

Township of Long Lake

AN ORDINANCE ESTABLISHING OUTDOOR LIGHTING REQUIREMENTS #2005-17

This ordinance recognizes the benefits of outdoor lighting and provides clear guidelines for its installation so as to help maintain and compliment the Town's character.

SECTION 1. Applicability, Need, and Purpose:

Applicability: All replacement fixtures, relocated fixtures, or new installations must adhere to this ordinance. Existing fixtures in original locations installed prior to this approved ordinance date are exempt until 2010 but are encouraged to comply. All outdoor fixtures over 1300 lumens (20 Watts fluorescent or 75 Watts incandescent) shall conform to this ordinance.

Need: Good outdoor lighting at night benefits everyone. It increases safety, enhances nighttime character, and helps provide security. New lighting technologies have produced lights that are extremely powerful, and these types of lights may be improperly installed so that they create problems of excessive glare, light trespass, and higher energy use.

- Excessive glare can be annoying and may cause safety problems.
- Light trespass reduces everyone's privacy, and
- Higher energy use results in increased costs for everyone.

Purpose:

- To protect the privacy of property owners.
- To promote downlighting.
- To reduce the problems created by improperly designed and installed outdoor lighting.
- To help eliminate problems of glare, light pollution, and light trespass.
- To preserve the view of the night sky, stars, and the aurora borealis (a.k.a. 'northern lights').
- To reduce the energy and financial costs of outdoor lighting.

All business, residential, community, driveway, sidewalk, and property luminaires should be installed with the idea of being a "good neighbor", and keep unnecessary direct light from shining onto abutting properties or streets.

SECTION 2. Definitions:

Fixture/Luminaire: The complete lighting assembly. It includes: the housing, lamp, bulb, ballast, reflector, refractor or lens.

Fully-shielded lights: outdoor light fixtures shielded so that no light rays are emitted at angles above the horizontal plane.

Glare: Light from a luminaire with an intensity great enough to reduce a viewer's ability to see, and in extreme cases causing momentary blindness.

Height of Luminaire: The vertical distance from the ground directly below the lowest direct-light-emitting part of the luminaire.

Lamp: The bulb or component of a luminaire that produces the actual light.

Light Trespass: The shining of light beyond the boundaries of the property on which it is located.

Lumen: The amount of light produced by a lamp. The equivalent light produced of 1300 lumens is one of the following fixtures:

- (1) 16 Watt pressure sodium, or
- (1) 20 Watt fluorescent, or
- (1) 20 Watt metal halide, or
- (1) 28W mercury vapor or,
- (1) 75 Watt incandescent

Nonessential Lighting: Lighting applying to displays, aesthetics, parking and sign lighting.

Outdoor Lighting: The night-time illumination of an outside area by any man-made device located outdoors.

Temporary outdoor lighting: Outdoor lighting for a period of less than 21 days, with at least 180 days passing before used again.

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**SECTION 3. Standards for all properties:** All public and private outdoor lighting installed in the Township of Long Lake shall be in conformance with the requirements of this Ordinance.

**Control of Glare and Light Trespass-**

Downlighting: Luminaires shall have bulbs shielded from horizontal view and not emit any direct light above a horizontal plane through the lowest direct-light-emitting part of the luminaire.

Maximum Pole Height: Luminaires shall be mounted at a maximum allowable height equal to or less than the value  $(D / 6)$ , where D is the distance in feet to the nearest property boundary. The maximum height of the luminaire may not exceed 20 feet.

Public roadways: Luminaires used by local governments or government agencies for public-roadway illumination may be installed at a maximum height of 20 feet and may be positioned at that height up to the edge of any bordering property.

Hazard warning: Hazard warning luminaires required by Federal regulatory agencies must be red and must be shown to be as close as possible to the Federally required minimum lumen output requirement for the specific task.

Conflicts: Law Governing Conflicts. Where any provision of federal, state, county, or town statutes, codes, or laws conflicts with any provision of this code, the most restrictive shall govern unless otherwise regulated by law.

**SECTION 4. Outdoor Signs or Displays:**

Lighting fixtures used to illuminate an outdoor advertising sign or a display shall be mounted on the top of the sign structure with light directed downward. All such fixtures shall comply with the shielding requirements of Section 3.

Outdoor advertising signs of the type constructed of translucent materials and wholly illuminated from within do not require shielding. Dark backgrounds with light lettering or symbols are preferred, to minimize detrimental effects. Unless conforming to the above dark background preference, total lamp wattage per property shall be less than 41 watts. Signs shall have a maximum area of 24 square feet.

Prohibitions: Electric illumination of advertising off-site signs between the hours of 11:00 p.m. and sunrise is prohibited.

**SECTION 5. Entertainment Events or Recreational Facilities:**

Any light source permitted by this Code may be used for the lighting of entertainment events or outdoor recreational facilities (public or private). All fixtures used shall be fully shielded as defined in Section 3 of this Code so as to minimize up-light, spill-light, and glare. All events shall be scheduled so as to complete all activity before or as near to 10:30 p.m. as practical, but under no circumstances shall any illumination of the recreational facility or entertainment event be permitted after 11:00 p.m. without a permit.

**SECTION 6. Parking Areas:**

All parking facilities will be full cut-off type fixtures that do not allow upward distribution of light. The maximum power density for the parking area shall be .08 Watts per square foot. Parking lots for businesses shall have lights turned off or set on motion sensors when not open for business.

**SECTION 7. Shoreland lighting:**

- Flashing and rotating lights are prohibited.
- Lighting on the exterior of berthing structures, or designed to illuminate a berthing structure or its immediate vicinity shall be fitted with opaque shields to prevent direct visibility of the lamp to persons on public waters or adjacent lands more than 50 feet beyond the berthing structure.
- Lighting installed on, or intended to illuminate berthing structures or vicinity shall be turned off when not required for safety or security.

**SECTION 8. Security Lighting:**

All building lighting for security or aesthetics will be full cut-off or a shielded type fixture that does not allow any upward distribution of light. Unoccupied lighting used as all night security lighting shall be set on motion sensors. All non-essential lighting will be required to be turned off after business hours, leaving only the minimum lighting necessary for security.

**SECTION 9. Prohibitions:**

Laser Source Light or Search Light. The use of laser source light, searchlights, or any similar high intensity light for outdoor advertising or entertainment is prohibited.

Mercury Vapor Lamp Fixtures are discouraged due to inefficiency, glare, and hazardous waste. They must be fully shielded.

**SECTION 10. Temporary Outdoor Lighting:**

Nonconforming temporary outdoor lighting may be permitted by the Town Board after considering:

- (1) the public and/or private benefits that will result from the temporary lighting;
- (2) any annoyance or safety problems that may result from the use of the temporary lighting; and
- (3) the duration of the temporary nonconforming lighting. The applicant shall submit a detailed description of the proposed temporary nonconforming lighting to the Town Board.

**SECTION 11. New Construction:**

Submission Contents. The applicant for any permit required by any provision of the laws of this jurisdiction in connection with proposed work involving outdoor lighting fixtures shall submit (as part of the application for permit) evidence that the proposed work will comply with this Code. The submission shall contain but shall not necessarily be limited to the following:

**Plans** - Stating downlighting will be used. Sketches indicating the location on the premises, the make/model of illuminating devices, pole heights, fixtures, lamps, wattage, and lumens of fixtures.

**SECTION 12. Violations, Legal Actions, and Penalties:**

Violations and Legal Actions: If, after investigation, the delegated Code Enforcement Officer finds that any provision of the Ordinance is being violated, he shall give notice by hand delivery or by certified mail, return-receipt requested, of such violation to the owner and/or to the occupant of such premises, demanding that violation be abated within thirty (30) days of the date of hand delivery or of the date of mailing of the notice. If the violation is not abated within the thirty-day period, the Code Enforcement Officer may institute actions and proceedings, either legal or equitable, to enjoin, restrain, or abate any violations of this Ordinance and to collect the penalties for such violations.

Penalties: A violation of this Ordinance, or any provision thereof, shall be punishable by a civil penalty of not less than fifty dollars nor more than two hundred dollars for each and any: individual, property owner, installer, corporation, association, or other legal entity for each violation. The imposition of a fine under this Code shall not be suspended. Each day of violation after the expiration of the thirty-day period provided in the paragraph above shall constitute a separate offense for the purpose of calculating the civil penalty.

ADOPTED MARCH 8, 2005

- x *Thomas C. Dettl* - CHAIRMAN L.L.
- x *Edward Olund* Supervisor I
- x *Harvey Olund* Supervisor II

*Dolores Magnus, town clerk / attest to signatures March 8, 2005*