

## Chapter 122

### OUTDOOR LIGHTING

[HISTORY: Adopted by the 5-10-2004 Annual Town Meeting, Art. 26. Amendments noted where applicable.]

#### GENERAL REFERENCES

Zoning — See Ch. 163.

#### § 122-1. Purpose.

The regulation of outdoor lighting is intended to: enhance public safety and welfare by providing for adequate and appropriate outdoor lighting, provide for lighting that will complement the character of the town, reduce glare, encourage energy savings, and minimize light trespass onto other properties.

#### 122-2. Applicability.

The requirements of this bylaw shall apply to outdoor lighting on lots and parcels in all districts but shall not apply to: one- and two-family dwellings on lots on which they are the principal use, or streetlighting, seasonal holiday lighting, public athletic fields, light fixtures with a lighting output of less than 1,200 lumens (75 wattage incandescent lighting or equal), lights that control traffic, or for public safety on streets and ways. Municipal facilities shall comply with this bylaw except as required for emergency services and public safety.

#### § 122-3. Definitions.

As used in this section, the following terms shall have the meanings indicated:

**FULLY SHIELDED LIGHT FIXTURE** — A light fixture closed at the top with shielding so that the lower edge of the shield is at or below the center line of the light source or lamp so as to minimize the light rays emitted above the horizontal plane.

**GLARE** — Light emitted from a lamp with an intensity great enough to produce a reduction in a typical viewer's ability to see.

**HEIGHT OF THE LIGHT FIXTURE** — The vertical distance from the finished grade of the ground directly below the light fixture to the lowest point of the lamp of the light fixture.

**LAMP** — A bulb, which is a component of a light fixture. It consists of an outer glass envelope and a metal base enclosing a filament or arc tube and electrodes.

**LIGHT FIXTURE** — A lighting device that may be secured to a wall, ceiling, pole, or post and is used to hold one or more lamps. Lighting fixtures are designed to distribute the light, to position and protect the lamp(s), and to connect the lamp(s) to the electrical power supply.

**LIGHT TRESPASS** — The shining of direct light produced by a light fixture onto an abutting lot, parcel, or street.

**§ 122-4. Control of glare and light trespass.**

A. To the greatest extent feasible, all light fixtures shall be equipped with whatever shielding, lenses, or cutoff devices are required to eliminate light trespass onto any street or abutting lot or parcel and to minimize glare to persons on any street or abutting lot or parcel.

B. All light fixtures, regardless of their intended use or mounting configuration, shall be fully shielded, and directed downward. Downward direction may be waived by the Building Commissioner when illuminating architectural features such as building sections, spires, American flags, or landscaping features, provided efforts are made to minimize glare.

C. All light fixtures shall also be positioned on the site so as to direct light into the site, lot or parcel and away from the property boundaries of the site and away from abutting properties.

**§ 122-5. Pole height.**

A. Wherever outside light fixtures are proposed for parking areas, the height of the light fixture, including the pole, base and light fixture itself shall not exceed 20 feet in height.

B. Wherever outside light fixtures are proposed for walkway lighting, the height of the light fixture, including the pole, base and light fixture itself shall not exceed 12 feet in height.

C. Wherever outside light fixtures are proposed for walls or building surfaces, the height of the light fixture, including the light fixture itself, shall not exceed 12 feet in height.

D. Wherever outside light fixtures are proposed for accenting architectural features of building surfaces, the height of the light fixture shall be exempt from the height requirements, provided the light fixture is in compliance with all provisions of this bylaw.

**§ 122-6. Compliance.**

When an existing outdoor lighting fixture is being modified, extended, expanded, or added to, the outdoor lighting fixture shall be subject to this section. All other outdoor lighting fixtures must come into conformance with this section within 5 years of its effective date.

§ 122-7. Severability.

The invalidity of any section or provision of this chapter shall not invalidate any other section or provision hereof.

§ 122-8. Enforcement.

This bylaw shall be enforced by the Building Commissioner, or his designee.

§ 122-9. Appeals.

A. A Lighting Review Committee is hereby created and shall consist of three members appointed by the Board of Selectmen, or in the alternative the Board of Selectmen may designate the Architectural Review Committee, as set forth in § 164-33.1B of the Town of Orleans Zoning Bylaw, as the Lighting Review Committee. The Committee shall have the power to hear and decide appeals from orders or decisions of the Building Commissioner in accordance with § 122-9B.

B. Any order or decision of the Building Commission made in the administration of this bylaw, may be appealed by any person aggrieved, to the Lighting Review Committee. Any such appeal shall be taken within thirty (30) days from the date of the decision or order which is being appealed by filing a notice of appeal, specifying the grounds thereof, in the office of the Town Clerk with a copy in the office of the Building Commissioner. The Lighting Review Committee shall hold a public hearing on any such appeal within thirty (30) days from the date of filing. The Lighting Review Committee shall cause notice of the public hearing to be published once in a newspaper of general circulation in the Town of Orleans at least seven (7) days before the hearing. All hearings of the Committee shall be open to the public. The decision of the Committee shall be made within fifteen (15) days of the close of the public hearing and within seven days filed in the Office of the Town Clerk with a copy sent to the petitioners. In exercising the powers granted by this section, the Committee may make orders or decisions, reverse or affirm in whole or in part, or modify any order of decision, and to that end shall have all the powers of the Building Commissioner.