

Development of Outdoor Lighting Regulations

Many Municipal Zoning Codes already have references to outdoor lighting. Most municipalities require planning or building department agency review of commercial and residential building permits. Municipalities may or may not be subject to these regulations and may have policies for their own lighting, including street lighting. Often references to lighting are not practical to enforce or check for conformance due to incomplete or technically incorrect terminology. With greater concern for energy conservation and an increasing awareness of problems due to “light pollution” (misdirected, excessive, unnecessary, or unshielded night lighting), there is a desire by communities to enact comprehensive and effective outdoor lighting regulations. Resources outlining justification for lighting codes and methods to address new and pre-existing installations are available. Fortunately, addressing pre-existing lighting will provide benefits as well as benefiting the community as a whole for safety and aesthetics.

Since there is no “one size fits all” “model” lighting code, it is recommended that each municipality follow a process to arrive at regulations set by their own community.

1. Form a small citizen based advisory committee (or a sub committee to a standing advisory committee) drawing on residents that have expressed an interest in this topic, to begin the process of writing a list of issues to be addressed, The committee will need to develop educational materials and presentations, as well as annually reviewing the code for amendments. At least one member from the municipal planning department, a town attorney, the building inspector, and one or two members of the municipal council should be included. A member of a similar committee from outside the community that has successfully completed this process should be appointed as a consultant.
2. Each member of the committee should read the Outdoor Lighting Handbook, a layman’s review of lighting terminology and lighting facts and figures. It is available on line: <http://data.nextrionet.com/site/idsa/Lighting%20Code%20Handbook.pdf>
3. The Town Attorney will need to review and compile all references to outdoor lighting in the current town code. Ideally, the new code will collect all references into one new section in the code.
4. A first draft needs to include, along with the regulations: definitions, applicability, diagrams, enforcement and violations (usually with a period of time for compliance).
5. Planning Departments can approve lighting requirements for building permits prior to enactment of zoning laws. If so, these can be implemented right away. See Guidelines for Lighting Plans: <http://www.darkskysociety.org/handouts/LightingPlanGuidelines.pdf>
6. Ahead of hearings for the regulations, distribute a town-wide mailing and/or produce a community television station program to educate the public about the reasons to use good night lighting to reduce light pollution. Some communities set up astronomy programs to focus attention on the night sky and the effects of “sky glow” from misdirected night lighting. Schools can be involved in this type of education.
7. The municipality itself will need to set an example and to budget resources and time to review and correct their own lighting to conform in advance of the requirements they wish to impose on local businesses, including all municipal streetlighting. A Warranting Policy for all new and pre-existing streetlights will be needed in order to assure appropriate use and type of equipment.
8. Each community will need to determine a “sunset” period to retire all non-conforming lighting in the town to help with enforcement. This can vary from two to ten years, depending on the compliance required, as lighting equipment is generally amortized over a period of no more than fifteen years.