

Town of Lyons, Colorado
Board of Trustees
BOT Agenda Cover Sheet
Agenda Item No: VIII. 1.
Meeting Date: 3 Apr 2023

TO: Mayor Rogin and Members of the Board of Trustees
FROM: Aaron Caplan, Engineering, Building & Utilities Director
DATE: 28 March 2023
ITEM: Ordinance 1143 2nd 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 instead of the current 10 kilowatts.
- II. **RECOMMENDED ACTION / NEXT STEPS:** Host the public hearing and consider the adoption of the Ordinance as presented on the 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 systems to a maximum capacity of twenty-five (25) kilowatts.

Neither staff nor the Utility and Engineering Board is aware of the exact reasons for 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 applicants to request 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 about 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 2nd Reading.”