

**Town of Lyons, Colorado
Board of Trustees
BOT Agenda Cover Sheet
Agenda Item No: IX. 2.
Meeting Date: 20 Mar 2023**

TO: Mayor Rogin and Members of the Board of Trustees
FROM: Aaron Caplan, Engineering, Building & Utilities Director
DATE: 6 March 2023
ITEM: Ordinance 1143 1st Reading

ORDINANCE
 MOTION / RESOLUTION
 INFORMATION

- I. REQUEST OR ISSUE:** Allow all customer-owned generation (COG) of electricity to have a maximum capacity of 25 kilowatts.
- II. RECOMMENDED ACTION / NEXT STEPS:** Adopt the Ordinance as presented on first reading, schedule a public hearing and second reading.
- III. FISCAL IMPACTS:** None.
- IV. BACKGROUND INFORMATION:** The Town originally adopted a policy that limited residential customer-owned generation systems to a maximum capacity of ten (10) kilowatts, and non-residential customer-owned generation system to a maximum capacity of twenty-five (25) kilowatts.

Neither staff nor the Utility and Engineering Board are aware of the exact reasons of the ten (10) kilowatt limit. The 25 kilowatt limit is in place because our electric provider, the Municipal Energy Agency of Nebraska (MEAN), requires systems of more than 25 kilowatts to have additional metering added to their system. The municipal code does allow for applicants to request for the allowance of 25 kilowatt systems. That is reviewed on a case-by-case basis so staff can advise applicants of the additional requirements in these cases.

Staff and the Utility and Engineering Board believe that the recent changes in the Town's electric reimbursement rate to customers who generate electricity eliminate any concerns of increasing the maximum capacity for residential customers to the same 25 kilowatt allowance that non-residential customers have.

- V. LEGAL ISSUES:** None known.
- VI. CONFLICTS OR ENVIRONMENTAL ISSUES:** None

VII. SUMMARY AND ALTERNATIVES:

- a. Approve Ordinance 1143
- b. Request changes to the Ordinance and have it brought back for another 1st Reading
- c. Set a future date for further review of the ordinance
- d. Decline Ordinance 1143

PROPOSED MOTION:

“I move to approve Ordinance 1143 on 1st Reading and move to a public hearing.”