

## TITLE 19

ELECTRICITY AND GAS<sup>1</sup>

## CHAPTER

1. ELECTRICITY.
2. GAS.
3. STANDARD TERMINATION PROCEDURES FOR UTILITIES.
4. UTILITY TERMINATION PROCEDURES FOR CUSTOMERS ON LIFE SUPPORT DEVICES.

## CHAPTER 1

ELECTRICITY<sup>2</sup>

## SECTION

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- 19-102. Electrical deposit required.
- 19-103. Point of delivery.
- 19-104. Customer's wiring--standards.
- 19-105. Inspections.
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<sup>1</sup>Charter references

Commissioner public works--appointment, powers etc.: Art. III, §§ 2 and 14; Art. V, § 5; Art. VIII.

Utilities--administration and operation: Particularly Art. II and XII.

## Municipal code references

Building and utility codes: title 12.

Prohibition on providing utility sewers to condemned structures: § 12-603.

Rates and sewer service: title 18.

<sup>2</sup>Charter references

Utilities: Arts. II, VIII and XII.

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Electrical code: title 12, ch. 4.

Fire code: title 7, ch. 2.

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**19-101. Application for service.** Each prospective customer desiring electric service may be required to sign the electric department's standard form of application for service or contract before service is supplied by the city. (1968 code, § 13-201)

**19-102. Electrical deposit required.** A deposit or surety bond will be required of each electrical customer prior to the time electrical service is supplied to the customer. The following schedule will be used in setting the amount of the cash deposits:

- (1) Residential customers owning the residence, and
  - (a) Heating with electricity \$50.00, or
  - (b) Heating without electricity \$50.00
- (2) Residential customers renting the residence, and
  - (a) Heating with electricity \$75.00, or
  - (b) Heating without electricity \$50.00.
- (3) Commercial or industrial customers \$2.50 per amp rating at the main disconnect switch.

Should a surety bond be used instead of a cash deposit, the bond will be in an amount double the required cash deposit.

If any electrical customer fails to keep his utilities account current, the city shall have the option to discontinue the customer's electrical service. Should any customer fail to keep his account current, the city shall have at its option, the right to apply the deposit against the customer's account, with any remaining proceeds being forwarded to the customer's last known address.

Upon termination of electrical service, the deposit may be applied by the city against the account or the unpaid bills of the customer, and if any balance remains after such application is made, then the balance shall be refunded to the customer. (1968 code, § 13-202, as amended by ord. 76-428)

**19-103. Point of delivery.** The point of delivery is the point, as designated by the electric department, on the customer's premises where current is to be delivered to his building or premises. All wiring and

equipment beyond this point of delivery shall be provided and maintained by the customer at no expense to the electric department. (1968 code, § 13-203)

**19-104. Customer's wiring--standards.** All wiring of the customer must conform to the electric department's requirements and accepted modern standards, as exemplified by the requirements of the National Electrical Safety Code and the National Electrical Code. (1968 code, § 13-204)

**19-105. Inspections.** The electric department shall have the right, but shall not be obligated, to inspect any installation before electricity is introduced or at any time, and reserves the right to reject any wiring or appliances not in accordance with the electric department's standards; but such inspection or failure to inspect or reject shall not render the electric department liable or responsible for any loss or damage resulting from defects in the installation, wiring, or appliances, or from accidents which may occur upon the customer's premises. (1968 code, § 13-205)

**19-106. Underground service lines.** Customers desiring underground service lines from the electric department's overhead system must bear the excess cost incident thereto. Specifications and terms for such construction will be furnished by the electric department on request. (1968 code, § 13-206)

**19-107. Customer's responsibility for electric department's property.** All meters, service connections, and other equipment furnished by the electric department shall be and remain the property of the electric department. The customer shall provide a space for and exercise proper care to protect the property of the electric department on its premises, and, in the event of loss or damage to such property arising from neglect of the customer to care for same, the cost of the necessary repairs or replacements shall be paid by the customer. (1968 code, § 13-207)

**19-108. Right of access.** The electric department's identified employees shall have access to the customer's premises at all reasonable times for the purpose of reading meters, testing, repairing, removing, or exchanging any or all equipment belonging to the electric department. (1968 code, § 13-208)

**19-109. Billing.** Bills will be rendered monthly and shall be paid within ten (10) days from date of bill at the office of the electric department. Failure to receive a bill will not release the customer from the payment obligation. Should bills not be paid as above, the electric department may at any time thereafter, upon five (5) days' written notice to the customer, discontinue service. The customer shall be notified of his right to a hearing before disconnection if he disputes the reason therefor and requests a hearing by the date specified in the notice. The customer shall have the right to be

represented by counsel at the hearing and to testify and present witnesses on his behalf. When a hearing has been requested, the customer's service shall not be terminated until a final decision has been reached by the hearing officer and the customer is notified of it. Bills paid on or before the final date of payment shall be payable at the net rates, but thereafter the gross rates shall apply, as provided in the schedule of rates and charges. Should the final date for the payment of the bill at the net rates fall on a Sunday or holiday, the business day next following the final date will be held as a day of grace for delivery of payment. Net rate remittances received by mail after the time limit for payment of net rates will be accepted by the electric department if the incoming envelope bears United States Post Office date stamp of the final date for payment of the net amount or any date prior thereto. (1968 code, § 13-209, modified)

**19-110. Discontinuance of service by the electric department.**<sup>1</sup>

The electric department may refuse to connect or may discontinue service for the violation of any of its rules and regulations, or for violation of any of the provisions of the schedule of rates and charges, or of the application of the customer or contract with the customer. The electric department may discontinue service to the customer for the theft of current or the appearance of current theft devices on the premises of the customer. The discontinuance of service by the electric department for any causes as stated in this rule does not release the customer from his obligation to the electric department for the payment of minimum bills as specified in the application of the customer or the contract with the customer. (1968 code, § 13-210)

**19-111. Electric reconnection service fee.** Whenever an electrical customer's service is discontinued, is to be discontinued, or has been discontinued by the electric department for nonpayment, as provided for under this chapter, a reconnection service fee of five dollars (\$5.00) will be charged the customer and collected by the electric department before the electric service is or will be restored.

In the event that the reconnection of the electric service should take place or, of necessity, be performed after the normal business hours of the city, the reconnection service fee shall be fifteen dollars (\$15.00) and will be charged to and collected from the electrical customer by the electric department prior to the customer's electric service being restored. (1968 code, § 13-211, as amended by ord. 76-430)

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<sup>1</sup>Municipal code reference

Standard termination procedures for utilities: title 19, chapter 3.

Utility termination procedures for customers on life support devices: title 19, chapter 4.

**19-112. Termination of contract by customer.** Customers who have fulfilled their contract terms and wish to discontinue service must give at least three (3) days' written notice to that effect, unless the contract specifies otherwise. Notice to discontinue service prior to the expiration of the contract term will not relieve the customer from any minimum or guaranteed payment under any contract or rate. (1968 code, § 13-212)

**19-113. Temporary electric service fees.** Customers requiring electrical service on a temporary basis will be required to pay a service fee according to the following schedule.

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|-----|---|---------|
| (1) | Residential and temporary construction  | \$30.00 |
| (2) | Commercial, industrial, apartments, and like construction, circuses, carnivals, fairs, and tents. | \$60.00 |

Each fee is for single service connection and disconnection and is to cover the costs incidental to the supplying and removing electrical service. Under this fee schedule the customer is to supply the meter base, the meter stand, and other materials necessary to supply electric service. (1968 code, § 13-213, as amended by ord. 76-429)

**19-114. Interruption of service.** The electric department will use reasonable diligence in supplying current, but shall not be liable for a breach of contract in the event of, or for loss, injury, or damage to persons or property resulting from, interruptions in service, excessive or inadequate voltage, single-phasing, or otherwise unsatisfactory service, whether or not caused by negligence. (1968 code, § 13-214)

**19-115. Voltage fluctuations caused by the customer.** Electric service must not be used in such a manner as to cause unusual fluctuations or disturbances to the electric department's system. The electric department may require the customer, at his own expense, to install suitable apparatus which will reasonably limit such fluctuations. (1968 code, § 13-215)

**19-116. Additional load.** The service connection, transformers, meters, and equipment supplied by the electric department for each customer have a definite capacity, and no addition to the equipment or load connected thereto will be allowed except by consent of the electric department. Failure to give notice of additions or changes in load, and to obtain the electric department's consent for same, shall render the customer liable for any damage to any of the electric department's lines or equipment caused by the additional or changed installation. (1968 code, § 13-216)

**19-117. Standby and resale service.** All purchased electric service (other than emergency or standby service) used on the premises of the customer

shall be supplied exclusively by the electric department, and the customer shall not, directly or indirectly, sell, sublet, assign, or otherwise dispose of the electric service or any part thereof. (1968 code, § 13-217)

**19-118. Notice of trouble.** The customer shall notify the electric department immediately should the service be unsatisfactory for any reason, or should there be any defects, trouble, or accidents affecting the supply of electricity. Such notices, if verbal, should be confirmed in writing. (1968 code, § 13-218)

**19-119. Non-standard service.** The customer shall pay the cost of any special installation necessary to meet his peculiar requirements for service at other than standard voltages, or for the supply of closer voltage regulation than required by standard practice. (1968 code, § 13-219)

**19-120. Meter tests.** The electric department will, at its own expense, make periodical tests and inspections of its meters in order to maintain a high standard of accuracy. The electric department will make additional tests or inspections of its meters at the request of the customer. If tests made at the customer's request show that the meter is accurate within two percent (2%), slow or fast, no adjustment will be made in the customer's bill, and the testing charge will be paid by the customer. The charge shall be \$3.25 for a regular meter and \$8.50 for a demand meter. In case the test shows the meter to be in excess of two percent (2%) fast or slow, an adjustment shall be made in the customer's bill over a period of not over thirty (30) days prior to the date of the test, and the cost of making the test shall be borne by the electric department. (1968 code, § 13-220)

**19-121. Relocation of outdoor lighting facilities.** The electric department shall, at the request of the customer, relocate or change existing electric department-owned equipment. The customer shall reimburse the electric department for such changes at actual cost, including appropriate overheads. (1968 code, § 13-221)

**19-122. Billing adjusted to standard periods.** The demand charges and the blocks in the energy charges set forth in the rate schedules are based on billing periods of approximately one (1) month. In the case of the first billing of new accounts (temporary service, cotton gins, and other seasonal customers excepted) and final billings of all accounts (temporary service excepted) where the period covered by the billing involves fractions of a month, the demand charges and the blocks of the energy charge will be adjusted to a basis proportionate with the period of time during which service is extended. (1968 code, § 13-222)

**19-123. Scope.** This chapter is a part of all contracts for receiving electric service from the electric department, and applies to all service received from the electric department, whether the service is based upon contract, agreement, signed application, or otherwise. A copy of the provisions in this chapter, together with a copy of the electric department's schedule of rates and charges, shall be kept open to inspection at the offices of the electric department. (1968 code, § 13-223)

**19-124. Conflict.** In case of conflict between any provision of any rate schedule and the provisions in this chapter, the rate schedule shall apply. (1968 code, § 13-224)

**19-125. Tampering with electric meters, etc.** It shall be unlawful for any person to tamper with, or interfere with, the operation of any electric meter through which electricity is supplied by the City of Lebanon, Tennessee, or in any way to tamper with or interfere with any of the electric facilities of the city or to make improper connections thereto so as to evade, or attempt to evade, the payment of lawful service and connection charges to the city.

Any person tampering with or interfering with the electric facilities of the city shall be presumed to have done so with the intent to evade or attempt to evade the payment of lawful service and connection charges to the city. (1968 code, § 13-225)

**19-126. Electrical safety.** All electrical construction, both temporary and permanent, shall comply with the requirements of the National Electrical Safety Code and the current National Electrical Code, and shall be installed in a manner compatible to safety and conducive to the public welfare of the citizens of Lebanon, Tennessee. No temporary construction shall be installed in a manner which shall present a safety hazard to the public or construction workers. (as added by Ord. #95-1381, § 1, Nov. 1995)

## CHAPTER 2

GAS<sup>1</sup>

## SECTION

- 19-201. Definitions.
- 19-202. Application for service; extension policies.
- 19-203. Deposit required.
- 19-204. Application of deposit.
- 19-205. Service charges.
- 19-206. Higher deposit required of certain delinquent customers.
- 19-207. Waiver of deposit.
- 19-208. Point of delivery.
- 19-209. Customer's piping and installation standards.
- 19-210. Inspections.
- 19-211. Customer's responsibility for city's property.
- 19-212. Right of access.
- 19-213. Billing.
- 19-214. Discontinuance of service.
- 19-215. Termination of contract by customer.
- 19-216. Interruption of service.
- 19-217. Additional load.
- 19-218. Notice of trouble.
- 19-219. Meter tests.
- 19-220. Billing adjusted to standard periods.
- 19-221. Rate schedules for gas service.
- 19-222. Applicability of chapter.
- 19-223. Tampering with gas meters, etc.

**19-201. Definitions.** As used in this chapter: (1) "Gas department" means the Lebanon Gas Department, engaged in the operation of the Lebanon Natural Gas Distribution System.

(2) "Commercial or industrial consumers" means and includes all consumers of natural gas from the gas department who consume gas in the conducting or operation of a business or factory, and including but not limited to institutions such as clubs, fraternities, orphanages, recognized rooming or boarding houses, the space in an apartment or other residential building primarily devoted to use as an office or studio for professional or other gainful

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<sup>1</sup>Charter reference  
Utilities: Arts. II, VIII and XII.  
Municipal code reference  
Gas and plumbing codes: title 12.

purposes, or any building or buildings containing more than one (1) dwelling unit, which does not provide separate metering for each unit.

(3) "Residential consumers" means those customers who consume gas from the gas department in a single private dwelling, with household appliances for the personal comfort and convenience of those residing in the dwelling.

(4) When a portion of a private dwelling is used regularly for the conduct of a business which consumes or utilizes gas from the gas department, the gas used in the conduct of the business shall be metered separately from the gas consumed and used in the dwelling house purposes; otherwise the entire premises, both business and dwelling, will be classified as a commercial or industrial consumer, as set forth in this chapter. (1968 code, § 13-301)

**19-202. Application for service; extension policies.** (1) Each prospective customer desiring gas service from the city must make application for such service at the office of the city engineer and must comply with all pertinent ordinances and rules and regulations established for the operation of the gas department. Fees for gas service lines and other related fees shall be a set out in ordinance No. 94-1255 as amended by ordinance No. 95-1289, and any other ordinance applicable thereto. Service shall be provided for any customer within the city limits, so long as access to a gas main is economically feasible. Main extensions outside the city limits shall depend on the economic feasibility of extending the mains as determined by the commissioner of public works and the availability of funds. Any prospective customer so refused has the right to ask the city council to reconsider and rule on the application.

(2) (a) Natural gas service shall be made available to all lots within new subdivisions and residential, commercial and industrial developments by the developer in order to allow homeowners and new owners to choose whether to accept or decline natural gas service to their home or property.

(b) The developer shall choose one (1) of the following options for new residential subdivisions:

(i) The developer will sign an agreement to purchase gas taps for seventy-five percent (75%) of the total lot count and will install a minimum of one (1) natural gas water heater and one (1) natural gas HVAC unit per home. The City of Lebanon Gas Department will cover one-half (1/2) the cost of the ditch opening for the installation of natural gas pipeline and will provide road crossing casings. The city will also furnish and install the pipeline and provide fill material and valves required for the natural gas pipeline ditch. The cost of the installation will be determined by an annual contract price, submitted in the form of a bid, to the office of the City of Lebanon Purchasing Agent.

(ii) The developer will sign an agreement to purchase gas taps for a minimum of fifty percent (50%) of the total lot count. The

developer will only open the ditch for natural gas pipeline and road crossing casings. The City of Lebanon Gas Department shall furnish and install the pipeline and provide fill material and valves required for the closure of the natural gas pipeline ditch.

(iii) If the developer does not agree to purchase gas taps for fifty percent (50%) of the total lot count, the developer shall open and close the ditch for natural gas pipeline and road crossing casings. The City of Lebanon Gas Department shall furnish and install the pipeline and provide fill material and valves required for the closure of the natural gas pipeline ditch.

(c) The developer shall be responsible for any backfill material required for the road crossing casings. (1968 code, § 13-302, as replaced by Ord. #95-1384, § 6, Nov. 1995, and Ord. #08-3340, May 2008)

**19-203. Deposit required.** (1) Before natural gas will be supplied by the gas department to a commercial or industrial consumer, the consumer shall, in addition to conforming to all the other rules and regulations pertaining to consumers of natural gas from the gas department, be required to deposit a security deposit, or guarantee, in the sum of twenty-five dollars (25.00).

Governmental institutions and recognized religious organizations are exempt from the above deposit requirements.

(2) Before natural gas will be supplied by the gas department to a residential consumer, the consumer shall, in addition to conforming to all the other rules and regulations pertaining to consumers of natural gas from the gas department, deposit a security deposit, or guarantee, in the sum of fifteen dollars (\$15.00).

(3) The appropriate deposit or guarantee is required for each separate meter regardless of the number of meters provided for a single customer or single premises, except that in cases where two (2) or more meters are connected in parallel to a single installation, the consumption on the separate meters will be combined for billing purposes and one (1) deposit or guarantee will cover all meters on which consumption is combined. (1968 code, § 13-303, as amended by ord. 70-363, § 1)

**19-204. Application of deposit.** The security deposit or guarantee hereinabove provided for shall be a security or guarantee of the payment of all charges owing or which may become owing to any utility department of the City of Lebanon, Tennessee, by reason of utility service to the customer. After termination of service to a customer, or the discontinuance of service by the gas department in accordance with the rules and regulations established for that department pertaining to discontinuance of service, the deposit or guarantee shall be applied against the unpaid bills, if any, of the customer in the following manner:

(1) Against the unpaid bill or bills, if any, of the consumer which are owing to the gas department.

(2) In the event there is any balance remaining of the deposit or guarantee after payment of any bill or bills owing to the gas department, the balance shall be applied to the payment of any unpaid bill or bills of the customer which are owing to the water department, after application of any and all security deposits or guarantees made by the consumer to the water department.

(3) If any balance of the deposit or guarantee remains after carrying out the provisions of subsections one (1) and two (2) hereof, then the balance shall be applied to the payment of any unpaid bill or bills, if any, of the consumer which are owing to the electric department, after the application of any and all security deposits made by the consumer to the electric department.

(4) Any balance of the security deposit or guarantee, remaining after satisfaction of subsections one (1), two (2), and three (3) hereof shall be refunded to the consumer. (1968 code, § 13-304)

**19-205. Service charges.** There shall be a service charge of five dollars (\$5.00) for the connection of a consumer where the consumer was the last customer to use natural gas at that particular location, unless service has been discontinued for at least eight (8) months prior to the request for service. No charge shall be made for the connection of a new customer or an old customer moving to a new location. (1968 code, § 13-305)

**19-206. Higher deposit required of certain delinquent customers.** If during any six-month period, an account is allowed to become delinquent as many as three (3) times, the customer will be required to make a deposit equal, to the nearest five dollars (\$5.00), to twice his average monthly gas bill. This provision shall apply to all consumers, with customers within the corporate limits becoming eligible for a refund on the same basis as above. (1968 code, § 13-307)

**19-207. Waiver of deposit.** Once a customer has established his eligibility for a deposit refund as stated above, he or she will not in the future be required to make a security deposit for natural gas service except under the provisions of section 13-306, or in the event that service is desired at a location without the corporate limits of Lebanon, Tennessee. (1968 code, § 13-308)

**19-208. Point of delivery.** The point of delivery shall be the point, as designated by the gas department, on the customer's premises where gas is to be delivered to the building or premises. All piping or equipment beyond this point of delivery shall be maintained by the customer. (1968 code, § 13-309)

**19-209. Customer's piping and installation standards.** All piping and installation of appliances must conform to the gas code as adopted in title 12, chapter 5, in this code. (1968 code, § 13-310)

**19-210. Inspections.** Before any gas is introduced to any premises, the gas department shall inspect all installations, piping, and appliances which are to be used in the consumption of natural gas. In the event the piping, appliances, or installations do not meet the requirements of this chapter and other pertinent provisions in this code, no gas shall be supplied to the consumer until the deficient piping, appliances, and installations are made to conform to all applicable rules and regulations of Lebanon, Tennessee. In the event of termination of service for any reason to customer or premises, gas shall not again be supplied to the customer or premises until the gas department has made an inspection to determine whether or not the appliances, piping, and installations conform to the pertinent rules and regulations of Lebanon, Tennessee. The gas department shall also have the right to enter upon and inspect gas appliances, installations, and piping at any time it deems necessary to determine whether or not they meet the requirements of the rules and regulations of Lebanon, Tennessee, at such time. The inspections provided for in this section shall not, however, render the gas department liable or responsible for any loss or damage resulting from defects in installation, piping, or appliances, or resulting from violation of the rules and regulations of Lebanon, Tennessee, or from accidents which may occur upon customer's premises. (1968 code, § 13-311)

**19-211. Customer's responsibility for city's property.** All meters, regulators, service connections, and other equipment furnished by the gas department shall be and remain the property of the gas department. Each customer shall provide a place for and exercise proper care to protect the property of the gas department on its premises. In the event of loss or damage to the gas department property arising from the neglect of a customer to care for it, the cost of necessary repairs or replacement shall be paid by the customer. (1968 code, § 13-312)

**19-212. Right of access.** The gas department's identified employees shall have access to each customer's premises at all reasonable times for the purpose of reading meters and testing, repairing, removing, or exchanging any or all equipment belonging to the gas department. (1968 code, § 13-313)

**19-213. Billing.** Bills will be rendered monthly and shall be paid within ten (10) days from the date of the bill at the office of the gas department. Failure to receive a bill will not release the customer from the obligation to pay for gas and services furnished. Should a bill not be paid within the ten-day period, the gas department will thereafter, upon at least five (5) days' written

notice to the customer, discontinue service. The customer shall be notified of his right to a hearing prior to disconnection if he disputes the reason therefor and requests a hearing by the date specified in the notice. When a hearing is requested, the customer is entitled to testify and present witnesses in his behalf and to be represented by council. When a hearing is requested, the customer's service shall not be terminated until a final decision is made by the hearing officer and the customer is notified of that decision. Bills paid on or before the final date of payment shall be payable at the net rate, but thereafter the gross rates shall apply, as provided in the gas rate schedules. Should the final date for payment of the bill at the net rate fall on a Sunday or holiday, the business day next following the final date will be a day of grace for delivery of payment. Net rate remittances received by mail after the time limit for payment of the net rates will be accepted by the gas department if the incoming envelope bears the United States Post Office date stamp of the final date for payment of the net amount or any date prior thereto. (1968 code, § 13-314, modified)

**19-214. Discontinuance of service.**<sup>1</sup> The gas department will refuse to connect or will disconnect gas service for any violation of this chapter, or for violation of any of the provisions of pertinent rules and regulations established for the guidance and operation of the gas department. The discontinuance of service by the gas department for any cause as stated in this section does not release the customer from his obligation to the gas department for the payment of minimum bills as specified in the application of the customer or the contract with the customer. (1968 code, § 13-315)

**19-215. Termination of contract by customer.** Customers who have fulfilled their contract terms and wish to discontinue service must give at least three (3) days' written notice to that effect, unless their service contract specifies otherwise. Notice to discontinue service prior to expiration of the contract term will not relieve the customer from any minimum or guaranteed payment under any contract or rate. (1968 code, § 13-316)

**19-216. Interruption of service.** The gas department will use reasonable diligence to provide a regular and uninterrupted supply of gas, but in case the supply of gas is interrupted or disturbed for any cause, the gas department shall not be liable for damages resulting therefrom. (1968 code, § 13-317)

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<sup>1</sup>Municipal code reference

Standard termination procedures for utilities: title 19, chapter 3.

Utility termination procedures for customers on life support devices: title 19, chapter 4.

**19-217. Additional load.** The service line, regulator, meter and equipment supplied by the gas department for each customer have definite capacities, and no additional load shall be connected thereto except by consent of the gas department. Failure to give notice of additions or changes in load, and to obtain the gas department's consent for them shall render the customer liable for any damage to any of the gas department's equipment caused by the additional or changed installation. (1968 code, § 13-318)

**19-218. Notice of trouble.** Customers shall notify the gas department immediately should the service be unsatisfactory for any reason, or should there be any defects, trouble, or accidents affecting the supply of gas. The notices, if verbal, shall be confirmed in writing at the earliest reasonable time. (1968 code, § 13-319)

**19-219. Meter tests.** The gas department will, at its own expense, make periodical tests and inspections of its meters in order to maintain a high standard of accuracy of the meters. The gas department will make additional tests or inspections of its meters at the request of the customer. If tests made at a customer's request show that the meter is accurate within two percent (2%), either slow or fast, no adjustment will be made in the customer's bill, and the testing charge of one dollar (\$1.00) per meter will be paid by the customer and shall be included in the next bill sent to the customer by the gas department. In case the test shows the meter to be in excess of two percent (2%), either slow or fast, an adjustment shall be made in the customer's bill over a period of not to exceed thirty (30) days prior to the date of the test, and the cost of making the test shall be borne by the gas department. (1968 code, § 13-320)

**19-220. Billing adjusted to standard periods.** The demand charges and blocks in the gas charges set forth in the rate schedules are based on billing periods of approximately one (1) month. In case of the first billing of new accounts, seasonal customers excepted, and final billing of all accounts where the period covered by the billing involves fractions of a month, the demand charges and blocks of gas charge will be adjusted to a basis proportionate with the period of time during which service is extended. (1968 code, § 13-321)

**19-221. Rate schedules for gas service.** All gas service shall be furnished under such rate schedules as the city adopts from time to time by appropriate ordinance or resolution.<sup>1</sup>

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<sup>1</sup>Administrative ordinances and resolutions are of record in the office of the commissioner of finance and revenue.

**19-222. Applicability of chapter.** These rules and regulations shall apply to all customers receiving gas service from the Lebanon Gas Department, whether the service is based upon contract, agreement, signed application, or otherwise. A copy of the provisions in this chapter shall be kept available for public inspection at the office of the Lebanon Gas Department. (1968 code, § 13-323)

**19-223. Tampering with gas meters, etc.** It shall be unlawful for any person to tamper with, or interfere with, the operation of any gas meter through which gas is supplied by the City of Lebanon, Tennessee, or in any way to tamper with or interfere with any of the gas facilities of the city or to make improper connections thereto so as to evade, or attempt to evade, the payment of lawful service and connection charges to the city.

Any person tampering with or interfering with the gas facilities of the city shall be presumed to have done so with the intent to evade or attempt to evade the payment of lawful service and connection charges to the city. (1968 code, § 13-324)

## CHAPTER 3

STANDARD TERMINATION PROCEDURES FOR UTILITIES<sup>1</sup>

## SECTION

- 19-301. Billing.
- 19-302. Delinquent bills and termination of service.
- 19-303. Termination hearing.
- 19-304. Termination of services.
- 19-305. Post-termination hearing.
- 19-306. Restriction on termination.

**19-301. Billing.** Bills will be rendered monthly and shall be paid at city hall or other locations designated by the city. Failure to receive a bill will not release the customer from payment obligation or from payment terms. Bills will be placed in the mail 15 days before the due date. The gross amount shall apply after the due date as shown on the bill. If the due date of the bill falls on a weekend or a holiday or day that city hall is closed, the due date shall be extended to the next day on which city hall is open. Payments postmarked by the due date shall receive the discount. (Ord. #91-869, § 1, July 1991)

**19-302. Delinquent bills and termination of service.** If a utility bill remains unpaid after the due date, a notice shall be mailed to the customer giving five (5) days' notice that service will be terminated if the bill remains unpaid. (Ord. #91-869, § 1, July 1991)

**19-303. Termination hearing.** If within said five day period, the customer notifies the city of a dispute in the bill or other reason why service should not be terminated and requests a hearing prior to termination of service, said service shall not be terminated until completion of the hearing process. Said hearing shall be scheduled by the hearing officer within 48 hours, Saturdays, Sundays and holidays excluded, and shall be held at city hall between the hours of 8:00 a.m. and 4:00 p.m. Monday thru Friday. The hearing officer shall be the supervisor of customer service or his/her designee. A customer requesting a hearing has a right to examine the city's records pertaining to his or her utility accounts and has the right to be represented by counsel or other person to speak on his or her behalf and to testify and present witnesses. The hearing officer will hear the evidence and render a written decision in the presence of the customer. If the customer desires, he may

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<sup>1</sup>Municipal code reference

Discontinuance of service by electric department: section 19-110.

Discontinuance of service by gas department: section 19-214.

immediately demand an appeal hearing which shall be held within 48 hours, Saturdays, Sundays and holidays excluded. Said appeal shall be heard by the commissioner of finance and revenue or his duly appointed designee in his absence who shall rehear the evidence and render a final decision. Following said final decision, the customer shall have 24 hours to comply with said decision of the appeals hearing officer or suffer termination of utilities. (Ord. #91-869, § 1, July 1991)

**19-304. Termination of services.** The City of Lebanon will not discontinue service to a user for nonpayment of services until:

(1) A "Notice of Intention to Discontinue Service" has been mailed to the user stating that service shall be discontinued unless payment is made within five (5) days.

(2) On the day of termination, a reasonable good faith effort has been made to notify the user of the intention to disconnect the service. This effort shall be made by the supervisor of the meter readers or his/her designee. Knocking on the door or ringing the doorbell shall constitute a reasonable good faith effort.

After such notification procedures have been taken and the user does not make payment of his/her arrearage the service will be discontinued.

If the customer does make payment at this time, a \$10.00 service charge will be added.

After termination of services for delinquent bills, there shall be a reconnection fee of \$20.00 if said reconnection is made during the normal working hours of 8:00 a.m. to 4:30 p.m, Monday thru Friday. Outside said normal working hours the reconnection fee shall be \$30.00. (Ord. #91-869, § 1, July 1991)

**19-305. Post-termination hearing.** Post-termination hearings shall be handled in the same manner as pre-termination hearings set out above except service need not be restored until conclusion of the hearings and satisfactory financial arrangements have been made. (Ord. #91-869, § 1, July 1991)

**19-306. Restriction on termination.** If it becomes necessary to terminate utility services under these regulations, such services shall not be terminated if the ambient temperature is below 32 degrees F.

Termination shall be postponed until the next appropriate time when such weather conditions do not exist. (Ord. #91-869, § 1, July 1991)

## CHAPTER 4

TERMINATION PROCEDURES FOR CUSTOMERS ON  
LIFE SUPPORT DEVICES

## SECTION

19-401. Special meter provided by city.

**19-401. Special meter provided by city.** A customer who requires electricity to drive a life support device will not be disconnected for nonpayment. If full and timely payments cannot be made by the customer, the city will provide a special meter that will supply enough electricity for the device (Service Limiter Adapter - 10 amps).

To qualify for this program, the customer must comply with the following:

(1) Provide a doctor's statement that indicates the need for a life support device.

(2) Provide a written statement that shows the amount of electricity needed to drive the device.

(3) Sign a statement acknowledging that the special meter will only supply enough electricity to support the device.

(4) If the device is changed and the new device requires a different amount of electricity, it is the responsibility of the customer to notify the city in writing. (Ord. #91-870, § 1, July 1991)