

Chapter 39**OUTDOOR LIGHTING***

* **Editors Note:** Ord. No. 1813, § I, adopted Aug. 7, 2000, added a new chapter 39, sections 39-1--39-4, and 39-21--39-24.

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ARTICLE I.**IN GENERAL****Sec. 39-1. Title.**

This chapter shall be entitled the "outdoor lighting ordinance."
(Ord. No. 1813, § I, 8-7-00)

Sec. 39-2. Purpose.

The purpose of this chapter is to regulate outdoor lighting fixtures and installations in order to improve nighttime public safety and security, promote energy efficiency, and to reduce lighting which is detrimental to the environment or to public use and enjoyment of public and private property.
(Ord. No. 1813, § I, 8-7-00)

Sec. 39-3. Interpretation of meaning.

The building official or designee shall interpret the meaning of the provisions of this article. Disagreement with the building official's interpretation may be appealed to the city council.
(Ord. No. 1813, § I, 8-7-00)

Sec. 39-4. Definitions.

[As used in this chapter, the following words and phrases shall have the meanings ascribed to them in this section:]

Outdoor lighting fixtures: Any lighting device located exterior to a structure or intended to illuminate areas exterior to a structure, whether permanently or temporarily installed. Such devices include, but are not limited to, search lights, spotlights, flood lights, sign and architectural lighting, and lighting for parks, parking lots, roadways, and athletic facilities.

Illuminating devices:

(1) Light fixture types:

- a. Full cutoff fixture types--A fixture which, as installed, gives no emission of light above a horizontal plane;
- b. Floodlights and spotlights--Fixtures defined as having a full beam width or beam spread of less than 110 degrees;

(2) Lamp types:

- a. Incandescent lamps--Lamps which produce light via an electrically heated metallic filament;
- b. Fluorescent lamps--Lamps which use fluorescence of a phosphor to produce visible light.
- c. High intensity discharge lamps--Lamps which produce visible light directly by the electrical heating or excitation of a gas. Examples of such lighting include, but are not limited to, Metal Halide, High Pressure Sodium, Low Pressure Sodium, and Mercury Vapor. For purposes of this chapter, fluorescent lights are not considered HID lighting.

Measurement:

(1) Lamp output:

- a. Total output: Measurement of total output are in lumens. This should be understood to be the initial lumen value for the lamp. (A 100-watt incandescent lamp produces about 1,800 lumens.)
- b. Illuminance: Measurements of illuminance are expressed in initial lumens per square foot. (A desktop Illuminance of 20 initial lumens per square foot is adequate for most purposes.)

(2) Measurement: In measuring illuminance, the light detector should be pointed directly at the light source or sources. The intervening light path should be free of obstruction.

(Ord. No. 1813, § I, 8-7-00)

Secs. 39-5--39-20. Reserved

ARTICLE II.**PROVISIONS****Sec. 39-21. Non-permitted lighting.**

- (a) Newly installed fixtures which are not full-cutoff fixtures.
 - (b) Lighting which produces illumination in excess of 70 lumens per square foot at ground level.
 - (c) Lighting which presents a clear hazard to motorists, cyclists, or pedestrians.
- (Ord. No. 1813, § I, 8-7-00)

Sec. 39-22. Exemptions and exceptions.

- (a) Residential fixtures consisting of a single incandescent light having an output of less than 1,800 lumens or 100 watts.
 - (b) Floodlights and spotlight, provided that the total beam width is less than 110 degrees and the beam center is directed at least 65 degrees below the horizontal.
 - (c) Up lighting for billboards, signs, architectural illumination, provided that the total output is less than 5,400 initial lumens per property parcel and less than 1,800 initial lumens per fixture. Moreover, no illumination may project beyond the highest point of the structure.
 - (d) Seasonal decorative lighting consists of incandescent lamps in a temporary installation.
 - (e) Full cutoff street lighting which is part of a federal, state, or municipal installation.
 - (f) Specialized lighting necessary for safety, such as navigated or runway lighting of airports, or temporary lighting associated with emergency operations, roadhazard warnings, etc.
 - (g) Lighting of sports facilities or stadiums prior to 11:00 p.m. Illumination after 11:00 p.m. is also permitted if it is necessary in order to conclude a recreational, sporting, or other scheduled activity which is in progress prior to that time.
 - (h) Internally illuminated and exposed neon signs, including neon used for decorative purposes. Internally illuminated signs must be constructed so that the top of the sign is constructed of metal or of suitable material that does not allow light penetration vertically, so as to ensure that light is not emitted directly towards the sky.
- (Ord. No. 1813, § I, 8-7-00; Ord. No. 1836, § II, 11-6-00)

Sec. 39-23. Grandfathering.

- (a) Existing lighting is exempt from the provision of this chapter except that replacement fixtures must be fully compliant.

(b) Adjustable lighting must be brought into compliance within 90 days.

(c) These grandfathering provisions do not apply to lighting on a property which ceases operations or is unoccupied for more than (12) months, or where \$25,000 or more is spent on renovations or remodeling. These must be brought into full compliance before reoccupation or reuse.

(d) All existing lighting installations must be brought into compliance with the provisions of this chapter within ten years of its effective date.

(Ord. No. 1813, § I, 8-7-00)

Sec. 39-24. Variances.

Variances defined as other exemptions from the requirement of this chapter, shall not be permitted unless specifically authorized by the board of adjustment, subject to appeal to the city council in accordance with section 38-11 of this Code.

Procedural requirements for variance requests shall be in compliance with section 38-11, article II, division 5, board of adjustment and procedures for variances to the Municipal Code.

(Ord. No. 1813, § I, 8-7-00; Ord. No. 1929, §§ I, II, 8-5-02)