

Chapter 227

LIGHTING NUISANCES

§ 227-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

FOOTCANDLE — The amount of light from one (1) candle at one (1) foot from the source of the light.

LAND — Includes not only buildings but the ground, soil or earth as commonly understood.

STRUCTURE — A dwelling, barn, pole or elevated object, or a building or other structured improvement on any premises, of such physical size as to be capable of having attached thereto or incorporated thereon, on the exterior, artificial lighting by means of electrical, gas or other luminescent fixtures.

§ 227-2. Restrictions on artificial lighting and illumination.

Artificial lighting or illumination provided on any property or by any use shall adhere to the following standards:

- A. The illumination provided by artificial lighting on the property shall not exceed five (5) footcandles beyond any property line.
- B. Spotlights or other types of artificial lighting that provide a concentrated beam of light shall be so directed that the beam of light does not extend beyond any property lines.
- C. Spotlights or other types of artificial lighting used to illuminate signs or building faces shall not emit beams of light that extend beyond the vertical plane of the sign or building face that they illuminate and shall not be located in such a manner as to cause the beams of light to be reflected upon any adjoining property, public street or vehicular circulation area.
- D. No artificial lighting shall shine directly upon any neighboring property or be so established that it shall shine directly upon any neighboring property or shall shine directly on or into any room or rooms, porches or patios of any neighboring property, nor shall any artificial lighting be maintained or operated from any structure or land in such a manner as to be a nuisance or any annoyance to neighboring properties or as to interfere with the physical comfort of the occupants of neighboring properties.

§ 227-3. Legislative authority.

This chapter is enacted pursuant to the authority given any municipality of this state to enact ordinances which the governing body deems necessary and proper for the good government, order or protection of persons and property and for the preservation of the public health, safety and welfare of the Township of Lacey and its inhabitants.

§ 227-4. Violations and penalties.¹

Any person or persons responsible for such nuisance or annoying lighting as described hereinbefore, whether owner, lessee or lessees, or others using any premises, with or without the permission of the owner, violating any of the provisions of this chapter shall, upon conviction thereof, a complaint having been made, be subject to a fine not exceeding one thousand dollars (\$1,000.), to imprisonment in the county jail for a term not exceeding ninety (90) days and/or to a period of community service not exceeding ninety (90) days, in the discretion of the court. Each day a particular violation shall continue shall constitute a separate offense.

1. Editor's Note: Amended at time of adoption of Code; see Chapter 1, General Provisions, Art. I.