

THE CORPORATION OF THE CITY OF GRAND FORKS
ELECTRICAL UTILITY REGULATION BYLAW NO. 2067

**A BYLAW TO PROVIDE FOR THE REGULATION AND CONTROL OF THE
ELECTRICAL UTILITY OF THE CORPORATION OF THE CITY OF GRAND FORKS
AND IMPOSE RATES, TERMS, AND CONDITIONS FOR THE SUPPLY OF
ELECTRICITY SERVICE.**

The Municipal Council of the Corporation of the City of Grand Forks, in open meeting lawfully assembled, **ENACTS** as follows:

Citation

1. This bylaw may be cited as the “**Electrical Utility Regulation Bylaw No. 2067**”.

Definitions

2. In this bylaw, unless the content otherwise requires, the following definitions will apply:
 - 2.1 “**Bi-Monthly**” means every two-month period;
 - 2.2 “**Bylaw Enforcement Officer**” means every person(s) designated by Council as a Bylaw Enforcement Officer for the City or otherwise authorized under the Offence Act, and every Peace Officer;
 - 2.3 “**City**” means the Corporation of the City of Grand Forks;
 - 2.4 “**Customer**” means an *Owner* of real property to which electrical energy is supplied by the City;
 - 2.5 “**Council**” means the elected Council of the Corporation of the City of Grand Forks;
 - 2.6 “**Electrical Service**” means the supply of electricity from the *City* to any *Premises*;
 - 2.7 “**Electrical Utility**” means the *City’s* electrical distribution system and includes all the structures, switchgear, transformers, poles, wires, cables, meters and related apparatus and facilities used in the receiving, distribution and measuring of electrical power and energy and which comprise the electrical distribution system. It also includes all land, easements, rights-of-way, buildings, vehicles, tools, or other things, which, by their necessity and usage, form an essential part of the electrical distribution system;
 - 2.8 “**Fees and Charges Bylaw**” means the *City of Grand Forks Fees and Charges Bylaw No. 1958, 2014*, as amended or replaced from time-to-time;
 - 2.9 “**Manager of Operations**” means the Manager of Operations for the City of Grand Forks, their deputy or assistant, or other individual designated to oversee day-to-day operation of the *Electrical Utility*;

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- 2.10 **“Meter”** means any device used for measuring either or both the demand and consumption of electricity;
- 2.11 **“Owner”** has the same meaning as in the *Community Charter*, as amended from time to time;
- 2.12 **“Point of Delivery”** means the first point of connection between the *City’s* electrical distribution system and the *Customers’* electrical facilities. This will be at the service mast on overhead services (not including the attachment point for the overhead wire) and at the property line on underground secondary services;
- 2.13 **“Power Factor”** means the percentage determined by dividing the *Customer’s* demand measured in kilowatts (**real power**) by the same demand measured in kilovolt-amperes (**apparent power**);
- 2.14 **“Premises”** means the land occupied by the *Customer* together with any buildings, works, or improvements, which have been erected or constructed thereon;
- 2.15 **“Rate or Rates”** includes every toll, rate, security deposit, penalty and interest on arrears or any other lawfully collectible charges applicable under this bylaw for the provision and delivery of electricity in any form or services which are in any way related to the delivery of electricity;
- 2.16 **“Service”** means the supply of electricity from the *City* to any *Premises*, and where the context requires, the *Electrical Utility* used for the purposes of the supply of electricity;
- 2.17 **“Service Area”** means the area within the boundaries of the *City* currently serviced by the *City’s Electrical Utility*, as outlined in “Schedule A”;
- 2.18 **“Service Connection”** means that portion of the distribution system facilities extending from the *City’s* **distribution** circuits ~~on a public highway~~ to the *Point of Delivery*. They include but are not necessarily limited to the following types:
- 2.18.1 **“Overhead Service”** - That portion of an overhead service connection extending not more than 30 meters onto the *Customer’s* property and not beyond the first intermediate support on such property.
- 2.18.2 **“Dip Service”** - A service connection provided from the *City’s* overhead circuits that is underground where it crosses the *Customer’s* property line.
- 2.18.3 **“Underground Service”** - A service connection provided from the *City’s* underground circuits.
- 2.19 **“Service Entrance”** is the point on the *Customer’s* premises at which the *Point of Delivery* is between the *City’s* system and the *Customer’s* system;
- 2.20 **“Temporary Service”** means a *Service* provided to meet a temporary need (no longer than 270 days connected) not to exceed 30 meters in length from the *City’s* electric distribution system and does not include the supply of a periodical or seasonal service requirement that may occur at the same location.

General Provisions

3. To the extent that the *City* has not already established the *Service*, the *City* hereby establishes the *Service* of supplying electricity from the *Electrical System* to properties in the area defined by Schedule A by operating, constructing, maintaining, regulating, repairing, and imposing requirements on the *Electrical System*.
4. The *City* does not guarantee a constant supply or quality of electricity but will make reasonable efforts to supply electricity in sufficient quantities.
5. The *City* is not responsible or liable for any loss, injury, damage or expense caused by or resulting from any interruption, termination, failure or defect in the supply of electricity.
6. The *City* retains ownership of all electrical equipment and facilities up to the *Point of Delivery*, including without limitation all electrical metering devices owned by the *City*.
7. A person shall follow all applicable standards, codes, and regulations for electrical work.
8. Net metering is only available for residential usage with solar (PV) installations of not more than ten (10) kVA, however the *Manager of Operations* may approve a commercial photovoltaic service greater than ten (10) kVA, at their discretion, if it creates positive operating and financial impacts to the electric utility and its rate payers.
9. A person may be supplied electricity from the *Electrical Utility* provided they meet the conditions of this bylaw.

Regulating Electrical Services

Administration

10. The *Manager of Operations* is authorized to make orders, deliver notices, approve or refuse to approve applications for service connections and to make other decisions about specific service connections and the *Electrical Utility*, and otherwise administer this Bylaw.

Applications and Permits

11. A person shall not connect or disconnect an *Electrical Service* to the *City's Electrical System* without prior authorization from the *Manager of Operations*.
12. A person shall apply for a provision of *Service* using the *City's* form and process as amended from time to time.
13. The *Manager of Operations* will process a completed application in a timely manner.
14. The *Manager of Operations* will not process an application until an applicant pays the applicable fees and charges.
15. The *Customer* shall be responsible for the installation of the service entrance and the meter location, which shall be located at a point satisfactory to the *City*.

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16. A potential *Customer* shall obtain any easements or statutory rights of way, **in favour of the City and with wording satisfactory to the City**, required by the *City* or others to permit the installation of an electrical *Service*.
17. **The customer must provide Technical Safety BC declaration that the premise is safe to connect service to.**

Standards

18. The *City* supplies the following secondary supply voltages:
 - 18.1 From pole mounted transformers:
 - 18.1.1 Single Phase – 120/240 volts, 3 wire, maximum **400** amperes (**100 kVA**);
 - 18.1.2 Three Phase - 120/208 volts, 4 wire, maximum 800 amperes transformation capacity (**300 kVA**);
 - 18.1.3 Three Phase - 347/600 volts, 4 wire, maximum 300 amperes transformation capacity (**300 kVA**);
 - 18.2 From pad mounted transformers:
 - 18.2.1 Single Phase – 120/240 volts, 3 wire, maximum **150 kVA**;
 - 18.2.2 Three Phase – 120/208 volts, 4 wire, maximum 500 kVA transformation capacity;
 - 18.2.3 Three Phase – 347/600 volts, 4 wire, maximum 500 kVA transformation capacity.
19. The *Manager of Operations*, at their discretion, may approve to supply loads or supply voltages different from those listed in this Section (e.g. **277/480** volts), or alternatively may supply a primary electrical *Service*.
20. **Delta services are not permitted.**
21. A person installing a *Service* shall ensure the proper balancing of phases and circuits, that the *City's* equipment is not endangered, and that no abnormal voltage fluctuations are anticipated.
22. All three-phase, four-wire facilities shall be designed to prevent the load on the phase with the highest load from exceeding that on the phase with the lowest load by more than ten (10) percent.
23. A person shall maintain a minimum ninety-five percent *Power Factor* in their *Premises*.
24. If the *City* measures a *Power Factor* lower than ninety-five percent, a person shall, within 30 days of a written request to do so from the *City*, install, at their expense, *Power Factor* corrective equipment acceptable to the *Manager of Operations*.
25. A person shall not extend a secondary connection to more than one *Premises*.

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26. For overhead secondary service connections, the *Point of Delivery* is where the *Customer's* circuit connects to the *City's* overhead system at the service mast (not including the attachment point or structure). **The Meter is the property of the City.**
27. For an underground secondary service, the *Point of Delivery* is where the underground circuit enters the property owned or occupied by the *Customer*.
28. A person shall, where required by the *Manager of Operations*, make provisions for the installation of the *City's* facilities, including wiring and fittings and boxes, to the satisfaction of the *City*.
29. The *City* does not supply transformation from one secondary voltage to another secondary voltage.
30. A person shall ensure that:
 - 30.1 electrical energy supplied by the *City* is not used for any purpose other than the purpose identified in the application for *Service*;
 - 30.2 nothing is done on that *Premises*, including without limitation an alteration of wiring, that will or may appreciably change the amount or nature of the load imposed on the *Electrical System*, without the prior written consent of the *Manager of Operations*;
 - 30.3 single phase motors rated larger than **five (5)** horsepower are not used on 120/**240**-volt circuits without the prior written consent of the *Manager of Operations*;
 - 30.4 motors of 20 horsepower or larger are equipped with **soft** starters or other devices approved in writing by the *Manager of Operations*, unless otherwise authorized in writing by the *Manager of Operations*;
 - 30.5 **120-volt** circuits are connected to balance **the load amongst the phases** as nearly as possible the currents drawn from the circuits at the *Point of Delivery*.

Electricity Generation

31. A person shall not install facilities capable of generating electricity, except as otherwise permitted in this bylaw, unless those facilities are at all times electrically isolated from the *Electrical Utility*.
32. Each residential photo-voltaic service shall have a bi-directional meter which is installed by the *City* at the *Owner's* cost.
 - 32.1 **Energy in excess of the residence consumption will be purchased by the Electrical Utility at the residential sales rate subject to:**
 - 32.1.1 **Energy surplus will be accumulated in each billing cycle and applied first to subsequent consumption.**
 - 32.1.2 **The first 4,000 kWh of annual excess energy will be purchased at the residential rate in effect at the year end. Any energy in excess of 4,000 kWh will be purchased at the prevailing avoided cost of energy purchase.**

32.1.3 Any surplus over \$50.00 at year end will be paid to the customer.

32.1.4 Any surplus of \$50.00 or less will be applied as an energy credit to the account.

33. A person shall install a grid interconnection in accordance with the *City's* "Interconnection Requirements for Residential Photo-Voltaic Power Producers Guidelines" document, **provided** by the *City* and amended from time to time.

Electrical Meter

34. All *Meters* shall be installed by the *City* in a location approved by the *Manager of Operations*.
35. *Meters* shall be installed in locations that permit safe and unfettered access by employees or agents of the *City*.
36. The *Customer* shall ensure that the meter access remains safe and unfettered to the *City*.

Meter Location Specifications

37. *Meters* shall not be installed in carports, breezeways or on decks or other similar areas;
38. The *Meter* base and mast shall be:
- 38.1 surface mounted;
 - 38.2 located on an outside wall;
 - 38.3 within one meter of the corner of the property nearest to the point of supply;
 - 38.4 installed between 1.5 meters and 2 meters above final ground level to the center of the *Meter*;
 - 38.5 located not more than 30 meters into the lot;
- ~~38.5.1 in the case of metering over 300 volts:~~
- ~~38.5.1.1 the *Meter* shall be installed on the supply side of the *Customer* disconnect;~~
 - ~~38.5.1.2 the *Meter* may be installed in a different location approved by the *Manager of Operations*.~~
39. The *Manager of Operations*, at their sole discretion, may make exceptions to the general specifications for meter installations, where a standard location will cause design and installation difficulties, subject to the meter remaining accessible to the *City* at all times;
40. The *Manager of Operations* may require, at an *Owner's* expense, that an *Owner* relocate a meter that does not meet a provision of this bylaw, to a location specified by the *Manager of Operations*.

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41. For all electrical *Services* in excess of 200 amperes, a person shall supply and install an enclosure for current and potential transformers, and the design of the enclosure shall first be approved by the *Manager of Operations*. **The *Customer* will be responsible for the cost of the metering equipment which will be provided by the City.**

Maintenance

42. A *Customer* shall take reasonable care to protect all meters and related apparatus belonging to the *City* on their premises and shall reimburse the *City* for any loss or damage occurrence to same except to the extent that the *Customer* is able to show that loss or damage was due to defects in such facilities or to omission or gross negligence on the part of the *City's* employees.
43. A *Customer* shall keep all the trees, shrubs and other growths or other obstacles on the *Customers* private property clear of power lines or electrical infrastructure.

Removal of Hazardous Things from Private Property

44. The *City* may, by notice, require a person to make safe at their expense a natural or manufactured item that, in the *City's* sole opinion, endangers or presents a hazard to the *Electrical System*.
45. If a person is required to make safe a natural or manufactured item on their property, they shall do so in a timely manner.
46. A person shall receive authorization from the *Manager of Operations*, by filing a work plan and receiving written approval, prior to undertaking works within 10 metres of the *Electrical System* that may endanger or present a hazard to the *Electrical System* or the general public.
47. The *City* may enter private property without notice and make safe a natural or manufactured thing on private property that in its sole opinion endangers or presents an immediate hazard to the *Electrical System*, and recover the costs from the *Customer*.
48. When exercising its rights under this bylaw, the *City* is not responsible, liable or otherwise accountable, either directly or indirectly, for any costs, expenses, damages or injuries that are suffered or incurred by a person which are a result of:
- 48.1 its entry upon, occupation of or exit from any premises;
 - 48.2 its trespass on any premises or property;
 - 48.3 a nuisance created by it;
 - 48.4 an invasion of privacy committed by it;
 - 48.5 its negligent actions or inactions.

Fees and Charges

49. The *City* shall charge the applicable fees in the *Fees and Charges Bylaw* for electrical *Service*.

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50. A *Customer* shall pay the applicable fees and charges in the *Fees and Charges Bylaw* for electrical *Service*.
51. The *City* may charge a fee to any property adjacent to a new service extension that can be serviced regardless of the existence of an *Electrical Service*.
52. A *Customer* is responsible for all costs associated with extending the *City's Electrical System* to service their property including, but not limited to, the cost of installing an *Electrical Service*, and any upgrades to or extensions of other parts of the *Electrical System*.
53. A *Customer* is responsible for all costs associated with meeting the standards of this bylaw.
54. A *Customer* is responsible for all costs associated with disconnecting an *Electrical Service*.

Offences and penalties

55. A person who contravenes this bylaw is subject to a fine as specified in the *City's Municipal Ticketing Information Bylaw* as amended from time to time.
56. Each day that a contravention of this bylaw continues constitutes a separate offence.
57. The *City* may fulfill a requirement of this bylaw at the expense of a *Customer* failing to take the required action and recover the costs incurred as a debt.

Temporary shutoff

58. The *Manager of Operations* may temporarily shut off an *Electrical Service* for any reasonable cause including:
 - 58.1 maintaining, repairing, replacing, or otherwise operating the *Electrical System*;
 - 58.2 an emergency;
 - 58.3 shortage of electrical supply.
59. A *Customer* may request from the *Manager of Operations* a temporary shutoff of their *Electrical Service* for up to thirty days. The *Customer* shall pay any fees as specified in the *Fees and Charges Bylaw* for this service.
60. The *Manager of Operations* may consider a temporary shutoff of an *Electrical Service* to be a disconnection if a part of the *Electrical Service* is shut off for more than thirty days.
61. The *City* shall endeavour to provide 48 hours' notice for any non-emergency or scheduled shutoff of the *Electrical System*.
62. The *Manager of Operations* may shut off the *Electrical System* with no notice in emergency situations as determined by the *Manager of Operations*.

Disconnection of service

63. The *Manager of Operations* may disconnect an *Electrical Service* if:

- 63.1 in the opinion of the *Manager of Operations*, the continued supply of electrical energy would or might be harmful to the *Electrical Utility*, create an unreasonable demand on that system, or create an abnormal or unacceptable fluctuation of the line voltages of that system;
- 63.2 a property *Owner* requests a disconnection;
- 63.3 a *Customer* contravenes a provision of this bylaw;
- 63.4 by reason of a shortage of supply or otherwise, the *City* considers that it cannot practically continue to supply electrical energy to that *Premises*.
- 63.5 an account remains unpaid for more than thirty (30) days after the due date

64. Where electrical supply is to be disconnected for reasons other than as specified in section 61.2, the *City* shall give thirty (30) days' notice to the *Customer* by posting notice on the *Premises*, or by mailing notice to the address supplied by the *Customer* or the address of the property.

65. A *Customer* may make representations to *Council* when an *Electrical Service* is to be disconnected for reason of non-compliance with any provision of this bylaw.

66. Once an *Electrical Service* has been disconnected, the *Manager of Operations* shall consider a reconnection the same as an application for a new *Electrical Service* connection.

Inspection

67. The *Manager of Operations*, a *Bylaw Enforcement Officer*, or designated staff or contractors may enter a *Premises* at a reasonable time to fulfill its obligations or for the purpose of inspecting and ascertaining whether a person is observing the regulations and requirements of this bylaw.

68. Except in the case of an emergency, the *City* shall take reasonable steps to advise the *Customer* and/or *Owner* of an inspection.

69. The *City* may, from time to time, conduct tests of a *Customer's Electrical Service*.

General

70. Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time

71. If any portion of this bylaw is for any reason held to be invalid by a Court of competent jurisdiction, the invalid portion shall be severed without affecting the remainder of the bylaw.

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Repeal

72. The “City of Grand Forks Electrical Utility Regulatory Repeal Bylaw No. 2015-R” shall repeal:

- 72.1 “City of Grand Forks Electrical Utility Regulatory Bylaw No. 2015”,
- 72.2 “City of Grand Forks Electrical Utility Regulatory Amendment Bylaw No. 2015-A1”,
and
- 72.3 “City of Grand Forks Electrical Utility Regulatory Amendment Bylaw No. 2015-A2”

Read a first, second, and third time by the Municipal Council this 10th day of February, 2020.

FINALLY ADOPTED this _____ day of _____, 2020.

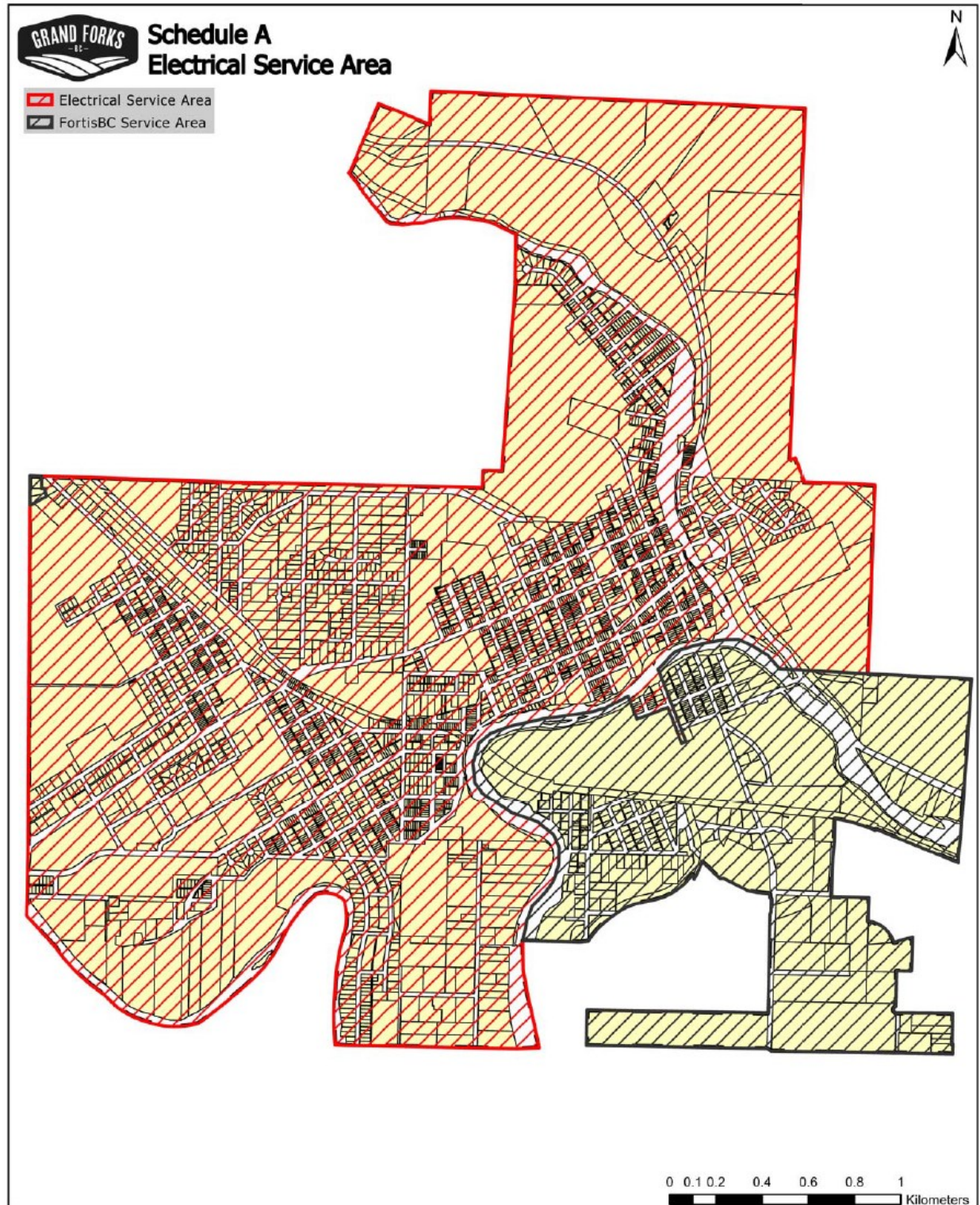
Mayor

Corporate Officer

CERTIFICATE

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 2067, cited as the “Electrical Utility Regulation Bylaw No. 2067”, as passed by the Municipal Council on the ___ day of _____, 2020.

Corporate Officer of the Municipal Council of the
City of Grand Forks



January 9, 2020
Map Produced By: Rosemary Dykhuizen

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