

A) Purpose

Lighting, like roaming pets, loud music and other annoyances can often unintentionally intrude on other's rights to enjoy the beauty, peace and tranquility of their property and detract from our town's Northwoods character. The purpose of this ordinance is to balance the need for safety and security with the desire to eliminate glare and light trespass, and to preserve the economic value and enjoyment of the night sky.

B) General Requirements

All exterior lighting shall be controlled in such a way as to not shine up into the sky or onto neighboring properties and roadways.

Some examples of how this can be accomplished:

- Use of fully shielded, or full cut-off fixtures
- Directing light from fixtures downward rather than upward
- Shielding the light in such a way that the light emitting portion of the fixture cannot be seen from off of the property
- Replacing white light bulbs with yellow "Bug Lite" bulbs in area and wall mounted fixtures
- Replacing Blue Mercury lamps with High Pressure Sodium (Warm glow and energy efficient) lamps on privately installed security lights
- Replacing dusk-to-dawn fixtures with motion detecting fixtures
- Seasonal residences: Disconnecting or extinguishing security and other lighting when the residence is not occupied or in use

C) Definitions

Fixture - the assembly that holds the lamp (bulb) in a lighting system. It includes the elements designed to give light output control, such as a reflector (mirror) or refractor (lens), the ballast, housing, and attached parts.

Full-cutoff - a light fixture which prevents all transmission of light above the horizontal.

Glare - a light source which often results in annoyance, discomfort or loss of visual performance causing visual impairment and/or discomfort experienced by an observer with a direct line of sight

Fully shielded - a fixture with housing or attachment which prevents a line of sight to the bulb when viewed from another property and which prevents a line of sight to any part of the light source at or above a horizontal plane running through the lowest portion of the fixture.

IESNA - Illuminating Engineering Society of North America

Light trespass - light projected onto a property from a fixture not located on that property.

Light source - the bulb and lens, diffuser, or reflective enclosure.

D) Specific Requirements and Applicability

- 1) **Waterfront Property** – property that abuts or can be seen from lakes, rivers or streams.
 - a) Exterior lighting of greater than 100 watts (per bulb) incandescent or equivalent lumens shall be fitted with shielding which prevents direct visibility of the lamp from public waters and from off the premises on which the lighting is located, except as exempted in section b.

- b) Lighting on, or designed to illuminate berthing areas and/or shorelines shall be shielded in such a way as to prevent direct visibility of the light on public waters or adjacent lands more than 50 feet beyond the berthing structure.
- c) Flashing or rotating exterior lighting is prohibited.

2) **Commercial Property**

- a) Lighting for all commercial, industrial, agricultural, recreational and multi unit housing development will be consistent with the Illuminating Engineering Society of North America (IESNA) recommended practices.

3) **Residential Property**

- a) Spot, flood and pole, tree or building mounted lights such as those installed by power companies shall be installed, aimed, or shielded in such a way that no glare or illumination is projected onto neighboring property or roadways.

E) Exemptions

- 1) Any other lighting of 100 watts (per bulb) or less incandescent or equivalent lumens shall be exempted.
- 2) Outdoor holiday lights and decorations shall be exempted

F) Compliance

- 1) Whenever a nonconforming fixture is replaced or moved, the replacement shall meet the requirements of this ordinance. All nonconforming fixtures shall be brought into compliance within 5 years of the date of enactment of this ordinance.
- 2) Lighting otherwise prohibited may be authorized as a conditional use if there are special circumstances relating to

essential safety, maintenance or security concerns and the public interest in the provisions of this section can be adequately protected.

G) Violations, Legal Actions, and Penalties

- 1) Violations and Notice: If any provision of the Ordinance is being violated, written notice of such violation shall be issued to the owner and/or to the occupant of such premises, indicating that the violation be abated or appealed within thirty (30) days, and suggesting abatement measures.
- 2) Legal Actions: If the violation is not abated or appealed within the thirty-day period, actions may be instituted to abate any violations of this Ordinance and to collect the penalties for such violations.
- 3) Penalties: A violation of this Ordinance, or any provision thereof, shall be punishable by a civil penalty of \$25 for each day of violation after the expiration of the thirty-day period plus court costs and/or any other legal expenses incurred by the Town of Cloverland.