

## Section 576 – Street Light Utility

Section 576:00. Authority and Purpose. Minnesota Statutes, Section 429.021 authorizes cities to install, replace, extend and maintain street lights and street lighting systems and special lighting systems. The City Council has determined that in order to promote the general health, safety and welfare of the citizens of the City, it is in the best interest of the citizens that the City operate and maintain a City street lighting system utility and has further determined that the operation and maintenance of such utility benefits each and every property within the City. The City Council has therefore determined that it is fair, appropriate and reasonable that the costs of such operation and maintenance be paid on a fair and reasonable basis by all of the property in the City so benefitted and the cost should be charged and collected from all such benefitted property, except for those exempted in Section 576:15.

Section 576:05. Street Light Utility Established. The City of St. Cloud hereby establishes a Street Light Utility. The system consists of all street lighting facilities owned by the City and all street lighting facilities for which the City purchases and supplies electrical energy. The operation of such utility shall be under the supervision of the Public Services Director.

Section 576:10. Definitions. Unless the context specifically indicates otherwise, the following terms as used in this ordinance shall have the meanings designated.

Subd. 1. Areas Served by Standard Street Lighting Systems. This includes portions of the City where street lights are installed at intersections only or are spaced more than 400 feet apart.

Subd 2. Areas Served by Enhanced Street Lighting Systems. This includes portions of the City where the standard street lighting system has been upgraded or enhanced to include any of the following:

- (1) Mid-block street lights spaced less than 400 feet apart
- (2) Ornamental street lights
- (3) Whiteway street lights (in commercial and industrial areas only)

Subd. 3. Alley Security Lighting. This includes portions of the City where alley security lighting is installed.

Subd 4. Unit Area. Unit Area shall be determined by the following formula:

- (1) Divide the area of a parcel (expressed in square feet) by 20,000.
- (2) Round-down the quotient to one decimal place. The minimum Unit Area (UA) for any parcel shall be 1.0. The maximum Unit Area for any parcel shall be 50.0.

Section 576:15. Rates and Collection of Fees.

Subd. 1. Rates and Charges: Every property within the City shall be charged for a fair and equitable share of the cost to provide, operate and maintain the City-wide street lighting system. Charges shall be apportioned according to property use and service level as follows:

(1) Areas Served by Standard Street Lighting Systems:

Land Use

Single-family, patio homes, townhouse, duplex residential, detached townhouse and twin-home residential.

Monthly Charge

\$3.15 per parcel in 2020  
\$3.40 per parcel in 2021

Multi-family residential containing three or more attached dwelling units including Dormitories and Nursing Homes, Manufactured Home Parks.

*Developed parcels:*  
\$1.95 per unit in 2020  
\$2.20 per unit in 2021

*Undeveloped parcels:*  
UA x \$3.15 per parcel in 2020  
UA x \$3.40 per parcel in 2021

Schools, Daycare Facilities serving 16 or more persons and Religious Institutions, Other Institutional, Commercial Industrial, Hospital, Medical District and Other Uses.

UA x \$3.15 per parcel in 2020  
UA x \$3.40 per parcel in 2021

(2) Areas Served by Enhanced Street Lighting Systems:

Land Use

Single-family, patio homes, townhouse, duplex residential, detached townhouse and twin-home residential.

Monthly Charge

\$4.35 per parcel in 2020  
\$4.60 per parcel in 2021

Multi-family residential containing three or more attached dwelling units including Dormitories and Nursing Homes, Manufactured Home Parks.

*Developed parcels:*  
\$2.55 per unit in 2020  
\$2.80 per unit in 2021

*Undeveloped parcels:*  
UA x \$4.35 per parcel in 2020  
UA x \$4.60 per parcel in 2021

Schools, Daycare Facilities serving 16 or more persons and Religious Institutions, Other Institutional, Commercial Industrial, Hospital, Medical District and Other Uses.

UA x \$4.35 per parcel in 2020  
UA x \$4.60 per parcel in 2021

(3) All properties served by Alley Security Lighting shall be charged at their applicable standard or enhanced rate with a surcharge of \$1.00 per month per parcel and/or unit.

(4) All Other Areas:

Land Use

All Types

Monthly Charge

\$1.95 per parcel in 2020  
\$2.20 per parcel in 2021

Subd. 2. Collection of Fees. Street Light Utility charges may be billed and collected on an annual, quarterly, bi-monthly or monthly basis as determined by the Director of Public Services.

Subd. 3. Exemptions. The following land uses are exempt from the established Street Light Utility Charges:

- (1) Public street right-of-way
- (2) City-owned land
- (3) Railroad right-of-way
- (4) Cemeteries

Subd. 4. Penalty for Late Payment. A penalty in the amount of Ten Dollars (\$10.00) or 5% of the balance, whichever is greater, shall be added to all Public Utilities accounts not paid in full by the due date. The penalty for late payment shall be added to the balance for which the account remains unpaid.

Subd. 5. Certification of Past Due Surcharges on Taxes. Any past due Street Light Utility charges in excess of ninety (90) days past due on October 1 of any year may be certified to the applicable County Records Office for collection with real estate taxes in the following year pursuant to Minnesota Statutes Section 444.075, Subdivision 3. In addition, the City shall also have the right to bring a civil action or take other legal remedies to collect the unpaid surcharges.

Subd. 6. Rate Adjustments. At the request of the property owner or manager, the Public Services Director may review the Street Light Utility rate applied to that premises and may adjust that rate if in his/her opinion it is appropriate to do so. It is the responsibility of the owner or manager of the premises to provide the City with any requested information related to the use, occupancy or development of the premises to facilitate the rate review and determination. Failure to provide or falsification of such information shall constitute a violation of this ordinance.

Section 576:20. Effective Date. This ordinance shall be in full force and effect 30 days after adoption.

History: Ord. 2435 7/27/09 (new), Ord. 2459 4-5-10. Ord. 2600 11-24-14; Ord. 2617 5-4-15; Ord, 2806 1-16-20