

ORDINANCE O-2024-

A BILL FOR AN ORDINANCE AMENDING CHAPTERS 14.32 AND 4.78 OF THE
LONGMONT MUNICIPAL CODE ON REGULATIONS GOVERNING ELECTRIC
SERVICE

THE COUNCIL OF THE CITY OF LONGMONT, COLORADO, ORDAINS:

Section 1

In this ordinance, ellipses indicate material not reproduced as the Council intends to leave that material in effect as it now reads.

Section 2

The Council amends section 14.32.150. – Electric community investment fees of the Longmont Municipal Code, by adding italicized material and deleting stricken material, to read as follows:

14.32.150 – Electric community investment fees.

. . .

C. Computation of the amount of the electric community investment fees.

. . .

b. If a fee payer has a rate class, voltage, phase, or panel amps not specified in table 14.32.150, the director or designee shall compute an appropriate fee in accordance with the formula used in establishing the fees in table 14.32.150.

~~e. The fee for single phase, irrigation services, rated less than 100 amps, including power supplies, irrigation timers, etc., shall be a flat fee of \$32.00.~~

1 ~~cd.~~ If a fee payer requests an increase in rate class, voltage, phase, or panel amps,
2 the ECIF shall be the difference between the ECIF amount associated with the
3 existing panel and the ECIF for the new panel size. LPC shall not grant a credit or
4 refund for a later request of decrease in rate class, voltage, phase, or panel amps.

5 ~~de.~~ After the timeframe specified in table 14.32.150, the director or designee shall
6 adjust the fees annually in the same proportion as changes in construction costs,
7 according to the Engineering News Record 20-City Construction Cost Index.

8 D. Payment of fees.

9 . . .

10 2. A fee payer for residential or nonresidential development within the municipal
11 boundaries must pay the ECIF to the city at the time set in chapter 4.78 *or, if*
12 *applicable, at the time specified in section 14.32.240.*

13 3. A fee payer for residential or nonresidential development ~~outside the~~
14 ~~municipal boundaries~~ must pay the ECIF to the city with the payment request for
15 the project before LPC will issue a work order release for the fee payer's
16 development.

17 . . .

18 F. Refund of fees paid. The city shall *return the collected ECIF* ~~electric~~
19 ~~community investment fees~~ *to the fee payer, provided the project has been*
20 *canceled, construction has not been initiated, and the fee payer submits to the*
21 *director a written request for a refund of the electric community investment fee.*
22 ~~expend or appropriate each electric community investment fee it collects, with~~
23 ~~accrued interest, no later than the end of the calendar quarter immediately~~

~~following nine years from the date of payment or it shall return the fee, with
accrued interest, to the fee payer, provided the fee payer submits a written request
for a refund to the director within 180 days of the expiration of the nine year
period.~~

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Section 3

The Council amends section 14.32.190. – Introduction of the Longmont Municipal Code,
by adding italicized material and deleting stricken material, to read as follows:

Section 14.32.190 Introduction.

...

E. Liability.

...

6. The city shall not be liable for injury of persons, damage to property, monetary
loss, or loss of business caused by accidents, acts of *nature*, ~~God~~, fires, floods,
strikes, wars, authority or orders of government, interruption of its power supply,
or any other causes and contingencies beyond its control.

...

Section 4

The Council amends section 14.32.195. – Establishment of service of the Longmont
Municipal Code, by adding italicized material and deleting stricken material, to read as follows:

Section 14.32.195 Establishment of service.

Except as this chapter may otherwise provide, no person *or entity* other than the
city shall furnish electric utility service within *Longmont Power &*

Communication service territory the city. However, Nothing herein is intended to prevent a customer from generating electricity for use by that customer on the customer's premises, provided such self-generation is otherwise in accordance with the provisions of this Code.

Section 5

The Council amends section 14.32.210. – Meters of the Longmont Municipal Code, by adding italicized material and deleting stricken material, to read as follows:

14.32.210 Meters.

• • •

E. Separate meter for each class of service. When the customer receives service under more than one rate schedule, a separate meter must be installed for service under each rate schedule. The customer will be billed under each rate schedule based on the measurement registered by the applicable meter. *A separate meter shall also be required for commercial electric vehicle (EV) charger installations and/or interconnection of a Distributed Energy Resource (DER) that meets the thresholds outlined in the interconnection standards referenced in 14.32.225.*

F. Additional meters. Should the customer desire the installation of additional meters other than those necessary to measure adequately the service taken by the customer, *or should the city require a separate meter for EV charging or DER interconnection*, such additional meters shall be provided, installed and maintained by the customer at the customer's sole cost and expense.

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The Council amends section 14.32.240. – Service modification policy Longmont

Section 14.32.240 Service modification policy.

A. Residential service modifications.

• • •

d. ~~Payments shall be made as required to LPC.~~ *Payments of all fees pursuant to this section shall be made upon invoice by LPC or through the Building Services permitting process.*

• • •

B. Commercial/industrial service modifications.

• • •

d. ~~Payment shall be made as required to LPC.~~ *Payment of all fees pursuant to this section shall be made upon invoice by LPC or through the Building Services permitting process.*

• • •

Section 7

The Council amends section 4.78.020. – Fee collection at building permit or residential certificate of occupancy of the Longmont Municipal Code, by adding italicized material and deleting stricken material, to read as follows:

Section 4.78.020 Fee collection at building permit or residential certificate of occupancy.

The following fees for all new construction within the city, as defined in this Code, shall be paid at the time a building permit is issued, except that for residential construction they need not be paid until the time a permanent or temporary certificate of occupancy is issued:

- A. The water system development fee;
- B. The sewer system development fee;
- C. The surcharge on water fees for payment of Windy Gap costs;
- D. The electrical community investment fee, *unless previously paid to LPC pursuant to section 14.32.240*;

...

Section 8

To the extent only that they conflict with this ordinance, the Council repeals any conflicting ordinances or parts of ordinances. The provisions of this ordinance are severable, and invalidity of any part shall not affect the validity or effectiveness of the rest of this ordinance.

Introduced this _____ day of _____, 2024.

Passed and adopted this _____ day of _____, 2024.

MAYOR

ATTEST:

CITY CLERK

1 NOTICE: THE COUNCIL WILL HOLD A PUBLIC HEARING ON THIS ORDINANCE AT
2 7:00 P.M. ON THE _____ DAY OF _____, 2024, AT THE
3 LONGMONT CITY COUNCIL MEETING.
4
5

6 APPROVED AS TO FORM:
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9

10 _____
DEPUTY CITY ATTORNEY

DATE

11
12
13 _____
14 PROOFREAD

DATE

15
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17 APPROVED AS TO FORM AND SUBSTANCE:
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19
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21 _____
ORIGINATING DEPARTMENT

DATE

22
23 CA File: 24-003061