TOPICS

• Why a lighting ordinance?
• What are the attributes and elements of an effective lighting ordinance?
• How to get a lighting ordinance started, enacted and enforced
If a municipality doesn’t have an effective lighting ordinance and doesn’t think it will need one, they had better thing again.
“Oh, we have an effective ordinance.”

“Lighting shall be arranged so that it does not reflect towards any public street or residential zoning district.”
Why an Ordinance?

Truths

• If a municipality doesn’t have an effective lighting ordinance, they can hope for the best but **be prepared for the worst.**

• If the municipality waits to create and pass an ordinance until they discover they really need it, **it will be too late.**
A good lighting ordinance:

- Prevents excessive and under lighting
- Protects citizens, drivers, the environment and the night sky from glare and light pollution
- Puts the municipality on record that bad lighting will not be tolerated.
- Prevents unpleasant lighting surprises
Avoid Nasty Surprises

What you envisioned  What you got
• Ordinance compliance and suitability can be fully judged up front by requiring that developers provide complete information about proposed lighting.

• Gives municipality power to correct existing bad lighting
Correct Existing Problems
ORDINANCE ATTRIBUTES

• Results vs. How to get There
  – Establish minimum standards
  – Leave room for innovation but not abuse
  • e.g., require full cutoff fixtures but wattage and lamp type up to designer/developer
  – Some subjectivity/flexibility is appropriate
ORDINANCE ATTRIBUTES

• Clear, understandable
  – Use language all understand.
  – Define technical terms

• Tailor to the municipality’s needs
  – e.g., rural vs. urban, commercial vs. residential
ORDINANCE ATTRIBUTES

Continued

• Make it legally sound
  – Health, safety and welfare – plus

• Deal with the main issues
  – You can’t cover every eventuality
ORDINANCE ELEMENTS

- Purpose, Scope and Exemptions
  - e.g., seasonal lighting

- Requirements for:
  - Fixture types, i.e., full cutoff
ORDINANCE ELEMENTS

• Requirements for:
  – Glare control, e.g., aiming, shielding, light trespass
IESNA

Illuminance levels and uniformities per IESNA
ORDINANCE ELEMENTS

Continued

- Max. allowed mounting heights
- Shut-off hours/Security lighting
- Pole protection behind parking spaces
- Plan submission content
ORDINANCE ELEMENTS

Continued

– Dealing with post approval substitutions
– Compliance verification/monitoring
– Dealing with non-conforming lighting
  i.e. Sunset clause and grandfathering
GETTING STARTED

• Find a champion to shepherd process.
  – Most important step

• Don’t start from scratch. Start with proven ordinance model, tailor to municipality’s needs.

• Seek technical help where needed
GETTING STARTED

Optional Steps to Consider

• Convene group, get buy-in. Include elected officials, planning, EAC, zoning, police, municipal engineer, citizens

• Take field trips to find good and bad examples
Where to place the ordinance?

In SLDO?

- Covers subdivision and land development applications but not all renovations, retrofits and many small projects, e.g., gas stations.

- ZHB and Code Enforcement don’t use
GETTING STARTED
CONTINUED

Where to place the ordinance?

In Zoning?

• ZHB/Code Enforcement Officer know and use every day.

• Covers renovations and residential too

• Supervisors do not have jurisdiction except in Conditional Use.
GETTING STARTED
CONTINUED

Where to place the ordinance?

As a Stand-Alone Document?

• Gets lost, goes unused.
• Nobody owns, keeps it current, can find
• Circumvents county review and public hearing process.

Not typically recommended
GETTING STARTED

CONTINUED

Best Choice

• Put parts appropriate to land development in SLDO and parts appropriate to zoning in ZO. Naturally there will be some duplication.

Second best choice

• Put in ZO and cross-reference in SLDO
Where in the ordinance?

• Sprinkle in each zoning district section or create a stand-alone lighting section?

• Create a separate lighting section

• For very unique requirements, put them in zoning district section
GETTING IT PASSED

• Get county review and hold public hearings
• Strive to hold the line but be prepared for compromise (half a loaf)
• Educate and convince *before* compromise
• Don’t let the process die – can take up to a year.
ENFORCEMENT

• An unenforced ordinance is valueless
• Arrange for training of key players
• Have tools available, e.g., light meter and IESNA standards
• Seek commitment of responsible parties, e.g., code enforcement officer and municipality’s engineer
ENFORCEMENT

• Don’t forget Building Permit Reviews
• CEOs and engineers often miss lighting details on architecturals.
ENFORCEMENT

• Make it clear to the developer up front that there will be charges for complete construction surveillance.

• Section 509 of the MPC provides authority for municipalities to establish a financial security agreement with the developer.

• Have the right talent available on the job site to monitor activities during critical phases.
ENFORCEMENT

• Municipalities that do not adequately monitor construction may gain a reputation for being lax and therefore become targets for developers who don’t want to follow approved plans.

• Undiscovered mistakes made during construction often come back to haunt a municipality later on.
CONCLUSIONS

• Get started now, don’t wait for an unpleasant lighting surprise
• Assign the task to someone who cares and will see it through
• Get competent technical help
• Drive to completion

• Use it and enforce it!
Don’t let this happen in your municipality!
Or This
POLC Can Help You
Craft an Effective Lighting Ordinance
• We are a non-profit group of volunteers that has helped over 30 municipalities and planners create effective lighting ordinances in Bucks, Berks, Chester, Montgomery, and other Counties.

• We stand ready to help tailor an ordinance to your municipality’s specific needs
Contact Information

• Talk to us after the program
• Call us at 610 326-1402
• E-mail us at POLCouncil@cs.com
• Visit our website: www.POLCouncil.org

The website has helpful information, including model lighting ordinances that can be used to get you started and tailored to meet your needs.
Contact Information

• Visit the International Dark-Sky website at www.darksky.org for:
  – Lists of approved lighting fixtures
  – Educational materials
  – Light pollution research
  – A library of light-pollution resources

• Visit the IESNA website at www.iesna.org to obtain lighting technical resources
THANK YOU!

Pennsylvania Outdoor Lighting Council
Pennsylvania Section of the International Dark-Sky Association