

Chapter 15.10. OUTDOOR AND GREENHOUSE LIGHTING CONTROL

- 15.10.010. Purpose and Intent as Relates to Residential, Commercial and Public Area Lighting.**
- 15.10.020. Purpose and Intent as Relates to Street Lighting.**
- 15.10.030. Conformance With Applicable Codes.**
- 15.10.040. Approved Materials and Methods of Construction or Installation/Operation.**
- 15.10.050. Definitions.**
- 15.10.055. Definition-Outdoor and Greenhouse Light Fixtures.**
- 15.10.060. Definition-Community Development Department.**
- 15.10.065. Definition-Exempt Light Fixtures.**
- 15.10.070. Definition-Individual.**
- 15.10.075. Definition-Installed.**
- 15.10.080. Definition-Shielding.**
- 15.10.085. Definition-Fully Shielded.**
- 15.10.090. Definition-Partially Shielded.**
- 15.10.095. Definition-Directed Shielding.**
- 15.10.100. Definition-Unshielded.**
- 15.10.105. Definition-High Intensity Discharge Lamp Sources.**
- 15.10.110. Definition-Luminous Tube Lighting.**
- 15.10.115. Definition-Greenhouse**
- 15.10.120. Requirements for Installation of Outdoor Lighting.**
- 15.10.130. Submission of Plans and Evidence of Compliance With Code-Subdivision Plats.**
- 15.10.140. Shielding.**
- 15.10.150. Prohibitions.**
- 15.10.160. Externally Lighted Outdoor Advertising Signs, Billboards.**
- 15.10.170. Exemptions.**
- 15.10.180. Violations and Penalties.**
- 15.10.190. Violations Constitute Public Nuisance.**
- 15.10.200. Code Requirements Tables for Shielding.**

15.10.010. Purpose and Intent as Relates to Residential, Commercial and Public Area Lighting.

The purpose of DCC 15.10 is to affirm the right of citizens in Deschutes County, Oregon to illuminate residential, commercial and public areas with lighting fixtures appropriate to the need while utilizing such illumination in a way that preserves rural and urban vistas and is confined to the property from which it is generated.

(Ord. 94-024 §1, 1994)

15.10.020. Purpose and Intent as Relates to Street Lighting.

The purpose of DCC 15.10 is to affirm that citizens of Deschutes County, Oregon have a right to the safety of well-lighted streets and highways and that such illumination by nature cannot be confined to the property from which it is generated. Thus, certain high wattage and low wattage applications for the propose of highway safety as defined below are allowed under these provisions.

(Ord. 94-024 §1, 1994)

15.10.030. Conformance with Applicable Codes.

All outdoor electrically powered illuminating devices shall be installed in conformance with the provisions of this code, the building code, the electrical code, and the sign code of the jurisdiction. No provision of this ordinance are intended to pre-empt applicable state codes.

(Ord. 94-024 §1, 1994)

15.10.040. Approved Materials and Methods of Construction or Installation/ Operation.

The provisions of this code are not intended to prevent the use of any design, material, or method of installation or operation not specifically prescribed by this code, provided any such alternate has been approved. The building official may approve any such proposed alternate that: Provides an equivalent alternative design that does not exceed 1800 lumens nor project light off-site of the subject lot or parcel.

(Ord. 94-024 §1, 1994)

15.10.050. Definitions.

Whenever appropriate in applying the provisions of DCC 15.10, the following words and phrases are defined as set forth in DCC 15.10.055-110.

(Ord. 95-063 §1, 1995; Ord. 94-024 §1, 1994)

15.10.055. Definition-Outdoor and Greenhouse Light Fixtures.

"Outdoor light fixtures" means outdoor artificial illuminating devices, outdoor fixtures, lamps and other similar devices, permanently installed or portable, used for flood lighting, general illumination or advertisement. Such devices shall include, but are not limited to, search, spot, agricultural production/grow, and flood lights for:

1. Buildings and structures;
2. Recreational areas;
3. Parking lot lighting;
4. Landscape lighting;
5. Billboards and other signs (advertising or other);
6. Street lighting;
7. Product display area lighting;
8. Building overhangs and open canopies;
9. Holiday lighting;
10. Greenhouse interior lighting.

(Ord 2016-014 §1, 2016; Ord. 95-063 §1, 1995)

15.10.060. Definition-Community Development Department.

"Community Development Department" means the Community Development Department or designated representative(s) for the purposes of this ordinance.

(Ord. 95-063 §1, 1995; Ord. 94-024 §1, 1994)

15.10.065. Definition-Exempt Light Fixtures.

"Exempt light fixtures" means outdoor artificial illuminating devices which are exempted by DCC 15.10.170.

(Ord. 95-063 §1, 1995)

15.10.070. Definition-Individual.

"Individual" means any private individual, tenant, lessee, owner or any commercial entity including but not limited to companies, partnerships, joint ventures or corporations.

(Ord. 94-024 §1, 1994)

15.10.075. Definition-Installed.

"Installed" means initial installation of outdoor lighting fixtures following the effective date of this ordinance. Projects with approved construction plans prior to effective date of this ordinance are excluded from compliance with the ordinance in the initial installation only.
(Ord. 95-063 §1, 1995)

15.10.080. Definition-Shielding.

"Shielding" for the purpose of this ordinance is provided for a lighting fixture by design of such fixture or by an externally applied device such as a shroud or hood of metal, wood or painted glass that does not allow transmission of light.
(Ord. 94-024 §1, 1994)

15.10.085. Definition-Fully Shielded.

"Fully shielded" means outdoor light fixtures shielded or constructed so that light rays emitted by the fixture are projected below the horizontal plane.
(Ord. 95-063 §1, 1995)

15.10.090. Definition-Partially Shielded.

"Partially shielded" means shielding so that the edge of the shield is at or below the centerline of the light source or lamp so as to limit light emission above the horizontal plane to 10 percent or less.
(Ord. 94-024 §1, 1994)

15.10.095. Definition-Directed Shielding.

"Directed shielding" means shielding by design or external application that directs light downward and limits direct line-of-sight of a fixture's lamp to the property upon which the fixture is installed.
(Ord. 95-063 § 1, 1995)

15.10.100. Definition-Unshielded.

"Unshielded" means light fixtures lacking any means to restrict the emitted light to below the horizontal plane.
(Ord. 95-063 §1, 1995; Ord. 94-024 §1, 1994)

15.10.105. Definition-High Intensity Discharge Lamp Sources.

"High intensity discharge lamp sources" means high pressure sodium, mercury vapor, metal halide, low pressure sodium, and other similar lamps.
(Ord. 95-063 §1, 1995)

15.10.110. Definition-Luminous Tube Lighting.

"Luminous tube lighting" means gas-filled tubing which, when subjected to high voltage, becomes luminescent in a color characteristic of the particular gas used, e.g. neon, argon, etc.
(Ord. 94-024 §1, 1994)

15.10.115 Definition-Greenhouse.

"Greenhouse" means any building that is constructed of glass, plastic, or other transparent material in which plants are grown under climate controlled conditions, and includes hoop houses and other similar structures.
(Ord 2016-014 §1, 2016)

15.10.120. Requirements for Installation Of Outdoor Lighting.

Except as exempted by provisions of this ordinance, as of the date of adoption, the installation of outdoor lighting fixtures shall be subject to the provisions of this ordinance.

(Ord. 95-063 §1, 1995; Ord. 94-024 §1, 1994)

15.10.130. Submission of Plans and Evidence of Compliance With Code-Subdivision Plats.

All proposed subdivisions and partitions within Deschutes County that include outdoor lighting fixtures or street lighting shall be subject to the provisions of this ordinance.

(Ord. 95-063 §1, 1995; Ord. 94-024 §1, 1994)

15.10.140. Shielding.

All nonexempt outdoor lighting fixtures shall have shielding as required by the tables set forth in DCC 15.10.200.

(Ord. 95-063 §1, 1995; Ord. 94-024 §1, 1994)

15.10.150. Prohibitions.

- A. Laser Source Light. The use of laser source light or any similar high intensity light for outdoor advertising or entertainment, when projected above the horizontal is prohibited.
- B. Searchlights. The operation of searchlights for advertising purposes is prohibited between eleven o'clock P.M. and sunrise the following morning.
- C. Recreational Facilities. No outdoor recreational facility, public or private, shall be illuminated after eleven o'clock P.M. except to conclude a specific recreational or sporting event or any other similar activity conducted at or in the facility which was in progress under such illumination prior to eleven o'clock P.M., except that any outdoor recreational facility, public or private, which is illuminated with outdoor lighting fixtures conforming to this code may operate any time with such illumination.

(Ord. 95-063 §1, 1995; Ord. 94-024 §1, 1994)

15.10.160. Externally Lighted Outdoor Advertising Signs, Billboards.

All externally lighted advertising signs and billboards will be illuminated by one of the following manners:

- A. Top mounted fixtures in which case such fixtures will conform to the shielding requirements as set forth in DCC 15.10.140.
- B. Bottom mounted fixtures in which case such fixtures shall be shielded either by application of external device or manufactured in such a way that upward and side directed light is confined to an area within four inches of the outermost surface of the sign's top and sides. Shielding will be constructed in such a manner that no reflective surface of the lighting fixture will extend past the limit of the shielding in the vertical plane when viewed from directly above. (See typical drawings - Table 1 and Table 2 attached.)

(Ord. 95-063 §1, 1995; Ord. 94-024 §1, 1994)

15.10.170. Exemptions.

- A. Nonconformance.

- 1. All other outdoor light fixtures lawfully installed prior to and operable on the effective date of the requirements codified in this ordinance are exempt from all such requirements except those regulated in DCC 15.10.150(A), (B) and (C) or as follows:
 - a. All replacement of outdoor lighting fixtures, as of the date of adoption, shall be subject to the provisions of this ordinance.
 - b. Until a date six years after the date of adoption of this code, August 31, 2000.

2. Fossil Fuel Light. All outdoor light fixtures producing light directly by the combustion of natural gas or other fossil fuels are exempt from all requirement of DCC 15.10.
- B. Airport operations lighting and aircraft navigational beacons as established by the Federal Aviation Administration are permanently exempt from these provisions. All other airport outdoor lighting must conform to the intent of this ordinance.
 - C. Correctional Institutions. Exterior lighting for County correctional institutions shall be shielded high pressure sodium except at the immediate entry area, in which case other lighting may be used that conforms to the intent of this ordinance.
 - D. Lights used for holiday decorations for no more than 45 days are exempt from the requirements of this ordinance.
 - E. Carnivals and Fairs that require the use of temporary outdoor lighting fixtures are exempt except that permanent installations at dedicated sites must conform to the requirements of this ordinance.
 - F. Historical areas as designated by proper authority are exempt from the requirements of this ordinance. Use of the minimum illumination necessary to maintain public safety is encouraged.
 - G. Motion detector lights that operate automatically for periods of less than 20 minutes.
 - H. U.S. flags displayed by top mounted lighting on a 24 hours basis.
 - I. Internally lighted advertising signs.
 - J. Temporary exemptions to the provision(s) of DCC Title 15 for five days per calendar year.
 - K. Television or movie film productions are exempt except that permanent installations at dedicated sites must conform to the requirements of this ordinance.
 - L. Customary agricultural practices are exempt except that permanent installations at dedicated sites must conform to the requirements of this ordinance.
 - M. Construction necessary for an allowed use are exempt except that permanent installations at dedicated sites must conform to the requirements of this ordinance.
- (Ord. 99-022 §1, 1999; Ord. 95-063 §1, 1995; Ord. 94-024 §1, 1994)

15.10.180. Violations and Penalties.

For any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve or convert any lighting structure, or cause the same to be done, contrary to or in violation of any provision of this ordinance shall constitute a code violation subject to DCC 18.144.050.

(Ord. 2003-021 §33, 2003; Ord. 95-063 §1, 1995; Ord. 94-024 §1, 1994)

15.10.190. Violations Constitute Public Nuisance.

Any outdoor lighting fixture erected, constructed, enlarged, altered, repaired, moved, improved, or converted, contrary to the provisions of this ordinance shall constitute a code violation subject to DCC 18.144.040.

(Ord. 95-063 §1, 1995; Ord. 94-024 §1, 1994)

15.10.200 Code Requirement Tables for Shielding.

See attached Table 1, 2 and 3.

(Ord. 95-063 §1, 1995; Ord. 94-024 §1, 1994)