

**TOWN OF LYONS, COLORADO
ORDINANCE NO. 1013**

**AN ORDINANCE AMENDING SECTIONS 13-2-80 AND 13-2-90
OF THE LYONS MUNICIPAL CODE TO REQUIRE
INSTALLATION OF ADDITIONAL METER SOCKETS FOR
CUSTOMER-OWNED RENEWABLE ENERGY GENERATION
SYSTEMS**

WHEREAS, pursuant to C.R.S. § 31-15-707, the Town of Lyons ("Town") possesses the authority to acquire, provide, and regulate public utilities; and

WHEREAS, in recognition of the growing trend toward customer-generation of electricity and out of a desire to encourage these energy conservation efforts by offering credits against future electric service charges to qualified customers, the Lyons Board of Trustees adopted Sections 13-2-80 and 13-2-90 of the Lyons Municipal Code, which established a customer-owned residential rate and a customer-owned non-residential rate, along with eligibility criteria and other related provisions; and

WHEREAS, the Town is a party to an agreement with the Municipal Energy Agency of Nebraska ("MEAN") for the purchase of electric power; and

WHEREAS, MEAN has established a Renewable Distributed Generation Policy ("RDG Policy"), through which the Town may permit an end-use customer to use the alternative current ("AC") electrical output of a renewable energy generation resource to supply all or a portion of such customer's own load, or through which the Town may purchase electrical output from a renewable energy generation resource owned by an end-use customer, consistent with applicable laws and interconnection standards; and

WHEREAS, Section XVI.2.06 of the RDG Policy requires that the Town install revenue-quality AC interval recording metering equipment at the point of service delivery to each end-use customer with renewable energy generation resources, which equipment must be capable of recording certain readings; and

WHEREAS, the Utility and Engineering Board ("UEB") has reviewed and discussed this policy with MEAN, and has determined that requiring customer-owned residential and non-residential electrical generation systems to include an additional meter socket to allow for the installation of a second electric meter socket will assist the Town in complying with the RDG Policy; and

WHEREAS; the UEB recommends that the Lyons Board of Trustees amend Section 13-2-80 and 13-2-90 of the Lyons Municipal Code to include a requirement for such additional meter socket to facilitate compliance with the RDG Policy; and

WHEREAS, the Board of Trustees finds that it is in the best interests of the Town to amend Section 13-2-80 and 13-2-90 of the Lyons Municipal Code to include a requirement for

such additional meter socket to facilitate compliance with the RDG Policy.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, COLORADO as follows:

Section 1. Recitals Incorporated. The recitals set forth above are hereby incorporated by reference and are adopted as findings and determinations of the Board of Trustees.

Section 2. New Sub-section 13-2-80(f). Section 13-2-80 of the Lyons Municipal Code, *Customer-owned residential generation of electricity*, is hereby amended to include and insert a new sub-section (f), to read in full as follows:

(f) Customer-owned residential renewable energy generation systems shall be designed, constructed, and installed to include an additional meter socket, acceptable to the Electric Department, to house and facilitate the installation of revenue-quality AC interval recording metering equipment.

Section 3. New Sub-section 13-2-90(f). Section 13-2-90 of the Lyons Municipal Code, *Customer-owned non-residential generation of electricity*, is hereby amended to include and insert a new sub-section (f), to read in full as follows:

(f) Customer-owned non-residential renewable energy generation systems shall be designed, constructed, and installed to include an additional meter socket, acceptable to the Electric Department, to house and facilitate the installation of revenue-quality AC interval recording metering equipment.

Section 4. Severability. Should any one or more sections or provisions of this ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this ordinance, the intention being that the various sections and provisions are severable.

Section 5. Codification Amendments. The codifier of the Town's Municipal Code, Municipal Code Corporation, is hereby authorized to make such numerical and formatting changes as may be necessary to incorporate the provisions of Sections 2 and 3 of this ordinance within the Lyons Municipal Code.

Section 6. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this ordinance.

Section 7. Effective Date. Except as otherwise expressly provided herein, the provisions of this ordinance shall become effective thirty (30) days after publication following final passage in accordance with Section 2-2-160 of the Lyons Municipal Code.

INTRODUCED AND PASSED ON FIRST READING THIS 20th DAY OF MARCH, 2017.

**INTRODUCED, PASSED, ADOPTED AND ORDERED PUBLISHED THIS 3rd DAY OF APRIL,
2017.**

TOWN OF LYONS, COLORADO

Connie Sullivan, Mayor

ATTEST:

Debra K. Anthony, Town Clerk

APPROVED AS TO FORM:

Town Attorney