

CHAPTER 6

SECTION 5

Outdoor Lighting Regulations

Subsections:

- 6-5-1 General Provisions.
- 6-5-2 Nonconforming Lights.
- 6-5-3 Administration And Enforcement.
- 6-5-4 Appeals And Variances.

(Section enacted by Ord 3-1997)

6-5-1 GENERAL PROVISIONS.

(A) All non-exempt outdoor light fixtures and illuminating devices permanently or temporarily installed outdoors, including but not limited to devices to illuminate signs, shall meet the following requirements:

(1) They shall be shielded so no light rays are emitted at angles which will allow the light to pass directly off of the premises appurtenant to the fixture.

(2) They shall be shielded so that no light rays are emitted by the installed fixture at angles above the horizontal plane.

(3) All fixtures designed to illuminate signs or structures shall be mounted above the area of the sign or structure to be illuminated.

(4) Blinking, flashing, rotating or moving lights are prohibited.

(B) The following are exempt from the provisions of Subsection (A).

(1) Lights used to illuminate athletic fields, which are on only when the field is in use.

(2) Signs which are illuminated by interior light sources, such as neon signs, provided such signs are lit only during the property owner's business hours.

(3) Official traffic control devices and lights owned and operated by or pursuant to proper authority of the United States of America, the State of Colorado or any of their agencies, and such other lights as are specifically required by federal or state law.

(4) Street lights operated by the Town of Ridgway to the extent that compliance with Subsection (A) is not practical while still achieving the purposes of traffic and pedestrian safety.

(5) Repealed by Ordinance 16-2006

(6) Lawful vehicle lights.

(7) Repealed by Ordinance 10-2007

(8) Christmas lights.

(9) Repealed by Ordinance 2-2002

(Ord 3-1997)

6-5-2 NONCONFORMING LIGHTS.

(A) Lights which were lawfully existing and in use at the time they became nonconforming with the requirements of this Section 6-5 by virtue of the initial adoption of this Section, subsequent amendment to this Section or by annexation into the Town, may continue to be used and operated subject to the limitations of this Section.

(B) The right to operate a lawful nonconforming light shall terminate upon any of the following:

(1) Replacement of the light fixture.

(2) Non-use of the light fixture for a period of six months.

(3) Repealed by Ordinance 16-2006

(4) Damage to the light fixture so that the cost of repair is 50% or more of the cost to replace it with a conforming fixture.

(Ord 3-1997)

6-5-3 ADMINISTRATION AND ENFORCEMENT.

(A) The provisions of this Section shall be administered by the building official or other authorized Town officer or employee.

(B) It shall be unlawful to violate any provision of this Section.

(C) Any continuing violation of this Section is hereby declared to be nuisance, which may be abated by the Town in any lawful manner, or enjoined by a court of competent jurisdiction.

(D) No building permit or occupancy permit shall be issued for work which has noncomplying light fixtures.

(Ord 3-1997)

6-5-4 APPEALS AND VARIANCES.

(A) Any person aggrieved by an interpretation of this Section or decision of the Town made in the administration of this Section, may appeal the interpretation or decision to the Planning Commission pursuant to the review procedure of Section 7-3-18 of the Ridgway Municipal Code upon payment of a \$50.00 application fee.

(B) (1) Any person may apply for a variance to the Planning Commission from the provisions of this Section upon payment of the \$50.00 application fee in accordance with the review

procedure of Section 7-3-18 of the Ridgway Municipal Code.

(2) The Planning Commission may grant a variance only upon a determination that the following criteria are met:

(a) The variance will be consistent with the public health, safety and welfare.

(b) The variance is justified by unreasonable hardship not created by the activities of the applicant or strict compliance is unfeasible.

(c) The variance will be substantially consistent with the purposes of this Section to avoid nuisances to others, preserve the ability to observe the night sky, conserve energy, reduce glare, promote traffic and pedestrian safety, preserve the small town character of Ridgway and promote the Town's master plan.