

Village of Lake Isabella - Codified Ordinances

Article VI – General Nuisance Regulations

Chapter 634 – Exterior Lighting

Effective July 15, 2008 – Ordinance 2008-03

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634.01 GENERAL REGULATIONS

1. All exterior lighting shall be regulated in the following manner:
 - (a). All lights shall be shielded in such a way as to direct all light toward the Earth's surface and away from reflective surfaces.
 - (b) Light fixtures or lamps shall be shielded/shaded in such a manner as to direct light rays away from all adjacent properties and adjoining or nearby streets.
 - (c) Lights on poles shall not be taller than the building whose area they illuminate, nor taller than twenty-five (25) feet, whichever is shorter.
 - (d) All fixtures must meet the building code requirements and all other regulations for the particular zoning district where they are located.
 - (e) Any facilities which may require floodlighting shall not arrange the light in such a way that it will shine towards roadways, onto any adjacent residential property or residential use property or into the night sky.
 - (f) Any interior lighted signs shall not be lit at night when any face of the sign is removed or damaged in such a way that the light may distract drivers or homeowners.
 - (g) Except as stated elsewhere in the codified ordinances of the Village of Lake Isabella, light levels will be limited to those published as recommendations by the Illuminating Engineering Society of North America.

634.03 ADDITIONAL DISTRICT REGULATIONS

The following shall apply to commercial, business, industrial, and open space recreational zones; and any private roadway adjacent to residential zones:

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1. Every light fixture must be placed in such a manner that no light emitting surface is visible from any residential area or public/private roadway, walkway, trail or other public way when viewed at ground level.
2. Any canopy structure used at a business location must have recessed lights with diffusers which do not extend below the surface of the canopy.
3. Any luminaire on a pole, stand or mounted on a building must have a shield, an adjustable reflector and non-protruding diffuser.

634.05 EXCEPTIONS

1. The Planning Commission may waive any of the requirements or provisions stated in this section during the site plan review and approval process where a request for such an exception has been made and reviewed, and the Planning Commission determines that such an exception is necessary for the lighting application. Requests for such an exception shall be made to the Planning Commission in such form as the Planning Commission shall prescribe and shall include, but not be limited to, a description of the lighting plan, a description of the efforts that have been made to comply with the provisions of these regulations and the reasons that such an exception is necessary. In reviewing a request for each such exception, the Planning Commission shall consider safety, design, and other factors deemed appropriate by the Planning Commission and shall consider the following:
 - (a) Whether the proposed new or replacement luminaire is a full-cutoff luminaire when the rated output of the luminaire is greater than 1,800 lumens.
 - (b) If a lighting recommendation or regulation applies, and the minimum/ maximum illuminance specified by the recommendation or regulation.
 - (c) If no lighting recommendation or regulation applies, the minimum illuminance which is adequate for the intended purpose, giving full consideration to safety, energy conservation, glare, and minimizing light trespass.
 - (d) Adequate consideration has been given to conserving energy and minimizing glare, light pollution, and light trespass.
2. A complete exemption from the provisions of this section is permitted only when:
 - (a) Federal or state laws, rules and regulations preempt or preclude these provisions.
 - (b) Fire, police, rescue, public works, or repair personnel need light for temporary emergency situations.
 - (c) There are special requirements, such as sports facilities and monument or flag lighting, in which case all such lighting shall be selected and installed to shield the lamp(s) from direct view to the greatest extent possible, and to minimize upward lighting and light trespass.

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- (d) A determination has been made by the Zoning Board of Appeals, established through an open, public hearing process, that there is a compelling safety interest that cannot be addressed by any other method.

[An exception under subsections (a), (b), or (c) may occur only if the Zoning Administrator determines that such an exemption is applicable.]

634.07 NON-CONFORMING LIGHTING

Every permanent lighting fixture which was erected legally and which lawfully exists at the time of the enactment of this section, which does not conform to this section as of the date of the adoption of these regulations, is hereby deemed to be non-conforming.

Nonconforming lighting fixtures may not be altered, expanded, enlarged, or extended; however, nonconforming light fixtures may be maintained and repaired so as to continue the useful life of the fixture until the time allotted for amortization has expired.

For purposes of this section, a nonconforming fixture may be diminished in size or dimension without jeopardizing the privilege of nonconformity, so long as the cost of change does not exceed fifty (50) percent of the cost of the fixture and the change moves toward or into compliance with this section.

Any nonconforming light fixture destroyed by fire, wind, or other casualty loss shall not be restored or rebuilt if reconstruction will constitute more than fifty (50) percent of the value of the fixture on the date of loss.

A light fixture that for a period of six (6) months or more, which no longer is utilized by a development or is not in working order, shall be removed by the owner of the building, structure, or property upon which such light fixture is located, within thirty (30) days of written notification, via first class mail, by the Zoning Administrator.

All non-conforming light fixtures shall be amortized from the date of enactment of this ordinance and removed accordingly. The time period for amortization shall be the useful life of the fixture as described above in this sub-section, but shall not exceed a period of time of fifteen years.

634.09 PENALTY

1. Any person, firm, corporation, trust, partnership, or other legal entity which violates or refuses to comply with any provision of this chapter shall be responsible for a municipal civil infraction and shall be subject to fines, costs, and other relief as provided for in Chapter 222 of the codified ordinances of the Village of Lake Isabella.
2. In addition to any other penalties or remedies available, the Village is authorized and empowered to direct the property owner to remove or otherwise abate the nuisance. If such notice is given, it shall be in writing, addressed to the property owner as it appears on the latest ad valorem property tax assessment roll, or current owner if such is different and known to the Village and be mailed via first class or posted at the property in violation, and shall inform the property owner of the following:
 - a. The nature of the violation/nuisance
 - b. The time in which the violation/nuisance must be abated.

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3. Upon failure, neglect or refusal of any property owner to comply with the provisions of this chapter, the Village or its authorized contractor, or other designee, is authorized and empowered to enter the property owner's property to abate the nuisance, or to provide and to make payment for the abatement of the nuisance maintained.
4. When the Village abates a nuisance as provided herein, the cost of any abatement, including legal expenses and the authorized administrative fee will be billed to the property owner. The cost and fee will be a debt of the property owner to the Village, which may be assessed as a single lot assessment in accordance with Chapter 214 of the codified ordinances of the Village of Lake Isabella, and shall constitute a lien against the property, including interest, until paid, and enforced and collected in the same manner as ad valorem property taxes.
5. The failure to receive the notice as provided for in subsection (2) is not a defense to any action brought by a member of the public for injury or by the Village to collect the costs of abatement or impose penalties or other fees authorized by this article.