

INTRODUCED: December 12, 2022

AN ORDINANCE No. 2022-375

To repeal Ord. No. 97-105-173, adopted May 27, 1997, which established a street light policy for the City of Richmond.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: JAN 23 2023 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That Ordinance No. 97-105-173, adopted May 27, 1997, which established a street light policy for the City of Richmond, be and is hereby **repealed**.

§ 2. This ordinance shall be in force and effect upon adoption.

AYES: _____ NOES: _____ ABSTAIN: _____

ADOPTED: _____ REJECTED: _____ STRICKEN: _____




City of Richmond


Intracity Correspondence

O&R REQUEST

DATE: October 20, 2022 **EDITION:** 1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor 

THROUGH: J.E. Lincoln Saunders, Chief Administrative Officer 

THROUGH: Robert C. Steidel, Deputy City Administrator, Operations 

THROUGH: April Bingham, Director, Department of Public Utilities 

FROM: Mickel Johnson, Ops Division Administrator, Department of Public Utilities 

RE: Repeal of Ord. No. 97-105-173 to Enable the Department of Public Utilities to Adopt New Street Light Rules and Regulations

ORD. OR RES. No. _____

PURPOSE: To repeal Ord. No. 97-105-173 (the "Ordinance") to enable the Department of Public Utilities ("DPU") to adopt new rules and regulations which account for various changes to business and technology since 1997.

REASON: The Ordinance established a 1997 Street Light Policy (the "1997 Policy") as "the official Street Light Policy of the City of Richmond." The intent behind the Ordinance was to outline a plan for creating special service districts for ornamental street lights and not necessarily to establish a perpetual street light policy for the City. Nevertheless, the Ordinance's broad language setting the 1997 Policy as the City's official street light policy has frozen the City's street light policy for over 20 years. The Ordinance's text does not provide any method for updating or phasing out the 1997 Policy. Consequently, City Council action is required for any update to the City's "official Street Light Policy." DPU officials desire the ability to adopt rules and regulations that account for changes in industry and technology beyond 1997. Repealing the Ordinance would remove the 1997 Policy's distinction as "official Street Light Policy of the City of Richmond" and would enable DPU to adopt new rules and regulations as needed to address contemporary conditions. DPU's proposed changes to existing adopted technologies, standards, practices, and procedures will be evaluated in accordance with established protocols set forth in DPU rules and regulations. In adopting such new street light rules and regulations, the DPU Director will be able to develop programs to determine the effectiveness, efficiency, maintainability, sup-

portability, life cycle cost, and cost-benefit analysis of proposed initiatives. It is important to note that, if it desires to do so, the City would still have the ability to create a special ornamental street light service district even if the Ordinance is repealed. The Ordinance simply served to specify a funding mechanism for ornamental street lights and did not create any new powers in the City or DPU. Thus, even with a repeal of the Ordinance, the City would continue to retain its ability to create an ornamental street light district.

RECOMMENDATION: Approval is recommended by the City Administration.

BACKGROUND: Per a resolution adopted in 1993, the City Council directed the City Manager to propose way to fund ornamental street lighting through the establishment of special service districts, other service districts, or special authorization. The City Council sought such funding mechanisms instead of using the general fund for ornamental street lighting. In response to this direction, the City Manager developed the 1997 Policy. The 1997 Policy did not grant DPU any new powers and served as a means to clarify that ornamental street lighting would be paid for through service districts adopted by City Council. The Ordinance, adopted the 1997 Policy as “the official Street Light Policy of the City of Richmond” because it spelled out how DPU would address the City Council’s desire for a clear path to raise money for ornamental lighting. Currently, the City does not have a special street light service district or plans to create such a district. Nevertheless, the 1997 Policy has remained the street light policy of the City to the present day.

FISCAL IMPACT / COST: None

FISCAL IMPLICATIONS: None

BUDGET AMENDMENT NECESSARY: No

REVENUE TO CITY: None

DESIRED EFFECTIVE DATE: Upon Adoption

REQUESTED INTRODUCTION DATE: November 14, 2022

CITY COUNCIL PUBLIC HEARING DATE: December 12, 2022

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Land Use, Housing, and Transportation

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Attorney’s Office

AFFECTED AGENCIES: Department of Public Utilities and Department of Public Works

RELATIONSHIP TO EXISTING ORD. OR RES.: Ordinance No. 97-105-173

O&R Request

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REQUIRED CHANGES TO WORK PROGRAM(S): None

ATTACHMENTS: Ordinance No. 97-105-173

STAFF: Department of Public Utilities: Gregory Wallace and Garrick Bayton