

PRELIMINARY DRAFT

CHAPTER 9

ELECTRICITY

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ARTICLE I. ELECTRICAL DEPARTMENT

SECTION 9.101. CITY ELECTRICIAN; APPOINTMENT; TERM. The Electrical Department shall be under the charge of the City Electrician who shall be appointed by the City Manager in the month of May for the term of one year from June 1. (G.O. 1943, c. 10, sec. 1)

SECTION 9.102. ASSISTANT CITY ELECTRICIAN; APPOINTMENT; DUTIES. (a) There shall be an Assistant City Electrician who shall, in accordance with the provisions of the Civil Service Law, be appointed by the City Electrician from one of the members of the Department.

(b) The Assistant City Electrician, in addition to any other duties or authority prescribed for him, shall be in charge of the Electrical Department, whenever the City Electrician may be absent or unable to perform his duties. (G.O. 1943, c. 10, sec. 1)

SECTION 9.103. GENERAL SUPERVISION OF WIRES. The City Electrician shall have supervision of every wire over, upon, through or under all streets and

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over buildings throughout the City; every wire within a building when such wire is designed to carry an electric light or power current; all wires for the transmission of electricity for the purpose of heating or power; all poles, conduits and other structures holding, supporting or containing such wires in streets and public places. He shall inspect the condition of all poles, wires, conduits and cables, their attachments, insulations, supports and appliances. (G.O. 1943, c. 10, sec. 2)

SECTION 9.104. DUTIES OF CITY ELECTRICIAN. (a) The City Electrician shall comply with all the duties applicable in General Laws, c. 166, sec. 30 to 36. He shall see that all laws, orders, ordinances, and regulations relative to wires, conduits, and poles are strictly enforced.

(b) He shall have supervision over the installation of privately owned fire alarm systems that are to be connected with the City fire alarm system.

(c) He shall have supervision of the fire alarm telegraph, the police signal system, and all other electrical wires and wire systems of the City. He shall keep the same at all times in good working order and shall erect, or cause to be erected, all electrical wires and appliances used in connection with said systems and all electrical wires or lines owned by the City. (G.O. 1943, c. 10, sec. 7)

(d) He shall have supervision of the putting up of all posts, lamps and fixtures located by the City Council and shall contract for all lights under his control. (G.O. 1943, c. 10, sec. 8)

(e) He shall see that all meters for gas or electricity furnished to the City are in proper condition, and as often as may be necessary shall test the power of all lights furnished to the City, and shall see to it that in all particulars, the provisions of any contracts made are strictly performed. (G.O. 1943, c. 10, sec. 9)

SECTION 9.105. SHUTTING OFF CURRENT; REMOVAL OF WIRES. In case of fire, or whenever the maintenance of any wire may be dangerous to life or property, the City Electrician shall have authority to direct any person owning, leasing, operating or maintaining such wire, to shut off the electric current therefrom for such period of time as he may deem necessary, or to cause said wire to be cut or removed without notice, and such wire shall not be connected again or replaced without his approval. (G.O. 1943, c. 10, sec. 5)

SECTION 9.106. WIRING; INSTALLATION; REGULATIONS. Installation of all wire, appliances, or apparatus for the transmission or use of electricity for light, heat, or power in buildings shall be subject to the rules for inspections and permits as set forth in G.L., c. 143, sec. 3.

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SECTION 9.107. PLANS TO BE SUBMITTED TO CITY ELECTRICIAN. Whenever the City Electrician shall request, any person operating electric or other wires, poles, ducts, conduits or manholes upon, over, through or under any public way or over any building, shall, within fifteen days, furnish a plan, showing the number and location of its poles, the cross-arms on each, the number of wires or cables thereto attached, or contained therein, the particular locations of all its ducts, conduits, and manholes, and the usage to which the respective ducts in said conduits are, and hereafter may be put, with specification of the average volts, charges and current used, the tested strength, the kind and number of lamps or motors connected with any electrical circuit, and other electrical appliances, and, in general, the method of installation, operation, maintenance and repair. The plan shall be in form and size agreeable to the City Electrician. (G.O. 1943, c. 10, sec. 13)

SECTION 9.108. WIRES NOT TO BE ATTACHED WITHOUT ORDER. No wire, line or apparatus used for the transmission of electricity for any purpose shall be attached by cross-arms or otherwise to any tree in any public way, except by consent in writing of the Commissioner of Public Works, nor shall any such wire, line or apparatus be attached as aforesaid to any public building, structure, or fixture of any kind, in any public way or grounds, except by order of the City Electrician, in which order such building, structure or fixture shall be duly described; provided, however, that the aforesaid regulation shall not apply to wires, lines or apparatus owned or used by the City. (G.O. 1943, c. 10, sec. 6)

SECTION 9.109. BOOKS OF ACCOUNTS; REPORT TO CITY MANAGER. (a) The City Electrician shall keep an accurate account of the number of men employed, the wages given, the kind, quality and cost of fixtures, and all other expenses incurred in his department.

(b) He shall annually, in January, present to the City Manager a detailed report showing said expenses, and such other material facts as relate to the operation of his department. (G.O. 1943, c. 10, sec. 8)

ARTICLE II. POLE AND CONDUIT COMMISSION

SECTION 9.201. PERMIT REQUIRED FOR ATTACHMENT OF WIRES, ETC. (a) No person shall construct, erect, lay, or maintain in any public way, any pole, duct, conduit, manhole or other structure to support or contain wires or lines for the transmission of intelligence by electricity or for the purpose of light, heat and power by electricity, except by order of the Pole and Conduit Commission previously obtained, in which the exact location of each shall be duly set forth.

(b) Every person owning, operating or leasing any poles, wires, ducts, conduits, manholes, electrical structures or appliances within the public ways of

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the city shall comply with all rules and regulations of said Commission with respect to their installation, removal and repair, and shall, at all reasonable times, give to the City Electrician access to such poles, wires, ducts, conduits, manholes, structures, appliances and apparatus.

(c) No person maintaining or operating a wire or line of wires for the transmission of electricity shall affix to or place upon any pole, structure or fixture owned by it and now erected or that may be erected hereafter, any additional wire, except upon a written permission of the City Electrician. (G.O. 1943, c. 10, secs. 11, 15)

SECTION 9.202. PETITION FOR LOCATION OF POLES; NOTICE; HEARING. All petitions presented to the Pole and Conduit Commission for permission to erect poles, to support wires or lines or to construct conduits for the transmission of electricity for any purpose, shall be accompanied with, or contain a statement of, the exact location of each pole proposed to be erected, or conduit to be constructed, and shall be accompanied with duplicate plans showing said locations, said plans to be in form and size agreeable to the City Electricians. A hearing upon every such petition shall be given to all parties interested. Notice of the filing of every such petition, and of the hearing thereon, shall be given by the petitioner, to the owners or occupants of the land along the public ways upon which location are prayed for, which notice shall state briefly the public ways or the parts thereof to which such petition relates. (G.O. 1943, c. 10, sec. 22)

SECTION 9.203. ACCEPTANCE OF LOCATIONS; CONDITIONS. Whenever permission shall be granted by the Pole and Conduit Commission to erect and maintain poles, or to construct and maintain ducts, conduits, manholes or other fixtures in the public ways to support, hold, or contain lines or wires for the transmission of electricity, the party to whom such permission is granted shall, within thirty days from the date of the order granting such permission, file in the office of the Pole and Conduit Commission a written acceptance without reservation of the location of such poles, ducts, conduits, manholes or other fixtures and of all the conditions, terms and provisions contained in the order and the ordinances of the City and future amendements thereof, and agreeing to carry out, observe, perform and be subject to the same; and in default of such written acceptance and agreement, the permission and grant of location shall be void. Such grant and permission shall likewise be void and deemed revoked unless within six months after the date of the order the poles, ducts, conduits, manholes and other fixtures shall have been erected or constructed and completed; and, unless within six months after such completion, the electric lines shall be constructed and put in operation. Whenever the operation of the electric lines upon or in any location granted shall be discontinued for six months, the grant shall cease and be of no further effect. (G.O. 1943, c. 10, sec. 17)

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SECTION 9.204. REQUIREMENTS. All poles in sidewalks shall be set upon the outer edges thereof, and, wherever there are curbstones, placed within four inches of the inner edge of the curbstone. Poles for telegraphs, telephones, and electric light lines shall be of such quality as the Pole and Conduit Commission in each case, and permits given therefor, shall determine. Before any poles are set or reset, or any permits given therefor, they must be inspected and approved by the Commissioner of Public Works and the City Electrician. The person to whom permits are granted shall keep the poles stained, treated, or painted to the satisfaction of the City Electrician. (G.O. 1943, c. 10, sec. 18)

SECTION 9.205. REVOCATION OF GRANTS. All permission granted by the Pole and Conduit Commission to erect and maintain poles, or to construct ducts, conduits, manholes or other fixtures for electrical lines, in the public ways, may at any time be revoked by the Commission, either in whole or in part, and the Commission may order the removal of such poles, ducts, conduits, manholes, fixtures, wires and lines as it may deem necessary. Whenever any poles, ducts, conduits, manholes, fixtures, lines and wires are ordered to be removed, altered, or changed such action shall be done by and at the expense of the owner, in conformity with the order, within thirty days after notice, and, if not so done, the Commission may cause the removal, alteration or change to be done and the expense thereof to be repaid to the City by the owner. (G.O. 1943, c. 10, sec. 19)

SECTION 9.206. USE OF POLES AND CONDUITS BY OTHERS. (a) All locations granted shall be subject to the condition that any person to whom locations shall be granted, shall give any other person permission to use its poles, ducts, conduits, manholes or other electrical appliances or apparatus in such manner and at such time as ordered so to do by the Pole and Conduit Commission on payment of a reasonable rental.

(b) No person shall attach any wire or line for the transmission of electricity for any purpose, except the lines and wires owned or used by the City, to any pole, conduit, etc. already erected for the use of another person, except by consent of the owner and the order of the Pole and Conduit Commission previously obtained, in which order such pole shall be duly described. (G.O. 1943, c. 10, secs. 20, 30, as amended)

SECTION 9.207. USE OF POLES AND CONDUITS FOR CITY. (a) To all poles erected and maintained by any person under the provision of this Chapter, the City may at any time attach wires for its own use.

(b) In all underground conduits and manholes sufficient and necessary space shall be reserved, free of expense, for wires belonging to or to be used by the City, and said conduits shall at all times be accessible to the City for the purpose of putting in, taking out and repairing its wires. (G.O. 1943, c. 10, secs. 21, 28)

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SECTION 9.208. STREETS, NOT TO BE TORN UP WITHOUT PERMIT; RESTORATION. No public way or bridge shall be torn up or disturbed for the purpose of laying, repairing, changing or removing lines, wires, ducts, conduits, or manholes, or erecting, altering or removing poles or other fixtures used for carrying electric lines or wires, without a permit from the Department of Public Works and the Pole and Conduit Commission subject to the approval of the Electrical Department. No formal permit shall be necessary for the temporary removal of covers to manholes for the purpose of removing or repairing lines, wires and cables. Whenever a manhole is opened, the person by whose authority the same is done shall place a suitable guard rail around the opening, with a signal flag, at least one foot square, displayed therefrom. (G.O. 1943, c. 10, secs. 25, 27)

SECTION 9.209. REMOVAL OF WIRES AND CONDUITS AT OWNERS EXPENSE. Whenever the City shall construct, enlarge, relocate, repair, or alter the streets, sewers, water pipes or other public works, in streets, ways and bridges where conduits and wires are laid, which in the opinion of the Pole and Conduit Commission may require the removing or changing the location of said conduits and the fixtures appertaining thereto, or the repairing thereof, the removing, changing and repair shall be done without delay at the expense of the person owning or operating the same. (G.O. 1943, c. 10, sec. 26)

SECTION 9.210. BONDS REQUIRED. (a) Every person constructing, maintaining or operating a telegraphic, telephonic, or other electrical line in the City shall execute a bond with satisfactory surety, in a penal sum of not less than Ten Thousand Dollars, and of form satisfactory to the City Solicitor, conditioned to indemnify and save harmless the City against all damage, costs, expenses and losses whatsoever, to which it may be subjected in consequence of the acts and neglects of such person, and any and all persons acting by, through, or under such person, and in any manner arising from, or growing out of the use and transmission of electricity, the privileges permitted by the City, and the construction, maintenance, operation, and use of lines, wires, cables, conduits, poles, structures, constructions, fixtures and apparatus; and also, to fulfill all their agreements with the City, all the orders, conditions and obligations imposed by the Pole and Conduit Commission or any other board having authority, and all obligations and duties required by law, and by this Chapter and every other ordinance, and all additions and amendments relating thereto.

A new bond of like import, and with new surety, may at any time be required by the City, which new bond shall be a strengthening bond, unless the surety on former bonds is expressly released from further liability by vote of the Pole and Conduit Commission. (G.O. 1943, c. 10, sec. 29)

