

Chapter 103
STREETLIGHTING DISTRICTS

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[HISTORY: Adopted by the Board of Supervisors of the Township of Donegal 12-11-1996 by Ord. No. 96-14. Amendments noted where applicable.]

GENERAL REFERENCES

Streets and sidewalks — See Ch. 106.

Subdivision and land development — See Ch. 110.

§ 103-1. Title.

This chapter shall be known as the Donegal Township "Streetlighting Ordinance."

§ 103-2. Authority and purpose.¹

This chapter is adopted pursuant to the authority of the Second Class Township Code, Article XX, Section 2001, Lighting.²

§ 103-3. Background.

For many years portions of Donegal Township have had streetlights provided by the Township. Originally some residents were assessed fees; however, over the years the assessments were discontinued. In reviewing the 1995 financial accounts of the Township, the Donegal Township Board of Auditors recommended that a uniform procedure be established.

§ 103-4. Streetlighting districts established.

A. By virtue of this chapter, the following streetlighting districts are hereby established:

District 1: Route 40 - known as Route 40 West, Lafayette Avenue and Noble Street

District 2: North Liberty Street and Tunnel Street

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

2. Editor's Note: See 53 P.S. § 67001.

District 3: West Alexander Loop

District 4: Highland Avenue, Alexander Avenue, Poplar Avenue and Main Street

- B. Pursuant to Section 2002 of the Second Class Township Code, new streetlighting districts may be established provided that a petition containing 70% of the property owners within any defined area of the Township be presented to the Board of Supervisors.

§ 103-5. Assessment for cost of streetlighting.

There is hereby levied and imposed a uniform annual assessment consisting of the annual cost of lighting the said districts.

- A. Such assessment shall consist of the annual cost of streetlighting the district as charged by the electrical power provider for the previous year.
- B. Said cost shall be assessed against the benefited parties, defined as any property owner whose property is within 250 feet of a streetlight pole, according to the following:
- (1) Each parcel upon which is erected a house, garage, barn, or other building shall be assessed as one unit.
 - (2) Each vacant parcel shall be assessed as 1/4 unit.
 - (3) The annual assessment shall be determined by dividing the total cost of lighting that district by the number of units in that district.

§ 103-6. Adjustments.

Cost figures for the last few months of each calendar year may need to be estimated, as the figures may not be available when the calculation of the assessment is made. Any changes in the estimates may be added to or subtracted from the following year's costs in order to adjust the total to reflect the actual cost.

§ 103-7. Collection.

The annual assessment for streetlighting shall be collected by the tax collector in the same manner as Township real estate taxes are collected, and if such assessment is uncollected, the same shall be a lien and shall be collectable in the same manner as other municipal claims. The assessment shall be billed on the annual real estate bill for general purposes.

§ 103-8. Dissolution of streetlighting districts.

Streetlighting districts established by this chapter or through the procedures set forth in § 103-4 may be dissolved by the Board of Supervisors, provided that a petition containing 70% of the property owners of the said lighting district be presented to the Board. Upon approval of the Board of Supervisors the lighting district shall be dissolved, and the power company so notified to turn off and remove the lighting fixtures. The property owners of the

said district shall be responsible for the pro-rata share of the cost of lighting provided for the current year.