

Chapter 21 Lighting, Exterior

21-1 - Title.

This chapter may be known and referred to as "Dark Sky Ordinance" or the "Exterior Lighting Ordinance."

21-2- Purpose and intent.

It is the intent of this chapter to define practical and effective measures by which the obtrusive aspects of excessive and/or careless outdoor light usage can be minimized, while preserving safety, security and the nighttime use and enjoyment of property. These measures will curtail the degradation of the nighttime visual environment by encouraging lighting practices that direct appropriate amounts of light where and when it is needed, increasing the use of energy efficient sources, and decreasing the wastage of light and glare resulting from over-lighting and poorly shielded or inappropriately directed lighting fixtures.

21-3 - Conformance with applicable ordinances.

All outdoor illuminating devices shall be installed in conformance with all other provisions of the Pardeeville Village Code, including but not limited to the Building Code and the Electrical Code, where applicable.

21-4 - Applicability.

A. Shall constitute a major addition for purposes of this section. Any new or modification of buildings need to comply with the ordinance from within the date ordinance is adopted. An outdoor lighting plan must be submitted with your building permit from the Village of Pardeeville.

B. Residential fixtures. Any light fixtures 2,000 lumens and over, any outdoor light fixtures above the eave, or any light fixture attached to buildings or poles separate from the residence must comply with the provisions of this chapter. Outdoor light fixtures that are attached to residential buildings, located below the eave, and less than 2,000 lumens are exempt from the provisions of this chapter. Residential spot or floodlights shall be fully shielded and directed no more than 45° above straight down.

C. Existing uses and buildings; nonconformance and compliance. Unless otherwise provided in this chapter, after a period of three years from the date of enactment of this chapter, any lighting in place prior to the enactment date shall be brought into full compliance with the requirements of this chapter. If any lighting or light fixture changes use, lamp type, lamps, or bulbs or there is any replacement or structural alteration made to the lighting or light fixture prior to the three-year compliance deadline, then such lighting or light fixtures shall immediately be brought into full compliance with the requirements of this chapter.

D. Roadways. Lighting for public roadways is exempt at the time from the provisions of this chapter

21-5 - General outdoor lighting standards.

A. All nonexempt outdoor lighting fixtures shall be fully shielded and not exceed your property boundaries.

B. All nonexempt outdoor lighting fixtures shall be placed so as to not cause light trespass or light glare. All outdoor lighting should shine down.

C. Flood or spot lamps must be aimed no higher than 45° above straight down (halfway between straight down and straight to the side) when the source is visible from any off-site residential property or public roadway.

E. Any lamp installed on a residential property must be shielded such that the lamp is not directly visible from any other residential property.

F. Multiuse lighting must conform to the shielding and timing restrictions, if any, that apply to the most restrictive included use.

21-6 - Outdoor advertising signs.

A. Externally illuminated and neon signs. External illumination for signs shall conform to all provisions of this chapter. All upward-directed sign lighting, meaning lighting directed above the horizontal plane of the luminary, is prohibited.

B. Internally illuminated and neon signs.

(1) Outdoor internally illuminated advertising signs must either be constructed with an opaque background and translucent text and symbols, or with a colored (not white, off-white, light gray, cream or yellow) background and generally lighter text and symbols. Lamps used for internal illumination of such signs shall not be counted toward the lumen cap.

(2) Neon signs shall be treated as internally illuminated signs for the purposes of this chapter, and shall not have their luminous outputs counted toward the lumen cap. Neon lighting extending beyond the area considered to be the sign area shall conform to all provisions of this chapter, be treated as decorative lighting, and shall conform to the lumen cap.

(3) Other internally illuminated panels or decorations not considered to be signage shall be considered decorative lighting, and shall be subject to the standards applicable for such lighting, including but not limited to the lamp source, shielding standards and lumens per property cap.

C. Illuminated sign curfews. Illumination for all advertising signs, both externally and internally illuminated, shall be turned off at the curfew times listed herein or when the business closes, whichever is later. As long as you are operating sun lighting may be on, must be off 30min after close commercial/advertising. All signs in a residential area must be off by 11:00.

Sign Type and Land Use Zone	Time
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Commercial and industrial zoning:

Opaque background	12:00 a.m.
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Colored background	12:00 a.m.
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Light background	10:00 p.m.
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All residential zoning:

Colored background	11:00 p.m.
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D. Nonconformance of existing outdoor advertising signs.

(1) All outdoor advertising sign light fixtures lawfully installed prior to and operable on the effective date of this chapter shall be brought into full compliance with the requirements of this chapter within three years of its enactment.

21-7 - Special uses.

A. Outdoor display lots.

(1) Shielding. All display lot lighting shall utilize fully shielded luminaires that are installed in a fashion that maintains the fully shielded characteristics.

C. Service station canopies.

(1) Shielding. All luminaires mounted on or recessed into the lower surface of service station canopies shall be fully shielded and utilize flat lenses.

21-8 - Submission of plans; evidence of compliance; subdivision plats.

A. Subdivision plats. If any subdivision proposes to have installed street or other common or public area outdoor lighting, submission of the information as described herein shall be required for all such lighting.

21-9 - Temporary exemption.

(1) Such other data and information as may be required by the designated official.

A. Approval; duration. The designated official shall have ten business days from the date of submission of the request for temporary exemption to act, in writing, on the request. If approved, the exemption shall be valid for not more than 30 days from the date of issuance of the approval. The approval shall be renewable upon further written request, at the discretion of the designated official, for a maximum of one additional thirty-day period. The designated official is not authorized to grant more than one temporary permit and one renewal for a thirty-day period for the same property within one calendar year.

B. Disapproval; appeal. If the request for temporary exemption or its extension is disapproved, the person making the request may appeal to the Zoning Board of Appeals under § 58-405.

21-10 - Exemptions.

A. State and federal facilities. Compliance with the intent of this chapter at all state and federal facilities is encouraged, but not required.

B. Swimming pool and fountain lighting. Underwater lighting used for the illumination of swimming pools and fountains is exempt from the lamp type and shielding standards provided herein, though it must conform to all other provisions of this chapter.

C. United States and State of Wisconsin flags are exempt from the provisions of this chapter. All other outdoor lighted flags, such as, but not limited to, decorative and commercial flags shall conform to the provisions of this chapter. Flags, lighted from top only.

D. Holiday lighting. Holiday lighting is exempt from the provisions of this chapter.

21-11 - Exemptions for unusual circumstances, difficulties or costs.

A. The Village Board may allow exemptions from this chapter to recognize that a good faith attempt has been made to comply with this chapter, but compliance is still not possible due to unusual circumstances or difficulties or costs encountered.

21-12 - Enforcement; violations and penalties.

A. Violations. It shall be unlawful for any person to violate any provision of this chapter. Each and every day or night during which the violation continues shall constitute a separate offense. The Village may institute appropriate action or proceedings to enjoin violations of this chapter or applicable Wisconsin Statutes. The Village Department of Public Works and Police Department personnel are required and authorized to enforce all provisions of this chapter, including the power to issue municipal citations for any violations.

B. Penalties. Any person who fails to comply with the provisions of this chapter shall, upon conviction thereof, forfeit fine according to schedule; costs of prosecution for each violation, including the Village's reasonable and actual attorney fees and disbursements incurred in the prosecution of such violations.

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