

# DRAFT

## City of Rochester Hills Street Lighting Policy

### Section 1. Title and Purpose

This policy shall be known as the "The City of Rochester Hills Street Lighting Policy", hereinafter referred to as "this policy." The purposes of this policy are to protect the health, safety, and welfare of the residents of The City of Rochester Hills (hereinafter referred to as the "City"); to provide for a rational means of prioritizing and planning for the expenditure of tax dollars for street light improvements; to process requests for street lights in a fair and efficient manner, and to ensure that new street lights installed with local tax dollars will be sited for reasons of public health and safety based on the greatest demonstrated public need.

### Section 2. Overview

As a general policy, the City of Rochester Hills shall manage the illumination of City Public Streets or Roads where it is deemed in the interest of public health, safety, and welfare of the City to located street lights along roads under certain conditions where such lighting achieves public benefit of justifying public expenditure.

Street lighting shall be managed to aid in the safe passage of motor vehicles on public streets or roads and pedestrian traffic at street intersections and other pedestrian infrastructure.

Street lighting shall be managed within the means of the municipality. Therefore, the intent of the policy is to provide a level of street lighting that is both affordable and adequate for vehicular and pedestrian traffic.

Under certain conditions, street lighting can produce economic returns such as, but not limited to, increased nighttime business, reduction in personal injuries, fatalities, and property damage, and other social costs.

### Section 3. Applicability

This policy applies to all requests for placement of streetlights within the City's public right-of-way.

### Section 4. Effective Date

This policy shall become effective when adopted by a majority vote of the members of City Council at any regular City Council meeting.

### Section 5. Amendments

A proposal for an amendment to this policy may be initiated by:

- A. The Advisory Traffic and Safety Board, by a majority vote of the Board;
- B. The City Council, upon consultation with the Advisory Traffic and Safety Board;
- C. An individual, through a request to the Advisory Traffic and Safety Board; or

This policy may be amended only by the procedure required for its original enactment.

#### **Section 6. Availability**

A certified copy of this policy shall be filed with the City Clerk and shall be accessible to any member of the public. Copies shall be made available to the public, at a reasonable cost to the person making the request during normal City Office business hours. Notice of the availability of this policy shall be posted.

#### **Section 7. Severability**

Should any section or part of a section or any provision of this policy be declared by the courts to be unconstitutional or invalid, such declaration shall not affect the validity of the policy as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

#### **Section 8. Conflict with Other Ordinances or Jurisdictions**

Whenever a provision of this policy conflicts with or is inconsistent with another provision of this policy or any other ordinance, regulation, or statute, the more restrictive provision shall apply. Any application approved under this policy does not exempt the street light from other state or local laws, which may be applicable.

#### **Section 9. Administrative Procedure & Authority**

All requests for new streetlights shall be made to authorized individuals. The following criteria must be considered in evaluation of requests for new streetlights.

In order to have proper standing to file an application, the applicant must be a legal resident of and/or own property in the town. The applicant shall include all information as required on forms provided by the City. All requests for a street light(s) shall be reviewed for final approval by the City Council. The decision of the City Council shall be based on the results of a preliminary review by the Engineering Department and a recommendation from the Advisory Traffic and Safety Board. Application forms are available at the City Office. The Engineering Department shall provide assistance to the applicant in filling out the application form.

It shall be the responsibility of the City of Rochester Hills' Department of Public Service and Engineering to respond to requests for new streetlights. The Engineering Department shall authorize individuals to be responsible to accept, process, and respond to such requests.

Further, The City of Rochester Hills' Engineering Department shall establish a formal relationship with Detroit Edison to ensure that streetlight work orders are accepted only through officially authorized persons.

#### **9.A. Advisory Traffic and Safety Board Review**

It shall be the responsibility of the Advisory Traffic and Safety Board to review all applications for a street light(s). The applicant shall submit a written application to the City's Engineering Department for consideration and review by the Advisory Traffic and Safety Board. The Engineering Department shall complete the review of the application for accuracy and completeness prior to being presented to the Advisory Traffic and Safety Board. It, is the responsibility of the applicant to verify and provide proof, if necessary, to the accuracy of all of the submitted information. The final review shall be completed within ninety (90) days after the application is deemed complete by the Advisory Traffic and Safety Board. An application determined to be incomplete shall be returned to the applicant with the deficiencies noted in writing. It is the responsibility of the applicant to obtain another date on the Advisory Traffic and Safety Board agenda for corrected application consideration. When the Advisory Traffic and Safety Board completes its review of the application and makes a recommendation, a copy of the application, along with supporting documentation, shall be forwarded to the City Council. The Engineering Department shall notify the applicant in writing of its findings and the Advisory Traffic and Safety Board's recommendation.

#### **9.B. City Council Review**

It shall be the responsibility of the City Council to review all applications for streetlights. The review will be conducted for all applications presented to the Advisory Traffic and Safety Board over the previous submittal period.

In considering approval of an application, the City Council shall consider the comments of the Advisory Traffic and Safety Board. The materials submitted by the Engineering Department and Advisory Traffic and Safety Board shall be reviewed for accuracy. A priority list shall be compiled based on the necessity of each request as it pertains to the safety and welfare of the City. The number of streetlights to be funded will be determined by the amount of funds appropriated for that purpose at the regular City Council Budget Meeting. Pending applications will be considered in the next funding cycle.

#### **9.C. Other Responsibilities**

After final approval of the list of street light locations, other local officials may proceed with arrangements for ordering the necessary services and materials for completing the work, as soon as the appropriation has been approved at a Regular City Council Meeting. That process will be carried out consistent with local procedure for other local public improvements projects. The decision on the type of streetlight to be sited shall consider cost, energy efficiency, and consistency with the general character of the neighborhood. The final decision on the type of streetlight to be sited is subject to approval of the City Council, with comments by the Engineering Department and Advisory Traffic and Safety Board to be considered.

## **Section 10. Definitions**

Any word not otherwise defined shall have its ordinary meaning.

## **Section 11. Appeals**

Aggrieved parties to the decision by the Advisory Traffic and Safety Board and/or the City Council **cannot** be appealed. Aggrieved parties may take appeals to a court of competent jurisdiction.

## **Section 12. Construction, Operations & Maintenance Funding**

Detroit Edison shall construct, operate and maintain all street lighting installations for the City. Costs associated with the construction, operations and maintenance shall be borne by the City for street lighting that is installed due to traffic warrants being satisfied.

When the requesting party pursues the installation of street lights that are deemed to be aesthetic in nature and do not meet warrants, the costs associated with the construction, operations and maintenance of the street lighting shall be borne entirely by the requestee, i.e. homeowner's association or residents of affected area.

When the costs are to be borne by the requesting party, the costs will be spread evenly to the residents and assessed to their property taxes.

All street lighting expenditures must conform with approved budgets. The City has limited funds available for the placement of street lights, therefore, it is necessary to fund those requests which demonstrate the most urgent need and provide the greatest public benefit.

## **Section 13. Design Standards & Guidelines**

The intent is for the City to utilize standard guidelines for the effective and affordable management of lighting of the public streets and roads in the City of Rochester Hills.

The City will not use "specific illumination warrants" to determine whether lighting is to be provided. An investigation is conducted by the City's Engineering Department utilizing engineering judgement of local conditions, considering such factors as availability of funding, traffic and accident data, roadway characteristics / conditions, etc., in determining when and where lighting is to be provided. The investigation into reviewing street lighting warrants is based on AASHTO's Guide "An Informational Guide for Roadway Lighting." When a lighting system designed and installed by the City is removed due to a road construction project, it usually will be replaced as part of the new construction.