

REVISED 8/16/17

**AGENDA
REGULAR MEETING OF THE MAYOR AND COUNCIL
August 22, 2017
SEAFORD CITY HALL - 414 HIGH STREET**

- 7:00 P.M.** - Mayor David Genshaw calls the Regular Meeting to Order.
- Invocation
 - Pledge of Allegiance to the Flag of the United States of America.
 - Changes to agenda for this meeting.
 - Approval of minutes of the regular meeting on August 8, 2017.

CORRESPONDENCE:

1. Thank you letter from Seaford High School Principal Terry Carson.

NEW BUSINESS:

1. Present for the first reading an Ordinance of the City of Seaford to create a rental to home ownership incentive in Chapter 16 Exemption from Taxation, Article 4 Rental to Home Ownership Incentive.
2. Resolution to approve staffs submission of a 50% matching planning grant request to the Delaware Drinking Water State Revolving Fund Program for plans and specification for the extension of water mains north on Sussex Highway; US Route 13.
3. Resolution to approve staffs submission of a 50% matching planning grant request to the Delaware Department of Natural Resources and Environmental Control, Financial Assistance Branch for plans and specification for the extension of sewer mains north on Sussex Highway; US Route 13.
4. Resolution authorizing continued participation in the Downtown Delaware Commercial District Affiliate Program.
5. Trisha Newcomer, ED/IT Manager to request approval and funding authorization to participate in the Downtown Roadmap Project provided thru Downtown Delaware.

AGENDA

REGULAR MEETING OF THE MAYOR AND COUNCIL

August 22, 2017

OLD BUSINESS:

1. Present for the second reading an Ordinance of the City of Seaford to create a Rental License in Chapter 5 - Businesses; Article 4.
2. Present for a second reading of an Ordinance to amend Chapter 6, of the Municipal Code of Seaford, Delaware relating to "Electricity" by adding text to Article "Meter Installation, Power Factor, and Demand Determination". Establishes a provision for a manual read electric meter.
3. Bill Bennett; Director of Electric to provide an update on the progress of the Pine Street Substation Construction.

REMINDER OF MEETINGS & SETTING NEW MEETINGS:

1. Trinity Logistics Event; August 24, 2017 at 5:30 p.m...
2. September 4, 2017 City Offices will be closed - Happy Labor Day!
3. September 4, 2017 City Parks and Recreation bus trip to Camden Yards - Orioles vs. Yankees; \$70/person - departure 9:00 a.m.. For more Information contact the Recreation Department 629-6809.
4. SCAT, Bridgeville Fire Hall, Bridgeville, @ 6 p.m. social, 6:30 p.m. dinner.
5. City Hall will be open from 8:00 a.m. to 5:00 p.m. starting September 5, 2017.

COMMITTEE REPORTS:

1. **Police & Fire - Councilwoman Leanne Phillips-Lowe**
2. **Administration - Councilman Orlando Holland**
3. **Code, Parks and Recreation - Councilwoman Grace Peterson**
4. **Public Works & WWTF - Councilman William Mulvaney**
5. **Electric - Councilman Dan Henderson**

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AGENDA

REGULAR MEETING OF THE MAYOR AND COUNCIL

August 22, 2017

Mayor Genshaw solicits a motion to adjourn the regular council meeting.

NOTE: Agenda shall be subject to change to include or delete Additional items (including executive session) which arise at the time of the meeting. (29 Del. C. S1004 (e) (3))

Posted

TNT - Website - 8/16/17 @ 11:45 a.m.



"Success for All Students"

Seaford High School

Seaford, Delaware

399 NORTH MARKET STREET
SEAFORD, DELAWARE 19973
Phone (302) 629-4587 Fax (302) 628-4411

MRS. TERESA CARSON, PRINCIPAL
DR. KELLY CANNON, ASSOCIATE PRINCIPAL
MR. CLARENCE GILES, ASSOCIATE PRINCIPAL

August 7, 2017

C-1
8/22/17

Dear Ms. Newcomer:

I would like to take this opportunity to thank you for being a sponsor on the cover of the 2017 Seaford High School Bluejay folders and book covers. Community support of our schools is vital to our success. I sincerely appreciate your willingness to be a sponsor of our school and a partner in in our mission to be Successful, Honorable and Self-Motivated.

With Sincere Thanks,

Terry Carson
Proud Principal
Seaford High School

Thanks for
supporting
our students.

www.seafordbluejays.org

The Seaford Schol District is an Equal Oportunity Employer and does not discriminate or deny services on the basis of race, color, national origin, sex, disability, or age in its programs and activities.

NB # 1
3-22-17

ORDINANCE #20??-0?

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF SEAFORD, an ordinance to amend Chapter 16, of the Municipal Code of Seaford, Delaware relating to "Exemptions from Taxation", in the manner following, to wit:

Chapter 16 of the Municipal Code of Seaford, Delaware is hereby amended by adding a new Article 4 - RENTAL to HOME OWNERSHIP INCENTIVE and renumbering the existing Article 4 to Article 5 SUBDIVISION EXEMPTION to read as shown on the following pages.

	First Reading Date
	Second Reading Date & Adoption
	Advertisement Date
	Effective Date of Ordinance

CITY OF SEAFORD

By: _____
Mayor

Witness: _____

Attest: _____
City Manager

CHAPTER 16 – EXEMPTIONS FROM TAXATION

ARTICLE 4 – RENTAL to HOME OWNERSHIP INCENTIVE

[Amended on ??/??/20?? by Ordinance #20??-??]

§16.4.1 Purpose.

In an effort to aid in home ownership within the City of Seaford and the conversion of residential rental properties to owner occupied housing, an incentive, as described below, may be provided to qualifying properties.

§16.4.2 Qualifying Properties.

A qualifying property is one that:

- A. Involves an existing building used as a single family residence within the Seaford City limits;
- B. The residence was used exclusively as a rental property for a minimum of five years immediately prior to conversion to an owner occupied property;
- C. The new owner must occupy the property within one year of the date of purchase;
- D. Has been recommended by the Economic Development Committee and approved by the Seaford City Council;
- E. Organizations with non-profit status do not qualify for the provisions of this ordinance;
- F. The property owner must be in good standing with all City accounts at a zero balance within terms in order to receive any incentive.

§16.4.3 Amount of Incentive.

- G. For the Buyer: The City will abate the City property tax charge for a qualifying property for five years after occupancy by the property owner. The City will graduate the City property tax charge for a five year period i.e. (year 1= No Property Tax Charge; Year 2 = 20% of the tax assessment) until year six; when the property will be charged the full property tax assessment in effect at such time. The tax incentive is non-transferable.
- H. For the Seller: The City will provide an incentive equal to five times the full property tax assessment in effect at the time of transfer to a qualifying property owner. The City will disburse the Seller incentive once the qualifying buyer occupies the property.

§16.4.4 Requirements.

- I. In order to be considered for incentive benefits, the owner(s) of the property must:

1. Submit an Incentive Application;
-
- J. An agreement outlining the terms and uses of the incentive must be formed between the property owner(s), the seller and the City of Seaford before funds are distributed to the seller or property taxes are reduced for the buyer.

§16.4.4 through §16.4.99 RESERVED

ARTICLE 5 – SUBDIVISION EXEMPTION

[Amended on 05/22/2012 by Ordinance #2012-01]

§16.5.1 Applicability.

This article shall apply to any subdivided lands of greater than five (5) acres located within the corporate limits of the City of Seaford which shall receive approval by the City subsequent to the date of enactment of this article provided they are actively farmed or leased to a non-profit recreational program.

§16.5.2 Application for exemption.

- A. Following final approval of a subdivision by the City of Seaford for parcels greater than five acres that are used for farming or non-profit recreational purposes, a subdivision owner may make application to the City Manager of the City of Seaford for a subdivision assessment exemption with respect to municipal taxation.
- B. A subdivision owner may designate which lots within a subdivision are not to be offered for sale.
- C. The owner must submit the leases for farming, non-profit recreation, or sign an affidavit when owner is farming the lands upon application and annually thereafter.
- D. The first five acres of a parcel are taxed in accordance with the zoning designation and the other land remains exempt until such time as the designation changes.

§16.5.3 Individual lot assessment.

- A. Notwithstanding the provision of §16.4.2 herein, individual lots within a subdivision will be assessed on an individual lot basis under any of the following circumstances:
 1. A permit is issued by the City for road or utility construction with respect to those lots.
 2. The City approved phasing plan shall be followed and all lots in a phase shall be subject to taxation upon permit issuance for that phase.
 3. Those lots are offered for sale or have been sold on an individual lot basis.

§16.5.3 Termination of individual lot assessment.

If owner fails to retain his subdivision approval then the City of Seaford shall delete the subdivision from its records and notify Sussex County to also delete the recorded subdivision from their property records.

§16.5.4 Special fee.

A property in excess of five acres with the farming or non-profit recreational exemption which has been subdivided and recorded will be subject to the one-time re-assessment fee in the year it occurs or the annual maintenance of assessment fee for each subdivided parcel.

§16.5.5 through §16.5.99 RESERVED

END OF CHAPTER

NR #2
8.22.17

RESOLUTION AUTHORIZING THE PREPARATION AND SUBMISSION OF AN APPLICATION TO THE DELAWARE DRINKING WATER STATE REVOLVING FUND PROGRAM, FOR PARTICIPATION IN THE MATCHING PLANNING GRANT IN ORDER TO RECEIVE UP TO \$36,600.00 (\$18,300 LOCAL FUNDS AND \$18,300 GRANT FUNDS), 50% MATCH REQUIRED, TO DEVELOP A SET OF PLANS AND SPECIFICATION SUITABLE FOR COMPETATIVE BIDDING TO EXTEND A SIXTEEN (16) INCH WATER MAIN NORTH ON ROUTE 13 APPROXIMATELY FIVE THOUSAND SIX HUNDRED (5,600) LINEAR FEET TO SERVE EXISTING ANNEXED PROPERTY, AS WELL AS, EXISTING COMMERCIAL ESTABLISHMENTS ALONG THE SUSSEX HIGHWAY CORRIDOR WITHIN THE CITY OF SEAFORD.

WHEREAS, the City of Seaford (hereinafter "City") recently received notice from the Delaware Division of Public Health, Drinking Water State Revolving Fund (hereinafter "DWSRF"), that it is accepting applications from county and municipal governments for participation in DRWSRF's Drinking Water Matching Planning Grant (hereinafter "Grant"); and

WHEREAS, the Grant provides participants an opportunity to receive funding to develop a plan set and specification to extend 5,600 linear feet of 16" water main north on Route 13 to serve existing annexed property, as well as, existing commercial establishments along the highway corridor; and

WHEREAS, the funding and financial incentives available to participants through the Grant include: up to \$36,600 (\$18,300 local funds and \$18,300 grant funds) with a 50% match required grant to develop and implement planning level studies; and

WHEREAS, the Mayor and City Council of Seaford believe that it is in the best interest of the City to submit an application for participation in the Grant so that the City might receive the funding and financial incentives described above, specifically up to \$36,600 (\$18,300 local funds and \$18,300 grant funds), 50% match required, to develop a plan set and specifications to extend 5,600 linear feet of 16" water main north on Route 13 to serve existing annexed property, as well as, existing commercial establishments along the highway corridor.

NOW THEREFORE, BE IT HEREBY RESOLVED AND DETERMINED by the Mayor and City Council of the City of Seaford, in session met, a quorum pertaining at all times thereto, that the preparation and submission of an application for participation in DWSRF's Drinking Water Matching Planning Grant to receive up to \$36,600 (\$18,300 local funds and \$18,300 grant funds), 50% match required, in order to develop a plan set and specifications to extend 5,600 linear feet of 16" water main north on Route 13 to serve existing annexed property, as well as, existing commercial establishments along the Sussex Highway corridor as hereby authorized.

BE IT FUTHER RESOLVED, that the City (upon Grant award) intends to retain the professional engineering and consulting services of George, Miles & Buhr, to assist with the preparation of the necessary plans and specifications for the project described herein. This action was taken in order to develop a plan set and specification to extend 5,600 linear feet of 16" water main north on Route 13 to serve existing annexed property, as well as, existing

commercial establishments along the Sussex Highway corridor which shall be submitted at the earliest possible time.

BE IT FUTHER RESOLVED, that the Mayor, David C. Genshaw, is hereby authorized and directed, on behalf of the Mayor and City Council of the City of Seaford, to execute and deliver such documents, affidavits, agreements, certificates and instruments, including but not limited to this Resolution, as he shall deem necessary or appropriate to complete the application process herein described.

I, David C. Genshaw, Mayor of the City of Seaford, do hereby certify that the foregoing is a true and correct copy of a Resolution passed by the Mayor and City Council at its Regular Meeting held on August 22nd, 2017, at which a quorum was present and voting throughout and that the same is still in full force and effect.

Dated: _____

David C. Genshaw, Mayor

Attest: _____
Dolores J. Slatcher, City Manager

NB #3
8.22.17

RESOLUTION AUTHORIZING THE PREPARATION AND SUBMISSION OF AN APPLICATION TO THE DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, FINANCIAL ASSISTANCE BRANCH, FOR PARTICIPATION IN THE WASTEWATER MATCHING PLANNING GRANT IN ORDER TO RECEIVE UP TO \$46,200.00 (\$23,100 IN LOCAL FUNDS AND \$23,100 IN GRANT FUNDS), 50% MATCH REQUIRED, TO DEVELOP A SET OF PLANS AND SPECIFICATIONS SUITABLE FOR COMPETITIVE BIDDING TO EXTEND A TWELVE (12) INCH GRAVITY SEWER MAIN NORTH ON ROUTE 13 (SUSSEX HIGHWAY) APPROXIMATELY FOUR THOUSAND, FIVE HUNDRED, AND FIFTY (4,550) LINEAR FEET TO SERVE EXISTING ANNEXED PROPERTY WITHIN THE CITY OF SEAFORD.

WHEREAS, the City of Seaford (hereinafter "City") recently received notice from the Delaware Department of Natural Resources and Environmental Control, Financial Assistance Branch (hereinafter "DNREC FAB") that it is accepting applications from county and municipal governments for participation in DNREC FAB's Wastewater Matching Planning Grant (hereinafter "Grant"); and

WHEREAS, the Grant provides participants an opportunity to receive funding to develop a plan set and specifications to extend 4,550 linear feet of 12" gravity sewer main north on Route 13 (Sussex Highway) to serve existing annexed property; and

WHEREAS, the funding and financial incentives available to participants through the Grant include: up to \$46,200.00 (\$23,100 in local funds and \$23,100 in grant funds) with a 50% match required grant to develop and implement planning level studies, and

WHEREAS, applications for participation in the Grant may be submitted at any time during the year, and applicants will be recommended for funding by the Delaware Water Infrastructure Advisory Council on a first-come, first-serve basis, based upon receipt of an approved application meeting all requirements; and

WHEREAS, the Mayor and City Council of Seaford believe that it is in the best interest of the City to submit an application for participation in the Grant so that the City might receive the funding and financial incentives described above, specifically up to \$46,200.00 (\$23,100 in local funds and \$23,100 in grant funds), 50% match required, to develop a plan set and specifications to extend 4,550 linear feet of 12" gravity sewer main north on Route 13 (Sussex Highway) to serve existing annexed property.

NOW THEREFORE, BE IT HEREBY RESOLVED AND DETERMINED by the Mayor and City Council of the City of Seaford, in session met, a quorum pertaining at all times thereto, that the preparation and submission of an application for participation in DNREC FAB's Wastewater Matching Planning Grant to receive up to \$46,200.00 (\$23,100 in local funds and \$23,100 in grant funds), 50% match required, in order to develop a plan set and specifications to extend 4,550 linear feet of 12" gravity sewer main north on Route 13 (Sussex Highway) to serve existing annexed property, is hereby authorized.

BE IT FUTHER RESOLVED, that the City (upon grant award) intend to retain the professional engineering and consulting services of George, Miles & Buhr, to assist with the preparation of the necessary plans and specifications for the project described herein. This action was taken in order to develop a plan set and specifications to extend 4,550 linear feet of 12” gravity sewer main north on Route 13 (Sussex Highway) to serve existing annexed property.

BE IT FUTHER RESOLVED, that the Mayor, David C. Genshaw, is hereby authorized and directed, on behalf of the Mayor and City Council of the City of Seaford, to execute and deliver such documents, affidavits, agreements, certificates and instruments, including but not limited to this Resolution, as he shall deem necessary or appropriate to complete the application process herein described.

I, David C. Genshaw, Mayor of the City of Seaford, do hereby certify that the foregoing is a true and correct copy of a Resolution passed by the Mayor and City Council at its Regular Meeting held on August 22nd, 2017, at which a quorum was present and voting throughout and that the same is still in full force and effect.

Dated: _____

David C. Genshaw, Mayor

Attest: _____
Dolores J. Slatcher, City Manager

NB# 2
7.11.17
OB# 1
8.22.17

ORDINANCE #2017-01

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF SEAFORD, an ordinance to amend Chapter 5, of the Municipal Code of Seaford, Delaware relating to "Businesses", in the manner following, to wit:

Chapter 5 of the Municipal Code of Seaford, Delaware is hereby amended by adding ARTICLE 4 "RENTAL LICENSE" to read as shown on the following pages.

7/11/17	First Reading Date
	Second Reading Date & Adoption
	Advertisement Date
	Effective Date of Ordinance

The City of Seaford

Dolores J. Slatcher
City Manager

CHAPTER 5 – BUSINESSES**ARTICLE 4 – RENTAL LICENSE**

[Amended on ??/??/2017 by Ordinance #2017-01]

§ 5.4.1 Definitions.

For the purposes of this article, the following definitions shall apply:

Dwelling Unit - Consists of one (1) or more rooms for living purposes containing separate cooking and sanitary facilities and is accessible from the outdoors either directly or through an entrance hall shared with other dwelling units and is used or intended to be used by one (1) or more persons living together and maintaining a common household, but with no more than three (3) unrelated persons within the unit.

Person(s) - Individuals, partnerships, firms, companies, associations and corporations.

Rental unit - A dwelling unit, as defined in this code, which is rented or leased to a person or persons, who is not the owner of the dwelling unit.

§ 5.4.2 Annual license required; applicability.

No person(s) shall engage in the business of providing dwelling units for rent &/or lease within the City limits without first having paid the prescribed fee and having obtained from the City of Seaford an annual license for each rental dwelling unit.. This ordinance shall apply to all dwelling units within the City of Seaford, Delaware.

§ 5.4.3 Application procedure.

- A. New applications for a license required by §5.4.2 hereof, shall be made on the prescribed form to the City of Seaford, and no license shall be granted until the license fee shall have been paid in full.
- B. Each such license and such application shall specify to whom it shall be issued and give the following information:
 1. The home and business address, email address, and telephone numbers of the applicant including cell phone if one is owned.
 2. If the applicant is a partnership, the names and addresses, email addresses and telephone numbers including cell phone of the individuals composing the partnership.
 3. If the applicant is a corporation, the names and addresses, email addresses, and telephone numbers including cell phone of the principal officers of the corporation.
 4. A full description of the person(s) to whom the unit is leased or rented.
 5. The specific location of the rental unit.
 6. The number of rental units &/or number of rental rooms during the license year.
- C. Each license applicant and each licensee shall certify in writing, on a form prepared by the City, as follows:

1. The information on the application is true and correct and that a false answer can subject the application to denial of a license or revocation of a license;
 2. The applicant has consistently complied with all provisions of this chapter and all other laws and ordinances of the City of Seaford and other jurisdictions relating to the enterprise for which the license is required, including applicable zoning and building codes, and shall continue to do so throughout the term of the license;
 3. Yearly renewal applications for a license required by § 5.4.2 shall validate the renewal information on the form generated by the City of Seaford and make any changes and/or corrections as needed. No license shall be granted until the license fee shall have been paid in full and the renewal form signed.
- D. Address corrections and/or changes to existing licenses may be made on the yearly renewal form or a change of address form to the City of Seaford. It is the responsibility of the license holder to notify the City of Seaford in writing of any changes. It is further the responsibility of the license holder to notify the City of Seaford in writing if it is no longer valid.

§ 5.4.4 Investigation of applicants.

- A. The City Manager or designee may, when cause appears, investigate and review all applications for licenses within the limits of the City of Seaford, to determine:
1. If the activity for which a license has been requested is prohibited by any ordinance of the City or law of the State of Delaware;
 2. Whether or not a functioning smoke-detector device is located within a rental unit;
 3. Whether or not the number of persons in a leased dwelling unit or building is in compliance with the Housing Code and other codes;
 4. If the license holder or applicant otherwise lacks qualifications to hold a license, pursuant to the terms of this chapter, the City Manager or designee shall not issue any license;
 5. The City Manager or designee may revoke or suspend a license, in part or in its entirety, if it is found that the license holder or applicant does not comply with the requirements of this chapter.

§ 5.4.5 Appeals from decisions of the City Manager.

- A. Any person aggrieved by the decision of the City Manager may, within five business days, make an appeal to the City Council by giving written notice of his or her election to do so to the office of the City Manager and upon payment of a fee as published in the *“City of Seaford Schedule of Fees and Rates”*.
- B. The City Manager shall notify the Mayor, who shall schedule the appeal hearing at a regular City Council meeting after giving notice of the hearing in a newspaper of local circulation at least 10 days prior to said hearing.

§ 5.4.6 License fees.

- A. License fees, as established by City Council, shall be paid to the City of Seaford for the renting/leasing of dwelling units.
- B. License fees shall not be prorated.
- C. All license fees shall be due and payable to the City of Seaford no later than the first business day of January of each year, and all licenses shall expire on the 31st day of December following.

§ 5.4.7 License restriction; revocation.

- A. It shall be a condition to the issuance of any and all licenses under this chapter that the units licensed shall be used and operated only for lawful purposes.
- B. The right of the City Council or its other representative in its discretion to refuse to grant any license and to revoke any license previously granted, for failure to comply with the requirements of this chapter, is hereby specifically reserved.

§ 5.4.8 Governmental organizations.

No license fee shall be charged for a license issued to any Federal, State, County or City of Seaford building or unit.

§ 5.4.9 Violations and penalties.

- A. Any person violating any part of this chapter shall, on conviction, be punished for each offense by a fine of not less than \$75 nor more than \$500, plus court costs and Victims Compensation Fund assessment, and each separate day in which any of the provisions of this chapter are violated shall constitute a separate and distinct offense.
- B. In addition to the penalties prescribed in Subsection A of this section, the City Council may direct the City Solicitor to proceed at law or in equity against the person responsible for the violation for the purpose of ordering that person to restrain from any act in violation of these licensing provisions.

§ 5.4.10 License Transferability.

- A. Upon transfer of property ownership the licenses holder shall immediately notify the City of Seaford.
- B. The new property owner shall provide all necessary and required information to the City Manager or designee within 30 days of transfer.
- C. No prorated fee shall be charged for the remainder of the year.

§ 5.4.11 through § 5.4.99 RESERVED

Agenda
N.B. 4
8-8-17
OB 2
8-22-17

ORDINANCE #2017-02

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF SEAFORD, an ordinance to amend Chapter 6, of the Municipal Code of Seaford, Delaware relating to "Electricity", in the manner following, to wit:

Chapter 6 of the Municipal Code of Seaford, Delaware is hereby amended by modifying and adding text to Article "Meter Installation, Power Factor, and Demand Determination" Sections § 6.9.8 (A) thru Sections § 6.9.8 (D) to read as shown on the following page.

08/8/2017	First Reading Date
	Second Reading Date & Adoption
	Advertisement Date
	Effective Date of Ordinance

CITY OF SEAFORD

By: _____
Mayor

Witness: _____

Attest: _____
City Manager

ARTICLE 9 – Meter Installation, Power Factor, and Demand Determination

[Amended on ??/??/20?? by Ordinance #2017-02]

§ 6.9.8 Automatic Meter Reading Device.

- A. For each electric service, the City of Seaford shall own and maintain one meter or a unified set of meters and metering equipment that have provisions for automated meter reading.
- B. An electrical service customer may make an application for a waiver from automated reading and have the meter read manually. Upon approval by the City Manager, the City Electric Department shall furnish, own and maintain an electric meter capable of being read manually.
- C. Customers choosing to have their meter read manually shall pay a one-time manual meter setup fee and a recurring monthly manual meter reading fee. Such fees to be established by the City Council and published in the Schedule of Fees and Rates.
- D. It is the responsibility of the customer to provide, at the customer's expense, suitable space for the installation and use of the City's metering and transforming equipment. The customer shall permit no person other than a properly identified City employee or agent to remove, inspect or alter such equipment. In the event that any City equipment is damaged, destroyed, altered or otherwise prevented from properly registering the energy supplied to the customer due to the act, failure to act or negligence of the customer or by any unauthorized person, the costs of all necessary repairs, replacement of equipment, together with the reasonable costs of investigation to determine the amount of energy not registered, and an estimate of the energy not registered shall be paid by the customer.