

CHAPTER 6. STREET LIGHT DISTRICTS

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Sec. 4-6001. Title.

This chapter shall be known, and referred to, as the "Spalding County Street Light District Regulations."
(Ord. No. 99-03, 3-2-99)

Sec. 4-6002. Definitions.

For the purposes of this section, the following words shall have the designated meanings assigned to them:

- (1) *Application for street light district.* A form approved by and presented to the county for the creation of a street light district which shall contain the following information:
 - a. Plans and specifications indicating the proposed system meets county standards;
 - b. A map designating the geographical area to be served; and
 - c. A list, including addresses, of the property owners to be served.
- (2) *County.* The Spalding County Board of Commissioners and/or its authorized designee for the purpose of administering the intent of this chapter.
- (3) *Existing residential area.* A residential subdivision or geographical area which may be identified by metes and bounds containing one (1) or more residential neighborhoods that has been established for more than one (1) year.
- (4) *Liens.* The method by which the county establishes an interest in and to the real

estate and/or owner thereof for the purposes of collecting funds sufficient to operate the street light districts.

- (5) *New residential development.* A new residential subdivision which has been approved by the board of commissioners of Spalding County, but construction and development have not yet commenced.
- (6) *Public hearing.* A hearing conducted by the board of commissioners of Spalding County to determine whether or not to approve an application to establish a street light district.
- (7) *Rates.* The estimated expense for operation and maintenance of the street lighting system as established by the county. The rate may include the amortized expense in initial construction of the system and/or actual expense for power and maintenance thereof.
- (8) *Standards.* Lighting standards approved by the American Standard Practice for Roadway Lighting as sponsored by the Illuminating Engineering Society and approved by the American Standards Association on July 11, 1973, as may be amended.
- (9) *Street light district.* A geographical area within which street lights are installed for the purpose of public safety.

(Ord. No. 99-03, 3-2-99)

Sec. 4-6003. Procedure.

Individuals owning real property in an existing residential area in unincorporated Spalding County desiring to illuminate the streets and roads in the area in which they live or own property may apply to the county to establish a street light district. The application must be supported by a petition signed by not less than two-thirds of the property owners representing two-thirds of the total number of parcels of the district that is sought to be established.

(Ord. No. 99-03, 3-2-99)

Sec. 4-6004. Hearing.

Upon application being made, the county shall conduct an investigation as to the feasibility of

establishing a street light district. A report of the investigation shall be forwarded to the Spalding County board of commissioners, and the matter of the application shall be placed on the next convenient agenda for a public hearing at a regularly scheduled meeting.
(Ord. No. 99-03, 3-2-99)

Sec. 4-6005. New residential development.

Developers of new residential subdivisions shall make application to the county to install street lights with underground wiring. It shall be the responsibility of the developer to coordinate the installation of the street lights with the appropriate utility and the county consistent with the standards contained in this chapter.
(Ord. No. 99-03, 3-2-99)

Sec. 4-6006. Assessments.

Each property owner shall be assessed a rate based on the total cost of annual lighting charge within the district divided by the number of properties within the district. Unit cost of street lighting charges shall be based on fees provided by electric utility companies for both overhead and underground installation.
(Ord. No. 99-03, 3-2-99)

Sec. 4-6007. Charges and imposition of liens.

The rates or charges for street light service shall constitute assessments on the property so served. Those assessments shall be added to tax bills at the end of each year and shall constitute a lien upon the property. Said lien shall have the same priority as tax assessments and an execution may issue for the purposes of enforcing the lien including foreclosure and/or judicial sale.
(Ord. No. 99-03, 3-2-99)

Sec. 4-6008. Compliance with standards.

The construction and installation of any light system for a street light district shall comply strictly with those standards defined above.
(Ord. No. 99-03, 3-2-99)

Sec. 4-6009. Administration.

The Spalding County board of commissioners shall be and is hereby authorized to promulgate rules and regulations to effectively carry out the intent and purpose of this chapter.
(Ord. No. 99-03, 3-2-99)

Sec. 4-6010. Certain acts prohibited.

(a) No person shall erect, construct or install street light fixtures or equipment upon which the illumination thereof falls upon public rights of way unless proper application has been made to the county. This shall include security lights of all kinds and nature.

(b) No person shall erect, construct or install street light fixtures or equipment in such a manner to insure that the lateral light distribution causes a glare in such a manner as to inhibit the users of the rights-of-way from safely traversing and using the rights-or-way.
(Ord. No. 99-03, 3-2-99)