

IC 36-9-10

Chapter 10. County Payment for Municipal Street Lights

IC 36-9-10-1

Application of chapter

Sec. 1. This chapter applies to all municipalities and the counties in which they are located.

As added by Acts 1981, P.L.309, SEC.83.

IC 36-9-10-2

Obligation of county

Sec. 2. If:

- (1) a county owns real property in a municipality;
- (2) the municipality installs a lighting system to light the streets, alleys, and other public places in the municipality;
- (3) as a part of that system, street lights are installed along a street abutting on the county property, on the opposite side of the street from the county property; and
- (4) there are no street lights on the side of the street on which the county property is located;

the county shall pay the cost of installing, maintaining, and operating street lights in front of its property, on the side of the street on which the property is located.

As added by Acts 1981, P.L.309, SEC.83.

IC 36-9-10-3

Installation costs

Sec. 3. (a) If a county is required to pay for the installation of municipal street lights under this chapter, the amount to be paid by the county shall be determined under this section.

(b) If the contract for the installation of the lighting system calls for payment for the system as a whole, the county shall pay the amount that bears the same ratio to the total contract price as the number of lights to be paid for by the county bears to the total number of lights contracted for. The municipal legislative body shall determine the amount to be paid under this subsection.

(c) If the contract for installation of the lighting system calls for payment at a fixed price per light, the county shall pay the amount determined by multiplying that price by the number of lights to be paid for by the county.

As added by Acts 1981, P.L.309, SEC.83.

IC 36-9-10-4

Maintenance costs

Sec. 4. (a) If a county is required to pay for the maintenance and operation of municipal street lights under this chapter, the amount to be paid by the county shall be determined under this section.

(b) If the contract for the maintenance and operation of the lighting system calls for payment for the system as a whole, the county shall pay the amount that bears the same ratio to the total

contract price as the number of lights to be paid for by the county bears to the total number of lights contracted for.

(c) If subsection (b) does not apply, the county shall pay the amount determined by multiplying the price paid by the municipality for the maintenance and operation of each light by the number of lights required to be paid for by the county.

As added by Acts 1981, P.L.309, SEC.83.

IC 36-9-10-5

Approval of payments; appropriations

Sec. 5. (a) If a county is required to pay for the installation, maintenance, or operation of municipal street lights under this chapter, the municipal clerk shall verify the amount to be paid by the county. The municipal legislative body must approve this amount by resolution, and shall file a certified copy of the resolution with the county auditor in the same manner that other claims against the county are filed.

(b) Within sixty (60) days after the copy of the resolution is filed, the county auditor shall call the county fiscal body into special session for the purpose of making an appropriation to pay the amount claimed in the resolution. The fiscal body shall make an appropriation to pay this amount within sixty (60) days after the copy of the resolution is filed.

(c) The county shall pay the cost of maintaining and operating the lights every three (3) months, upon the filing of a claim under this section.

As added by Acts 1981, P.L.309, SEC.83.