

CITY OF MARSHALL

ORDINANCE NO. 20 12-O-33

AN ORDINANCE AMENDING MARSHALL CODE OF ORDINANCE BY CREATING NEW
CHAPTER 1 UTILITIES, SECTION 1, ARTICLE 1 IN GENERAL SECTION 86-59, NET
METERING POLICY

ADOPTED BY THE
CITY COUNCIL
OF THE
CITY OF MARSHALL

Published in pamphlet form by authority of the City of Marshall, Clark County, Illinois, this 10
day of December, 20 12.

ORDINANCE NO. 2012-O-33

AN ORDINANCE AMENDING MARSHALL CODE OF ORDINANCE BY CREATING NEW
CHAPTER 1 UTILITIES, SECTION 1, ARTICLE 1 IN GENERAL SECTION 86-59, NET
METERING POLICY

BE IT ORDAINED by the City Council of the City of Marshall, Illinois:

Section 1. That section 86-59 of the Code of Ordinances, City of Marshall, Illinois is hereby amended to read as follows, with strikeouts indicating deletions in text and underscores indicating additions to text:

Section 86-59. Net Metering Policy

The City shall make available upon request net metering service to any customer taking service from the City and who meets the requirements set forth in this policy

(1) Definitions:

- (a) Net metering is a service to an electric customer under which electric energy generated by that electric customer from an eligible on-site, generating facility owned by the customer and under some circumstances delivered to the local distribution facilities may be used to offset electric energy provided by the electric utility to the electric customer as provided for in this policy.
- (b) Onsite-generating facility is a renewable generating facility such as a photovoltaic facility and wind turbines. Other forms of renewable generation shall be considered on a case by case basis. In all cases facilities interconnected must be deemed to be renewable to qualify for this policy.

(2) Conditions of service:

(a) The electric generating facility must also abide by the following conditions:

1. System parts that are directly related to interconnection include: DC to AC power inverter or grid tie inverter, disconnect switches, distribution panel, and meter (and possibly an additional production-side meter).

2. It is prohibited to run any generating device that will put electricity back onto the city grid when the city grid is shut off.

(b) Subject to the limitations set forth herein, the City's electric utility shall make net metering service available upon request to any City electric utility customer with a qualifying generating facility of 10 kW capacity or less.

(c) Any onsite generating facility greater than 10 kW but less than 600 KW shall be considered on a case by case basis. The decision with respect of such facilities shall be made by the Superintendent of Public Works.

(d) Total net metered capacity interconnected under this policy shall not exceed 2% of the system peak as it existed in the prior calendar year. In the event that the system peak is reduced such that the existing net capacity exceeds the 2% level those existing net metered customers shall be allowed to continue under this policy. However, no new interconnections will be allowed until such time as the system peak grows such that net metered capacity is again no greater than 2% of the system's peak.

(e) Energy generated by the customer-owned onsite generating facility will offset the energy required by the customer's load during the billing period. For any energy generated by the customer in excess of the energy required by the customer's loads for a given billing period a credit shall be carried forward to the customer's next billing period. In no case shall credits for excess energy be carried forward for a period greater than three billing periods. In the event of termination of an account qualifying for net metering under this policy any outstanding credits are surrendered. Under no circumstances will there be payments or credit transfers for excess energy.

(f) In as much as the onsite generating facility that is net metered by the City under this policy generates renewable energy credits (RECs) under state or federal law the City shall retain the value of such credits

(9) Any costs the City incurs associated with the net metering program including but not limited to changes in metering other physical facilities or billing-related costs, shall be borne by the participants in the net metering program provided however that such costs shall be capped at \$1,000 to each qualifying customer interconnecting facilities of 10kW or less. For those facilities greater than 10 kW that are deemed to qualify under this policy all costs associated with the program shall be borne by the participant.

(10) The City shall develop such documents as needed to implement this policy.

Section 2. If any provision of this Ordinance, or application thereof, is held invalid by any Court, other provisions or applications of this Ordinance which can be given effect without the invalid provision or application shall not be affected, and to this end the provisions of this Ordinance are declared to be severable.

Section 3. That this Ordinance shall be published in pamphlet form and shall take effect ten (10) days after its passage, approval and publication in pamphlet form as provided by

law.

	<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>
Beverly K. Church	✓		✓
Terry Clatfelter	✓		
John D. Ferris	✓		
Warren J. Le Fever	✓		
James McKittrick	✓		
Cheryl A. Raisner	✓		
Tim J. Sanders	✓		
James White	✓		

PASSED this 10 day of December, 2012.

APPROVED this 10 day of December, 2012.

Kenneth R. Smith
MAYOR

ATTESTED, filed in my office,
and published in pamphlet form
this 10 day of December, 2012.

[Signature]
CITY CLERK

(SEAL)