

City of Richmond, Virginia
Department of Public Utilities Rules and Regulations

Streetlight Policy

Adopted effective upon the later of (A) the adoption of a City Ordinance or Resolution to repeal City Ordinance Number 97-105-173, which shall specifically include City Ordinance Number 2022-375, or (B) _____(MONTH), ____ (DAY), 20 ____ (YEAR)

1. Scope and Purpose.

The purpose of these rules and regulations is to formally establish new streetlight rules and regulations. These new rules and regulations establish guidelines for the installation of adequate illumination along the streets and highways of the City. Streetlights are installed primarily to light streets and highways. Any secondary benefit to light sidewalks is coincidental. These rules and regulations are part of the Director's ability to promulgate rules and regulations regarding all electrical work in, over or under the City streets.

2. Authority.

The City Charter and City Code grant the Director the ability to promulgate rules and regulations regarding all electrical work in, over or under the City streets. City Charter § 13.01 states "The [Director] shall have power to make rules and regulations consistent with this charter and the ordinances of the city for the conduct of [DPU's] business." In the immediate next section, the City Charter discusses the function of DPU, stating "[DPU] shall be responsible for: (a)The operation of the . . . electric [utility] of the city, including street lighting." City Charter § 13.02. Thus, the operation of the electric utility is clearly DPU's "business" as referenced in City Charter 13.01. Read in conjunction, these City Charter sections indicate that the Director has the ability to promulgate rules and regulations for the electric utility and street lighting.

City Code also affirms the Director's ability to promulgate rules and regulations for the operation of the electric utility. City Code § 28-859 states

All electrical work in, over or under the City streets shall be constructed, operated and maintained in accordance with the rules and regulations of the City Electrical Code, and the Director shall have the power to make such special rules as shall be needed to carry out the requirement of this section and Sections 28-71 and 28-860.

Additionally, City Code § 28-26 states

The Director shall have the power to make reasonable rules and regulations not inconsistent with this chapter or other provisions of law or applicable ordinances, as deemed necessary to ensure the proper management, conduct, operation and control of the . . . electric [utility]. The rules and regulations shall conform to reasonable standards adopted or approved for the management, conduct, operations and control of . . . [the] electric [utility] and may be altered or amended from time

to time by the Director when the Director deems it necessary to do so for the proper management, conduct, operation and control of the [electric utility].

Thus, the City Charter and City Code uniformly affirm the Director's ability to make rules and regulations governing the electric utility and, by extension, streetlights.

3. Applicability and Effective Date of these Rules and Regulations.

These rules and regulations apply to electrical work in, over or under the City streets including the design, construction, operation, and maintenance of streetlights.

4. Definitions.

City: the City of Richmond, Virginia.

City Charter: the Charter of the City of Richmond, Virginia.

City Code: the Code of the City of Richmond, Virginia.

Director: the Director of the City of Richmond's Department of Public Utilities, or the Director's designee.

DPU: the City of Richmond, Virginia Department of Public Utilities.

5. Requirements.

Attachment A is hereby incorporated into these rules and regulations and contains the requirements of these rules and regulations in addition to any requirements stated herein.

6. Liability.

The City shall have no liability whatsoever with respect to electrical work in, over or under the City streets including the design, construction, operation, and maintenance of streetlights. The City makes no warranties, either expressed or implied, concerning any electrical work in, over or under the City streets including the construction, operation, and maintenance of streetlights.

7. Special Provisions.

Nothing in these rules and regulations shall be construed to limit or alter the Director's discretion or authority, as otherwise required or permitted by law.

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These rules and regulations shall become effective upon the later of (A) the adoption of a City Ordinance or Resolution to repeal City Ordinance Number 97-105-173, which shall specifically include City Ordinance Number 2022-375, or (B) _____(MONTH), ____ (DAY), 20____ (YEAR), and at that time shall supersede in their entirety, to the extent necessary, any and all other conflicting Department rules, regulations, policies, and guidelines.

Approved: _____

Name: _____

Title: _____

Date: _____

ATTACHMENT A