

CHAPTER 40-30

SPECIAL STREETLIGHTING IN CITIES

40-30-01. Special streetlighting system authorized. Any city may install upon any of its streets any special system or systems of streetlighting and defray the expenses and cost thereof as provided in this chapter.

40-30-02. Procedure to install special streetlighting system. Whenever the governing body of any city shall deem it necessary to install, construct, alter, or extend, upon any of the streets of the city, a special system or special systems of streetlighting, such governing body may direct the city engineer or such other person as shall be designated, by motion or resolution, to prepare plans and specifications for such work and to make an estimate of the probable cost. Such plans, specifications, and estimates shall be approved by resolution of the governing body and filed in the office of the city auditor. The city auditor thereupon shall publish in the official newspaper of the city once each week for three successive weeks a notice stating that such plans, specifications, and estimates have been approved and filed in the city auditor's office and are open to public inspection. If the owners of a majority of the property abutting on any street or streets where such lighting system is to be installed shall not protest against the lighting system or improvement within ten days after the last publication of such notice, the majority of such owners shall be deemed to have consented thereto, and the city may proceed to provide for the construction of the improvement and to assess the cost thereof, or such part thereof as the governing body shall deem proper, against the abutting property in the manner and with the notice and according to the forms and procedure provided in this title for the construction and assessment of street paving.

40-30-03. Assessment for cost of streetlighting. In conducting proceedings under this chapter, it shall not be necessary to establish any separate lighting or improvement districts, and in assessing the benefits, no assessment shall be made against any property other than that immediately contiguous to the streets or avenues where such improvement is made.