

**OUTDOOR LIGHTING
ORDINANCE
FOR THE
MUNICIPAL TOWN OF OXFORD**

**ADOPTED
APRIL 2, 2016**

TOWN OF OXFORD OUTDOOR LIGHTING ORDINANCE

Draft February 25, 2016

STATEMENT OF NEED AND PURPOSE:

Good outdoor lighting at night benefits everyone. It increases safety, enhances the Town's night time 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. There is a need for a lighting ordinance which recognizes the benefits of outdoor lighting and provides clear guidelines for its installation so as to help maintain and compliment the Town's character. Appropriately regulated, and properly installed, outdoor lighting will contribute to the safety and welfare of the residents of the town.

This ordinance is intended to reduce the problems created by improperly designed and installed outdoor lighting. It is intended to eliminate problems of glare, minimize light trespass, and help reduce the energy and financial costs of outdoor lighting by establishing regulations which limit the area that certain kinds of outdoor-lighting fixtures can illuminate and by limiting the total allowable illumination of lots located in the Town of Oxford.

ARTICLE 1

1.1. DEFINITIONS: For the purposes of this Ordinance, terms used shall be defined as follows:

Direct Light: Light emitted directly from the lamp, off of the reflector or reflector diffuser, or through the refractor or diffuser lens, of a luminaire.

Fixture: The assembly that houses the lamp or lamps and can include all or some of the following parts: a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and/or a refractor or lens.

Flood or Spot light: Any light fixture or lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction.

Glare: Light emitting 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 height of a luminaire shall be the vertical distance from the ground directly below the centerline of the luminaire to the lowest direct-light-emitting part of the luminaire.

Indirect Light: Direct light that has been reflected or has scattered off of other surfaces.

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

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

Lumen: A unit of luminous flux. One foot-candle is one lumen per square foot. For the purposes of this Ordinance, the lumen-output values shall be the INITIAL lumen output ratings of a lamp.

Luminaire: This is a complete lighting system, and includes a lamp or lamps and a fixture.

Outdoor Lighting: The night-time illumination of an outside area or object by any man-made device located outdoors that produces light by any means.

Temporary outdoor lighting: The specific illumination of an outside area of object by any man-made device located outdoors that produces light by any means for a period of less than 7 days, with at least 180 days passing before being used again.

ARTICLE 2

2.1. REGULATIONS: All public and private outdoor lighting installed in the Town of Oxford shall be in conformance with the requirements established by this Ordinance.

2.2. CONTROL OF GLARE -- LUMINAIRE DESIGN FACTORS:

A. Any luminaire with a lamp or lamps rated at a total of MORE than 1800 lumens, and all flood or spot luminaires with a lamp or lamps rated at a total of MORE than 900 lumens, shall not emit any direct light above a horizontal plane through the lowest direct-light-emitting part of the luminaire.

B. Any luminaire with a lamp or lamps rate at a total of MORE than 1800 lumens, and all flood or spot luminaires with a lamp or lamps rated at a total of MORE than 900 lumens, shall be mounted at a height equal to or less than the value $3 + (D/3)$, where D is the distance in feet to the nearest property boundary. The maximum height of the luminaire may not exceed 25 feet.

2.3. EXCEPTIONS:

A. Any luminaire with a lamp or lamps rated at a total of 1800 lumens or LESS, and all flood or spot luminaires with a lamp or lamps rated at 900 lumens or LESS, may be used without restriction to light distribution or mounting height, except that if any spot of flood luminaire rated 900 lumens or LESS is aimed, directed, or focused such as to cause direct light from the luminaire to be directed toward residential buildings on adjacent or nearby land, or to create glare perceptible to persons operating motor vehicles on public ways, the luminaire shall be redirected or its light output controlled as necessary to eliminate such conditions.

B. Luminaires used for public-roadway illumination may be installed at a maximum height of 25 feet and may be positioned at that height up to the edge of any bordering property.

C. All temporary emergency lighting need by the Police or Fire Departments or other emergency services, as well as all vehicular luminaires, shall be exempt from the requirements of this article.

D. All hazard warning luminaires required by Federal regulatory agencies are exempt from the requirements of this article, except that all luminaires used 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.

E. Luminaires used primarily for sign illumination may be mounted at any height to a maximum of 25 feet, regardless of lumen rating.

2.4. TEMPORARY OUTDOOR LIGHTING

A. Any temporary outdoor lighting that conforms to the requirements of this Ordinance shall be allowed. Nonconforming temporary outdoor lighting may be permitted by the Code Enforcement Officer 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 Code Enforcement Officer, who shall consider the request. The Code Enforcement Officer shall render the decision on the temporary lighting request within two weeks of the date of the meeting. A failure by the Code Enforcement Officer to act on a request within the time allowed shall constitute a denial of the request.

ARTICLE 3

3.1. EFFECTIVE DATE AND GRANDFATHERING OF NONCONFIRMING LUMINAIRES:

A. This ordinance shall take effect immediately upon approval by the voters of the Town of Oxford at an annual or special Town Meeting and shall supersede and replace all previous ordinances pertaining to outdoor lighting.

B. All luminaires lawfully in place prior to the date of the Ordinance shall be grandfathered. However, any luminaire that replaces a grandfathered luminaire, or any grandfathered luminaire that is moved, must meet the standards of this Ordinance.

ARTICLE 4

4.1. VIOLATIONS, LEGAL ACTIONS, AND PENALTIES:

A. Violations and Legal Actions: If, after investigation, the 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.

B. Penalties: A violation of this Ordinance, or any provision thereof, shall be punishable by a civil penalty of one hundred dollars (\$100), and each day of violation after the expiration of the thirty-day period provided in paragraph 1 shall constitute a separate offense for the purpose of calculating the civil penalty.