, pursuant to ' 3363 of the Natural Gas Policy Act.

(2007 Code, ' 19-222)

**' 19-223 INTERRUPTION OF SERVICE.**

(1) The town will endeavor to furnish continuous gas service, but does not guarantee to the customer any fixed pressure or continuous service. The town shall not be liable for any damages for any interruption of service whatsoever.

(2) In connection with the operation, maintenance, repair, and extension of the municipal gas system, the gas supply may be shut off without notice when necessary or desirable, and each customer must be prepared for such emergencies. The town shall not be liable for any damages from such interruption of service or for damages from the resumption of service without notice after any such interruption.

(2007 Code, ' 19-223)

**' 19-224 SCHEDULE OF RATES AND FEES.**

All gas service is furnished under such rate schedules as the Town Council may adopt or amend. The Town Council shall set fees and other gas related service charges.

(1) *Natural gas, tap fee schedule.*

(a) Residential service is available to any residential customer where the gas distribution mains are of adequate capacity and suitable for supplying the customers prospective requirements in addition to the requirements of others already receiving service from such distribution mains and where new connections must be made to existing distribution mains or where distribution mains must be extended to serve prospective customer. The customer requesting gas service shall pay a Residential tap fee@. Said fee to be established by the Town Council by resolution.

(b) The distribution system may be extended as per costs set forth in the fee schedule.

(c) Charges for commercial and industrial customers to connect to the gas system will be based on the actual cost of providing the service as calculated by the town=s Natural Gas Department.

(2) *Deposit required.* Prior to receiving service, all customers are required to furnish a deposit as described below. All deposits will be held in a non-interest bearing account. Deposit will be applied to final bills. If a customer has his or her natural gas service disconnected for non-payment and the minimum amount of deposit is not maintained, an additional deposit shall be required.

(a) *Residential customer.* A deposit amount set by the Town Council will be collected and held by the gas system on all residential natural gas customers as described below. This deposit will be held in a non-interest bearing account for as long as the customer maintains natural gas service. If a customer has their natural gas service disconnected for non-payment and the minimum amount of deposit is not maintained, an additional deposit shall be required.

(i) *Residential (non property owner)*. A deposit will be collected and held by the gas system on any existing residential natural gas customer who does not own the home to which gas service is being rendered. If a customer has their natural gas service disconnected for non-payment and the minimum amount of deposit is not maintained, an additional deposit shall be required. This deposit will be held in a non-interest bearing account for as long as the customer maintains natural gas service.

(ii) *Residential (property owner)*. No Aresidential@ natural gas deposit will be collected when the service is listed in the name of the owner of the property. However, if a customer has his or her natural gas service disconnected for non-payment, a deposit shall be required. Residential customers that own the dwelling at which gas service has been disconnected for non-payment may request a refund of the deposit after 24 consecutive months of payments on or before the due date.

(b) *Commercial or industrial*. A deposit equal to the largest bill at any commercial or industrial customer=s address experienced within the past 15 months (with current price of gas adjustment) will be collected and held as long as the customer occupies the premises. This deposit will be held in a non-interest bearing account. If there is no usage history at the premises, an estimate will be made based on the natural gas equipment installed at the premises. This deposit will only be returned after all outstanding town utility bills have been paid or the deposit has been applied to any outstanding town utility billings. This policy will not apply to governmental agencies.

(c) *Commercial or industrial customer whose natural gas service has been disconnected for non-payment*. A deposit will be charged to any commercial or industrial customer whose natural gas service has been disconnected for nonpayment equal to the largest bill at any commercial or industrial customer=s address experienced within the past 15 months (with current price of gas adjustment) will be collected and held as long as the customer occupies the premises. This deposit will be held in a non-interest bearing account. If there is no usage history at the premises, an estimate will be based on the natural gas equipment installed at the premises. This deposit will only be returned after all outstanding town utility bills have been paid or the deposit has been applied to any outstanding town utility billing.

(2007 Code, ' 19-224)

#### ' 19-225 GAS SERVICE TO BE FURNISHED UNDER FRANCHISE.

(1) *Franchise requirement*. Without a franchise granted by the Town Council of the town, no person, firm, or corporation (Aperson@) shall have the right or privilege:

(a) To erect, construct, operate, or maintain or use any natural or artificial gas pipe line, plant or system, or gas works within the town in order to sell, distribute, or provide non-municipal natural or artificial gas to itself or any other user or consumer within the town;

(b) To use the streets or alleys of the town for such purpose; or

(c) To interconnect any building, structure, or facility of any kind to any natural or artificial gas pipe line or system, other than to the natural gas system of the town.

(2) *Terms and conditions*. No ordinance for the grant of a franchise for a natural or artificial gas

distribution system as set forth in this section shall be granted except under such terms and conditions as shall preserve the financial integrity of the town and its natural gas system. Such franchise ordinance shall require that any franchise holder shall pay to the town a maximum franchise fee of 25% of gross receipts of said gas distribution system. Gross receipts shall include the cost of operation and the cost of purchased natural gas. If the franchise holder is distributing to itself, the gross receipts shall include not only the cost of operation of the distribution system, but also the cost of gas to be distributed. The franchise holder shall be required to make all of its records available to the town for the purpose of determining the franchise fee. If the franchise holder is also the owner of any natural gas facilities, the cost of natural gas for the purpose of computing a franchise fee shall not be less than the average annual cost for the preceding calendar year of such natural gas to the town.

(3) *Acts unlawful without a franchise.* Unless a franchise has been given or granted, it shall be unlawful for any person:

(a) To erect, construct, operate, or maintain or use any natural or artificial gas pipe line, plant or system, or gas works within the town in order to sell or distribute or provide non-municipal natural or artificial gas energy to itself or other consumer within the town;

(b) To use the streets or alleys of the town for such purpose; or

(c) To interconnect any building, structure, or facility of any kind to any natural or artificial gas pipe line or system other than to the natural gas system of the town.

(4) *Violation.* If any person constructs, operates, or maintains any natural or artificial gas pipe line, plant or system, or gas works or sells or distributes any natural or artificial gas within the town, or makes any connections with an LDC, interstate pipeline, intrastate pipeline, or other entity contrary to the provisions of the foregoing; then, in addition to any other remedies and measures provided by law, the Town Attorney may commence an action in the name of and on behalf of the town for suitable and appropriate legal and equitable relief.

(5) *Penalty.* Any person violating the provisions of this chapter shall be subject to a fine not exceeding state authorized maximum limits per day for each day that utility construction and/or operations are attempted, maintained, or exist in violation of this law.

(2007 Code, ' 19-225)

#### ' 19-226 GAS SUPPLY.

The Town Manager or his or her designee shall be authorized to enter into financial agreements on behalf of the town=s natural gas system (gas system), for the express purpose of meeting the natural gas requirements of the gas system, including, but not limited to, the use of futures contracts, collars, caps and floors, or other price risk management tools.

(2007 Code, ' 19-226)

#### ' 19-227 GAS CODE ADOPTED.



(1) The International Fuel Gas Code, 2012 edition, and amendments thereto, is hereby adopted and incorporated by reference as part of this municipal code, and is referred to herein as the gas code, as well as the policies and procedures of the Gas Department.

(2) The designated officials of the town who have duties corresponding to the duties of officials named in the International Fuel Gas Code, as adopted by the town, shall be responsible for the enforcement of the gas code provisions.

(2007 Code, ' 19-227)



## CHAPTER 3: NATURAL GAS TAP FEE AND RATE SCHEDULE

### Section

- 19-301 Natural gas tap fee schedule
- 19-302 Natural gas system retail rate schedule
- 19-303 Policies of the town=s natural gas system; deposit to insure payment
- 19-304 Fee schedule to be charged for initiation of utility service

#### ' 19-301 NATURAL GAS TAP FEE SCHEDULE.

Requirements in excess of 250 cubic feet per hour will be considered Large commercial@ or Aindustrial@. Charges for such customers to connect to the town system will be based on the actual cost of providing the service, including the cost of main extensions, service extensions, meters, regulators, pressure correcting devices, labor, and overhead expense, and any other costs incurred by the system to provide service.

(2007 Code, ' 19-301)

#### ' 19-302 NATURAL GAS SYSTEM RETAIL RATE SCHEDULE.

The retail rate for natural gas shall be as set forth in the fee schedule adopted by the Town Council in accordance with the budget.

(2007 Code, ' 19-302)

#### ' 19-303 POLICIES OF THE TOWN=S NATURAL GAS SYSTEM; DEPOSIT TO INSURE PAYMENT.

(1) A deposit of an amount set forth in the fee schedule as adopted by the Town Council in accordance with the budget will be collected and held by the Asystem@ on all new residential natural gas customers who do not own the home gas service is being rendered. This deposit will be held in a non-interest bearing account for as long as the customer maintains natural gas service. It is the responsibility of the potential customer to prove the ownership of the property.

(2) A deposit of an amount set forth in the fee schedule as adopted by the Town Council in accordance with the budget will be collected and held by the Asystem@ on any existing residential natural gas customer who does not own the home gas service is being rendered if the customer has their natural gas service disconnected for non-payment. This deposit will be held in a non-interest bearing account for as long as the customer maintains natural gas service.

(3) No Aresidential@ natural gas deposit will be collected when the service is listed in the name of the owner of the property.

(4) A deposit equal to the largest bill at any commercial or industrial customer=s address experienced within the past 15 months (with current price of gas adjustment) will be collected and held as long as the customer occupies the premises. This deposit will be held in a non-interest bearing account. If there is no usage history at the premises, an estimate will be made based on the natural gas equipment installed at the premises. This deposit will only be returned after all outstanding town utility bills have been paid or the deposit has be applied to any outstanding town utility billings.

(5) This policy will not apply to governmental agencies.

(6) A deposit will be charged to any commercial or industrial customer whose natural gas service has been disconnected for non-payment equal to the largest bill at any commercial or industrial customer=s address experienced within the past 15 months (with current price of gas adjustment) will be collected and held as long as the customer occupies the premises. This deposit will be held in a non-interest bearing account. If there is no usage history at the premises, an estimate will be based on the natural gas equipment installed at the premises. This deposit will only be returned after all outstanding town utility bills have been paid or the deposit has been applied to any outstanding town utility billing.

(2007 Code, ' 19-303)

#### **' 19-304 FEE SCHEDULE TO BE CHARGED FOR INITIATION OF UTILITY SERVICE.**

There shall be a fee for the initiation of natural gas service and a fee for the re-connection of natural gas service disconnected as a result of non-payment, which fee shall be set forth in the fee schedule adopted in accordance with the annual budget ordinance. Additional charges as designated in the fee schedule shall be charged on a per trip basis if the service is performed during times Town Hall offices are not open for regular business.

(2007 Code, ' 19-304)