



## **RESOLUTION 2007-058**

### **A RESOLUTION ADOPTING A STREET UTILITY FEE AND ESTABLISHING RATES FOR RESIDENTIAL AND NON-RESIDENTIAL USES**

**WHEREAS**, the City's growth has created demand for services, particularly street maintenance, maintenance engineering, and lighting, greater than can be adequately funded using the City's current financial resources and revenues; and

**WHEREAS**, the City has the authority to create special fees for services that the City provides to its residents; and

**WHEREAS**, the City has reviewed a variety of revenue options and believes, as a result of that review, that a street utility fee collected as a part of water and sewer utility billings is an appropriate mechanism to pay the costs associated with the provision of street lights and road maintenance services in the City; and

**WHEREAS**, the principal purpose of street lighting is to produce quick, accurate and comfortable vision at night; and

**WHEREAS**, the principal purpose of road maintenance is to ensure City roads are in proper operating condition; and

**WHEREAS**, these qualities combine to safeguard, facilitate and encourage vehicular and pedestrian traffic; and

**WHEREAS**, good street lighting and road maintenance provides several economic and social benefits to the public, including:

- (a) Reduction in accidents
- (b) Safer and easier pedestrian traffic.
- (c) Prevention of crime and aiding police protection.
- (d) Facilitation of traffic flow.
- (e) Promotion of business and industry.
- (f) Promotion of community spirit and growth;

### **NOW, THEREFORE, THE CITY RESOLVES AS FOLLOWS:**

**Section 1:** (1) It is the intent of this resolution to provide a utility based funding mechanism to pay for benefits conferred on City residents and businesses by street lights and road maintenance using the authority conferred upon the City by Charter; and further to bring all neighborhoods within the City up to the street lighting level coverage standards required for new development.

(2) The structure of this street utility fee is intended to be a fee for service and not a charge against property. The person responsible for paying the water and sewer utility charges is responsible for paying the street utility fee, which in most cases is the occupant of improved property. Therefore, the fee is not necessarily imposed on the owner of the property and no provision is made herein for making unpaid charges a lien on the owner's property.

(3) The obligation to pay street utility fees arises when a person responsible uses street services. It is presumed that street services are used whenever there is an improved occupied premise.


(4) 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 water and/or sewer utility charges shall pay the street utility fee of \$5 per month for a residence, or \$10 per month for a non-residential land use. 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 utility fees shall be paid by the person(s) occupying the property.

(5) Street utility fees shall be collected on the billing same billing cycle as City water charges. Charges for the street utility fee shall be included on the utility billing sent to City water customers.


(6) All street utility fees shall be placed in the street fund and shall be used only for the installation, maintenance, engineering, administration and operation of street lights and for annual road maintenance activities and for no other purpose.

**Section 2:** This street utility fee shall be effective July 1, 2007 and will be reviewed and approved annually as part of the budget process.

**Duly passed by the City Council this 19<sup>th</sup> day of June, 2007.**

  
Keith S. Mays, Mayor

ATTEST:

  
Sylvia Murphy, City Recorder