

**BOROUGH OF PENNINGTON  
ORDINANCE 2023-5**

**AN ORDINANCE AMENDING THE BOROUGH NUISANCE ORDINANCE TO PROHIBIT  
INTRUSIVE OUTDOOR LIGHTING**

**WHEREAS**, the Borough Nuisance Ordinance, Chapter 136 of the Code of the Borough of Pennington, seeks to protect and promote the public health through the control, abatement and prevention of conditions injurious to the public health and safety;

**WHEREAS**, the Nuisance Ordinance prohibits conditions and activities deemed to be detrimental or a threat to the public health or environment or an annoyance interfering with the comfort and well-being of the residents of the Borough;

**WHEREAS**, Borough Council finds and determines that outdoor lighting fixtures that illuminate beyond the property on which they are installed, when left on during the late night and early morning hours, unreasonably disrupt the peace and privacy of neighboring residents and endanger public health;

**WHEREAS**, amending the Nuisance Ordinance to prohibit these conditions will provide a mechanism for abatement as well as enforcement when appropriate;

**NOW, THEREFORE, BE IT ORDAINED**, by the Borough Council of the Borough of Pennington, that Chapter 136 of the Code of the Borough of Pennington, at Section 136-3, is hereby amended to include the following prohibitions:

“136-3. Nuisances Defined and Prohibited.

\* \* \*

(21) Outdoor lighting fixtures that are not shielded and constructed to prevent illumination beyond the property on which they are installed, including lights controlled by motion detectors, shall be turned off between 10 P.M. and sunrise. Lighting shall be presumed to prevent illumination beyond the property if it is shielded and directed downward and no direct light is emitted above a plane extending outward from the base of the light source parallel to the ground. Illumination beyond the property between 10:00 P.M. and sunrise is prohibited.”

**AND BE IT FURTHER ORDAINED** that this Ordinance shall be effective upon its passage and publication as provided by law.

Introduced: January 4, 2023  
Advertised: January 9, 2023  
Public Hearing: \_\_\_\_\_  
Adopted: \_\_\_\_\_  
Published: \_\_\_\_\_

ATTEST:

APPROVED:

\_\_\_\_\_  
Elizabeth Sterling, Borough Clerk

\_\_\_\_\_  
James Davy, Mayor

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**RECORD OF COUNCIL VOTE ON INTRODUCTION**

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone	X				Marciante	S			
Chandler	M				Stern	X			
Gnatt	X				Valenza	X			

**RECORD OF COUNCIL VOTE ON ADOPTION**

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone					Marciante				
Chandler					Stern				
Gnatt					Valenza				