

**CITY OF BEECHWOOD VILLAGE
ORDINANCE NO. 1 , SERIES 2023
AN ORDINANCE ESTABLISHING REGULATIONS
FOR OUTDOOR LIGHTING IN RESIDENTIAL AREAS**

WHEREAS, the Council of the City of Beechwood Village is concerned about the property values in the City as well as the public health and safety of its citizens,

AND WHEREAS, the City desires to establish regulations relating to outdoor lighting in residential areas to promote the enjoyment of outdoor lighting for its residents while allowing lighting that deters crime and effectively illuminates the City’s streets and sidewalks,

NOW THEREFORE, be it ordained by the City of Beechwood Village that:

SECTION 1: Purpose & Intent.

(A) The purpose of this regulation is to provide clear standards for the maintenance, installations and replacement of outdoor lighting that will reduce nuisances of light trespass and glare, maintain and compliment the community’s character, and to provide a safe nighttime environment for pedestrians, motorists and properties.

(B) It is the intent of this regulation to provide for the health, safety and welfare of the residents of the City of Beechwood Village by regulating the placement, intensity, and fixture types of all outdoor lighting used for the illumination outside the public right-of-way while encouraging lighting that conserves energy, reduces light pollution, and enhances nighttime enjoyment of the property within the City, without decreasing safety, utility, security, and productivity.

SECTION 2: Lighting Regulation Terms.

Footcandle - The unit of illumination on a surface one square foot in area on which there is a uniformly distributed flux of one lumen, or the illuminance produced on a surface all point of which are at a distance of one foot from a directionally uniform point source of one candela.

Glare – Light emitting from a luminaire with intensity great enough to reduce a viewer's ability to see, and in extreme cases causing momentary blindness.

Luminaire – A complete lighting system, including a lap, or lamps and a fixture.

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

SECTION 3 : Architectural Lighting.

- (A) Architectural lighting used to illuminate building facades, walls, landscaping, flags, fountains, statues or other architectural or design items shall be carefully located and aimed so that light is directed only onto the surface of the building façade, wall, landscaping flag, fountain, statue or other architectural or design item it is intended to light.
- (B) Architectural lighting used to illuminate building facades, walls, landscaping, flags, fountains, statues, or other architectural or design items shall not create glare for traffic on streets or roads.
- (C) In all zoning and form districts, any lighting shall be arranged so as not to shine directly on an adjoining property.

SECTION 4: Light Trespass. The following provisions shall apply to light trespass:

- (A) The level of lighting resultant from luminaires installed on a subject site shall not exceed 0.25 footcandles at any property border adjoining a low- to medium-density residentially zoned or used (*R-R, R-E, R-1, R-2, R-3, R-4, R-5*) property border, and .5 footcandles on any high-density residentially zoned or used (*R-6, R-7, and R-8A.*) property border, or public right of way parcel of land.
- (B) If the ambient level of lighting at any property border exceeds one-half (0.5) footcandles prior to the development of the subject site, then the level of lighting resultant from luminaires installed on that site shall not increase the ambient level of lighting at any property border by more than one-half (0.5) footcandles.
- (C) In all zoning and form districts, any lighting shall be arranged so as not to shine directly on an adjoining property.

SECTION 5. Exceptions:

(A) Street lights, including all lights installed by or funded by government agencies shall be exempt from the provisions of this section.

(B) All hazard warning luminaires required by Federal regulatory agencies are exempt from the requirements of this article, except that all luminaires must meet all Federal design standards and must be shown to be as close as possible to the Federally required minimum lumen output requirement for the specific task. Strobe lights shall be permitted only if there is no other federally approved hazard warning illumination technique.

SECTION 6. Prohibitions*:

- (A) The use of search lights except by civilian authorities is prohibited.

(B) Flashing and strobe lights are prohibited.

*Note – This ordinance does not prohibit the use of holiday lighting.

SECTION 7. Enforcement:

(A) The following standards shall be used when measuring and inspecting outdoor lighting complaints:

a. When inspecting light fixtures the inspector shall do a visual evaluation to determine whether the fixture meets the requirements established in this Regulation.

b. When inspecting light trespass complaints, the inspector shall use an approved instrument to take a footcandle reading to determine whether the light brightness exceeds the standards set in this regulation. The inspector shall stand at the property line (as mapped on PVA maps) and hold the detector approximately three (3) feet off the ground. The inspector shall take measurements on the horizontal plane to assure proper measurement of light at the property line.

Horizontal measurements shall be used to determine compliance with applicable standards. (not in effect within Louisville Metro)

c. When inspecting light trespass complaints, the inspector shall use an approved instrument to take a footcandle reading to determine whether the light brightness exceeds the standards set in this regulation. The inspector shall stand at the property line (as mapped on PVA maps) and hold the detector approximately three (3) feet off the ground. The inspector shall take measurements on the horizontal plane to assure proper measurement of light at the property line. The average of the vertical and horizontal measurements shall be used to determine compliance with applicable standards.

d. Measurement of light brightness under gasoline canopies shall be measured under the canopy at a height of three (3) feet (in effect within.

SECTION 8. Penalties:

(A) Any person who violates any provision of this ordinance will be subject to a civil penalty of \$25 as imposed by the City and or Enforcement Officer. A second offense will be subject to a civil penalty of \$50 as imposed by the City and or Enforcement Officer. A third offense will be subject to a civil penalty of \$100 as imposed by the City or an Enforcement Officer. Any additional offense beyond the third offense will be subject to a civil penalty of \$150 as imposed by the City and or an Enforcement Officer. Each day that a violation continues after separate notice has been served shall be deemed a separate offense. Any person who receives a citation for

violating this ordinance may appeal the violation to the Code Enforcement Board.

(B) In addition to the penalties provided herein, the City is authorized to pursue remedial civil action for violations of this ordinance by civil complaint or petition for injunctive relief, declaration of rights or other appropriate proceedings filed in the Jefferson County, Kentucky Circuit Court.

This ordinance shall take effect immediately upon its adoption, passage, and publication.

First Reading 4/11/2023

Second Reading 6/13/2023

Passed and approved this the 13 day of June, 2023.

Andrew Conlisk
Mayor

ATTEST:

Cherie Brewer
City Clerk

Those in Favor 5

Those Opposed 0