

AN ORDINANCE AMENDING SECTION 26-107, STREET LIGHTING, OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN, TEXAS; AMENDING STREET LIGHTING DISTANCE REQUIREMENT AND PROVIDING FOR ADDITIONAL TYPES OF STREET LIGHTS; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Killeen, Texas is a home-rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code;

WHEREAS, the City of Killeen has declared the application and enforcement of the City's subdivision and development regulations to be necessary for the promotion of the public safety, health, convenience, comfort, prosperity and general welfare of the City; and,

WHEREAS, the City Council desires to create subdivision and development regulations that will help ensure that future development is safe, orderly, and visually appealing; and,

WHEREAS, the City Council desires to provide adequate street lighting for the protection of the public and property; and,

WHEREAS, the City Council desires to provide acceptable design standards for street lights in the City of Killeen to achieve high quality and safe living environments; and,

WHEREAS, the City Council desires to amend subdivision and development regulations to promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS:

SECTION I. That Chapter 26, Section 26-107, of the City of Killeen Code of Ordinances is hereby amended to read as follows:

Sec. 26-107. - Street lighting.

- (a) Adequate street lighting shall be provided for the protection of the public and property and shall be installed in all new subdivisions within the corporate limits of the city of Killeen.
- (b) Street lights will be installed at intersections, curves, dead ends, cul-de-sacs and where spacing exceeds ~~twelve hundred (1,200)~~ six hundred (600) feet.
- (c) A street light plan shall be submitted with the construction plans required by section 26-81 of this chapter. The city engineer shall approve the street lighting plan.

- (d) The developer shall select and have installed all of the lines, poles, luminaries and lamps required to comply with the approved street light plan. The minimum acceptable design for street lights in the city of Killeen shall be embedded round fiberglass poles with post top lantern style fixtures. The city reserves the right to require round tapered galvanized steel poles with cobra head fixtures when essential to provide the necessary degree of illumination. All street light infrastructures shall be in dedicated utility easements or rights of way. Installation procedures and acceptable standards for street lights shall be governed by the design and specification standards of the electric utility company serving the subdivision. The use of special non-standard poles or fixtures from sources other than the electric utility shall not be accepted for dedication to the public.
- (e) Street lights on local and collector streets shall be at least 100-watt high pressure sodium vapor or 35-45 watt LED or equivalent. Street lights on major collectors and arterials shall be at least 250-watt high pressure sodium vapor or 65-75 watt LED or equivalent.
- (f) The developer shall be responsible for the cost of street light installation including the cost of service lines to supply electricity to the street lights and all engineering costs not borne by the electrical service provider. Developers may decrease their installation costs by completing all or part of the installation of street lighting to include the necessary trenching and installation of conduit to the location of required street light placement, as acceptable to the electric utility provider and as required by the street lighting plan.
- (g) Once satisfactorily installed, approved, and accepted, the street lights shall be dedicated to public use with maintenance of the street light being provided by the electric utility company serving the area. The electric utility company providing service to the area shall furnish electric energy to installed and dedicated street lights. The city of Killeen will pay the energy costs of dedicated street lights located within the city.
- (h) Extraterritorial jurisdiction (ETJ) - A street lighting plan shall be developed for subdivisions in the ETJ and any utility easements required to execute the plan shall be dedicated for public use. Installation of street lights will not be required; however, in preparation for future street light installation, necessary trenching and installation of conduit to the location of required street light placement will be accomplished by the developer, as required by the street lighting plan.

SECTION II. That all ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION III. That should any section or part of any section, paragraph or clause of this ordinance be declared invalid or unconstitutional for any reason, it shall not invalidate or impair the validity, force or effect of any other section or sections or part of a section or paragraph of this ordinance.

SECTION IV. That the Code of Ordinances of the City of Killeen, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION V. That this ordinance shall be effective on February 1, 2021.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 26th day of January, 2021, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 *et seq.*

APPROVED

Jose L. Segarra, MAYOR

ATTEST:

APPROVED AS TO FORM:

Lucy C. Aldrich, CITY SECRETARY

Traci S. Briggs, CITY ATTORNEY

ORD _____

Date: _____