

**LIBERTY TOWNSHIP
HOME RULE RESOLUTION NO. 15-001
AMENDMENT TO HOME RULE RESOLUTION 15-001 REGARDING LIBERTY TOWNSHIP
STREET LIGHT USE FEE**

The Board of Liberty Township Trustees met in Regular Session on Friday, November 4, 2022 at 8:30 a.m. with the following members in attendance, Mr. Gregory Cizmar, Mr. Arnold Clebone and Mr. Devon Stanley, presiding.

22-156 2nd reading home rule regarding Liberty Township Street Light Use Fee:

**AMENDMENT TO HOME RULE RESOLUTION 15-001 REGARDING LIBERTY TOWNSHIP
STREET LIGHT USE FEE**

WHEREAS, The Board of Trustees of Liberty Township passed, by unanimous vote, a resolution on May 14th, 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 6th, 2007 to establish a limited home rule government pursuant to Ohio Revised Code Section 504.01(A);

WHEREAS, The Board of Trustees of Liberty Township, Trumbull County, Ohio adopted Home Rule Resolution 15-001 establishing a Street Light Use Fee effective October 10th, 2015; and;

WHEREAS, The Board of Trustees now determines pursuant to R.C. 504.12 to amend Resolution 15-001 to permit the Street Light Use Fee to be used for lighting roads, sidewalks, and parking lots in township parks and other public areas of the township to increase public safety in public areas of the Township.

NOW, THEREFORE, BE IT RESOLVED, THAT Resolution 15-001 is hereby amended as follows, pursuant to the authority of the limited self-government of townships (Chapter 504 Ohio Revised Code) and approved upon First and Second readings and filing with the Township Fiscal Officer.

SECTION 1: ESTABLISHMENT OF STREET LIGHT USE FEE

Liberty Township, Trumbull County, Ohio, hereby establishes a Street Light Use Fee. The street light system consists 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 street light system 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. "Street lighting system" shall mean a series of light posts and lights owned, operated and maintained by the township and all street lighting facilities for which the Township purchases and supplies electrical energy which are installed adjacent to public streets or public parks or other public areas within the township and are used to provide adequate lighting on public streets, public parking lots and public walkways to promote the safety of drivers and pedestrians.

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 street lighting system and to implement and administer the assessment of the street lighting fee.

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 and public areas so as to promote safe travel for vehicles and pedestrians.

The township street lighting system is not intended to act as security lighting for private properties.

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.

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 stated 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 semi-annual installments together with any accrued interest on unpaid assessments to be collected with all other property taxes and assessments and returned to the Lighting Assessment Fund of the Township for expenditure for the purposes stated and provided herein.

Delinquent assessments 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 AMENDMENT TO RESOLUTION

The Amendments to Resolution 15-001 shall be effective thirty (30) days from the date of adoption upon both First and Second Readings, and publication thereof.

Date of First Reading of as Amended: October 11, 2022

FIRST READING OF LIBERTY TOWNSHIP, TRUMBULL COUNTY, OHIO PROPOSED AMENDMENTS TO HOME RULE RESOLUTION NO. 15-001

Motion to approve First Reading: Mr. Stanley. Second: Mr. Clebone.

Roll Call: Mr. Stanley, Yes. Mr. Clebone, Yes. Mr. Cizmar, Yes. Motion carried.

Date of Second Reading as Amended: November 4, 2022

NOTICE OF AMENDMENT TO HOME RULE RESOLUTION

Notice is hereby given that on November 4, 2022, the Board of Trustees of Liberty Township adopted on second reading an amendment to Liberty Township Home Rule Resolution 15-001, the Street Light Use Fee, to permit the fee to be used for lights installed in public parks and other public areas in the township in addition to public streets. The complete text of the Resolution as

amended may be obtained from the Fiscal officer or viewed on the township website, libertytwp.com.

Matthew Connelly, Fiscal officer.

Effective Date of Amendment to Resolution 15-001: November 14, 2022

Motion: Mr. Stanley. Second: Mr. Clebone.

Roll Call: Mr. Stanley, Yes. Mr. Clebone, Yes. Mr. Cizmar, Yes. Motion carried.

I, Matt Connelly, Fiscal Officer of the Board of Trustees of Liberty Township, Trumbull County, Ohio in whose custody and control the files and records of such Board are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original resolution, and that the same is a true and correct copy thereof.



MATT CONNELLY, FISCAL OFFICER
LIBERTY TOWNSHIP