

ORDINANCE NO. 89-74

Sponsored by Councilman Russell Sweetha on the 2nd day of December, 1974.

AN ORDINANCE FIXING THE PRICE WHICH THE DAYTON POWER AND LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, MAY CHARGE FOR ELECTRIC LIGHT FURNISHED TO THE PUBLIC GROUNDS, STREETS, LANES, ALLEYS AND AVENUES IN THE CITY OF CENTERVILLE, STATE OF OHIO, FOR A PERIOD OF THREE (3) YEARS, COMMENCING ON THE 29TH DAY OF DECEMBER, 1974, AND DETERMINING THE MANNER IN WHICH SAID LIGHTING MAY BE FURNISHED, PROVIDED AND PAID FOR.

WHEREAS, there is on file with the Clerk of said City complete plans and specifications for the lighting of the streets and public places of the City with electricity, which plans and specifications provide for different types and ratings of lights in various locations according to the local requirements, the lights being designated by lumens and classified as hereinafter set forth.

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1. For a period of three (3) years, commencing on the 29th day of December, 1974, the price which may be charged by the Dayton Power and Light Company, hereinafter sometimes referred to as the "Company," for electric light furnished to the City of Centerville, Ohio, to light the streets, lanes, alleys, avenues and public places thereof in the manner and by the means set forth in the plans and specifications therefor on file with the Clerk of said City, and as provided in this ordinance, shall be as follows:

A. FOR MERCURY LUMINAIRES

OVERHEAD AND/OR UNDERGROUND MERCURY LUMINAIRES  
(WOOD POLES)

7700 Lumen Mercury, Open Type, Luminaires

For light supplied by means of seventy-seven hundred (7700) nominal lumen mercury, open type, luminaires, the price shall be \$43.50 per luminaire per year;

7700 Lumen Mercury, Closed Type, Luminaires

For light supplied by means of seventy-seven hundred (7700) nominal lumen mercury, closed type, luminaires, the price shall be \$44.50 per luminaire per year;

7700 Lumen Mercury, Town & Country, Luminaires

For light supplied by means of seventy-seven hundred (7700) nominal lumen mercury, Town & Country, luminaires the price shall be \$61.50 per luminaire per year;

11,000 Lumen Mercury Luminaires

For light supplied by means of eleven thousand (11,000) nominal lumen mercury luminaires, the price shall be \$50.00 per luminaire per year;

21,000 Lumen Mercury Luminaires

For light supplied by means of twenty-one thousand (21,000) nominal lumen mercury luminaires, the price shall be \$70.00 per luminaire per year;

54,000 Lumen Mercury Luminaires

For light supplied by means of fifty-four thousand (54,000) nominal lumen mercury luminaires, the price shall be \$134.00 per luminaire per year;

OVERHEAD AND/OR UNDERGROUND  
BOULEVARD MERCURY LUMINAIRES (METAL POLES)

7700 Lumen Boulevard Mercury, Open Type, Luminaires  
For light supplied by means of seventy-seven hundred (7700) nominal lumen boulevard mercury, open type, luminaires, the price shall be \$62.00 per luminaire per year;

7700 Lumen Boulevard Mercury, Closed Type, Luminaires  
For light supplied by means of seventy-seven hundred (7700) nominal lumen boulevard mercury, closed type, luminaires, the price shall be \$63.00 per luminaire per year;

11,000 Lumen Boulevard Mercury Luminaires  
For light supplied by means of eleven thousand (11,000) nominal lumen boulevard mercury luminaires, the price shall be \$68.50 per luminaire per year;

21,000 Lumen Boulevard Mercury Luminaires  
For light supplied by means of twenty-one thousand (21,000) nominal lumen boulevard mercury luminaires, the price shall be \$85.00 per luminaire per year;

54,000 Lumen Boulevard Mercury Luminaires  
For light supplied by means of fifty-four thousand (54,000) nominal lumen boulevard mercury luminaires, the price shall be \$170.00 per luminaire per year;

B. FOR INCANDESCENT LUMINAIRES  
INSTALLED BEFORE DECEMBER 29, 1974

2500 Lumen Incandescent Luminaires  
For light supplied by means of twenty-five hundred (2500) nominal lumen incandescent luminaires, the price shall be \$33.00 per luminaire per year;

4000 Lumen Incandescent Luminaires  
For light supplied by means of four thousand (4000) nominal lumen incandescent luminaires, the price shall be \$42.00 per luminaire per year;

C. FOR HIGH-PRESSURE SODIUM LUMINAIRES

OVERHEAD AND/OR UNDERGROUND  
HIGH-PRESSURE SODIUM LUMINAIRES (WOOD POLES)

27,000 Lumen High-Pressure Sodium Luminaires  
For light supplied by means of twenty-seven thousand (27,000) nominal lumen high-pressure sodium luminaires, the price shall be \$100.00 per luminaire per year;

47,000 Lumen High-Pressure Sodium Luminaires  
For light supplied by means of forty-seven thousand (47,000) nominal lumen high-pressure sodium luminaires, the price shall be \$114.00 per luminaire per year;

OVERHEAD AND/OR UNDERGROUND  
BOULEVARD HIGH-PRESSURE SODIUM LUMINAIRES (METAL POLES)

27,000 Lumen Boulevard High-Pressure Sodium Luminaires

For light supplied by means of twenty-seven thousand (27,000) nominal lumen boulevard high-pressure sodium luminaires, the price shall be \$134.00 per luminaire per year;

47,000 Lumen Boulevard High-Pressure Sodium Luminaires

For light supplied by means of forty-seven thousand (47,000) nominal lumen boulevard high-pressure sodium luminaires, the price shall be \$139.50 per luminaire per year;

ELIMINATION OF INCANDESCENT AND/OR FLUORESCENT ELECTRIC LUMINAIRES  
ON OR AFTER DECEMBER 29, 1974

The Company is eliminating incandescent and/or fluorescent street lighting service and will not install new luminaires of the types normally referred to as "incandescent" and/or "fluorescent" luminaires on or after December 29, 1974, nor will it replace existing luminaires with new luminaires of these types except for purposes of maintenance or accident replacement of incandescent and/or fluorescent luminaires installed prior to December 29, 1974. Mercury lighting is available in all areas.

ADJUSTMENT FOR LUMINAIRES SUPPLIED BY UNDERGROUND CONSTRUCTION

All rates in this ordinance for electric luminaires supplied by underground construction are based on an average of 25 feet of underground service per luminaire. Such rates will be adjusted by an amount of \$8.75 per luminaire per year for each 50 feet, or major part thereof, that the average footage (that footage being the shortest practical distance to serve all luminaires divided by the number of luminaires served by underground construction) of each order for such luminaires exceeds 25 feet.

PAYMENT FOR STREET LIGHTING

The Company is to be paid by said City for said lighting in twelve (12) equal monthly installments on or before the tenth day after rendition by the Company of a bill for the lighting furnished during the next preceding month, and the Company agrees that any additional luminaires of the character aforesaid for the street lighting ordered by said City shall be erected and operated by it at the same price per luminaire as above named, the same to be paid by said City in the same manner and installments and at the times hereinbefore provided for said payments. In the event an error in billing should occur, an adjustment, either as a credit or debit, will be made in the succeeding month's bill.

SECTION 2: The minimum number of luminaires, and in the case of incandescent and/or fluorescent luminaires installed before December 29, 1974, the maximum number of luminaires, of the various nominal lumen intensities to be used for the lighting of said streets, lanes, alleys, avenues and public places furnished shall be as follows:

A. MERCURY LUMINAIRES

<u>1</u>	- 7700 Lumen Mercury, Open Type, Luminaires
<u>9</u>	- 7700 Lumen Mercury, Closed Type, Luminaires
	- 7700 Lumen Mercury, Town & Country, Luminaires
<u>52</u>	- 11,000 Lumen Mercury Luminaires
<u>11</u>	- 21,000 Lumen Mercury Luminaires
	- 54,000 Lumen Mercury Luminaires
	- 7700 Lumen Boulevard Mercury, Open Type, Luminaires
	- 7700 Lumen Boulevard Mercury, Closed Type, Luminaires
	- 11,000 Lumen Boulevard Mercury Luminaires
	- 21,000 Lumen Boulevard Mercury Luminaires
	- 54,000 Lumen Boulevard Mercury Luminaires

B. INCANDESCENT LUMINAIRES  
INSTALLED BEFORE DECEMBER 29, 1974

<u>11</u>	- 2500 Lumen Incandescent Luminaires
<u>2</u>	- 4000 Lumen Incandescent Luminaires

C. HIGH-PRESSURE SODIUM LUMINAIRES

	- 27,000 Lumen High-Pressure Sodium Luminaires
	- 47,000 Lumen High-Pressure Sodium Luminaires
	- 27,000 Lumen Boulevard High-Pressure Sodium Luminaires
	- 47,000 Lumen Boulevard High-Pressure Sodium Luminaires

SECTION 3: Said lighting shall be furnished by means of aerial or underground construction, and the Company shall be privileged to and shall install all necessary wires, poles, anchors, guys, conduits and any other equipment necessary and proper to accomplish such lighting by such means. Said Company shall at its own expense furnish said luminaires and equipment and material necessary for said lighting and erect and maintain same, or where already erected, maintain same, and shall supply said luminaires with the necessary electric current.

SECTION 4: Said lighting shall be in accordance with the "ALL NIGHT AND EVERY NIGHT SCHEDULE"; that is, the luminaires shall be illuminated every night from approximately one-half hour after sunset of one day to approximately one-half hour before sunrise of the next day, in accordance with which schedule each luminaire shall be illuminated for approximately 4,000 hours per year.

SECTION 5: The location of each luminaire shall be approved by the Lighting Committee of said City before the luminaire is erected, and after a luminaire has been erected in accordance with such approval, the Company, upon a written order from the Council, shall remove it to another location, the cost of such removal and relocation to be paid by the City. The Company shall, upon request of the Council, furnish to the City an estimate of the cost of such removal and relocation.

SECTION 6: The Company shall use all diligence and care necessary to keep all the luminaires clean and burning during the hours called for in this ordinance, and the City through its duly authorized officers, shall promptly report to the office of the Company all luminaires discovered not burning.

SECTION 7: Whenever any tree or trees upon any sidewalk of any street, lane, alley, or avenue shall seriously interfere with the distribution of light from any luminaire, or group of luminaires, of which the Council of the City shall be the judge, the City will trim or cause to be trimmed, any such tree or trees in such a manner that such interference with the distribution of light will be removed.

SECTION 8: All lighting to be furnished hereunder shall be furnished and supplied as provided herein continuously and without interruption except for the following causes: accidents and contingencies, short circuits, line, luminaire or equipment failures, breakdowns, strikes, fires, floods, riots, cyclones, vandalism, explosions, acts of God or nature, acts or orders of The Public Utilities Commission of Ohio, acts or orders of any civil, judicial or military authorities, or any cause beyond the control of the Company. The Company does not guarantee continuous lighting and shall not be liable to the City or anyone else for any damage, loss or injury resulting from any interruptions in such lighting caused or resulting from the happening of any of the foregoing causes or contingencies, or otherwise, provided, however, the Company will make reasonable effort to remove the cause of any suspension or interruption of and to resume the lighting agreed to be furnished hereunder.

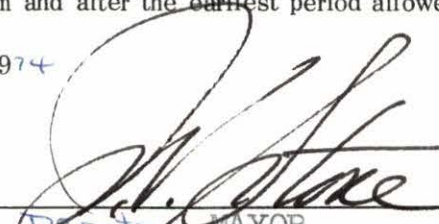
SECTION 9: All lighting furnished hereunder by the Company shall be furnished under and subject to the Company's applicable General Service Rules and Regulations for Electric Service, as now, or hereafter from time to time, on file with The Public Utilities Commission of Ohio.

SECTION 10: The plans and specifications herein referred to for such street lighting, and on file with the Clerk of said City, be and the same hereby are adopted and approved.

SECTION 11: Upon The Dayton Power and Light Company filing its written acceptance of this ordinance with the Clerk of said City within thirty (30) days from the taking effect hereof, this ordinance shall be and constitute a contract between said City and The Dayton Power and Light Company to light the streets, lanes, alleys, avenues and public places, in accordance herewith, for three (3) years, commencing on the 29th day of December, 1974.

SECTION 12: This ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED THIS 2nd day of December, 1974

  
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Deputy MAYOR

ATTEST:

  
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CLERK

C E R T I F I C A T E

I, Marilyn J. McLaughlin, Clerk of the City of Centerville, Ohio, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 89-74, passed by the Council of said City on the 2nd day of December, 1974

WITNESS my hand at Centerville, Ohio, this 2nd day of December, 1974

*Marilyn J. McLaughlin*  
CLERK

C E R T I F I C A T E

I, Wm L. Bettcher, Finance Director of the City of Centerville, Ohio, hereby certify that the funds for the payment of the foregoing contractual obligations have been lawfully appropriated for such purpose and are in the treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrance to the extent necessary to meet the obligations of this contract maturing in the first or current fiscal year thereof.

*Wm L. Bettcher*  
FINANCE DIRECTOR

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SPECIFICATIONS FOR LIGHTING THE STREETS,  
LANES, ALLEYS, AVENUES AND PUBLIC PLACES  
WITH ELECTRIC LIGHT IN THE CITY  
OF CENTERVILLE, STATE OF OHIO.

FIRST. The lighting of the streets, lanes, alleys, avenues and public places in the City  
of Centerville, Ohio, for a period of three (3) years, commencing on the 29th day of  
December, 1974.

SECOND. The minimum number of luminaires, and in the case of incandescent and/or fluorescent luminaires  
installed before December 29, 1974, the maximum number of luminaires, of the various nominal  
lumen intensities to be used for the lighting of said streets, lanes, alleys, avenues and public places furnished  
shall be as follows:

A. MERCURY LUMINAIRES

OVERHEAD AND/OR UNDERGROUND MERCURY LUMINAIRES (WOOD POLES)

- 1 - 7700 Lumen Mercury, Open Type, Luminaires
- 9 - 7700 Lumen Mercury, Closed Type, Luminaires
- \_\_\_\_\_ - 7700 Lumen Mercury, Town & Country Luminaires
- 52 - 11,000 Lumen Mercury Luminaires
- 11 - 21,000 Lumen Mercury Luminaires
- \_\_\_\_\_ - 54,000 Lumen Mercury Luminaires

OVERHEAD AND/OR UNDERGROUND BOULEVARD MERCURY LUMINAIRES (METAL POLES)

- \_\_\_\_\_ - 7700 Lumen Boulevard Mercury, Closed Type, Luminaires
- \_\_\_\_\_ - 7700 Lumen Boulevard Mercury, Town & Country, Luminaires
- \_\_\_\_\_ - 11,000 Lumen Boulevard Mercury Luminaires
- \_\_\_\_\_ - 21,000 Lumen Boulevard Mercury Luminaires
- \_\_\_\_\_ - 54,000 Lumen Boulevard Mercury Luminaires

B. HIGH-PRESSURE SODIUM LUMINAIRES

OVERHEAD AND/OR UNDERGROUND HIGH-PRESSURE SODIUM LUMINAIRES (WOOD POLES)

- \_\_\_\_\_ - 47,000 Lumen High-Pressure Sodium Luminaires

OVERHEAD AND/OR UNDERGROUND BOULEVARD HIGH-PRESSURE SODIUM LUMINAIRES  
(METAL POLES)

- \_\_\_\_\_ - 47,000 Lumen Boulevard High-Pressure Sodium Luminaires

C. FOR INCANDESCENT AND/OR FLUORESCENT LUMINAIRES  
INSTALLED BEFORE DECEMBER 29, 1974

OVERHEAD INCANDESCENT LUMINAIRES (WOOD POLES)

- 11 - 2500 Lumen Aerial Incandescent Luminaires
- 2 - 4000 Lumen Aerial Incandescent Luminaires
- \_\_\_\_\_ - 6000 Lumen Aerial Incandescent Luminaires

OVERHEAD BOULEVARD INCANDESCENT LUMINAIRES (METAL POLES)

- \_\_\_\_\_ - 2500 Lumen Aerial Boulevard Incandescent Luminaires
- \_\_\_\_\_ - 4000 Lumen Aerial Boulevard Incandescent Luminaires
- \_\_\_\_\_ - 6000 Lumen Aerial Boulevard Incandescent Luminaires

UNDERGROUND BOULEVARD INCANDESCENT LUMINAIRES (METAL POLES)

- \_\_\_\_\_ - 2500 Lumen Underground Boulevard Incandescent Luminaires
- \_\_\_\_\_ - 4000 Lumen Underground Boulevard Incandescent Luminaires
- \_\_\_\_\_ - 6000 Lumen Underground Boulevard Incandescent Luminaires

OVERHEAD FLUORESCENT LUMINAIRES (WOOD POLES)

- \_\_\_\_\_ - 2800 Lumen Aerial Fluorescent Luminaires
- \_\_\_\_\_ - 7000 Lumen Aerial Fluorescent Luminaires
- \_\_\_\_\_ - 12,000 Lumen Aerial Fluorescent Luminaires
- \_\_\_\_\_ - 22,000 Lumen Aerial Fluorescent Luminaires
- \_\_\_\_\_ - 44,000 Lumen Aerial Fluorescent Luminaires

OVERHEAD BOULEVARD FLUORESCENT LUMINAIRES (METAL POLES)

- \_\_\_\_\_ - 2800 Lumen Aerial Boulevard Fluorescent Luminaires
- \_\_\_\_\_ - 7000 Lumen Aerial Boulevard Fluorescent Luminaires
- \_\_\_\_\_ - 12,000 Lumen Aerial Boulevard Fluorescent Luminaires
- \_\_\_\_\_ - 22,000 Lumen Aerial Boulevard Fluorescent Luminaires
- \_\_\_\_\_ - 44,000 Lumen Aerial Boulevard Fluorescent Luminaires

UNDERGROUND BOULEVARD FLUORESCENT LUMINAIRES (METAL POLES)

- \_\_\_\_\_ - 2800 Lumen Underground Boulevard Fluorescent Luminaires
- \_\_\_\_\_ - 7000 Lumen Underground Boulevard Fluorescent Luminaires
- \_\_\_\_\_ - 12,000 Lumen Underground Boulevard Fluorescent Luminaires
- \_\_\_\_\_ - 22,000 Lumen Underground Boulevard Fluorescent Luminaires
- \_\_\_\_\_ - 44,000 Lumen Underground Boulevard Fluorescent Luminaires

THIRD. MERCURY AND HIGH-PRESSURE SODIUM LUMINAIRES

Each 7700 lumen mercury, open type, luminaire shall consist of a luminaire housing and reflector, (G. E. Form M-100), or something similar thereto, for directing and distributing the light onto the street;

Each 7700 lumen mercury, Town & Country, luminaire shall be equipped with a type unit (G. E. Form TC-100), or something similar thereto, for directing and distributing the light onto the street;

Each 7700, closed type, and each 11,000 lumen mercury luminaire shall be equipped with a type unit (G. E. Form M-250), or something similar thereto, for directing and distributing the light onto the street;

Each 21,000 lumen mercury luminaire and each 47,000 lumen high-pressure sodium luminaire shall be equipped with a type unit (G. E. Form M-400), or something similar thereto, for directing and distributing the light onto the street;

Each 54,000 lumen mercury luminaire shall be equipped with a type unit (G. E. Form M-1000), or something similar thereto, for directing and distributing the light onto the street;

FOR INCANDESCENT AND/OR FLUORESCENT LUMINAIRES INSTALLED BEFORE DECEMBER 29, 1974

Each 2500 lumen incandescent luminaire shall be equipped with a metal hood (G. E. Form 101) and an open type metal reflector (G. E. Form S.O.), or something similar thereto, for directing and distributing the light onto the street;

Each 4000 and 6000 lumen incandescent luminaire shall be equipped with a metal hood (G. E. Form 101), and refractor (Type 3), or something similar thereto, for directing and distributing the light onto the street;

Each 2800 lumen fluorescent luminaire shall be equipped with an enclosed luminaire employing a hinged aluminum reflector and one-piece plastic globe (G. E. Form 202), or something similar thereto, for directing and distributing the light onto the street;



Each 7000 and 12,000 lumen fluorescent luminaire shall be equipped with an enclosed luminaire employing a hinged aluminum reflector and one-piece plastic globe (G. E. Form 204), or something similar thereto, for directing and distributing the light onto the street;

Each 22,000 lumen fluorescent luminaire shall be equipped with an enclosed luminaire employing a hinged aluminum reflector and one-piece plastic globe (G. E. Form 206), or something similar thereto, for directing and distributing the light onto the street;

Each 44,000 lumen fluorescent luminaire shall be equipped with an enclosed luminaire employing a hinged aluminum reflector and one-piece plastic globe (G. E. Form 406), or something similar thereto, for directing and distributing the light onto the street;

FOURTH. All luminaires shall be supported on wood poles and/or metal poles, equipped with a suitable metal bracket, and all of which shall be erected in accordance with the plans for street lighting on file with the Clerk of said City, which plans will be attached to the Ordinance for such lighting. The distance from the street to the light source will be approximately 25 to 30 feet, depending on the size of the light source, and in accordance with The American Standard Practice.

FIFTH. The luminaires provided for in these specifications shall be illuminated every night from approximately one-half hour after sunset of one day to approximately one-half hour before sunrise of the next day. This provides for approximately 4,000 hours operation of each luminaire per year.

SIXTH. Electric energy will be supplied by means of aerial and/or underground construction and the successful bidder shall, at its own expense and cost, erect poles, posts, wires and other fixtures necessary to do said lighting and supply the luminaires and renewals therefor.

SEVENTH. The successful bidder in the future shall erect, maintain and illuminate, as aforesaid, any additional luminaires of the character aforesaid which the City may order, and shall be paid therefor the same price and in the same manner as heretofor provided by the attached Ordinance.

EIGHTH. The successful bidder shall agree to use all diligence and care necessary to keep all the luminaires burning during the hours called for in the Ordinance to be executed.

NINTH. The City shall, on or before the tenth day after rendition by the successful bidder of a bill therefor, pay the successful bidder for the lighting furnished during the next preceding month.

APPROVED this 2nd day of December, 19 74

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MAYOR

ATTEST:

Marilyn J. Laugher  
CLERK