

## Chapter 84, LIGHTING CONTRACTS

[HISTORY: Adopted by the City Council of the City of Binghamton 10-5-1970 (Sub-Part III of the 1970 Code). Amendments noted where applicable.]

### § 84-1. Requirements; special lighting districts.

A. Requirements. All municipal lighting shall be supplied pursuant to contract therefor, awarded by the Board of Contract and Supply as herein provided. Such contract shall cover and include the lighting and supplying of the lamps and the oil, gas, electric current, the cleaning, repair and renewal of the lamps and all the materials required in the use and care thereof. No bid or proposal for any such contracts shall be received, nor contract awarded therefor unless the bidder shall, prior to the making of such bid or proposal, have a franchise under the authority of which the proposed contract can be performed. No contract shall be advertised for or entered into for a period exceeding 10 years. Each bidder shall be required to furnish with each bid or proposal a certified check, payable to the order of the City Treasurer, in such sum as the Board of Contract and Supply shall prescribe, but not less than \$10,000. Such sum shall be forfeited to and become the absolute property of the City in case the bidder depositing the same shall be awarded the contract and shall not execute the same. Such certified check shall be returned to the bidder if the contract be not awarded to him, or, if awarded, he shall have executed and furnished the contract.

B. Special lighting districts. The Council may by ordinance establish a special lighting district or districts for the purpose of ornamental street lighting, and, from time to time, may alter or extend the same. The Board of Contract and Supply may contract for lighting any such district or districts so established or extended as such Board may deem proper or expedient. Any contract so entered into shall be in conformity with the provisions of this section, except that the bond to be given for the faithful performance of the contract shall be in such amount as the Board of Contract and Supply shall determine.

C. Assessment for special lighting districts. The amount of any such contract that may be entered into for such special lighting, pursuant to the provisions of this section, shall be assessed ratably upon the real property in such lighting district or districts and/or against the City at large in such manner as shall be provided by an ordinance duly adopted by the Council and approved by the Board of Estimate and Apportionment, and when assessed ratably upon the real property in such lighting district or districts, such assessments shall be levied, enforced and collected upon and between the taxable property in such City and district or districts respectively, in the same manner, by the same proceedings, at the same time, under the same penalties and by the same officers as the City taxes, charges or expenses of said City are now levied, enforced, and collected. The Council may by ordinance, approved by the Board of Estimate and Apportionment, reduce or eliminate the expense borne by the taxable property in such special lighting district or districts, and in such event, the expense borne by the taxable property in such special lighting district or districts so reduced or eliminated, shall be borne by the City at large. The Council may by ordinance, approved by the Board of Estimate and Apportionment, apportion the expense that shall be borne by the taxable property in such special lighting district or districts and the City at large, but in no event shall the taxable property in any such special lighting district or districts be charged with more than 50% of such charges or expenses.