JAN 8 1996 LOCAL GOVERNMENT

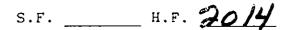
HOUSE FILE 2014 BURNETT BY

Passed	House,	Date	Passed	Senate,	Date	
Vote:	Ayes _	Nays	Vote:	Ayes	Nays	
	1	Approved	<u>.</u>			

## A BILL FOR

1	An	Act	settin	g st	tanda	ards	for	outdoor	lig	hting	g and	prov	viding	a	
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1 Section 1. <u>NEW SECTION</u>. 103A.8B STANDARDS FOR OUTDOOR
2 LIGHTING.

3 1. DEFINITIONS.

4 a. "Fully shielded" means the construction of an outdoor 5 light fixture in a way that allows no light rays to be emitted 6 by the installed fixture at angles above the horizontal plane 7 as certified by the lighting manufacturer or the photometric 8 test report relating to the fixture.

9 b. "Installation" means the attachment or fixation in 10 place, whether or not connected to a power source, of an 11 outdoor light fixture.

12 c. "Outdoor light fixture" means an outdoor electrically 13 powered illuminating device, outdoor lighting or reflective 14 surface, lamp, or a similar device, permanently installed or 15 portable, used for illumination or advertisement. Such 16 devices include, but are not limited to, search, spot, flood, 17 and area lighting for the following:

18 (1) Buildings and structures.

19 (2) Recreational facilities.

20 (3) Parking lots.

21 (4) Landscape lighting.

22 (5) Outdoor advertising displays, billboards, and signs.

23 (6) Public and private street lighting.

24 (7) Walkway lighting.

25 (8) Product display area lighting.

26 (9) Building overhangs and open canopies.

27 2. PROHIBITIONS. A person shall not do any of the 28 following:

a. Install an outdoor light fixture that is not fully
30 shielded when the rated output of the outdoor light fixture is
31 greater than one thousand eight hundred lumens.

32 b. Illuminate any of the following between eleven p.m. and 33 sunrise:

34 (1) Advertising signs on or off the real property of a 35 business. However, advertising signs of a business may be

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1 illuminated while the business operation is open to the 2 public.

3 (2) A building or surrounding landscape, public or
4 private, for aesthetic or decorative purposes. However,
5 security lighting is excluded from this prohibition.

6 (3) An outdoor recreational facility, public or private,
7 except to complete a specified organized recreational event,
8 already in progress and under illumination in conformance with
9 this section.

10 (4) A laser source light, a strobe light, or a high-11 intensity light for outdoor advertising or entertainment.

12 (5) A searchlight for advertising purposes.

13 (6) White strobe lights on communication towers. However, 14 white strobe lights may be used where required by the federal 15 government.

16 (7) An outdoor display lot, such as, but not limited to, 17 an automobile sales or rental lot, recreational vehicle sales 18 lot, or building material sales lot. However, security 19 lighting is excluded from this prohibition.

20 3. EXEMPTIONS. The following are exempt from the 21 requirements of this section:

a. Outdoor light fixtures installed on and in connection
with those facilities and land owned or operated by the
federal government, or any department, division, agency, or
instrumentality of the federal government. However, voluntary
compliance is encouraged.

27 b. Airport lighting required for the safe operation of28 airplanes.

29 c. Emergency lighting by police, fire, and rescue 30 authorities.

31 4. PENALTY. A person who installs or operates an outdoor 32 light fixture in violation of the requirements of this section 33 commits a simple misdemeanor. Each installation or operation 34 of an outdoor light fixture in violation of this section 35 constitutes a separate offense.

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1 5. ENFORCEMENT. Provisions of the state building code 2 relating to the installation and operation of an outdoor light 3 fixture shall apply throughout the state. This section does 4 not apply to an outdoor light fixture installed before the 5 effective date of this Act.

## EXPLANATION

7 This bill sets standards for outdoor lighting. Definitions 8 are listed for the terms "fully shielded", "installation", and 9 "outdoor light fixture". The bill subjects a person who 10 installs an outdoor light fixture to shielding requirements. 11 Other requirements of the bill dictate that a person shall not 12 illuminate the following between eleven p.m. and sunrise: 13 advertising signs with the exception of signs of a business 14 when the business is open to the public; outdoor illumination, 15 public or private, with the exception of security lighting; an 16 outdoor recreational facility except to complete a specified 17 organized recreational event already in progress; a laser 18 source light, a strobe light, or a high-intensity light for 19 outdoor advertising or entertainment; and searchlights for 20 advertising purposes.

Exempted from the requirements of the bill are airport 22 lighting, emergency lighting, and outdoor light fixtures 23 installed on facilities or land owned or operated by the 24 federal government.

Violation of the bill constitutes a simple misdemeanor. A simple misdemeanor is punishable by a fine of at least \$50 but not to exceed \$100, or imprisonment not to exceed 30 days. Each installation or operation of an outdoor light fixture in violation of the bill constitutes a separate violation of the 30 bill.

31 Provisions of the state building code relating to the 32 installation and operation of an outdoor light fixture shall 33 apply throughout the state. The bill does not apply to an 34 outdoor light fixture installed before the effective date of 35 the bill.

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