

STREET LIGHTING PETITION PROCEDURE

A PETITION CAN BE FILED WITH THE BOARD OF TRUSTEES ONLY IF THE INVOLVED POWER COMPANY WILL BE RESPONSIBLE FOR THE MAINTENANCE OF THE LIGHTS. THE AEP COMPANY WILL MAINTAIN THE LIGHTS IF THE COMPANY INSTALLS AND OWNS THE LIGHTS. THE OHIO EDISON COMPANY WILL MAINTAIN THE LIGHTS IF THE COMPANY INSTALLS THE LIGHTS OR THE STREET LIGHTING REQUEST IS PURSUANT TO THE ESIP CONTRACT AND THE CONTRACTOR CONSTRUCTS THE LIGHTS IN ACCORDANCE WITH COMPANY SPECIFICATIONS.

1. Circulation of Petition

a. Signed by owners only. If there is more than one owner of a property, all must sign the petition.

b. Must contain signatures of owners of more than half of the feet of lots and lands abutting streets of the district.

c. A legal description of the proposed district must be attached to the petition. A Stark County tax map will fulfill this requirement.

d. A drawing is required from the Power Company specifying the number, location and lumen power of the lights, describing the lighting support and any other technical specifications for the lights. Need drawing, installation costs and operating costs before hearing. Developers obtain this from the Power Company or other installer. For established allotments, the Power Company may request the Township assist in obtaining this information.

e. Include the following information in the petition:
Who will pay the installation and/or connection costs?
Will the lights be located in the road right of way?
Will the lights be constructed in accordance with the Power companies required standards?

2. Petition filed with Township Fiscal Officer.

3. Fiscal Officer notifies Trustees of the filing of the petition and provides a copy of petition and map. A copy of this with copy of petition and map is provided to the Township Administrator, Law Director and Legal Assistant/Secretary so they can prepare the resolution; Legal Assistant/Secretary needs Power Company name and number and type of lights information.

4. Fiscal Officer sets date for a hearing which shall not be more than 30 days after the notification. Obtain this date and time from Township Administrator. On the Trustee meeting before the hearing date, put a motion to set date and time of hearing.

5. Fiscal Officer prepares notice of hearing for landowners and delivers to the petitioners.
6. Signers deliver copy of notice to every landowner at least 15 days before hearing date.
7. Signers who served notices file affidavits of service provided by the Fiscal Officer.
8. Fiscal Officer has notice of hearing published in newspaper one time at least two weeks before hearing. This is to notify non-resident owners.
9. Proof of publication filed with Fiscal Officer before date of hearing.
10. Hearing is held by Township Trustees
 - a. Each Board member shall travel the proposed lighting district streets and make actual view thereof and of the properties along and adjacent thereto and to be lighted and benefited by the improvement. At the hearing upon the street lighting petition, the Board of Trustees shall receive and hear any and all evidence or testimony by any of the parties affected by such improvement. After conclusion of the hearing, the Board shall determine the necessity of the improvement. In making this determination, the Board of Trustees will consider the percentage of the affected property owners who signed the petition. A petition containing 70 percent or more of the affected property owners shall be considered favorable towards a determination that the proposed improvement is necessary. The Board of Trustees may also determine that the improvement will result in general as well as special benefits.
 - b. If the Board of Trustees determine that the proposed improvement is necessary, the attached resolution will be adopted. Law Director needs a copy of the petition, map and the cost information to prepare the resolution for the hearing date, place, the item on the agenda and provides to the Township Administrator.
11. If applicable, the Fiscal Officer will post notices asking for bids at least 30 days before bids are to be received.
12. If applicable, pursuant to ORC Section 515.07, the Board of Trustees will award the contract to the lowest and best bidder.