

## Recommended Amendments to the City of Trinity Code of Ordinances:

### 1. Revise Article II Chapter 6 Traffic Code as follows:

#### 6.1.1 Parking in General

(C) Any person found to be in violation of the parking sections of this Chapter shall be guilty of a Class 3 misdemeanor and shall be required to pay a penalty of ~~not more than~~ fifty dollars (\$50.00) payable to the City of Trinity in person at City Hall, 5978 NC Hwy 62. Trinity, NC.

### 2. Revise Article II Chapter 7 PART 5. Light Trespass as follows:

~~7.5.1 Outdoor lighting structures shall be located, angled, shielded, or limited in intensity so as to cast no direct light upon adjacent property and to avoid the creation of a visual safety hazard to passing motorists.~~

#### 7.5.1 Purpose

The purpose of this ordinance is to control glare and light trespass. More specifically, the purpose of this ordinance is to:

1. Minimize glare and obtrusive light on adjoining properties and rights-of-way by limiting outdoor lighting that is misdirected, excessive, or unnecessary;
2. Permit reasonable uses of outdoor lighting for nighttime safety, utility, security, and enjoyment while preserving the ambiance of the night;
3. Curtail and reverse any degradation of the nighttime visual environment and the night sky.

#### 7.5.2 Definitions.

The following terms have the following definitions for purposes of this chapter:

*Foot-candle* means a measure of illuminance or a measure of how bright a light appears to the eye. One foot-candle is equal to one lumen per square foot. As an example, a typical 60-watt incandescent lamp (840 lumens) produces an illuminance of 0.1 foot-candles at a distance of about 25 feet.

*Lamp* means the light-producing source installed in the socket portion of a luminaire.

*Light pollution* means general sky glow caused by the scattering of artificial light in the atmosphere and resulting in decreased ability to see the natural night sky.

*Light trespass* means any light emitted by an outdoor luminaire that illuminates beyond the property on which the luminaire is installed at a brightness (illuminance) that exceeds 0.1 foot-candles at the property line. Unless specified otherwise, light trespass limits are measured at any location along a property line both horizontally at the ground plane facing upward and vertically at 1.5 meters (5ft) above grade with the meter aimed toward the light source in question.

*Lumen (lm):* means a unit of measure of the *luminous flux* of a light source.

*Luminaire:* means a complete lighting unit including the light source, housing, optics, electronics, and other necessary components for the purpose of providing outdoor illumination.

*Nighttime Hours:* The time between 10 PM and sunrise, or 7 AM (whichever comes earlier). For businesses and events with operating hours later than 10 PM, nighttime hours will begin one hour after closing.

*Outdoor lighting fixture* means a luminaire outside of an enclosed building or structure or any luminaire directed such that it primarily illuminates outdoor areas.

*Seasonal Lighting:* Outdoor or site lighting that is portable, temporary, decorative, and used in connection with holidays and traditions. This includes but is not limited to string lighting, icicle lighting, and lighted inflatables, none of which are intended for general illumination.

*Security Lighting:* Illumination used specifically to protect people, property, and infrastructure from criminal threat.

*Shielding* means that no light is emitted, either directly or indirectly, at or above a horizontal plane running through the lowest light-emitting part of the luminaire. Shielding may include a luminaire design, optical intervention, or physical accessory (such as a louver).

*Spotlight* means any lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction.

### **7.5.3 Applicability.**

All outdoor lighting fixtures installed on private and public property within the municipal limits of the City of Trinity shall comply with this chapter. This chapter does not apply to interior lighting; provided the enforcement officer determines that any interior lighting emitting light outside of the building or structure in which it is located does not create a light trespass. Otherwise, the interior lighting shall be subject to the requirements of this chapter.

### **7.5.4 Outdoor Lighting Regulated**

1. Outdoor lighting structures and fixtures shall be located, angled, shielded, or limited in intensity so as cast no direct light upon adjacent property and to avoid the creation of a visual safety hazard to passing motorists unless otherwise specified in this ordinance. Lighting standards for new development are located in the City of Trinity Land Management Ordinance.
2. The maximum light level of any light fixture shall not exceed .5 foot-candles as measured by a light meter measured at the property line(s) abutting any residential use.
3. The maximum light level of any light fixture shall not exceed 2 foot-candles as measured by a light meter measured at the property line(s) abutting a public right-of-way.
4. The light level of any light fixture is not subject to a maximum at the property line(s) abutting industrial or commercial uses.

### **7.5.5 Prohibited**

Any light fixture which causes direct glare and/or reflections into or toward public rights-of-way in a manner that causes a visual distraction to vehicles, bicycles, or pedestrians, as determined by the director of public works, shall be prohibited.

Beacons or searchlights for any purpose other than temporary emergency lighting or as allowed by a special event license are prohibited.

### **7.5.6 Exemptions**

The following types of lighting are exempt from the requirements of this PART:

1. Lighting requirements mandated by a legal jurisdiction with broader authority than the City of Trinity such as the North Carolina Building Code or the North Carolina Department of Transportation illumination requirements.
2. Lighting for worker safety as mandated by the Occupational Safety and Health Administration.
3. Traffic control signals and devices;
4. Streetlights installed prior to the effective date of the ordinance codified in this chapter; provided, that when a street light fixture becomes inoperable, any replacement street light fixture shall be subject to the provisions of this chapter;
5. Temporary emergency lighting (i.e., fire, police, repair workers) or warning lights;
6. Moving vehicle lights;
7. Navigation lights (i.e., radio/television towers, docks, piers, buoys) or any other lights where state or federal statute or other provision of the City of Chelan Municipal Code requires lighting that cannot comply with this chapter. In such situations, lighting shall be shielded to the maximum extent possible, and lumens shall be minimized to the maximum extent possible, while still complying with state or federal statute;
8. Public sports and recreational facilities;
9. Seasonal decorations do not have to be shielded; provided, that they do not have a brightness of more than 0.1 foot-candles at the property line on which they are installed;
10. Temporary and semi-permanent lighting approved by the City for special events, festivals, and community benefit, provided the permitted lighting still meets light trespass requirements and does not add further disruption to ecological migration or habitat.
11. Lighting installed for the benefit of public safety, including but not limited to *Security Lighting* as determined by a municipal official with authority.
12. Temporary lighting used by authorized first responders during emergency procedures.

### **7.5.7 Penalty**

Any property owner that does not meet the requirements of this ordinance shall be in violation subject to Article II Code of General Ordinances of the City of Trinity, Chapter 3 General Provisions, Section 3.21 General Penalty.