

2011-01 ORD  
THE CLINTON TOWNSHIP OUTDOOR LIGHTING ORDINANCE  
CLINTON TOWNSHIP, BUTLER COUNTY, PENNSYLVANIA

AN ORDINANCE ENTITLED "THE CLINTON TOWNSHIP OUTDOOR LIGHTING ORDINANCE," REGULATING THE PLACEMENT, HEIGHT, AND INTENSITY OF LIGHTING IN ORDER TO ELIMINATE PUBLIC NUISANCES AND HAZARDOUS CONDITIONS FOR RESIDENTS, PATRONS AND EMPLOYEES OF BUSINESS ESTABLISHMENTS, AND THE MOTORING PUBLIC; AND TO INSTITUTE LIGHTING STANDARDS SET FORTH TO ENSURE SAME WITHIN SUBDIVISIONS AND LAND DEVELOPMENT PLANS IN ACCORDANCE WITH THE CLINTON TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE.

WHEREAS, Clinton Township desires to affect the abatement of lighting nuisances caused by lack of shielding, height, placement, and intensity of lighting; and

WHEREAS, Clinton Township desires to protect its rural environment from sources of light pollution; and

WHEREAS, Clinton Township administers the Clinton Township Subdivision and Land Development Ordinance which requires the corresponding administration of Lighting Standards; and

WHEREAS, Clinton Township desires to promote the public health, safety, and welfare through the institution of lighting standards that minimize nuisances while promoting safety through adequate lighting while eliminating hazards caused by glare;

THEREFORE, the Board of Supervisors of Clinton Township adopts the following:

***100. Title, Authority, and Purpose***

100.1. This ordinance shall be known and may be cited as "The Clinton Township Outdoor Lighting Ordinance."

100.2. This ordinance is adopted in accordance with powers set forth in the Pennsylvania Second Class Township Code, as amended.

100.3. This ordinance is adopted for the following purposes:

- A. Provide parameters for lighting in outdoor places where public health, safety and welfare are potential concerns in concert with the standards of the Clinton Township Subdivision and Land Development Ordinance and Zoning Ordinance.
- B. Protect drivers and pedestrians from the glare of non-vehicular light sources that affect driver vision.

- C. Protect neighbors and the night sky from nuisance glare and stray light from incorrectly aimed, placed, applied, maintained or shielded light sources.

## **200. Definitions**

- 200.1. The following terms shall bear the following meanings when used in this ordinance.
- 200.2. Footcandle: The illumination on a surface one square foot in area on which there is uniformly distributed a light lux of one lumen. A lumen is a unit of measurement of the quantity of light. One lumen is the amount of light which falls on an area of one square foot every point of which is one foot from the source of one candela. A light source of one candela emits a total of 12.57 lumens.
- 200.3. Glare: Excessive brightness in the field of view that causes loss in visual performance or annoyance, so as to jeopardize health, safety or welfare.
- 200.4. Lot: A designated parcel, tract or area of land established by an approved and recorded plan, abutting a public street or having access to a public street over an approved easement, and enclosed by a boundary or a group of contiguous such tracts under common ownership.
- 200.5. Ornamental Lighting: Lighting attached to poles or structures that is mounted at a point ten feet or less in height from the ground level below including wall mounted lighting that projects directly upon a structure for purposes of illuminating addresses and building identification information or signs or flags displaying said information where such are authorized by the Clinton Township Zoning Ordinance; and which utilizes light bulbs or lighting devices emitting 100 watts or less.
- 200.6. Residential Lot: Any lot that bears a dwelling unit or units, as defined by the Clinton Township Zoning Ordinance, as enacted amended, or any vacant lot where a dwelling unit or units are authorized by the Clinton Township Zoning Ordinance in accordance with Zoning District in which the lot is located.

## **300. Nuisance Lighting**

- 300.1. Nuisance Lighting shall be defined as any outdoor lighting or lighting projected from a building or structure that projects upon the ground outside of a building or structure that meets one or more of the following:
  - A. The intensity of illumination projected onto a residential lot from another lot exceeds 0.1 vertical footcandle, measured at 30 inches above the ground at any property line within the line of sight of the light source.
  - B. The intensity of illumination projected onto a lot other than a residential lot from another lot exceeds 1 vertical footcandle, measured at 30 inches above the ground at any property line within the line of sight of the light source.
  - C. A cutoff shield of less than sixty degrees.

- D. Lighting mounted at a height greater than twenty five feet from the level of ground below the light source.
  - E. Lighting which produces glare visible from adjoining lots or public rights of way by virtue of the mounting height in relationship to surrounding topography, regardless of the cutoff angle of the associated shields.
- 300.2. Exemptions. The following shall not be classified as nuisance lighting unless such lighting creates glare as set forth in Section 300.1 E.
- A. Decorative temporary lighting installed during public holiday seasons
  - B. Ornamental Lighting
  - C. Campaign signs limited to the current election period

#### ***400. General Standards***

- 400.1. Nuisance lighting, as defined in Section 300, shall not be permitted and shall be abated as per Section 700 and notification of the Code Enforcement Officer. The remaining standards set forth in this Section shall be effective for all lighting installed after the adoption of this ordinance, including replacement of existing lighting fixtures.
- 400.2. All outdoor lighting shall be aimed, located, designed, fitted and maintained, so as not to create glare, light pollution and light trespass.
- 400.3. Lighted signs advertising individual business and combinations of businesses (as in a shopping center) on the same site as the sign may remain on until 15 minutes after closing of the business or combination of businesses and then shall be extinguished.
- 400.4. Entrance signs to residential developments and to business parks or shopping centers may remain on throughout the night for identification purposes for emergency vehicles.
- 400.5. Vegetation screens shall not be employed to serve as the primary means for controlling glare. Rather, glare control shall be achieved primarily through the use of such means as cutoff fixtures, shields and baffles, and appropriate application of fixture mounting height, wattage, aiming angle and fixture placement.
- 400.6. Externally illuminated signs shall be lighted by fixtures mounted at the top of the sign and aimed downward and shall be designed, fitted and aimed so as not to project their output beyond the sign intended to be illuminated.

- 400.7. Except as otherwise permitted in this section, fixtures meeting Illuminating Engineering Society of North America (IESNA) full-cutoff criteria shall not be mounted in excess of 20 feet above finished grade. Fixtures not meeting IESNA full-cutoff criteria shall not be mounted in excess of 10 feet above grade except as specifically approved by the Township Board of Supervisors.
- 400.8. Fixtures used for architectural lighting, e.g., facade, fountain, feature and landscape lighting, shall be designed, fitted and aimed so as not to project their output beyond the objects intended to be illuminated.

## ***500. Subdivision and Land Development Standards***

- 500.1. Lighting within Subdivisions and Land Developments as defined by the Clinton Township Subdivision and Land Development Ordinance as well as developments approved in accordance with conditional uses set forth within the Clinton Township Zoning Ordinance shall comply with the following specifications and standards. Applicants shall demonstrate compliance with said standards and the General Standards set forth in Section 400 prior to final approval of such plans. However, nothing in the Section shall be construed to require street lighting in residential subdivision plans comprised of single family detached housing lots.
- 500.2. When a proposed land development plan is an expansion of an existing land development, where buildings and/or parking have been legally constructed on the same site, lighting standards shall apply to those buildings, additions, and amenities proposed as well as to any area of the existing plan impacted by the proposed expansion(s). Nothing in this section shall be deemed to require the demolition and replacement of existing lighting which has been legally installed and maintained, provided that replacement of light poles and fixtures as proposed or undertaken by the applicant concurrently with or within one year of the land development application filing shall meet the standards of this ordinance.
- 500.3. Illumination levels.
- A. Lighting shall have intensities and uniformity ratios in accordance with the current recommended practices of the Illuminating Engineering Society of North America (IESNA) as contained in the IESNA Lighting Handbook, 9th Edition.
  - B. Examples of intensities for typical outdoor applications, as extracted from the 9th Edition of the Lighting Handbook, are presented below:

Use/Task	Maintained Footcandles	Uniformity Ratio – Average : Minimum
Streets, local residential	0.4 Avg.	6:1
Streets, local commercial	0.9 Avg.	6:1
Parking, residential, multi-family Low vehicular/pedestrian activity	0.2 Min.	4:1
Medium vehicular/pedestrian activity	0.6 Min.	4:1
Parking, industrial/commercial/institutional/municipal:		
High activity, e.g., regional shopping centers/fast food facilities, major civic/cultural events and private recreational activities	0.9 Min.	4:1
Medium activity, e.g. community shopping centers, office parks, hospitals, commuter lots	0.6 Min.	4:1
Low activity, e.g., neighborhood shopping, industrial employee parking, schools, church parking.	0.2 Min.	4:1
Walkways and Bikeways	0.5 Avg.	5:1
Building entrances	5.0 Avg.	-

*Notes: Illumination levels are maintained horizontal footcandles on the task, e.g., pavement or area surface. Uniformity ratios dictate that average illuminance values shall not exceed minimum values by more than the product of the minimum value and the specified ratio, e.g., for commercial parking high activity, the average footcandles shall not be in excess of 3.6, i.e. . (0.9 x 4).*

500.4. Street lighting fixtures in multifamily residential developments and mobile home parks shall be placed at the following locations:

- A. At the intersection of public roads with entrance roads to the proposed development.
- B. Intersections involving proposed public or non-public major roads within the proposed development.

500.5. Recreational lighting. When facilities for outdoor recreational activities such as, but not limited to, baseball, tennis, football or miniature golf are specifically authorized within this Chapter:

- A. Except as otherwise authorized, sporting events shall be timed so that all area lighting in the sports facility, except as required for safe spectator exit, is extinguished by 11:00 p.m.

- B. Mounting Heights. Maximum mounting heights for outdoor recreational lighting shall be generally in accordance with the following:

SPORT MOUNTING HEIGHT (feet)	
Basketball	20
Football and other field sports	50
Organized Baseball and Softball:	
200 Radius	60
300 Radius	70
Miniature Golf	20
Tennis	30

500.6. Unless a period of outdoor lighting extending throughout the night for safety or security purposes, lighting shall be controlled by automatic switching devices, such as time clocks or combination motion detectors and photocells, to permit extinguishing lighting between 11:00 p.m. and dawn.

500.7. Plan submission.

- A. Lighting plans shall be submitted to the Township as part of the final subdivision and land development for review and approval for all proposed outdoor lighting, including but not limited to proposals which are part of a subdivision or land development plan, and shall include:
- (1) Layout of the proposed fixture locations.
  - (2) For installations of up to four fixtures, an isofootcandle plot of the individual fixtures.
  - (3) Where more than four fixtures are used, a point-by-point plot using a 10 foot by 10 foot illuminance grid. This shall include a statistical summary of typical areas and include minimum, average and maximum values and uniformity ratios that demonstrate compliance with the intensities and uniformities set forth in this section.
  - (4) Description of the equipment, including fixture catalog cuts, photometrics, glare-reduction devices, lamps, control devices, mounting heights and mounting methods proposed.
- B. When requested by the Board of Supervisors, applicant shall submit a visual impact plan that demonstrates appropriate steps have been taken to mitigate on-site and off-site glare.
- C. Post-approval alterations to lighting plans or intended substitutions for approved lighting equipment shall be submitted to the Township for review and approval.

## **600. Modifications**

- 600.1. Lighting. The approval of security or flood lighting which exceeds the uniformity ratios otherwise authorized in a particular use may be granted by the Board of Supervisors upon submission of a written request for a modification by the applicant in accordance with the following criteria:
- A. Floodlights and spotlights shall be so installed or aimed that they do not project their output into the windows of neighboring residences, adjacent uses, directly skyward or onto a roadway.
  - B. All-night safety or security lighting shall be permitted, but the light-intensity levels shall not exceed 25% of the levels normally permitted for the use by this section.
  - C. The nature and/or historic functioning of a particular establishment type shall be demonstrated to require greater security for the safety of employees and patrons and/or security of merchandise, products, or other items integral to the establishment's functionality and stored on-site.
  - D. The departure from the uniformity ratio typically required for a certain class and intensity of establishment shall be the minimum required for security related purposes.
- 600.2. Waiver and Modification Requests. In addition to modifications submitted in accordance with 600.1, property owners may submit an application for waiver or modification of the standards of this ordinance. The Board of Supervisors may grant requests for waiver or modification in consideration of the following:
- A. The Board of Supervisors may grant a modification or waiver of the requirements of one or more provisions of this ordinance if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that such modification will not be contrary to the public interest and that the purpose and intent of the ordinance is observed.
  - B. The Board of Supervisors may also grant a modification of the requirements of the ordinance, absent a hardship, if the applicant submits sufficient evidence to substantiate that the alternative proposal meets or exceeds the performance objectives of the subject provision.
  - C. All requests for a modification shall be in writing and shall accompany and be a part of the application for development. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of the ordinance involved and the minimum modification necessary.

## **700. Enforcement**

- 700.1. The Board of Supervisors shall appoint a Code Enforcement Officer deemed qualified to provide the initial determination of violation of this ordinance and to serve a notice of violation.
- 700.2. Where the Code Enforcement Officer determines that a violation of this Ordinance has occurred, the Officer shall provide written notice to the owner of the property on which the determined violation exists at the tax mailing address of the owner as well as to the tenant(s) of the particular property or unit, when applicable.
- 700.3. Said notice shall require the owner to correct the violation within a time period commensurate with the immediacy of safety hazards posed by the determined violation and/or the length of time customarily necessary to conduct the work required to correct the determined violation.
- 700.4. Anyone violating the terms of this chapter shall be guilty of a summary offense and, upon conviction, shall be subject to a fine or penalty of not more than \$500 for each and every violation. All costs, including reasonable attorney's fees and costs, incurred by the Township in the enforcement and abatement of any violation of this chapter shall be recoverable upon conviction of a summary offense. Each day that the violation continues after proper notification (notice of complaint) shall be a separate offense.

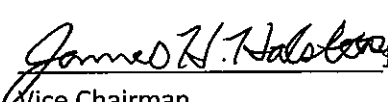


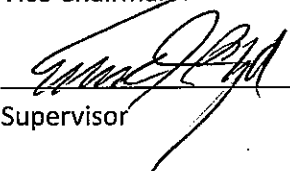
**800. Effective Date and Adoption**

Duly presented and adopted at a regular meeting of the Board of Supervisors of Clinton Township, Butler County, Pennsylvania, held on the Twelfth Day of April, 2011.

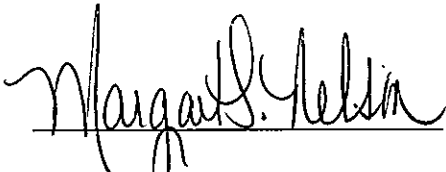
This Ordinance becomes effective on April 17, 2011.

  
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Mary Zacherl  
Chairman

  
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James H. Halstead  
Vice Chairman

  
\_\_\_\_\_  
Edward J. Boyd  
Supervisor

ATTEST:

  
\_\_\_\_\_  
Margaret S. Nelson  
Secretary

