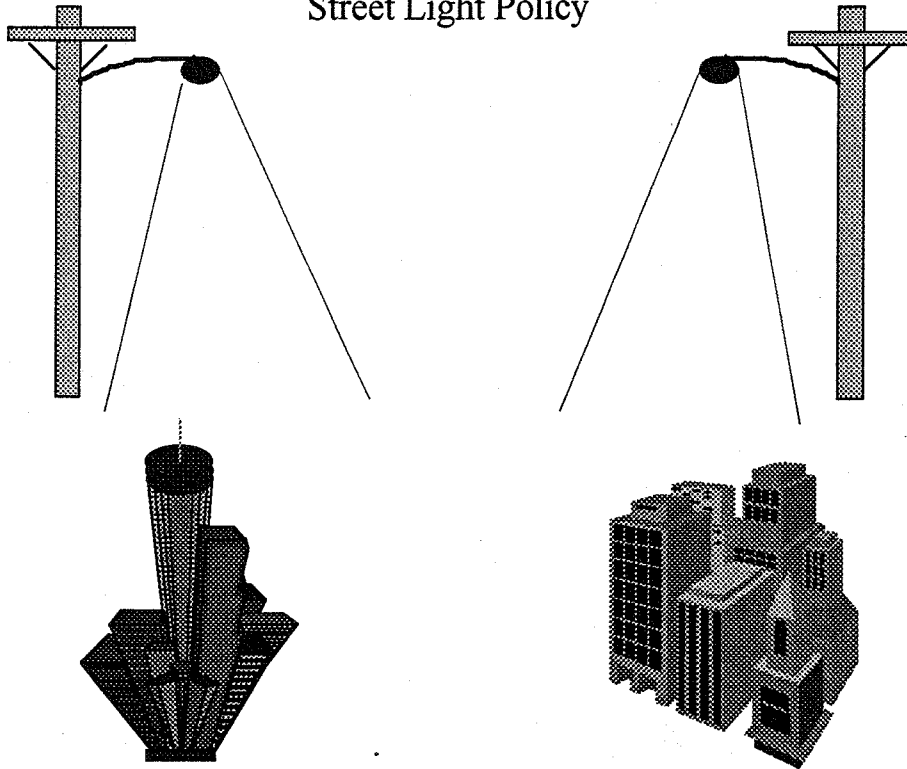
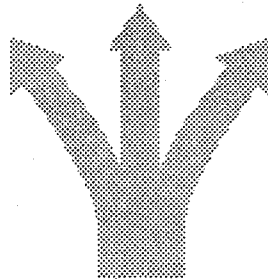


# Town of St. Agatha

## Street Light Policy



**Effective: March 22, 1994**



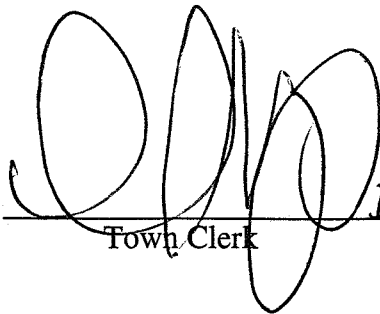
# Town of St. Agatha

## Street Light Siting Policy

- WHEREAS,** It is deemed in the interest of the public health, safety, and welfare of the Town to locate street lights along certain roads under certain conditions where such lighting achieves public benefit to the point of justifying public expenditure; and
- WHEREAS,** It is necessary to set forth a rational means for determining the overall need for each request for street lighting in the Town based on factors such as, but not limited to, traffic volume, speed limit, road conditions, accident rates, pedestrian safety, roadside parking conditions, adjacent development patterns, number of curb cuts, and degree of existing lighting; and
- WHEREAS,** Street lighting, under certain conditions, can produce economic returns such as, but not limited to, increased night-time business, reductions in personal injuries, fatalities, and property damage, and other societal costs; and
- WHEREAS,** The Town has limited funds available for the placement of street lights, it is necessary to fund those requests which demonstrate the most urgent need and provide the greatest public benefit.
- THEREFORE,** Be it ordained, by a majority vote of the Municipal Officers, that the following regulation entitled "Town of St. Agatha Street Light Siting Policy" governing the funding and siting of street lights in the Town is hereby established.

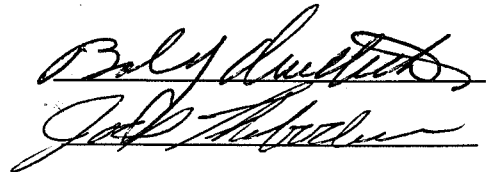
Effective Date: 3-22-94

Attest:



Town Clerk

DAVID P. OAIGLE



Municipal Officers

# **Town of St. Agatha Street Light Siting Policy**

---

## **Section 1. Title and Purpose**

This policy shall be known as the "Town of St. Agatha Street Light Siting Policy", hereinafter referred to as "this policy." The purposes of this policy are to protect the health, safety, and welfare of the residents of St. Agatha (hereinafter referred to as the "Town"); 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. Applicability**

This policy applies to all requests for placement of street lights in the Town where the capital cost of the street light shall be borne by the Town. Exceptions to this policy are in cases where it is necessary to erect a street light(s) to alleviate an emergency situation or where a street light(s) is planned as part of a larger capital improvement project separately approved by the voters, such as, but not limited to, a downtown revitalization project.

## **Section 3. Effective Date**

This policy shall become effective when adopted by a majority vote of the Municipal Officers at any regular or special meeting of the Municipal Officers.

## **Section 4. Amendments**

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

- A. The Planning Board, by a majority vote of the Board;
- B. The Municipal Officers, upon consultation with the Planning Board;
- C. An individual, through a request to the Municipal Officers; or
- D. A written petition of a number of voters equal to at least ten percent (10%) of the voters in the last gubernatorial election.

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

## **Section 5. Availability**

A certified copy of this policy shall be filed with the Municipal 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 Town Office business hours. Notice of the availability of this policy shall be posted.

## **Section 6. 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 7. 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 8. Administrative Procedure**

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 Town. All requests for a street light(s) shall be reviewed for final approval by the Municipal Officers. The decision of the Municipal Officers shall be based on the results of a preliminary review conducted by the Planning Board. Application forms are available at the Town Office. The Code Enforcement Officer shall provide assistance to the applicant in filling out the application form.

### **A. Planning Board Review**

It shall be the responsibility of the Planning Board to review and score all applications for a street light(s). The applicant shall submit a written application to the town office for consideration and scoring by the Planning Board. The Planning Board shall complete the review of the application for accuracy and completeness. 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 and scoring shall be completed within thirty (30) days after the application is deemed complete by the Planning 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 Planning Board agenda for corrected application consideration. When the Planning Board completes its review and assigns a score for the application, a copy of the application, along with supporting documentation, shall be forwarded to the Municipal Officers. The Board shall notify the applicant in writing of its findings by providing a copy of the scoring decision.

### **B. Municipal Officers Review**

It shall be the responsibility of the Municipal Officers to review all applications for street lights. The review will be conducted for all applications scored by the Planning Board over the previous submittal period. Said period shall be from January 1st to December 31st each year, except that if this policy is adopted between February 1 and the annual Town Meeting, the application period for the first funding cycle only, shall be between the date of the adoption of this policy and June 1st of the same year.

In considering approval of an application, the Municipal Officers shall consider the comments of the Planning Board and Code Enforcement Officer. The materials submitted by the Planning Board shall be reviewed for accuracy. A priority list shall be compiled based on the score assigned to each application. The higher scores shall be the highest priority. Final approval shall be determined within 45 days of the December 31 deadline. The number of streetlights to be funded will be determined by the amount of funds appropriated for that purpose at the regular town meeting following the December 31 deadline. Pending applications will be considered in the next funding cycle.

### 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 Town Meeting. That process will be carried out consistent with local procedure for other local public improvements projects. The decision on the type of street light to be sited shall consider cost, energy efficiency, and consistency with the general character of the neighborhood. The final decision on the type of street light to be sited is subject to approval of the Municipal Officers, with comments by the Town Manager and Planning Board to be considered.

#### **Section 9. Definitions**

Any word not otherwise defined shall have its ordinary meaning.

#### **Section 10. Appeals**

Aggrieved parties to the decision by the Planning Board and/or the Municipal Officers can not be appealed to the St. Agatha Board of Appeals. Appeals may be taken by aggrieved parties to a court of competent jurisdiction.