

# THE CORPORATION OF THE CITY OF WINDSOR POLICY

Service Area:	<b>Public Works</b>	Policy No.:	
Department:	<b>Engineering</b>	Approval Date:	<b>January 27, 2020</b>
Division:		Approved By:	<b>B10/2020</b>
		Effective Date:	<b>January 27, 2020</b>
Subject:	<b>Alley Lighting Policy</b>	Procedure Ref.:	
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## 1. POLICY

- 1.1. This policy establishes the alley lighting installation program.
- 1.2. A request for an alley lighting installation may be initiated by property owners by obtaining a local improvement petition for the installation of alley lighting fixtures from the City Engineer and filing the completed petition with the City Clerk.
- 1.3. Participating property owners will be assessed for their proportionate share of the capital costs of the lighting fixture necessary to illuminate the alley area based on their adjacent frontage, and will be responsible to pay the calculated annual operating fees.
- 1.4. Where City Council wishes to install alley lighting installation that is not subject to the provisions of this policy, City Council would waive this policy and direct Administration to fund the works through another funding source as directed by City Council.

## 2. PURPOSE

- 2.1. This policy may be implemented by property owners initiating and successfully petitioning the municipality to:
  - 2.1.1. Install lighting fixtures in alleys through the City's Local Improvement program; and
  - 2.1.2. Accept the levying of annual fees for the consumption of electricity and maintenance for the fixtures as provided in the Fees and Charges Bylaw 392-2002, as may be amended annually.
- 2.2. This policy identifies that the Alley Lighting is a service delivered over and above standard municipal services, and the associated costs not to be absorbed by the general tax rate. Waiver of this policy would be by discretion of City Council and subject to the terms set out in the Council Resolution as moved by the member.

### **3. SCOPE**

- 3.1. This Policy applies to requests received for the installation of alley lighting in municipal alleys within the boundaries of the City of Windsor.
- 3.2. This policy describes the process to request an alley lighting installation, and how abutting property owners will be assessed for the work.
- 3.3. Requests for street lighting installations are outside of the scope of this policy and are subject to the City Council resolution for street lighting local improvement CR1607/89 or successor resolution.

### **4. RESPONSIBILITY**

- 4.1. The responsibilities of City Council, the Court of Revision, the City Engineer, the City Treasurer, the City Clerk and the abutting property owners are enunciated in the Municipal Act, 2001, O. Reg. 586/06.
- 4.2. The City Engineer shall create and maintain a standard fixture specification for use in alley lighting applications.
- 4.3. The property owners petitioning for the service, and their successor property owners, are responsible for the annual fee payment of the cost required to supply and maintain the alley lighting service. The annual operating and maintenance fee will be added to the property taxes. In the event of formal request to the City Engineer to withdraw by one or more property owners, the service will cease.
- 4.4. On receipt of a successful petition, the City Engineer is responsible for bringing the local improvement petition to City Council for approval and for managing the installation of the alley lighting.
- 4.5. The City Engineer and City Treasurer shall annually assess the funding level required to sustain the alley lighting program and recover costs from benefitting property owners through the Fees and Charges By-law.

## **5. GOVERNING RULES AND REGULATIONS**

**5.1.** The provisions of the Municipal Act, 2001 - Ontario Regulation 586/06 apply to the capital cost of the alley lighting service. No municipal subsidy is proposed for the alley lighting service, as it is an enhancement above the municipal standard.

**5.2.** The annual operating costs of the alley lighting service will be established in the Fees and Charges Bylaw 392-2002, and affected owners will be assessed such charges annually by adding them to the taxes of the properties being supplied the service. The charges will be calculated on a system-wide basis on an annual basis.

## **6. RECORDS, FORMS AND ATTACHMENTS**

**6.1.** A petition to install alley lighting may be obtained from the City Engineer.