

# ORDINANCE No. 24-10

## ROLL CALL

VOTING	YES	NO
G. WAYNE ANDERSEN <i>Mayor (votes only in case of tie)</i>		
ROD DART <i>Council member</i>	X	
RICHARD M. DAVIS <i>Council member</i>	X	
STEVE LEIFSON <i>Council member</i>	X	
JENS P. NIELSON <i>Council member</i>	X	
KEIR A. SCUBES <i>Council member</i>	X	

I MOVE this ordinance be adopted: Councilman Dart

I SECOND the foregoing motion: Councilman Leifson

## ORDINANCE No. 24-10

### AN ORDINANCE RELATING TO THE MAINTENANCE OF POWER LINES

WHEREAS, Spanish Fork City owns and operates its own electric distribution system; and

WHEREAS, the City is obligated to maintain its electrical system in a manner that promotes a high standard of safe and reliable service; and

WHEREAS, proper maintenance includes trimming of trees and other vegetation; and

WHEREAS, failure to properly trim trees and vegetation can lead to power outages, such as that which occurred in the Northeast US and Southeast Canada in 2003; and

WHEREAS, federal standards established a goal that no power outage should be caused by failure to trim trees and vegetation; and

WHEREAS, the safety of persons and property, as well as the economic activity of the City depend on safe and reliable electric power;

NOW THEREFORE, be it ordained and enacted by the Spanish Fork City Council as follows:

I.

Spanish Fork City Municipal Code §13-44-040(B) and (C) are hereby enacted as follows:

**13-44-040. Utility Rules and Regulations**

- A. [no change]
- B. Spanish Fork City will maintain its electrical lines in accordance with accepted utility practices in order to minimize power outages, protect persons and property from dangerous conditions, and provide a safe working environment for its employees.
- C. Spanish Fork City has the right to go upon private property where it has easements, either formal or prescriptive, in order to trim trees and other vegetation to keep them from interfering with the electrical lines. Tree and vegetation trimming does not have the purpose of being aesthetically pleasing, but will be for the purpose of maintaining safe and reliable power lines. The scope of any trimming will be at the sole discretion of the Spanish Fork City Energy Department, Electric Division and will be based upon line voltage, transformers and other equipment, and the type of trees or vegetation involved and their propensity for rapid growth. If a tree should need to be removed, the City will still advise and work with the property owner, but removal will ultimately be the responsibility of the owner, unless the tree or vegetation is in the public right-of-way. In such an event the City will decide and may proceed to remove a tree or vegetation. The City may top a tree if a property owner fails to timely remove it. The City will not

trim around lines feeding a residence from a transformer. The property owner shall be responsible for that trimming. Failure to trim will subject the property owner to damages if the growth causes an outage and the property owner shall not be eligible to receive any reimbursement from the City, or its sub-contractors or suppliers for damage to the owner's property due to their failure to trim trees or other vegetation.

II.

This Ordinance shall become effective 20 days after passage and publication.

DATED this 7th day of December, 2010.

  
G. WAYNE ANDERSEN Mayor

Attest:

  
KENT R. CLARK, City Recorder

