

ORDINANCE NO. _____

ROLL CALL

VOTING	YES	NO
JONATHAN F. COPE Mayor (votes only in case of tie)		
LYNN DURRANT City Councilwoman		
TERRY A. FICKLIN City Councilman		
TODD R. GORDON City Councilman		
SIDNEY M. JORGENSEN City Councilman		
STERLING M. REES City Councilman		

I MOVE this ordinance be adopted: _____
City Councilmember

I SECOND the foregoing motion: _____
City Councilmember

ORDINANCE _____

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

WHEREAS, Salem 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 Salem City Council as follows:

I.

Salem City Municipal Code §11-1-075 “Maintenance” is hereby enacted as follows:

11-1-075. Maintenance

- A. Salem 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.
- B. Salem 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 Salem City Electric Department 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 posting.

DATED this _____ day of September, 2010.

JONATHAN F. COPE, Mayor

Attest:

JEFFERY D. NIELSON, City Recorder

AFFIDAVIT OF POSTING

JEFFREY D. NIELSON, being first duly sworn, deposes and says that he is the duly appointed and qualified recorder of the City of Salem, a Municipal Corporation of the State of Utah, and that on the ____ day of _____, 2010 he posted a true and correct copy of Ordinance No. _____ as enacted by Salem City Council on the ____ day of _____, 2010 said posting being made at the City Offices, at the United States Post Office, and at _____ all being public places and located within the City

Limits of Salem, Utah County, Utah.

DATED this ____ day of _____, 2010

JEFFREY D. NIELSON, City Recorder

STATE OF UTAH)
 : ss
COUNTY OF UTAH)

The foregoing instrument was acknowledged before me this ____ day of _____, 2010, by
Jeffrey D. Nielson.

NOTARY PUBLIC