

City of South St. Paul  
Dakota County, Minnesota

**Ordinance No. 1214**

**AN ORDINANCE ESTABLISHING ARTICLE V,  
CHAPTER 62 OF THE SOUTH ST. PAUL CITY CODE  
REGARDING STREET LIGHT UTILITY**

The City Council of the City of South St. Paul does ordain:

SECTION 1. South St. Paul City Code Chapter 62 is amended by adding Article V. Street Light System, Sec. 226-229, as follows:

**ARTICLE V. STREET LIGHT UTILITY**

**Sec. 62-226. 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. South St. Paul Charter Section 8.05 states that the City of South St. Paul may own and operate a light utility for supplying its own needs for utility service or for supplying utility service to private consumers or both. 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-wide 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 62-228(d).

**Sec. 62-227. Street Light Utility Established.**

The City of South St. Paul 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 city engineer.

**Sec. 62-228. Rates and Collection of Fees.**

(a) *Rates.* The rates for street lighting are based on land use. The City Council shall establish a flat rate for single and two-family residential properties and for all other property categories within the city. The City Council may establish a minimum rate for any property category within the city.

(b) *Calculation of Rates.* The City Council shall adopt a Resolution establishing the rate of the service charge of each property. The charge to be billed to each property shall be a just and equitable share of the total cost of the service. Charges shall be apportioned similarly to similar uses of property.

(c) *Collection of Fees.* The service charges for street lighting shall be placed directly on the utility bill for each property.

(d) *Exemptions.* A charge shall not be made against land that is:

- (1) Outside the corporate limits of the city;
- (2) City-owned, except that which is leased to persons or nongovernmental entities;
- (3) Public right-of-way;
- (4) Vacant (without improvements);
- (5) Cemeteries;
- (6) Owned by special school district number six.

**Sec. 62-229. Certification of Delinquent Accounts.**

Pursuant to Minnesota Statutes, Section 429.101 (7), cities may provide for the collection of unpaid special charges for all or any part of the cost of the operation of a street lighting system. The certification of delinquent accounts to the county for collection shall be in accordance with the provisions of section 62-167.

SECTION 2. Effective Date. This ordinance shall be in full force and effect on January 1, 2009.

Approved: \_\_\_\_\_

Published: \_\_\_\_\_

\_\_\_\_\_  
City Clerk