

# Municipality of the District of Lunenburg

Policy Details	
Name	Streetlights Policy
Number	035
Legislative Authority	Municipal Government Act 65, 75
Effective Date	March 13, 2007

## Purpose

- 1 To provide an adequate illumination on streets within the municipality and establish policy for the recovery of costs. [Amended Feb. 8/22]

## Title

- 2 This Policy may be cited as the Streetlight Policy.

## Definitions

- 3 **Building** means a structure, whether permanent or temporary, and is used or intended for the supporting or sheltering of persons, animals, materials, or equipment, except a structure where the use of which is accessory to the use of another building on the same lot. [amended Jan. 11/11, Feb. 8/22]

**Charge Area** means an area where a charge is imposed, described in a petition or request, and has its boundaries identified on a mapping. [amended Jan. 11/11, Feb. 8/22]

**Designated Service Area** means an area designated by council for economic growth. [amended Feb. 8/22]

**Landowner** means a person controlling the property or is the assessed landowner of the property whose name appears on the assessment roll and for the purpose of calculating the percentage of landowners in Section 4, a property with more than one landowner shall be counted as having one landowner. [amended Jan. 11/11, Feb. 8/22]

**Lot line, Front** – [deleted Feb. 8/22]

**Municipality** means the Municipality of the District of Lunenburg.

**Primary Access** means the main entrance used to access a property from a street and where there is more than one access the Director of Engineering or designate will determine the primary access. [amended Feb. 8/22]

**Rate Payer** – [deleted Feb. 8/22]

**Street** means the entire right-of-way of a street or highway owned and maintained by the Province of Nova Scotia or the Municipality of the District of Lunenburg. [amended Jan. 11/11]

**Streetlight** means a light supplied and installed by Nova Scotia Power or Riverport Electric Light Commission on a pole on a street. [amended Jan. 11/11, Feb. 8/22]

## Requests

### 4 (1) Installation

Where the request is for the installation of streetlights, the request will be in the form of a petition and must be signed by a minimum of 75 percent of the landowners within the charge area in favor of the request. [amended Feb. 8/22]

### (2) Removal

Where the request is for the removal of streetlights, the request will be in the form of a petition and be signed by a minimum of 75 percent of the landowners within the original charge area when the streetlights were installed. [amended Feb. 8/22]

(3) The petition will be accompanied by a map which:

- a) clearly outlines the charge area in red.
  - b) indicates the properties that are located within the charge area; and,
  - c) indicates the proposed location of the streetlights to be installed or removed.
- [amended Feb. 8/22]

(4) Upon receipt of a request that satisfies Section 4, the Municipality will request the appropriate authority to install, maintain or remove the streetlights. [amended Jan. 11/11, Feb. 8/22]

(5) The Municipality will further pay the associated charge for the installation, removal, operation, and maintenance of the streetlight(s) and recover the costs as shown in Section 5. [amended Feb. 8/22]

(6) The rate will be approved by Council yearly and there will not be an administrative fee charged for this service. [amended Jan. 11/11, Feb. 8/22]

## Recovering of Cost

5 (1) The Municipality will recover the cost of installing, removing, operating and maintaining the streetlights by one of the following methods, and as requested on the petition: [amended Jan. 11/11, Feb. 8/22]

- a) uniform amount per lot
  - b) area rate per \$100.00 of assessment
- (2) This charge will be included on and become part of the total taxes due on the interim and final tax bill. [amended Feb. 8/22]
- (3) Any costs associated with the removal of the streetlights will be reflected on the next tax billing and become part of the total taxes due.
- (4) Streetlight landowners within the Municipality, will be determined by the following:
- a) by successful petition as outlined in Section 4; or
  - b) the landowner of a property fronting a street or has its primary access to the street with streetlights; and
    - (i) the assessment code for the property is residential or commercial; or
    - (ii) a building is located on the property [amended Jan. 11/11, Feb. 8/22]
- (5) Streetlight landowners within the Riverport charge area will be determined by an assessment code of either residential or commercial. All other assessment codes are exempt. [amended Jan. 11/11, Mar. 13/12, Feb. 8/22]
- (6) Council can, by motion, create a designated service area for the purposes of providing streetlighting in an area selected for economic growth. [amended Feb. 8/22]
- (7) The costs for installing, removing, operating and maintaining streetlights in a designated service area will be recovered through the general tax rate. [amended Feb. 8/22]

### **Notification**

- 6** The Municipality will be responsible to inform the appropriate authority of malfunctioning streetlights when advised. Any other matters will be provided to the Municipal Engineering Department by the Councillor representing the area. [amended Jan. 11/11, Feb. 8/22]

### **Petition Deadline**

- 7** Petitions referred to in Section 4 must be submitted no later than the first day of March, or its next business day if it is a holiday, of the preceding fiscal year that the charge would be applied. [amended Feb. 8/22]

### **Petition Exemption**


- 8** (1) Regardless of Section 4, a petition will not be required for the addition or removal of streetlights in an existing streetlight area where the number of streetlights added or removed does not exceed 10% of the pre-existing number in any one fiscal year. [amended Sept. 8/09, Jan. 13/15, Feb. 8/22]

(2) The request for the addition or removal of fewer than 10% of the streetlights in a charge area will be made by the Councillor(s) for the district(s), and will be made to the Director of Engineering, or designate in writing, describing the location and identifying the lights to be added or removed. [amended Jan. 13/15, Feb. 8/22]

(3) At least 7 days prior to approving the addition or removal of streetlights, the Director of Engineering, or designate will give notice of the pending change at a meeting of Council. [amended Jan. 13/15, Feb. 8/22]

### Requests

9 [Deleted Jan. 13/15]

Policy Adoption	
Date of Original Passage	March 13, 2007
Date of Notice of Intent to Amend/Repeal	January 25, 2022
Date of Council Approval	February 8, 2022
Effective Date	February 8, 2022
I certify that this Policy 035 was adopted by Municipal Council as indicated above.	
Signature of Municipal Clerk 	Date February 8, 2022

Version	Amendment Description	Approval Date
Original V1	Streetlights Policy	March 13, 2007
V2	Amendment	Sep 8, 2009
V3	Amendment	Jan 11, 2011
V4	Amendment	March 13, 2012
V5	Amendment	Jan 13, 2015
V6	Amendment	Feb 8, 2022