

ORDINANCE NO. 15-_____

**ORDINANCE AMENDING SECTIONS 4.710, 4.720 AND 4.725 OF THE CITY
CODE RELATING TO STREET LIGHTING**

WHEREAS, the City desires to amend the Street Lighting Act to update the fee for street lights to increase the amount per month from \$2.00 to \$2.50 and to clarify the charge is on every residential unit; and

WHEREAS, the City desires remove the requirement that the street lighting fees are placed in a separate fund and instead track the funds separately in the City's General Fund; and

WHEREAS, the City desires to remove the language "those revenues derived from the additional electric franchise fee" because the language is confusing and unnecessary; and **NOW THEREFORE**,

THE CITY OF KLAMATH FALLS HEREBY ORDAINS AS FOLLOWS:

Section 1

Sections 4.710, 4.720 and 4.725 of the City Code shall be amended as follows:

4.710 IMPOSITION OF STREET LIGHTING FEE

- (1) Except as the fees may be reduced or eliminated under Subsection 4.725(2), the obligation to pay street lighting fees arises when a person responsible uses street lighting services. It is presumed that street lighting services are used whenever there is an improved occupied premises.
- (2) Unless another person responsible has agreed in writing to pay and a copy of that writing is filed with the City, **the person(s) paying the City's water and/or sewer utility charges shall pay the street lighting fee of \$2.50 per month per residential unit.** A request for water or sewer service will automatically initiate appropriate billing for street lighting services. If there is no water or sewer service to the property or if water and sewer service is discontinued, the street lighting fees shall be paid by the person(s) occupying the property.

4.720 DEDICATION OF FUNDS

All street lighting utility fees shall be placed in a separate account the City's General Fund and tracked separately and shall be used only for the installation, maintenance, administration and operation of street lights and for no other purpose.

4.725 EXEMPTIONS

- (1) There shall be no charge for those neighborhoods which are not lighted by City street lights until such time as street lights are installed.
- (2) Upon application by the customer and verification, the monthly street lighting utility fee shall be reduced to \$1.00 per month for those residential premises at which no occupant owns or operates a motor vehicle.

- (3) Any residential area of the City shall be excluded from the provision of street lights and from the monthly fee under the following conditions:
- (a) The area to be excluded consists of at least 4 City blocks or 5 intersections, and
 - (b) At least 51% of the utility customers in the area sign a petition to be excluded.
- Petitions showing the area to be excluded, locating the lights to be removed and listing the area's utility customers from whom signatures shall be collected shall, on request, be prepared by the City Attorney's office.

Section 2

This Ordinance shall become effective August 1, 2015.

Passed by the Council of the City of Klamath Falls this ____ day of June, 2015.

Presented to the Mayor, approved and signed this ____ day of June, 2015.

Mayor

ATTEST:

City Recorder

STATE OF OREGON }
COUNTY OF KLAMATH }ss.
CITY OF KLAMATH FALLS }

I, _____, Recorder for the City of Klamath Falls, Oregon, do hereby verify that the foregoing is a true and correct copy of an Ordinance duly adopted by the Council of the City of Klamath Falls, Oregon at the meeting on the ____ day of June, 2015 and therefore approved and signed by the Mayor and attested by the City Recorder.

City Recorder