

**VILLAGE OF JAMAICA BEACH  
ORDINANCE 2001-2**

**AN ORDINANCE OF THE VILLAGE OF JAMAICA BEACH, TEXAS TO BE KNOWN AS THE OUTDOOR LIGHTING ORDINANCE ESTABLISHING REGULATIONS AND GUIDELINES FOR EXTERIOR LIGHTING; PROVIDING FOR THE PURPOSE AND INTENT, DEFINITIONS AND TERMS, LIGHTING AREAS, COMPLIANCE, EXEMPTIONS, CURFEW, VIOLATIONS AND PENALTIES, SAVINGS AND SEVERABILITY CLAUSE, REPEALER CLAUSE; AND, PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, unnecessary and improperly designed light fixtures cause glare, light pollution and wasted resources; and,

**WHEREAS**, glare and light pollution can result in: hazardous circulation conditions for all modes of transportation; the diminishing ability to view the night sky; light trespass and, unattractive townscape; and,

**WHEREAS**, the Village of Jamaica Beach desires to protect the health, safety and welfare of the (residents, tourists, motorists) general public, and

**WHEREAS**, the regulations for exterior lighting will not sacrifice the safety of our citizens or visitors, or the security of property, but instead will result in safer, efficient and more cost-effective lighting.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE VILLAGE OF JAMAICA BEACH, TEXAS:**

**SECTION 1 - PURPOSE AND INTENT**

THIS ORDINANCE IS INTENDED TO REDUCE THE PROBLEMS CREATED BY IMPROPERLY DESIGNED AND INSTALLED OUTDOOR LIGHTING. THIS ORDINANCE IS INTENDED TO ELIMINATE THE PROBLEMS OF GLARE, MINIMIZE LIGHT TRESPASS, MINIMIZE LIGHT POLLUTION AND CONSERVE ENERGY WHILE MAINTAINING NIGHTTIME SAFETY AND SECURITY.

GOOD OUTDOOR LIGHTING AT NIGHT BENEFITS EVERYONE. IT INCREASES SAFETY ENHANCES THE CITIES NIGHT TIME CHARACTER AND HELPS PROVIDE SECURITY. LIGHTING TECHNOLOGIES HAVE PRODUCED LIGHTS THAT ARE EXTREMELY POWERFUL. IMPROPERLY INSTALLED, THESE LIGHTS CREATE PROBLEMS OF EXCESSIVE GLARE, LIGHT TRESPASS AND HIGHER ENERGY USE. EXCESSIVE GLARE CAN BE ANNOYING AND CAUSE SAFETY PROBLEMS. LIGHT TRESPASS REDUCES EVERYONE'S PRIVACY AND HIGHER ENERGY USE RESULTS IN INCREASED COSTS FOR EVERYONE. THERE IS A NEED FOR A LIGHTING ORDINANCE WHICH RECOGNIZES THE BENEFITS OF OUTDOOR LIGHTING AND PROVIDES CLEAR GUIDELINES FOR

ITS INSTALLATION. APPROPRIATELY REGULATED AND PROPERLY INSTALLED, OUTDOOR LIGHTING WILL CONTRIBUTE TO THE SAFETY AND WELFARE OF THE RESIDENTS.

## **SECTION 2 - DEFINITIONS AND TERMS**

DIRECT LIGHT---LIGHT EMITTED DIRECTLY FROM THE LAMP, OFF THE REFLECTOR OR REFLECTOR DIFFUSER, OR THROUGH THE REFRACTOR OR DIFFUSER LENS OF A LUMINAIRE.

FIXTURE---THE ASSEMBLY THAT HOUSES THE LAMP OR LAMPS THAT INCORPORATES A REFLECTOR OR A REFRACTOR TO CONCENTRATE THE LIGHT OUTPUT INTO A DIRECTED BEAM IN A PARTICULAR DIRECTION.

FLOOD OR SPOT LIGHT---ANY LIGHT FIXTURE OR LAMP THAT INCORPORATES A REFLECTOR OR A REFRACTOR TO CONCENTRATE THE LIGHT OUTPUT INTO A DIRECTED BEAM IN A PARTICULAR DIRECTION.

GLARE---LIGHT EMITTING FROM A LUMINAIRE WITH AN INTENSITY GREAT ENOUGH TO REDUCE A VIEWER'S ABILITY TO SEE AND IN EXTREME CASES CAUSING MOMENTARY BLINDNESS.

HEIGHT OF LUMINARIES---THE HEIGHT OF A LUMINAIRE SHALL BE THE VERTICAL DISTANCE FROM THE GROUND DIRECTLY BELOW THE CENTERLINE OF THE LUMINAIRE TO THE LOWEST DIRECT LIGHT EMITTING PART OF THE LUMINAIRE.

INDIRECT LIGHT---DIRECT LIGHT THAT HAS BEEN REFLECTED OR HAS SCATTERED OFF OF OTHER SURFACES.

LAMP---THE COMPONENT OF A LUMINAIRE THAT PRODUCES THE ACTUAL LIGHT.

LIGHT TRESPASS---THE SHINING OF LIGHT PRODUCED BY A LUMINAIRE BEYOND THE BOUNDARIES OF THE PROPERTY ON WHICH IT IS LOCATED.

LUMINAIRE---A COMPLETE LIGHTING UNIT CONSISTING OF A LAMP OR LAMPS TOGETHER WITH THE PARTS DESIGNED TO DISTRIBUTE THE LIGHT, TO POSITION AND PROTECT THE LAMPS AND TO CONNECT THE LAMPS TO THE POWER SUPPLY.

OBTRUSIVE LIGHT---SPILL LIGHT WHICH, BECAUSE OF QUANTITATIVE, DIRECTIONAL OR SPECTRAL CONTEXT, GIVES RISE TO ANNOYANCE, DISCOMFORT, DISTRACTION OR A REDUCTION IN THE ABILITY TO SEE ESSENTIALLY.

OUTDOOR LIGHTING---THE NIGHT-TIME ILLUMINATION OF AN OUTSIDE AREA OR OBJECT BY ANY MANMADE DEVICE LOCATED OUTDOORS THAT PRODUCES LIGHT BY ANY MEANS.

**SECTION 3 - LIGHTING AREAS**

AREAS OF LIGHTING UNDER THE CONTROL OF THIS ORDINANCE:

BAYFRONT LIGHTING  
MAIN CANAL LIGHTING  
CANAL LIGHTING  
RESIDENTIAL LIGHTING  
UNDERWATER LIGHTS

**SECTION 4 - COMPLIANCE**

ALL PUBLIC AND PRIVATE OUTDOOR LIGHTING INSTALLED IN THE VILLAGE OF JAMAICA BEACH SHALL BE IN CONFORMANCE WITH THE REQUIREMENTS ESTABLISHED BY THIS ORDINANCE.

ALL LIGHT FIXTURES OR LAMPS SHALL BE SHIELDED/SHADED IN SUCH A MANNER AS TO DIRECT INCIDENTAL RAYS, GLARE, LIGHT TRESPASS AND OBTRUSIVE LIGHT AWAY FROM ANY ADJACENT PROPERTY.

ANY FLOODLIGHT MUST BE SHIELDED/SHADED IN SUCH A MANNER AS TO AVOID CREATING A NAVIGATION HAZARD, A ROADWAY HAZARD OR CREATE REFLECTIVE LIGHT OR GLARE ON ADJACENT PROPERTY.

ALL UNDERWATER LIGHTS MUST BE GROUND FAULT PROTECTED.

**SECTION 5 - EXEMPTIONS**

EMERGENCY CONSTRUCTION REPAIR LIGHTING  
CHRISTMAS LIGHTS  
LOW VOLTAGE LIGHTING RATED 24 VOLTS OR LESS.

**SECTION 6 - CURFEW**

NONE.

**SECTION 7 - VIOLATIONS AND PENALTIES**

IF, AFTER INVESTIGATION, THE CITY ADMINISTRATOR FINDS THAT ANY PROVISION OF THE ORDINANCE IS BEING VIOLATED, HE SHALL GIVE NOTICE BY HAND DELIVERY OR CERTIFIED MAIL, RETURN RECEIPT

REQUESTED, OF SUCH VIOLATION TO THE OWNER AND/OR TO THE OCCUPANT OF SUCH PREMISES, DEMANDING THAT THE VIOLATION BE ABATED WITHIN (30) DAYS OF THE DATE OF NOTIFICATION.

IF, AFTER (30) DAYS, THE VIOLATION HAS NOT BEEN ABATED, THE CITY ADMINISTRATOR MAY INSTITUTE ACTIONS AND PROCEEDINGS, EITHER LEGAL OR EQUITABLE, TO ENJOIN, RESTRAIN OR ABATE ANY VIOLATION OF THIS ORDINANCE AND TO COLLECT THE PENALTIES FOR SUCH VIOLATIONS.

A VIOLATION OF THIS ORDINANCE OR ANY PROVISION THEREOF, SHALL BE PUNISHABLE BY A CIVIL PENALTY OF TWO HUNDRED DOLLARS (\$200), AND EACH DAY OF VIOLATION AFTER THE EXPIRATION OF THE (30) DAY PERIOD PROVIDED ABOVE, SHALL CONSTITUTE A SEPARATE OFFENSE FOR THE PURPOSE OF CALCULATING THE CIVIL PENALTY.

**SECTION 8- SAVINGS AND SEVERABILITY CLAUSE**

IT IS HEREBY DECLARED TO BE THE INTENT THAT THE PROVISIONS AND PARTS OF THE ORDINANCE SHALL BE SEVERABLE. IF ANY PARAGRAPH, PART, SECTION, SUBSECTION, SENTENCE, CLAUSE OR PHRASE OF THIS ORDINANCE IS FOR ANY REASON HELD TO BE INVALID FOR ANY REASON BY A COURT OF COMPETENT JURISDICTION, SUCH DECISION SHALL NOT AFFECT THE VALIDITY OF THE REMAINING PORTIONS OF THIS ORDINANCE.

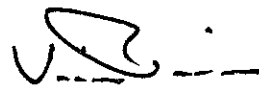
**SECTION 9 – REPEALER CLAUSE**

ALL ORDINANCES OR RESOLUTIONS OR PARTS THEREOF WHICH ARE IN CONFLICT HEREWITH ARE HEREBY REPEALED.

**SECTION 10 – EFFECTIVE DATE**

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECTIVE FROM AND AFTER ITS PASSAGE, APPROVAL AND PUBLICATION.

**PASSED BY THE CITY COUNCIL OF THE VILLAGE OF JAMAICA BEACH, TEXAS THIS THE 16<sup>TH</sup> DAY OF JULY, 2001.**



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MAYOR

ATTEST:



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CITY SECRETARY