

TITLE 15 - Land Use Regulations

Huntsville Town Ordinance – Title 15.22 Lighting

15.22 LIGHTING

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15.22.1 Purpose

In order to preserve the rural character and public values of Huntsville Town, this ordinance is intended to regulate the permitted use of outdoor artificial illuminating devices emitting undesirable rays into the night sky; glare to on-coming traffic, intrusion of light onto adjacent properties, and light pollution in general, which may have a detrimental effect on the welfare and safety of the populace, as well as the ambiance and rural character of Huntsville Town.

15.22.2 Conformance with Applicable Regulations

All outdoor artificial illuminating devices, unless exempt, shall be installed in compliance with the provisions of this Title, the zoning regulations and any building codes which may hereafter be enacted, as applicable.

Where any provisions of any of the Utah State statutes or Federal law, or any companion zoning ordinance comparatively conflicts with the requirements of this outdoor light control ordinance, the most restrictive shall be applied.

15.22.3 Definitions

- A. Outdoor Light Fixtures. Outdoor artificial illuminating devices; outdoor fixtures, lamps, and other devices, permanent or portable, used for illuminating or advertisement. Such devices shall include, but are not limited to light for:
1. Buildings and structures
 2. Recreation areas
 3. Parking lot lighting
 4. Landscape lighting

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5. Advertising or other signage
 6. Street lighting
- B. Individual. Individual shall mean any private individual, tenant, lessee, owner, or any commercial entity including, but not limited to, companies, partnerships, joint ventures, corporations, or utility.
- C. Installed. Installed shall mean the initial installation of outdoor light fixtures defined herein.

15.22.4 General Requirements

- A. Outdoor Lighting. For outdoor lighting, low pressure sodium lamps are preferred.
- B. Shielding. All exterior illuminating devices, except for those specifically exempted from this ordinance, shall be fully or partially shielded.
1. “Fully Shielded” shall mean that those 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 below a horizontal plane running through the lowest point on the fixture where light is emitted.
 2. “Partially Shielded” shall mean that those fixtures shall be shielded in such a manner that the bottom edge of the shield is below that plane center line of the light source “lamp” minimizing light above the horizontal.
- C. Filtration
1. Those outdoor light fixtures requiring a filter shall be equipped with a filter whose transmissions is less than five percent (5%) total emergent flux at wavelengths less than thirty-nine hundred (3900) angstroms. Total emergent flux is defined as that between three thousand (3000) and seven thousand (7000) angstrom units.
 2. It is recommended that existing mercury vapor fixtures shall be equipped with a filter whose transmission is less that ten percent (10%) total emergent flux at wavelengths less that forty-four hundred (4400) angstroms until such time as the mercury vapor bulb burns out after which a mercury vapor bulb shall not be replaced in the fixture.
 3. Low pressure sodium lamps are the preferred lamp for minimizing the adverse effects on astronomical observations.
- D. Requirements for Shielding and Filtering. The requirements for the shielding and filtering light emissions from outdoor light fixtures shall be as set forth in the following table:

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REQUIREMENTS FOR SHIELDING AND FILTERING

Fixture Lamp Type	Shielding	Filtered ⁴
Low Pressure Sodium ¹	Partially	None
High Pressure Sodium	Fully	None
Metal Halide ⁴	Fully	Yes
Fluorescent	Fully	Yes ²
Quartz ³	Fully	None
Incandescent Greater than 150 W	Fully	None
Incandescent Less than 150 W	None	None
Mercury Vapor	Prohibited ⁵	Prohibited ⁵
Gas filled Tubes (neon, argon, krypton)	None	None
Natural Gas/Fossil Fuels	None	None
Other Sources	As approved by the Huntsville Town Planning Commission	
Footnotes:		
<ol style="list-style-type: none"> 1. This is the preferred light source to minimize undesirable light into the night sky affecting astronomical observations. 2. Warm white and natural lamps are preferred to minimize the detrimental effects of night lighting. 3. For the purpose of this chapter, quartz lamps shall not be considered an incandescent light source. 4. Metal halide display lighting shall not be used for security lighting after 11:00 p.m. (or after closing hours if before 11:00 p.m.), unless fully shielded. Metal halide lamps shall be in enclosed luminaires. 5. The installation of mercury vapor fixtures is prohibited. 		

15.22.5 Prohibitions

- A. Searchlights. The operation of searchlights for advertising purposes is prohibited.
- B. Commercial/Recreational Facility. No outdoor commercial or recreational facility, public or private, shall be illuminated by means not conforming to this Title after 11:00 p.m., except to conclude a specific recreational activity, sporting event, or any other activity conducted at a ballpark, outdoor amphitheater, arena, or similar facility in progress prior to 11:00 p.m.
- C. Outdoor Building or Landscaping Illumination. The unshielded, or otherwise non-conforming outdoor illumination of any building, landscaping, signage, or other purpose not specifically exempted in this Title is prohibited.
- D. Mercury Vapor. The installation of mercury vapor is prohibited.

15.22.6 Permanent or Temporary Exemptions

- A. Nonconforming Fixtures. All outdoor lighting fixtures shall be brought into compliance with this ordinance.
- B. Fossil Fuel Light. Fossil Fuel Light produced directly or indirectly by the combustion of natural gas or other utility-type fossil fuels in service prior to September 1, 2003, shall be exempt from this ordinance provided, however, that no change in use, replacement, structural alterations, or

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restoration after abandonment of such fixtures shall be made unless it thereafter conforms to the provisions of this ordinance.

- C. Governmental Facilities. Those facilities and lands owned and operated as protected by the U.S. Federal Government or Huntsville Town are exempted by law from all requirements of this ordinance.
- D. R-1 Zone Exemption. The intent in R-1 zone is to comply with dark sky ordinances, however all lighting in the Huntsville Town R-1 residential zone shall be exempt from the need for permits but the requirements and regulations of this ordinance shall be complied with.
- E. Special Exemption. The Appeal Authority may grant a special exemption to these requirements only upon written finding that there are extreme geographic or geometric conditions warranting that exemption; and that there are no complying fixtures that would otherwise suffice.

15.22.7 Procedures for Compliance

- A. Application
 - 1. Any individual applying for a Land Use Permit and/or Building Permit, intending to install outdoor lighting fixtures, shall as a part of the application, submit evidence that the proposed work will comply with this Ordinance.
 - 2. All other individuals intending to install outdoor lighting fixtures shall submit an application to the Huntsville Town Planning Commission providing evidence that the proposed work will comply with this ordinance.
 - 3. Utility companies entering into a duly approved contract with the town in which they agree to comply with the provisions of these regulations, shall be exempt from applying for and obtaining a permit for the installation of outdoor light fixtures, including residential security lighting.
- B. Contents of Application or Submittal. The submittal shall contain but shall not necessarily be limited to the following, all or part of which may be part of, or in addition to, the information required elsewhere in the Land Use Ordinance, upon application for the required permits.
 - 1. Plans indicating the location on the premises, and the type of illuminating devices, fixtures, lamps, supports, other devices, etc.
 - 2. Description of the illuminating devices, fixtures, lamps, supports and other devices, etc. This description may include, but is not limited to, manufactures, catalog cuts, and drawings (including sections where applicable).

The above required plans and descriptions shall be sufficiently complete to enable the Huntsville Town Planning Commission to readily determine whether compliance with the requirements of this Title may be reasonably secured. If it is not reasonably possible to make a ready determination of whether or not the

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lighting plan will conform, by reason of the nature or configuration of the devices, fixtures, or lamps proposed, the applicant shall submit evidence of compliance by certified test reports as performed by a recognized testing laboratory.

- C. Issuance of Permit. Upon compliance with the requirements of this Title, Huntsville Town shall issue a permit for installation of the outdoor lighting fixtures to be installed as in the approved application. In the event the application is part of the Land Use Permit, Building Permit, or Site Design Review, the issuance of the Land Use Permit and/or Building Permit will be made if the applicant is in compliance with this Title as well as other applicable regulations in the Huntsville Town Ordinances. Appeal of any provision in this Title will be made to the Appeal Authority.

15.22.8 Temporary Exemptions

- A. Request for Temporary Exemption. Any individual may submit a written request on a form prepared by the Huntsville Town Planning Commission for a Temporary Exemption to the requirements of the ordinance. Such exemption would be valid for thirty (30) days, renewable at the discretion of the Huntsville Town Planning Commission.

The request for Temporary Exemption shall contain minimally the following information:

1. Specific exemptions requested.
 2. Type and use of exterior light involved.
 3. Duration of time for requested exemption.
 4. Type of lamp and calculated lumens.
 5. Total wattage of lamp or lamps.
 6. Proposed location of exterior light.
 7. Previous temporary exemptions; if any.
 8. Physical size of exterior light and type of shielding provided.
- B. Appeal for Temporary Exemption. An appeal of a denial for Temporary Exemption may be filed within fifteen (15) days of the denial. Appeals to decisions of the Huntsville Town Planning Commission shall be heard by the Appeal Authority.
 - D. Extension of Temporary Exemption. No extension shall be granted beyond the original thirty (30) days.

15.22.9 Public Nuisance

Any lighting fixture which violates any provision of this ordinance constitutes a public nuisance and shall be abated.

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15.22.10 Penalties

Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a separate offence for each and every day or portion thereof during which a violation of any of the provisions of this ordinance is committed, continued or permitted, and upon conviction of any such violation, such person, firm, or corporation shall be punished as prescribed by the Utah Revised Statutes.