

Sponsor: J. Peters/Colby

ORDINANCE NO. 38- 21 (Final)

AN ORDINANCE REPEALING AND AMENDING THE CITY OF JACKSON'S CODIFIED ORDINANCE SECTION 921.11 FOR PRIVATE AREA LIGHTING.

WHEREAS, the legislative authority of the City of Jackson has published certain general and permanent ordinances in a volume of Codified Ordinances including section 921.11 for private area lighting; and

WHEREAS, the legislative authority of the City of Jackson has determined it necessary to revise section 921.11 as to private area lighting; and

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF THE CITY OF JACKSON, OHIO THAT SECTION 921.11 OF THE CODIFIED ORDINANCES OF THE CITY OF JACKSON BE REPEALED AND AMENDED AS TO THE PRIVATE AREA LIGHTING, AS SET FORTH BELOW WITH THOSE STRUCK THROUGH PORTIONS BEING REMOVED AND REPLACED WITH THE UNDERLINED LANGUAGE SHOWING THE AMENDMENTS TO THE ORIGINAL LANGUAGE AND THAT IT BE REPLACED WITHIN THE JACKSON CITY CODE, IN REGULAR TEXT.

921.11 PRIVATE AREA LIGHTING.

(a) There is hereby made available to residential ~~and general service~~, commercial and industrial customers inside and outside the City, where overhead secondary facilities are readily available, an area lighting of private areas by means of a ~~mercury vapor~~ lamp installed in a standard luminaire, controlled by a ~~photo-electric relay~~ photo-cell mounted with a standard bracket on a ~~wood~~ existing pole and served by overhead facilities.

(b) The rates for lamps shall be as follows: following rates shall apply to City customers in and outside of the City and shall be charged monthly:

Residential: \$15.00 per lamp

Commercial: \$20.00 per lamp

Industrial: \$25.00 per lamp

INSIDE THE CITY	
Nominal Lamp Wattage	Rate per Lamp per Month
175 watts	\$ 9.68
250 watts	12.41

400 watts	18.44
500 watts	23.05

OUTSIDE THE CITY	
Nominal Lamp Wattage	Rate per Lamp per Month
175 watts	\$ 11.68
250 watts	14.75
400 watts	21.91
500 watts	26.52

(b) Rates may be changed by the Director of Public Service and Safety and published as part of the City of Jackson Utility Charges to be available in the City of Jackson Utility Office.

(c) The hours of lighting shall be from dusk to dawn which will be approximately ~~4,000~~ 4,380 hours per year.

(d) The City will replace the fixture or bulbs for a fee which shall be equal to the actual cost of the ~~bulb~~ fixture or bulb and labor. All service and maintenance will be performed only during the regular schedule of working hours of the City. The customer shall promptly notify the City of outages.

(e) Bills for the use of the lamp and electrical current furnished for that use shall be rendered from the first to the tenth day inclusive of each calendar month and all current consumed up to the date of the last preceding meter reading and for the usage of the lamp shall be due and payable on or before the fifteenth or twentieth day of the same calendar month to coincide with the customer's utility billing schedule.

(f) The lamps will be available to the property owners only upon application to the Electric Department upon such forms as prescribed by the Service Director. Upon application and approval, the property owners shall be bound under the foregoing provisions for a term of not less than ~~three~~ five years and the application shall set forth that the property owner agrees to be bound for such term. The application shall also include, but not be limited to, the following provisions:

(1) The determination of the method of supply and type of facilities rests solely with the City.

(2) The customer shall provide such cleared rights of way, licenses, ~~and~~ permits and properly executed easements as may be required to enable the City to supply the service applied for.

(3) In the event poles and/or wire is required to be installed to put up the lamps, then the customer shall pay to the City an amount equal to the actual cost of installing the poles and/or wire, which shall include, but not be limited to the pole, labor, supplies, etc. This cost shall be calculated by the City. All fees shall be paid in advance.

(4) Upon early termination of the contract, a fee of one-half of the remaining contract balance shall be assessed to the property owner's final bill.

(4) (5) The City shall have the sole discretion in deciding whether to supply the service and service may be denied by the City for any reason, including but not limited to, if, in the judgment of the City, a danger or nuisance will be created thereby. If service has been supplied, then service will be terminated if there is a danger or nuisance, and the applicant will not be bound in the future.

(5) (6) Rates ~~contained herein~~ are based upon continuous use of the facilities and are not applicable to seasonal usage.

(g) Existing residential customers shall continue to be maintained but are subject to the following:

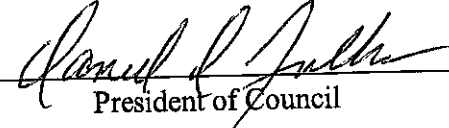
(1) If the service is disconnected or transferred, the city shall physically remove the private area lighting that is billed through the city and the service will no longer be provided. The only exception to this rule is to upgrade the existing service or storm damage.

(2) In the event the light cannot be repaired without replacing the fixture, the light shall be removed and the service no longer provided.

(3) After May 1, 2025 the City will begin removing existing area lights still in service.

It is hereby found and determined that all formal actions of this Council concerning and relating to adoption of this ordinance were adopted in an open meeting of this Council and the deliberations of this Council and any of its committees that resulted in such formal action were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 14th day of June, 2021.


President of Council

ATTEST:


Clerk of the Legislative Authority

Approved this 14th day of June 2021.


Mayor

