

STATE OF WISCONSIN
Town of St. Germain, Vilas County

Code of Ordinances
Chapter 21: Outdoor Lighting
Adopted ??/??/2024

21.01 TITLE AND PURPOSE: The title of this Chapter is Outdoor Lighting. The purpose of this Chapter is to reduce lighting glare and minimize light trespass by establishing regulations which limit the area that certain kinds of outdoor-lighting fixtures can illuminate, and by limiting the total allowable illumination of lots located within the Town.

21.02 DEFINITIONS: For the purpose of this chapter, certain terms used herein are defined as set forth in this section. Words and phrases not defined in this section or elsewhere in this Chapter shall be construed by resort to the following, in order of priority: the Vilas County Zoning Ordinance, Wisconsin Statutes, Wisconsin zoning case law, other states' zoning case law, the dictionary and common usage.

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 and can include all or some of the following parts: a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and/or a refractor or lens.

Floodlight or Spotlight: 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.

Fully shielded lights: Outdoor light fixtures shielded or constructed so that no light rays are emitted by the installed fixture at angles above the horizontal plane as certified by a photometric test report.

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.

Grandfathered luminaries: Luminaries not conforming to this Chapter that were in place at the time this Chapter was adopted.

Height of Luminaire: 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 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.

Lumen: A unit of luminous flux. One footcandle is one lumen per square foot. For purposes of this Chapter, the lumen-output values shall be the initial lumen output ratings of a lamp.

Luminaire: A complete lighting system including one or more lamps and a fixture.

Outdoor lighting: The night-time illumination of an outside area or object by any manufactured device located outdoors that produces light by any means.

Temporary outdoor lighting: The specific illumination of an outside area or object by any manufactured device located outdoors that produces light by any means for a period of less than 7 days, with at least 180 days passing before being used again.

Town: The town of St. Germain, Vilas County, Wisconsin

Town Board: The duly elected Town Board of Supervisors

21.03 CONTROL OF GLARE:

- (A) Except as noted in (C) below, any luminaire with a lamp or lamps rated at a total of more than 1,800 lumens, and all flood or spot luminaires with a lamp or lamps rated at a total of more than 900 lumens, shall not emit any direct light above a horizontal plane through the lowest direct-light-emitting part of the luminaire.
- (B) Any luminaire with a lamp or lamps rated at a total of more than 1,800 lumens, and all flood or spot luminaires with a lamp or lamps rated at a total of more than 900 lumens, shall be mounted at a height equal to or less than the value $3 + (D/3)$, where D is the distance in feet to the nearest property boundary. The maximum height of the luminaire may not exceed 25 feet.
- (C) Exceptions to control of glare:
- (1) Any luminaire with a lamp or lamps rated at a total of 1,800 lumens or less, and all flood or spot luminaires with a lamp or lamps rated at 900 lumens or less, may be used without restriction to light distribution or mounting height, except that if any spot of flood luminaire rated 900 lumens or less is aimed, directed, or focused such as to cause direct light from the luminaire to be directed toward residential buildings on adjacent or nearby land, or to create glare perceptible to persons operating motor vehicles on public ways, the luminaire shall be redirected or its light output controlled as necessary to eliminate such conditions.
 - (2) Luminaries used for public-roadway illumination may be installed at a maximum height of 25 feet and may be positioned at that height up to the edge of any bordering property.
 - (3) All temporary emergency lighting needed by emergency services, as well as all vehicular luminaires, shall be exempt from the requirements of this section.
 - (4) All hazard warning luminaires required by federal regulatory agencies are exempt from the requirements of this article, except that all luminaires used must be red and must be as close as possible to the federally required minimum lumen output requirement for the specific task.
 - (5) Luminaires used primarily for sign illumination may be mounted at any height to a maximum of 25 feet, regardless of lumen rating.

- (6) Law Governing Conflicts: Where any provision of federal, state, county, or town statutes, codes, or laws conflicts with any provision of this chapter, the most restrictive shall govern unless otherwise regulated by law.

21.04 OUTDOOR ADVERTISING SIGNS:

- (A) Top Mounted Fixtures Required: Lighting fixtures used to illuminate an outdoor advertising sign shall be mounted on the top of the sign structure. All such fixtures shall comply with the shielding requirements of §20.03. Bottom-mounted outdoor advertising-sign lighting is prohibited.
- (B) Outdoor advertising signs of the type constructed of translucent materials and illuminated from within do not require shielding. Dark backgrounds with light lettering or symbols are preferred, to minimize detrimental effects. Unless conforming to the above dark background preference, the total lamp wattage per property shall be less than 41 watts.
- (C) Compliance Limit: Nonconforming outdoor advertising lighting in place at the time the Chapter was adopted shall be brought into conformance with this Chapter within ten years from the date of adoption of this Chapter.

21.05 RECREATIONAL FACILITIES:

- (A) Any light source permitted by this Chapter may be used for lighting of outdoor recreational facilities (public or private), such as, but not limited to, football fields, soccer fields, baseball fields, softball fields, tennis courts, or show areas, provided all the following conditions are met:
- (1) All fixtures used for event lighting shall be fully shielded as defined in §20.03 of this Chapter, or be designed or provided with sharp cut-off capability, so as to minimize up-light, spill-light, and glare.
 - (2) All events shall be scheduled to complete all activity before or as near to 10:30 p.m. as practical, but under no circumstances shall any illumination of the playing field, court, or track be permitted after 11:00 p.m., except to conclude a scheduled event that was in progress before 11:00 p.m. and circumstances prevented concluding before 11:00 p.m.

21.06 PROHIBITIONS:

- (A) Laser Source Light: The use of laser source light or any similar high intensity light for outdoor advertising or entertainment, when projected above the horizontal is prohibited.
- (B) Searchlights: The operation of searchlights for advertising purposes is prohibited.
- (C) Outdoor Advertising Off-Site Signs: Electrical illumination of outdoor advertising off-site signs is prohibited between the hours of 11:00 p.m. and sunrise.

21.07 GRANDFATHERING OF NONCONFIRMING LUMINAIRES:

- (A) All luminaires in place prior to the adoption of this Chapter shall be grandfathered. However, any luminaire that replaces a grandfathered luminaire, or any

grandfathered luminaire that is moved, must meet the standards of this Chapter. Grandfathered advertising signs shall be made compliant with this Chapter no later than 10 years from the adoption date of this Chapter.

- (B) Grandfathered luminaires that direct light toward streets or parking lots that cause disability glare to motorists or cyclists should be either shielded or re-directed within 90 days of notification, so that the luminaires do not cause a potential hazard to motorists or cyclists.

21.08 NOTIFICATION OF REQUIREMENTS:

The Town Zoning Permit form shall remind permit applicants that any outdoor lighting associated with a Zoning Permit shall comply with this Chapter.

21.09 ENFORCEMENT AND PENALTIES:

(A) RESPONSIBILITY FOR COMPLIANCE:

It shall be the responsibility of the property owners on whose land luminaries are placed, as well as their agents or other people acting on their behalf, to comply with the provisions of this Chapter. Any person, firm, or corporation causing a violation, or refusing to comply with any provision of this Chapter, shall be notified in writing of such violation by the Town Chairman, giving the person a reasonable time to have the violation brought into compliance with the provisions of this Chapter. Every violation of this Chapter is a public nuisance, and the creation thereof may be abated according to law.

(B) FORFEITURE:

Any person, firm, or corporation, including those doing work for others, who violates any provisions of this Chapter shall be subject to a forfeiture of \$100.00 plus court costs for the first violation, \$250.00 plus court costs for the second violation and \$500.00 plus court costs for all subsequent violations. Each day a violation exists shall constitute a distinct and separate violation and forfeitures shall apply accordingly.

(C) INJUNCTION:

The Town may enforce this chapter by subjecting any person, firm or corporation, including those doing work for others who violate any of the provisions of this Chapter, to a court injunction prohibiting such violations.

21.10 EFFECTIVE DATE

This ordinance is effective on publication or posting as required under §60.80, Wis. Stats.

Adopted this ____ day of June 2024

Attest:

Tom Christensen, Town Chairman

June Vogel, Town Clerk