

## CHAPTER 115

# BURIAL OF ELECTRICAL DISTRIBUTION LINES

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**115.01 SHORT TITLE.** This chapter shall be known as the “Okoboji Electrical Utility Service Line Burying Ordinance” and may be so cited.

**115.02 PURPOSE.** The purpose of this chapter is to promote the public safety, health, and welfare of the City, and to facilitate the provision of electrical utility services within the City, and to provide a safe and soundly engineered system of electrical utility services for use by the public. As such, it is the purpose of this chapter to regulate and require within the City that all electrical service lines for consumption and use by the public be placed underground. In consideration of its citizens, the City wishes to make certain that no individual property owner would be made to bury an electrical service line at a distance substantially greater than the present overhead service line distance (measured from the existing electric utility point of contact to the existing point of delivery on the property owner's premises) due to significant changes in the utility distribution system design. The property owner will be responsible for the cost of the service line (calculated in running footage) from the new electric utility underground equipment point of contact to the location of the new underground meter socket. The design standard for the installation of the new underground service line will be a direct route from the new underground equipment point of contact to the property owner's present point of delivery. Any deviation in new underground service line length from the design standard will be at the property owner's expense. It is also the intent of this chapter that the electrical utility service provider shall provide property owners with bids for the cost of burying service lines, the same to include open trenching, backhoeing, directional boring, plowing, etc.

**115.03 SCOPE.** The provisions of this chapter apply to all property owners and residents within the City as defined in Section 115.04 of this chapter, except the same shall not apply to certain “designated areas” to be mutually agreed upon by the City and the electrical utility service provider in those instances where it does not make economic or engineering sense to bury utility lines; provided, however, said “designated areas” shall not include residential areas.

**115.04 DEFINITIONS.** For the purpose of this chapter, the following terms, phrases, words, and their derivations shall have the meanings given herein.

1. “Commercial building” means a building used or rented for profit or compensation, except residential uses or purposes.
2. “Distribution lines” means, for the electric utility provider, the electric utility provider-owned single- or multi-phase electric power lines operating at nominal voltage in either of the following ranges: 2,000-26,000 volts between underground conductors, or 1,155-15,000 volts between grounded and ungrounded conductors, regardless of the functional service provided by the line.

3. "Meter" means, for the electric utility provider, unless otherwise qualified, an electric utility provider-owned device that measures and registers the integral of an electrical quantity with respect to time.
4. "Outdoor underground meter socket" means, for the electric utility provider, electric utility provider-owned meter receptacle and represents the point of delivery on or near the property owner's premises.
5. "Private property" means property which is not owned by the public or which is not public right-of-way.
6. "Property owner" means the owner/owners of record of real property.
7. "Residence" means the building containing one or more dwelling units which are designed or used exclusively for residential purposes, but not including a tent.
8. "Secondary line" means, for the electric service provider, any electric utility provider-owned single- or multi-phase electric power line operating at nominal voltage less than either 480 volts between ungrounded conductors, or 277 volts between grounded and ungrounded conductors, regardless of the functional electric service provided by the line.
9. "Service entrance" means, for the electric utility provider, that portion of the property owner's electric wiring from the point of delivery on the property owner's premises to the first point of breaking circuit on the load side of the meter setting; this includes the conduit and conduit fittings. The neutral conductor must be identified per the *National Electric Code*.
10. "Service lines" means the actual lines providing each individual residence or business. For the electric utility service provider, "service lines" means the electric utility provider-owned wires or cables extending from the underground equipment points of contact to the point of delivery on the property owner's premises. The electric service utility determines the point of connection.
11. "Underground equipment points of contact" means electric utility provider-owned equipment consisting of a secondary pedestal, transformer, or switch cabinet.
12. "Utilities" means the electric utility provider within the City.

**115.05 MODIFICATION.** A property owner shall bury underground (or cause to be buried) within sixty (60) days of notification by certified mail, return receipt requested, from the City, directing said owner to bury or cause to be buried, specific electrical utility service lines to the residence, commercial building, or other structure being served by the utility. Each notification will be accompanied by a copy directed to the electrical service utility provider. All work must receive utility approval as to standards and routing prior to installation, and utilities shall be permitted to bill for a reasonable inspection fee. The expense of burying up to the public right-of-way or to the underground equipment points of contact shall be the responsibility of the electrical utility service provider. Notwithstanding the foregoing, in no event shall the electric utility provider bear responsibility or liability for the expenses or liability associated with burial from the underground equipment point of contact to the point of delivery on the property owner's premises.

**115.06 SPECIFICATIONS.** Underground lateral service extensions shall be installed by the property owner in accordance with the standards established by the electrical utility service provider. Connection of the service to the distribution system shall be made by authorized utility personnel.

**115.07 SERVICE CONNECTION TO DISTRIBUTION SYSTEM.** All service connections and installations must meet the standards and rules applicable to State and national codes. The electric utility provider will design and engineer the location of the underground equipment points of contact in relation to the electric utility provider's distribution system. For residential applications, the electric utility provider will own, operate, and maintain all facilities from the electric utility provider's distribution system to the point of delivery on the property owner's premises. All utility easements requested by the utility to provide service to the designated junction point shall be granted to the utility by the property owner without cost.

**115.08 PAYMENT OF COSTS; CHOICE OF CONTRACTOR.** The electric utility provider will install the distribution lines, secondary lines, and underground equipment points of contact equipment. The property owner has the option to have the electric utility provider install the service line as well. If the property owner chooses to have the electric utility provider install the service line, all costs shall be provided by the property owner, upon submittal of an itemized billing from the electric utility provider to the City, and thereafter remitted by the City to the electric utility provider. The property owner has the option of selecting a private contractor to install the service line. In the event the property owner chooses this option, a \$100.00 inspection fee may be charged to the property owner to insure that the installation meets all State and national electrical code requirements. The inspection fee shall be paid by the property owner upon submittal of an itemized billing from the utility provider to the City and thereafter remitted by the City to the electric utility provider. In those instances where the service line is 35 feet or less, the City's contractor will simply bury the service line and bill the City directly for burying the service line. The City shall then bill the property owner.

**115.09 PROPERTY OWNER'S RESPONSIBILITIES.** In addition to any applicable underground electric service line costs, the property owner is responsible for all costs, including (but not limited to) those related to underground conversions such as yard restoration, retaining wall restoration, siding or roof repair expense, service line conduit and fittings and electrical service entrance upgrade. It is the property owner's option to upgrade to a larger amperage electric service panel at the property owner's expense. Replacement underground electric service line conductor wire gauge size will match the property owner's present system. The property owner is also responsible for furnishing an electric ground rod and ground wire and installing to applicable Code requirements. The electric utility provider will furnish the outdoor underground meter socket at no charge; however, it is the property owner's responsibility for the installation. The location of the outdoor underground meter socket is to be approved by a representative of the electric utility provider. The connection by the electric utility provider will be made only after the property owner's equipment meets applicable Code requirements and inspection by a local designated authority, if required. The property owner is responsible for supplying all locations of personal underground utilities (e.g., sprinkler systems), and any damage incurred to these systems would not be the liability of the utility. For commercial applications, the property owner will be required to supply the secondary conductor and conductor fittings to the transformer and a concrete electric transformer pad constructed to electric utility provider specifications.

**115.10 PENALTY FOR FAILURE TO COMPLY.** A failure by property owners to comply with the provisions of this chapter, after notification by the City Administrator, shall constitute a municipal infraction, for which provision is made at Section 364.22, *Code of Iowa*. The City Administrator is authorized to enforce this chapter and may issue a civil citation and, may, on behalf of the City, seek alternative relief to include correction

or abatement of the violation of this chapter and assessment of the cost of said abatement or correction against the property where the violation occurred, all as set forth at Section 364.22(8) and (9) of the *Code of Iowa*.