

ORDINANCE NO. 59

**AN ORDINANCE TO REGULATE OUTDOOR LIGHTING AND ADVERTISING SIGNS
IN THE TOWN OF GENEVA
WALWORTH COUNTY, WISCONSIN**

The Town Board of the Town of Geneva, Walworth County, Wisconsin, does ordain as follows:

Section 1.

(1) STATEMENT OF PURPOSE. The purpose of this Ordinance is to provide for adequate and safe lighting of private property, while limiting light spillover and glare onto adjacent properties and public streets. Such limitations are intended to prevent the creation of nuisances, promote traffic safety, conserve energy, preserve and enhance the area's dark sky, and support astronomy activities.

(2) APPLICABILITY. This Ordinance shall be applied to the installation of all new private exterior light fixtures and the replacement of all private exterior light fixtures and elements. Exterior light fixtures legally installed prior to the effective date of this Ordinance shall not be required to comply with these exterior lighting standards; however, any replacement of said light fixtures shall comply with all exterior lighting standards as set forth in this Ordinance.

(3) DEPICTION ON REQUIRED SITE PLAN. On all developments or projects requiring site plan approvals, all exterior light fixtures shall be depicted and described on said site plan required prior to development of a property or on a separate lighting plan submitted with the site plan. The Plan Commission may require the following components on the required lighting plan:

- (a) A catalog page, cut sheet, or photograph of the outdoor lighting fixture including the mounting method and light cut-off angles.
- (b) A photometric plot plan, drawn to the same scale as the site plan, and indicating the location of all lighting fixtures proposed, mounting and/or installation height in feet, and overall illumination levels (in footcandles) all around the site and at property lines.

(4) MAXIMUM ILLUMINATION LEVELS. Lighting levels shall follow the recommended lighting levels of the Illuminating Engineering Society of North America (IES), unless the Plan Commission agrees to allow different lighting levels based on specific and reasonable justification provided by the applicant. In no case shall the illumination level at any property line exceed five-tenths (0.5) footcandles above the ambient lighting conditions on a cloudless night where the property adjoins land in a residence district, and two (2.0) footcandles above the ambient lighting conditions on a cloudless night where the property adjoins land in any other zoning district. In no instance shall an exterior lighting fixture be placed or oriented so that the lighting element (or a transparent shield) is visible from a property in a residence district.

(5) USE OF SHIELDED LIGHT FIXTURES. All new and replacement exterior light fixtures shall be shielded in such a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected at least fifteen (15) degrees below a horizontal plane running through the lowest point on the fixture where light is emitted, except incandescent fixtures of one hundred fifty (150) watts or less, other sources of seventy (70) watts or less, and lighting with public street rights-of-way. All existing metal halide light fixtures shall be shielded. No promotional searchlights shall be permitted.

(6) TYPES OF LIGHT SOURCE. All new exterior light fixtures shall have Low Pressure Sodium (LPS), High Pressure Sodium (HPS), or incandescent light sources. All existing metal halide fixtures shall be replaced with LPS, HPS, or incandescent light sources upon failure. No new mercury vapor lighting fixtures, and no replacement equipment or bulbs for pre-existing mercury vapor lighting fixtures, shall be installed.

(7) EXTERIOR LIGHTING FOR OUTDOOR RECREATIONAL USES. Ball diamonds, playing fields, golf driving ranges, tennis courts, parks and similar outdoor recreational uses may be exempted from one or more of the exterior lighting standards of this Section if approved by the Plan Commission upon site plan review, and subject to the following requirements:

- (a) Pole lights shall not exceed seventy (70) feet in height.
- (b) No outdoor recreational use shall be illuminated after 11:00 p.m. or fifteen (15) minutes after the conclusion of the last scheduled game or contest, whichever is later. Lighting required for security is exempt from this requirement.

(8) STREET LIGHTING. From and after the date of adoption of this Ordinance all Geneva Township street lighting shall be full-cutoff shielded.

(9) PIER LIGHTING. Pier lighting installed after the adoption date of this Ordinance shall be limited to a maximum of one foot candle at the ordinary high water mark. All such fixtures shall be oriented and/or shielded so as to limit the upward and outward projection of light to an angle no greater than 45 degrees below the horizon.

(10) PENALTY. Any person violating any of the provisions of this Ordinance shall, upon conviction, forfeit not less than Fifty and no/100 (\$50.00) Dollars nor more than One Thousand and no/100 (\$1,000.00) Dollars, together with the costs of prosecution.

Section 2. This Ordinance shall take effect upon its passage and publication, as provided by law.

Passed and adopted by the Town Board of the Town of Geneva, Walworth County, Wisconsin, this the 12th day of January, 2004.

Joseph F. Kopecky, Chairman

Merle L. Loomer

Robert McLernon

Robert Cramer

Mary Van Lue

ATTEST:

Debra L. Kirch, Clerk

Date Adopted: 1/12/04

Date Posted: 1/23/04