

CHAPTER 16. - OGDEN VALLEY LIGHTING

Sec. 108-16-1. - Purpose and intent.

In order to preserve the rural character and public values of the Ogden Valley, this chapter is intended to regulate the permitted use of outdoor artificial illuminating devices emitting undesirable rays into the night sky, glare to oncoming traffic, intrusion of light onto adjacent properties, and light pollution in general, which may have a detrimental effect on the welfare and safety of the populace, as well as the ambiance and rural character of the valley.

(Ord. of 1956, § 39-1; Ord. No. 2000-3)

Sec. 108-16-2. - Applicability.

This chapter applies to commercial, industrial, multifamily, public and quasi-public uses.

(Ord. of 1956, § 39-2; Ord. No. 2000-3)

Sec. 108-16-3. - Conformance with applicable regulations.

- (a) All outdoor artificial illuminating devices, unless exempted, shall be installed in conformance with the provisions of this chapter, the Land Use Code, and any building codes which may hereafter be enacted, as applicable.
- (b) Where any provisions of any of the state code or any federal law, or any companion land use ordinance comparatively conflicts with the requirements of this outdoor light control ordinance, the most restrictive shall be applied.

(Ord. of 1956, § 39-3; Ord. No. 2002-15)

Sec. 108-16-4. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Individual means any private individual, tenant, lessee, owner, or any commercial entity including but not limited to companies, partnerships, joint ventures, or corporations.

Installed means the initial installation of outdoor light fixtures defined herein, following the effective date of the ordinance from which this chapter is derived but shall not apply to those outdoor light fixtures installed prior to such date, unless such light fixtures are replaced or significantly, structurally altered.

Outdoor light fixtures means outdoor artificial illuminating devices, outdoor fixtures, lamps and other devices, permanent or portable, used for illumination or advertisement. Such devices shall include, but are not limited to lights for:

- (1) Building and structures;
- (2) Recreation areas;
- (3) Parking lot lighting;
- (4) Landscape lighting;
- (5) American Flag;

- (6) Advertising or other signage;
- (7) Street lighting; and/or
- (8) Festive lighting:
 - a. Festive, festoon or strings of lights, which are suspended from an electrical conductor or messenger cable, between two points, and limited to small individual bulbs on a string where the spacing of bulbs is not closer than three inches and where the output per bulb is no greater than four watts.
 - b. Festive lighting may be used to outline structures and landscaping; however, they shall not blink, flash or simulate motion. Festive lights are encouraged to be turned off by 10:00 p.m. or after close of the individual's business hours.
 - c. Festive lighting, as defined in subsection (8)a of this section is exempt from other requirements of this chapter.

(Ord. of 1956, § 39-4; Ord. No. 2003-18)

Sec. 108-16-5. - General requirements.

- (a) Shielding. All exterior illumination devices, except those exempt from this chapter, and those regulated by subsection (c) of this section, shall be fully or partially shielded as required in subsection (c) of this section.
 - (1) The term "fully shielded" shall mean that those fixtures shall be shielded in such a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected below a horizontal plane running through the lowest point on the fixture where light is emitted.
 - (2) The term "partially shielded" shall mean that those fixtures shall be shielded in such a manner that the bottom edge of the shield is below the plane centerline of the light source (lamp), minimizing light above the horizontal.
- (b) Filtration.
 - (1) Those outdoor light fixtures requiring a filter in subsection (c) of this section shall be equipped with a filter whose transmission is less than five percent total emergent flux at wavelengths less than 3,900 angstroms. Total emergent flux is defined as that between 3,000 and 7,000 angstrom units.
 - (2) It is recommended that existing mercury vapor fixtures shall be equipped with a filter whose transmission is less than ten percent total emergent flux at wavelengths less than 4,400 angstroms.
 - (3) Low pressure sodium lamps are the preferred lamp for minimizing adverse effects on astronomical observations.
- (c) Requirements for shielding and filtering. The requirements for the shielding and filtering light emissions from outdoor light fixtures shall be as set forth in the following table:

Requirements for Shielding and Filtering		
Fixture Lamp Type	Shielded	Filtered (4)

Low pressure sodium (1)	Partially	None
High pressure sodium	Fully	None
Metal halide (6)	Fully	Yes
Fluorescent	Fully	Yes (2)
Quartz (3)	Fully	None
Incandescent greater than 100 W	Fully	None
Incandescent less than 100 W	None	None
Mercury vapor	Fully (7)	Yes (7)
Gas filled tubes (neon, argon, krypton)	None	None
Natural gas/fossil fuels	None	None
Other source	As approved by the planning commission	

Footnotes—

- (1) This is the preferred light source to minimize undesirable light into the night sky affecting astronomical observations.
- (2) Warm white and natural lamps are preferred to minimize detrimental effects.
- (3) For the purposes of the chapter, quartz lamps shall not be considered an incandescent light source.
- (4) Most glass, acrylic or translucent enclosures satisfy these filter requirements.
- (5) Outdoor advertising signs of the type constructed of translucent materials and wholly illuminated from within do not require shielding.
- (6) Metal halide display lighting shall not be used for security lighting after 11:00 p.m. (or after closing hours if before 11:00 p.m.) unless fully shielded. Metal halide lamps shall be in enclosed luminaries.
- (7) Recommended for existing fixture. The installation of mercury vapor fixtures is prohibited effective 90 days after the effective date of adoption of the ordinance from which this chapter is derived.

(Ord. of 1956, § 39-5)

Sec. 108-16-6. - Side yard requirements.

Lighting within side yards shall not exceed two foot-candles of illumination at the property line, and shall not exceed one-half foot-candle within ten feet over the adjacent property line.

(Ord. of 1956, § 39-6)

Sec. 108-16-7. - Prohibitions.

The following uses are prohibited by this chapter:

- (1) Searchlights. The operation of searchlights for advertising purposes is prohibited.
- (2) Recreational facility. No outdoor recreational facility, public or private, shall be illuminated by nonconforming means after 11:00 p.m., except to conclude a specific recreational or sporting event or any other activity conducted at a ball park, outdoor amphitheater, arena, or similar facility in progress prior to 11:00 p.m.
- (3) Outdoor building or landscaping illumination. The unshielded outdoor illumination of any building, landscaping, American flag, signage or other purpose is prohibited except with incandescent fixtures less than 100 watts.
- (4) Mercury vapor. The installation of mercury vapor fixtures is prohibited effective 90 days after the effective date of the ordinance from which this chapter is derived.

(Ord. of 1956, § 39-7)

Sec. 108-16-8. - Permanent exemptions.

The following exemptions apply to the provisions in this chapter:

- (1) Fossil fuel light. Produced directly or indirectly by the combustion of natural gas or other utility-type fossil fuels.
- (2) Federal and state facilities. Those facilities and lands owned, operated as protected by the U.S. Federal Government or the State of Utah are exempted by law from all requirements of this chapter.
- (3) Residential and agriculture. Single-family dwellings, two-family dwellings and agricultural uses shall be exempt from requirements of this chapter.
- (4) Variance. The board of adjustment may grant a special exemption to the requirements of section 108-16-5 only upon written finding that there are extreme geographic or geometric conditions warranting the exemption and that there are no conforming fixtures that would suffice.

(Ord. of 1956, § 39-8)

Sec. 108-16-9. - Procedures for compliance.

- (a) Applications. Any applicant for a land use permit and/or building permit, intending to install outdoor lighting fixtures shall, as a part of said application, submit evidence that the proposed work will comply with this chapter.

- (1) All other individuals intending to install outdoor lighting fixtures shall submit an application to the county planning commission providing evidence that the proposed work will comply with this chapter.
 - (2) Utility companies entering into a duly approved contract with the county in which they agree to comply with the provisions of these regulations, shall be exempt from applying for and obtaining a permit for the installation of outdoor light fixtures, including residential security lighting.
- (b) Contents of application or submittal.
- (1) The submittal shall contain but shall not necessarily be limited to the following, all or part of which may be part of or in addition to the information required elsewhere in the Weber County Land Use Code upon application for the required permits:
 - a. Plans indicating the location on the premises, and the type of illuminating devices, fixtures, lamps, supports, other devices, etc.
 - b. Description of the illuminating devices, fixtures, lamps, supports and other devices, etc. This description may include, but is not limited to, manufacturers catalog cuts, and drawings (including sections where applicable).
 - (2) The required plans and descriptions set forth in subsection (b) (1) of this section shall be sufficiently complete to enable the county planning director to readily determine whether compliance with the requirements of this chapter will be secured. If such plans and descriptions cannot enable this ready determination, by reason of the nature or configuration of the devices, fixtures, or lamps proposed, the applicant shall submit evidence of compliance by certified test reports as performed by a recognized testing laboratory.
- (c) Issuance of permit. Upon compliance with the requirements of this chapter, the county planning director shall issue a permit for installation of the outdoor lighting fixtures, to be installed as in the approved application. In the event the application is part of the land use permit and/or building permit or site design review, the issuance of the land use permit and/or building permit will be made if the applicant is in compliance with this chapter as well as the other requirements for issuance under the Land Use Code. Appeal procedures of this chapter are through the planning commission.
- (d) Amendment to permit. Should the applicant desire to substitute outdoor light fixtures or lamps, or cause any change in the approved design, after a permit has been issued, the applicant shall submit all changes to the planning commission for approval, with adequate information to assure compliance with this chapter.

(Ord. of 1956, § 39-9)

Sec. 108-16-10. - Temporary exceptions.

- (a) Request for temporary exception. Any individual may submit a written request to the county planning commission, for a temporary exemption to the requirements of this chapter, such exemption to be valid for up to three months. A written request for temporary exception shall contain minimally the following information:
 - (1) Specific exemptions requested;
 - (2) Type and use of exterior light involved;
 - (3) Duration of time for requested exemption;
 - (4) Type of lamp and calculated lumens;
 - (5) Total wattage of lamp or lamps;
 - (6) Proposed location of exterior light;
 - (7) Previous temporary exceptions, if any;

(8) Physical size of exterior light and type of shielding provided.

In addition to the above data, the county may request any additional information which would enable a reasonable evaluation of the request for temporary exception.

(b) Appeal for temporary exemption. An appeal of a decision of the planning commission shall be heard by the board of adjustment.

(Ord. of 1956, § 39-10)