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The Board of Liberty Township Trustees met in a Special Session on August 19, 2015 at 12:00 p.m. at the township Administration Building with the following members present: Mr. Jason Rubin, Mrs. Jodi K. Stoyak, and Chairperson Mr. Stan Nudell presiding.

HOME RULE RESOLUTION NO. 15-001

Enacting and Codifying a Home Rule Resolution for Liberty Township Establishing a Street Light Use Fee

WHEREAS, The Board of Trustees of Liberty Township passed, by unanimous vote, a resolution on May 14, 2007 to place the issue of adopting a limited home rule government on the ballot pursuant to Ohio Revised Code Section 504.01(A);

WHEREAS, the electors of Liberty Township voted on November 6, 2007 to establish a limited home rule government pursuant to Ohio Revised Code Section 504.01(A);

WHEREAS, it is the desire of the Liberty Township Board of Trustees to adopt a Home Rule Resolution to establish a Street Light Usage Fee to ensure that township residents have access to safe, lighted streets and intersections within the township;

NOW, THEREFORE, BE IT RESOLVED, THAT the following Street Light Use Fee in the unincorporated areas of Liberty Township be and hereby is adopted, pursuant to the authority of the limited self-government of townships (Chapter 504 Ohio Revised Code) and approved upon First and Second readings and Publication and Codification.

SECTION 1: ESTABLISHMENT OF STREET LIGHT USE FEE

Liberty Township, Trumbull County, Ohio, hereby establishes a Street Light Use Fee. The street light system consist of all street lighting facilities owned by the Township and all street lighting facilities for which the Township purchases and supplies electrical energy. The operation of such utility shall be under the supervision of the Road Department. The Street Light Fee does not apply to any street lighting district currently subject to property owner assessments within the unincorporated areas of the township or street lighting districts to be formed in the future pursuant to Ohio Revised Code Section §515.02 Et seq. at time of creation.

“Street lighting system” shall mean a series of light posts and lights owned, operated and maintained by the township which are currently installed adjacent to public streets within the township and are used to provide adequate lighting on streets and walkways to promote the safety of drivers and pedestrians.

- A. The township is authorized to establish a street lighting fee pursuant to its Home Rule authority for the purpose of paying the costs of the electrical utility charges to maintain the existing street lighting system and to implement and administer the assessment of the street lighting fee.
- B. The purpose of the street lighting system is to protect the health, safety, and welfare of the township’s residents, visitors, and the general public by casting adequate lighting onto township streets so as to promote safe travel for vehicles and pedestrians.
- C. The township street lighting system is not intended to act as security lighting for private properties.
- D. The Street Light Fee does not apply to any street lighting district currently subject to property owner assessment within the unincorporated areas of the township or street lighting districts to be formed in the future pursuant to Ohio Revised Code Section §515.02.Et seq... at time of creation.

SECTION 2: RATES AND COLLECTION OF FEES:

The record owner of each parcel of real property as appears on the Trumbull County Tax Duplicate which is subject to this fee shall be charged an annual street lighting fee assessment of Fifteen Dollars (\$15.00) per parcel for the purposes state and provided herein.

Said lighting fee assessment shall be certified by the Township Fiscal Officer to the Trumbull County Auditor to be placed annually upon the tax duplicate for the subject parcels for collection in semiannual installments together with any accrued interest on unpaid assessments to be collected with all other property taxes and assessments and returned to the General Fund of the Township for expenditure for the purposes stated and provided herein.

Delinquent assessment shall be charged a late fee penalty in the amount charged for all other delinquent real estate property taxes and assessments.

SECTION 3: NO LIABILITY

The township shall not be liable for injury or damages to persons or property caused by any deficiency or failure in supplying electricity for the street light system and the maintenance thereof whether occasioned by shutting off the system for the purpose of making repair, maintenance and or installation of lighting fixtures, weather-related

incidents, failure of service outside the control of the township or from any other cause whatsoever.

SECTION 4: EFFECTIVE DATE OF RESOLUTION

This Resolution shall be effective thirty (30) days from the date of adoption upon both First and Second Readings, and publication thereof.

Date of First Reading: August 19, 2015

Moved by Trustee Jodi Stoyak, and seconded by Trustee Jason Rubin to approve said home rule resolution upon the first reading of Home Rule Resolution #15-001.

Motion made by Mrs. Stoyak to adjourn at 12:30 p.m. Seconded by Mr. Rubin. Motion carried.

STEVE SHELTON, FISCAL OFFICER

STAN NUDELL, CHAIRMAN