

TOWN OF WILTON, NEW YORK

Chapter ____

OUTDOOR LIGHTING

§ ____-1. Purpose and intent.

The purpose of this chapter is to establish regulations for outdoor lighting that provide appropriate illumination levels for safety and security while minimizing the adverse effects of excessive or poorly directed lighting, including light trespass, light pollution, glare, and sky glow. It is the intent of this chapter to preserve the rural and suburban character of the Town, to protect the health and welfare of [its](#) residents [and natural environment](#), and to promote energy conservation through the reasonable regulation of outdoor lighting on all properties within the Town of Wilton.

§ ____-2. Applicability.

- A. This chapter shall apply to all outdoor lighting on all properties in all zoning districts within the Town of Wilton.
- B. Outdoor lighting associated with uses subject to site plan review or special use permit approval shall comply with both this chapter and any additional lighting conditions imposed by the approving board.
- C. This chapter shall not apply to:
 - (1) Temporary lighting used by law enforcement, fire, or emergency services in the performance of their duties.
 - (2) Lighting required by the Federal Aviation Administration or other federal or state agency.
 - (3) Lighting installed by the Town of Wilton, Saratoga County, or the State of New York on public roadways or public property.
 - (4) Outdoor lighting existing as of the effective date of this chapter, except as provided in § ____-7 of this chapter.
 - (5) Temporary lighting associated with active construction, provided such lighting is removed upon completion of construction activity and is aimed, shielded, or otherwise mitigated to the extent practicable, consistent with applicable safety requirements, to minimize light trespass and glare onto adjacent properties and public roadways.

§ ____-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

CORRELATED COLOR TEMPERATURE (CCT)

A measure, in degrees Kelvin (K), of the color appearance of light emitted by a lamp or fixture.

DIRECT LIGHT

Light emitted by a fixture from [a](#) lamp, from a reflector, or through a refractor.

FACADE LIGHTING

Permanent outdoor fixtures that are specifically intended to illuminate the exterior surfaces of buildings or structures.

FIXTURE

A complete lighting unit, including [a](#) lamp together with the parts designed to distribute the light, to position and protect the lamp, and to connect the lamp to the power supply.

FLOOD- OR SPOTLIGHT

Any 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 FIXTURE

A fixture that allows no direct light from the fixture above a horizontal plane through the fixture's lowest light-emitting part in its mounted position.

GLARE

Light emitted by a fixture with intensity sufficient to cause annoyance, discomfort, or reduced visibility to a person on or off the property.

HEIGHT OF LUMINAIRE

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 scattered off of other surfaces.

LAMP

A light bulb or other component of a fixture that changes electricity into visible light.

LIGHT POLLUTION

The inappropriate or excessive use of artificial light, including sky glow, glare, light trespass, and energy waste.

LIGHT TRESPASS

Light from an artificial source that falls beyond the property boundary of the property on which the light source is located and onto property that it is not intended to illuminate.

LUMEN

A unit of measurement of the total quantity of visible light emitted by a lamp or fixture, as [measured](#).

OUTDOOR LIGHTING

The nighttime illumination of an outside area or object by any artificial device located outdoors that produces light by any means.

SKY GLOW

A brightening of the night sky caused by artificial light directed upward or sideways, reducing one's ability to view the night sky.

§ ____-4. General lighting standards.

All outdoor lighting installed after the effective date of this chapter shall comply with the following standards:

- A.** Light trespass prohibited. No outdoor light fixture or lamp shall be installed, aimed, or operated so as to cause direct light or glare to fall beyond the property boundary of the property on which the fixture is located.
- B.** Color temperature. Outdoor lighting fixtures installed after the effective date of this chapter [are recommended to](#) have a correlated color temperature (CCT) not exceeding 3000 Kelvin.
- C.** Timers, sensors, and dimmers. Where practicable, outdoor lighting installations are encouraged to include timers, motion sensors, and dimmers to reduce energy consumption and unnecessary illumination during overnight hours.
- D.** Upward-directed lighting. Outdoor lighting, [including floodlights and spotlights](#), directed upward shall be aimed at a specific building, architectural feature, landscape element, or flag and shall not be directed into open sky. Upward-directed fixtures shall not exceed 900 lumens per fixture.

§ ____-5. Operation as nuisance prohibited.

- A.** No outdoor light or lights shall be installed or operated so as to constitute a nuisance. For the purposes of this chapter, a nuisance shall be characterized by any lamp or fixture that:
 - (1)** Exceeds 900 lumens and is not fully shielded or aimed so as to prevent light trespass beyond the property boundary [or directly into open sky](#); or
 - (2)** Is directed toward or creates glare upon any public roadway so as to impair the vision of motorists; or
 - (3)** Is directed toward or illuminates the interior of any adjacent property; or

(4) Consists of multiple fixtures that in combination produce light trespass, glare, or illumination of adjacent properties sufficient to constitute a nuisance under subsections (1) through (3) above.

B. The investigation of a complaint under this section shall be initiated in response to a written complaint submitted to the Code Enforcement Officer.

§ ____-6. Additional standards for nonresidential and multifamily uses.

In addition to the general standards of § ____-4, outdoor lighting for nonresidential uses, multifamily residential developments, and uses subject to site plan review or special use permit approval shall comply with the following:

A. A photometric lighting plan shall be submitted as part of any site plan or special use permit application, showing the location, type, height, aiming direction, shielding, lumen output, and color temperature of all proposed outdoor fixtures.

B. Parking area lighting shall utilize fully shielded fixtures with a maximum pole height of 30 feet.

C. Upward-directed lighting prohibited. No outdoor lighting on nonresidential or multifamily properties shall be directed upward toward the sky, except for temporary, permitted public event lighting. Facade lighting shall be directed downward from above the surface to be illuminated and shall not spill beyond the building façade.

§ ____-7. Applicability to existing lighting.

A. Outdoor lighting lawfully in existence as of the effective date of this chapter that does not conform to the provisions hereof shall not be required to be brought into compliance solely by reason of the adoption of this chapter.

B. Replacement or substantial modification of an existing nonconforming outdoor lighting fixture shall require the replacement fixture to comply with all provisions of this chapter.

C. Notwithstanding subsection A, any existing outdoor lighting that is determined by the Code Enforcement Officer to constitute a nuisance under § ____-5 shall be required to be brought into compliance with the provisions of this chapter within 30 days of written notice from the Code Enforcement Officer.

§ ____-8. Enforcement.

A. The Code Enforcement Officer, or a duly authorized designee, shall be responsible for the enforcement of this chapter, upon written complaint.

B. Whenever the Code Enforcement Officer determines that a violation of this chapter exists, the Code Enforcement Officer shall issue a written notice to the property owner or responsible person. Such notice shall:

- (1)** Be in writing;
- (2)** Include a description of the property sufficient for identification;
- (3)** Include a statement of the violation and the specific provision(s) of this chapter that have been violated;
- (4)** Set a reasonable time, not less than 30 days from the date of notice, for compliance, or such longer period as the Code Enforcement Officer determines reasonable based on the nature and scope of the required corrective action; and
- (5)** Be served upon the property owner or occupant personally or by registered mail or certified mail.

C. If, upon reinspection after the expiration of the compliance period, the violation has not been corrected, the Code Enforcement Officer is authorized to commence an enforcement action in the appropriate court.

§ ____-9. Penalties for offenses.

- A.** A violation of any provision of this chapter shall, upon conviction thereof, be punishable by a fine not to exceed \$350 for a first offense, \$700 for a second offense within 18 months of the first offense, and \$1,000 for each subsequent offense within 18 months of the first offense.
- B.** Each day that a violation continues after the expiration of the compliance period set forth in the notice of violation shall constitute a separate offense.

§ ____-10. Severability.

If any section, subsection, clause, phrase, or provision of this chapter, or the application thereof to any person or circumstance, shall be adjudged invalid by a court of competent jurisdiction, such determination shall not affect the validity of the remaining portions of this chapter.

§ ____-11. Effective date.

This chapter shall take effect immediately upon filing with the Secretary of State.