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MARILYN R. RASMUSSEN Fee: 0.00
Ex-Officio Recorder Deputy

CITY OF REXBURG
America's Family Community

BILL NO. 1025

COMMUNITY SAFETY LIGHTING

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF VARIOUS LIGHTING ZONES; IMPLEMENTATION OF SAFETY LIGHTING FEE ASSESSMENT; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

COMMUNITY SAFETY LIGHTING ESTABLISHED:

In the interest of maintaining safe streets for pedestrian use, as well as accommodating public utility functions such as garbage collection, snow removal, and other water and wastewater services during the non-daylight hours, the City of Rexburg hereby establishes a street lighting system intended to create safe travel and protection of property within the corporate limits of the City of Rexburg.

Projects, shown on the attached and hereby incorporated Community Safety Lighting Resolution, shall be priority projects for purposes of this Ordinance.

CRITERIA AND STANDARDS:

The following streetlight criteria and standards have been applied and shall hereafter apply to provide uniform lighting within each zone sufficient for public safety and the protection of improved real property:

A. In the arterial illumination zone, lights shall be placed at all intersections and at all highway overpasses; provided, however, that the placement of such lights shall be determined by the city engineer in conformance with the policies and purposes expressed in this chapter.

B. In moderate and high illumination intensity zones lights shall be placed at every intersection where practical. Where blocks are longer than one thousand feet (1,000'), an additional light shall be placed near the middle of the block.

C. In the residential illumination intensity zone, lights shall be placed at intersections where practical. Where blocks exceed six hundred feet (600') in length, lights shall, where practical, be placed so that no property frontage is a distance of more than three hundred feet (300') from the nearest light.

COSTS:

A. The costs of all street lighting within the City of Rexburg shall be financed by charges assessed to the owners and occupants of improved real property. The charges assessed shall be included in the general utility billing as a separate item and as set forth in this Chapter; provided, however, that the costs of installing lighting to illuminate parks and playfields shall be excluded and paid from the City General Fund.

B. Improved real property, within the meaning of this Chapter, shall include real estate which:

1. Has a park or playfield that includes any of the following: bathrooms, permanent backstops, scorer's buildings or the like.

2. Has erected thereon any construction for which a building permit would be required.

C. Exceptions to the category of improved real property shall include:

1. Lots used solely for gardening.

2. Lots containing landscaping with no other improvements (such as traffic islands and medians).

3. Additional meters on improved real property where such meters are set up to measure irrigation water.

D. Street lighting charges provided in this Chapter are assessed to the owners and/or occupants of improved real property.

WHERE MINIMUM LIGHTING STANDARDS NOT MET:

In areas where the lighting does not meet the minimum lighting standards as provided in this Chapter, proper lights shall be installed to meet such standards as soon as practicable.

SERVICE CHARGES ASSESSMENT:

A. The owners and occupants of all improved real property within the City of Rexburg are assessed service charges for street lighting in an amount consistent with the attached and hereby incorporated Resolution of Community Safety Lighting Fee.

B. For the purposes of this Chapter, residential property shall include property having one or two single family occupancy of living accommodations on a permanent or semi-permanent basis, but shall exclude institutional living arrangements involving special types of care or forced residence and also excluding more than two living units, dormitory style accommodations or hotel/motel type living accommodations.

C. Where improved real property with only one water service is used, both as residential property and nonresidential property, the property shall be considered nonresidential improved real property.

D. Such service charges are assessed, effective June 04, 2009. The owners and occupants of improved real property shall be jointly and severally liable for such charges and the charges shall become a lien upon and against the property against which the charge is levied to the extent permitted by the laws of the State of Idaho and the ordinances of the City of Rexburg and may be collected in any manner permitted or hereafter permitted by such laws and ordinances.

E. The foregoing charges are fixed and determined in amounts determined sufficient to pay the costs of street lighting within the City of Rexburg. Such charges shall be changed or amended by the City Council from time to time, as determined necessary to finance such street lighting costs. Any changes or amendments to such service charges may be made and fixed by the City Council by resolution. Three (3) copies of such resolution, duly certified by the City Clerk, shall be kept on file in the office of the City Clerk for the use of and examination by the public.

COMPUTATION OF CHARGES:

Street lighting service charges shall from time to time be amended, in accordance with all applicable rules and regulations, and set forth in the form of a fee resolution established by the

City in their capacity of providing for safe streets within the City of Rexburg.

TERM OF ORDINANCE:

This Ordinance shall terminate Nine (9) years from the date of its passage, without further action, unless the Rexburg City Council acts specifically to extend this Ordinance.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR
THIS 03rd DAY OF JUNE, 2009.

Shawn Larsen
Mayor

ATTEST:

Blair D. Kay
City Clerk

STATE OF IDAHO)
:ss
County of Madison)

I, Blair D. Kay, City Clerk of the City of Rexburg, Idaho, do hereby certify: That the above and foregoing is a full, true and correct copy of the Ordinance entitled:

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF VARIOUS LIGHTING ZONES; IMPLEMENTATION OF SAFETY LIGHTING FEE ASSESSMENT; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

Passed by the City Council and approved by the Mayor this 3rd day of June, 2009.

Blair D. Kay, City Clerk

(SEAL) CITY OF REXBURG CORPORATE SEAL STATE OF IDAHO

CITY OF
REXBURG
America's Family Community

RESOLUTION 2009 - 08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REXBURG, IDAHO, ADOPTING A NEW COMMUNITY SAFETY LIGHTING FEE.

WHEREAS, the City Council desires to maintain the overall quality of life experienced by its constituents; and

WHEREAS, the City Council desires to improve and maintain a safe environment for its constituents; and

WHEREAS, the City Council desires to collect from all its constituents an equitable fee that reflects their appropriate share of operating costs, capital improvements, depreciation and debt service for maintaining and improving lighting safety within the city limits;

NOW THEREFORE, be it resolved by the Mayor and the Council of the City of Rexburg, effective with the June, 2009, utility billing, the Community Safety Lighting Fee to be charged shall be as follows:

Monthly Charge:	
Single Family Dwellings	1.65
Apartments (each dwelling)	1.65
Townhomes (each dwelling)	1.65
Trailers homes(each dwelling)	1.65
Non-Residential Buildings less than 10,000 square feet	3.30
Non-Residential Buildings 10,000 feet or more	6.00

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR THIS 03rd DAY OF JUNE, 2009.

Shawn Larsen
SHAWN LARSEN, MAYOR

ATTEST:

Blair D. Kay
BLAIR KAY, CITY CLERK

Community Safety Lighting Fee

REVENUE PROJECTION Account Types	Units	Fee Schedule #1 Rate	Total Fees
Business - small	373	$ 3.30	$ 1,230.90
Business - Large	50	$ 6.00	$ 300.00
Schools	17	$ 6.00	$ 102.00
BYU-ID	9		self funded
Churches	21	$ 6.00	$ 126.00
Apartment Buildings	4312	$ 1.65	$ 7,114.80
Single Family Residences	2063	$ 1.65	$ 3,403.95
Trailer Court	306	$ 1.65	$ 504.90
Townhomes	421	$ 1.65	$ 694.65
City Accounts	17	$ 6.00	$ 102.00
Total	**7589**		
Rate			
Revenue - Monthly			$ 13,579.20
Revenue - Yearly			$ 162,950.40
Expenses			
Street Light Maintenance - RM Power			$ (45,000.00)
Street Light Maintenance - Savings with City ownership			$ 24,000.00
NET AVAILABLE FOR PROJECTS ANNUALLY			**$ 141,950.40**
PROJECTS IDENTIFIED BY TRAFFIC & SAFETY COMMITTEE			
1 - BYUI Off-Campus Area Additional lights Adjacent to campus -20 lights @ $7,500 each			$ 150,000.00
2 - North 2nd East Main to 7th North -400 ft. spacing -15 fixtures @ $7,500 each			$ 112,500.00
3 - South 2nd West Main to 4th South -200 ft. spacing -30 poles @ $7,500 each			$ 165,000.00
4 - Main Street -2nd East to 2nd West Update lights - 30 poles @ $2,200 each			$ 66,000.00
5 - Upgrade all 70 Watt Fixtures City-wide -247 @ $750 each			$ 185,250.00
6 - Main Street -2nd West to Highway 20 Add lights at 400 ft. spacing per side -27 lights @ $7,500 each			$ 202,500.00
7 - Add Lights City-wide Estimated -100 lights @ $3,500 each			$ 350,000.00
TOTAL IDENTIFIED PROJECTS			**$ 1,231,250.00**
YEARS TO COMPLETE IDENTIFIED PROJECTS			**8.67**