

ORDINANCE NO. 08-40

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL
OF THE TOWN OF DEWEY-HUMBOLDT, ARIZONA,
AMENDING THE TOWN CODE BY REVISING SECTION
603 OF THE TOWN PLANNING AND ZONING
ORDINANCE REGARDING LIGHT POLLUTION
CONTROL.

WHEREAS, on November 6, 2007, the Town Council of the Town of Dewey-Humboldt requested that the Planning and Zoning Commission of the Town forward a recommendation regarding revisions to Section 603 of the Planning and Zoning ordinance regarding light pollution control;

WHEREAS, on November 8, 2007, the Planning and Zoning Commission of the Town of Dewey-Humboldt recommended certain revisions of Section 603; and

WHEREAS, on December 11, 2007, the Town Council considered the revisions to Section 603 and agreed to set consideration of an ordinance.

NOW THEREFORE, be it ordained by the Mayor and Town Council of the Town of Dewey-Humboldt, Arizona that:

Section 1: Adoption of amendments to Section 603 of the Town Planning and Zoning ordinance. The following amendments to Section 603 of the Town Planning and Zoning ordinance are hereby enacted:

SECTION 603 LIGHT POLLUTION CONTROL

A. INTRODUCTION: ...

2. Mission Statement: To afford every citizen of the Town of Dewey-Humboldt the flexibility to engage in the pursuit of safe, effective lighting practices for the purpose of commerce and private use without being impeded upon or impeding upon other citizens desiring a more pristine nighttime environment free from light pollution, waste, trespass, or clutter while providing nighttime safety, security and productivity. ...

C. LIGHTING REQUIREMENTS: ...

3. Residential:

- a. Class Lighting: Residential lighting, as it may contain certain aspects of any of the lighting classes as may be found in Class 1, 2 or 3 (see Definitions) shall be considered allowed so long as the intended use is allowed within the particular Zoning District.
- b. Shielding: Fully shielded fixtures are required for any lamp over two thousand (2,000) lumens, but full shielding shall be encouraged for all fixtures. If all fully shielded lighting fixtures are to be utilized as defined, a twenty five percent (25%) increase in the total allowed lumens will be made to a given property lamps.
- c. Lighting Amount: Residential parcels containing more than one (1) acre are allowed

twenty thousand (20,000) lumens of lighting. Residential parcels containing one-half (½) acre to one (1) net acre are allowed ten thousand (10,000) lumens of lighting. Residential parcels containing less than one-half (½) acre are allowed seven thousand five hundred (7,500) lumens of lighting. ~~Fifty percent (50%) of any residential lighting limit on one (1) acre or less is allowed to be unshielded lighting. A maximum of five thousand (5,000) unshielded lumens is allowed on larger parcels.~~ Motion sensing lights as defined in Subsection B shall not be subject to the noted lumen cap. Motion sensing lights can be turned to "constant on" for the purposes of illuminating yard areas for private recreational activities such as barbeques, parties, working with livestock or other similar gatherings without need for a temporary permit so long as they are returned to their automatic settings at the conclusion of the activity.

- d. Certification: Applicant to provide manufacturer's cut-sheet/catalog information detailing fixture shielding and lumen output of bulbs to be installed, and where required by the Development Services Director, a drawing/illustration of the proposed shielded fixture.
- e. Curfew: None Outside, unshielded lighting shall be extinguished after 10:00 p.m. and remain off until daylight. Motion sensing security lighting is exempted. No Dusk-to-Dawn controls are permitted for unshielded lighting
- f. Exemptions: ~~Street lighting,~~ low lumen wattage decorative lighting for recognized holidays, permanent low lumen wattage landscape lighting (180 lumens ~~(four (4) watts~~ or less per bulb), and flag lighting are exempt from the total lumen count for a given property.

Section 2: Authorization to Prepare Documents. The Town Manager, Town Clerk, Town Engineer, Town Attorney and any other necessary persons are hereby authorized to prepare the agreements, forms, and instruments contemplated to be used by the Town in implementing the provisions of Section 603 of the Town Planning and Zoning Ordinance.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Dewey-Humboldt, Arizona, this 3rd day of June 2008.



Earl Goodwin, Mayor

APPROVED AS TO FORM:



Town Attorney

ATTEST:



Town Clerk