

EAST BATON ROUGE PARISH OUTDOOR LIGHTING ORDINANCE

A. Intent and Purpose

The Outdoor Lighting Ordinance addresses a critical component of community design by promoting effective, efficient, and attractive outdoor lighting. The intent of this ordinance is to prevent glare and unwanted light trespass, ensuring that all light emanating from a particular development is confined to that development site. The guidelines are aimed at minimizing the environmental impact of excessive glare, and light trespass. The design criteria and review process establishes overall lighting performance standards and provides flexibility in meeting site specific outdoor lighting needs.

B. Definitions for Outdoor Lighting Regulations

The following definitions relate to the outdoor lighting regulations contained in this section.

1. **Direct Light** Light emitted directly from the lamp, off of the reflector or diffuser, or through the refractor or diffuser lens, of a luminaire.
2. **Fixture** The assembly that houses the lamp or lamps and can include all or some of the following parts: a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and/or a refractor or lens.
3. **Flood or Spot Light** Any light fixture or lamp that incorporates a reflector or refractor to concentrate the light output into a directed beam in a particular direction.
4. **Foot-candle** A unit of measure for illuminance. A unit of illuminance on a surface that is everywhere one (1) foot from a uniform point source of light of one candle and equal to one lumen per square foot.
5. **Full Cut-Off Type Fixture** A luminaire or light fixture that, by design of the housing, does not allow any light dispersion or direct glare to shine above a 90 degree, horizontal plane from the base of the fixture and that is installed in a vertical position to prevent disability glare.
6. **Fully Shielded Fixture** A luminaire or fixture constructed in such a manner that an opaque shield extends, on the top and all sides, below the lowest direct-light-emitting part (LDLEP) of the luminaire. The lowest edge of such a shield shall surround the LDLEP and be level with the horizontal plane, regardless of the orientation of the luminaire or fixture.

7. **Glare** Light emitting from a luminaire with an intensity great enough to reduce a viewer's ability to see and function, and in extreme cases causing momentary blindness.
8. **Height of a Luminaire** The height of a luminaire shall be the vertical distance from the normal finished grade directly below the centerline of the luminaire to the lowest direct-light-emitting part of the luminaire.
9. **Horizontal Illuminance** The measurement of brightness from a light source, usually measured in foot-candle or lumens, which is taken through a light meter's sensor at horizontal position.
10. **IESNA** The Illuminating Engineering Society of North America, a non-profit professional organization of lighting specialists that has established recommended design standards for various lighting applications.
11. **Indirect Light** Direct light that has been reflected or has scattered off of other surfaces.
12. **Lamp** The component of a luminaire that produces the actual light.
13. **Lowest Direct-Light-Emitting Part (LDLEP)** The lowest part of either the lamp or lamps, the reflector or mirror, and/or refractor or lens.
14. **Light Trespass** Any artificial light greater than two (2) footcandles falling outside the boundaries of the property upon which the outdoor luminaire is installed.
15. **Lumen** A unit of luminous flux. One foot-candle is one lumen per square foot. For the purposes of this section, the lumen-output values shall be the initial lumen output ratings of a lamp.
16. **Luminaire** This is a complete lighting system that includes a lamp or lamps and a fixture.
17. **Mounting Height** The vertical distance from the grade elevation of the surface being illuminated to the bottom of the lighting fixture (i.e. luminaire).
18. **Neon Lighting** Any tubular lighting of which the primary source of light is gaseous.
19. **Outdoor Lighting** The nighttime illumination of an outside area or object by any man made device located outdoors that produces light by any means.
20. **Shielded** Provided with internal and/or external shields, top and side visors, hoods, and internal louvers to limit glare and light trespass caused by emission from luminaires.

21. Single-plane Lens A refractor of lens, mounted on the horizontal plane, which by design, allows direct light to be emitted only through the horizontal plane.
22. Temporary Outdoor Lighting The specific illumination of an outside area or object by any man made device located outdoors that produces light by any means for a period of less than 45 days, with at least 180 days passing before being used again.
23. Up-lighting Any light source that distributes illumination above a 90-degree horizontal plane.

C. Permit Required

1. On all properties except single family residential and multifamily residential projects of less than 75 units. The installation or replacement of any outdoor lighting fixtures shall require an Outdoor Lighting Permit. Said permit may not be issued unless the proposed installation is found to conform to all applicable provisions of this chapter.
2. All properties shall comply with the provisions of this chapter. Single family residential and multifamily residential projects of less than 75 units shall comply with the provisions of this ordinance but shall not require a permit.
3. An outdoor lighting permit shall be required when the outdoor lighting installation or replacement is part of a development proposal for which a construction plan is required.

D. Light Measurement Technique

Light level measurements shall be made at the property line upon which the outdoor luminaire is installed. If measurement on private property is not possible or practical, light level measurements may be made at the boundary of the public street right-of-way that adjoins the property upon which the outdoor luminaire is installed or at any other location of an adjoining property. Measurements shall be made with the light-registering portion of the meter held at ground level with the measuring instrument held in the horizontal plane parallel to the ground pointing up. The meter shall have cosine and color correction and have an accuracy tolerance of no greater than plus or minus five percent (5%). Measurements shall be taken with a light meter that has been calibrated within the previous two (2) years. Light levels are specified, calculated and measured in footcandles (FC). All FC values are maintained footcandles unless specified otherwise.

E. General Requirements

1. Outdoor lighting installations (free standing, ground mounted or façade mounted) may be approved by the Building Official, provided that no

single lamp exceeds an initial output rating of 10,000 lumens and the aggregate on the property does not exceed an initial output rating of 150,000 lumens. In these situations, the Building Official shall issue a permit provided that either all lighting fixtures, regardless of the level of initial lumen output, meet the requirements set forth in Section F(1) of this chapter or that the applicant otherwise demonstrate that the proposed lighting fixtures comply with the intent of this ordinance. All other installations must be approved by the Building Official in the form of a separate overall lighting plan as set forth below. Fixtures shall be positioned, permanently mounted, directed and otherwise shielded to prevent trespass of unwanted light beyond the property.

2. The applicant shall submit sufficient information, in the form of an overall exterior lighting plan for review, to determine that the applicable provisions will be satisfied. All site plan and subdivision plats must have a notation on the plat stating that the proposed development will comply with all provisions of the Lighting Ordinance. The lighting plan shall include at least the following:
 - a. A site plan showing buildings, landscaping, parking areas, property lines and all proposed exterior lighting fixtures;
 - b. Specifications for all proposed lighting fixtures the fixture type, bulb type & wattage, controls, lenses, and other descriptive information on the fixtures;
 - c. Proposed mounting height of all exterior lighting fixtures; and
 - d. Analyses and luminance level diagrams showing that the proposed installation conforms to the lighting standards in this chapter. This shall include levels at the property line.
3. The maximum level of light trespass shall be two (2) footcandles.
4. When an outdoor lighting installation is being modified, extended or expanded to the extent of more than 50 percent (50%) of the replacement value, then the entire outdoor lighting installation shall be subject to the requirements of this chapter. Routine maintenance, including changing the lamp, ballast, starter, photo control, fixture housing, lens and other required components, is permitted for all fixtures.

F. Luminaire Design Requirements

1. **Luminaire Design** Any luminaire with a lamp with an initial output rating greater than 10,000 lumens shall be either:
 - a. Full Cutoff Type fixture with a single plane lens
 - b. Fully shielded fixture.
 - c. Shielded and adjustable.

2. **Luminaire Height**
 - a. Any luminaire with a lamp with an initial output rating of less than 10,000 lumens may be mounted at any height.
 - b. Any luminaire with a lamp with an initial output rating of 10,000 lumens or greater may be mounted up to a height of 35 feet.
 - c. Maximum height of pole mounted fixtures shall not exceed 35 feet.

G. Illumination Levels

1. The average levels of illuminance for all applications shall conform to the official manual of the Louisiana State Fire Marshal, specifically in accordance with ACT 588 of the 1997 Louisiana Legislature (RS40:1730.26(c)) and its latest amendments, commonly referred to as the Louisiana State Energy Code.
2. In addition and where application for banking institutions, the maximum levels of illuminance for this specific application shall comply with Act 588 of the 1995 Louisiana Legislature.

H. Exceptions

The following lighting is exempt from the provisions of this section:

1. **Luminaire Redirection.** Any Luminaire with a lamp rated at 10,000 lumens or less may be used without restriction to light distribution or mounting height, except that no spot or flood luminaire with an initial output rating of 10,000 lumens or less may be aimed, directed, or focused such as to cause direct light from the luminaire to be directed toward residential buildings on adjacent or nearby land, or on streets.
2. **Parking Areas.** Areas, used primarily for the parking of large trucks or buses, where luminaire supports inside the areas would restrict the function or compromise safety shall use fully shielded floodlights.

3. Police or Fire Departments or other Emergency Services. All temporary emergency lighting needed by the Police or Fire Departments or other emergency services, as well as all vehicular luminaries.
4. Federal Regulatory Agencies. All hazard warning luminaries required by Federal Regulatory Agencies, except that all luminaries used must be red and specific to the warning task required.
5. Airport Lighting. Lighting that is required for the safe and efficient movement of aircraft during flight, takeoff, landing, and taxiing. All other outdoor lighting at airport facilities shall comply with the provisions of this chapter.
6. Radio, Communication and Navigation Towers. All lighting used for radio, communication, and navigation towers, provided the owner or occupant demonstrates that the Federal Aviation Administration (FAA) regulations can only be met through the use of lighting that does not comply with the provisions of this chapter.
7. Flags. Up-Lighting for national, state, municipal or foreign nation flags located on poles independent of other structures.
8. Trees. Up-lighting or down-lighting of trees.
9. Street Lighting. Both public and private streetlights if they were in existence at the time this section becomes effective or if a permit or other approval has been granted for these lights at the time this ordinance becomes effective.
10. Church Steeples. Up-lighting of church steeples and spires is permitted as long as said lighting is fully shielded.
11. Law Governing Conflicts. Where any provision of federal, state, City-Parish, codes, or laws conflicts with any provision of this code, the most restrictive shall govern unless otherwise regulated by law.

I. Prohibitions

1. Laser Source Light. The use of laser source light or any similar high intensity light for permanent outdoor advertising or entertainment is prohibited. Use otherwise requires a permit.
2. Searchlights. The operation of permanent searchlights is prohibited. Temporary use shall not be located within five hundred (500) feet of a

residential area and shall not be allowed after 12:00 a.m. A permit must be obtained for the operation of searchlights.

J. Temporary Lighting

1. Temporary Outdoor Lighting. Any temporary outdoor lighting that conforms to the requirements of this section shall be allowed. Nonconforming temporary outdoor lighting may be permitted by the Building Official after considering: (1) the public and/or private benefits that will result from the temporary lighting; (2) any annoyance or safety problems that may result from the use of the temporary lighting; and (3) the duration of the temporary nonconforming lighting. The applicant shall submit a detailed description of the proposed temporary nonconforming lighting to the Inspection Division of the Department of Public Works.

K. Regulation of Nonconforming Luminaries

1. Definition of Legally Nonconforming Luminaries. The term “legally nonconforming luminaries” shall mean (1) any luminaire located within the Parish which does not conform with the provisions of this ordinance at the time this ordinance becomes effective, or (2) any luminaire not yet constructed, but which has been granted a permit through the granting of a building permit or other approval, at the time this ordinance becomes effective.
2. Nonconforming Luminaries. A light trespass shall only be deemed to occur if the Building Official receives a complaint from a third party property owner within 100 feet of the property line and determines that there is a violation. All complaints shall be limited to properties used for residential purposes. In these situations, all existing outdoor lighting fixtures located on the subject property, with an initial output rating of greater than 10,000 lumens that do not conform to this chapter shall be required to be shielded, redirected, or adjusted so that no more than two (2) footcandles of light fall outside the boundaries of the property upon which the outdoor luminaire is installed. Ownership where at least 50% of ownership is common shall be deemed as one tract.
3. Nonconforming Luminaries Causing Hazardous Glare. Nonconforming luminaries with a lamp or lamps with an initial output rating greater than 10,000 lumens that are aimed, directed, or focused such as to cause or create glare perceptible to persons operating motor vehicles on public ways, be shielded or redirected so that the luminaries do not cause a potential hazard to motorists or cyclists. The determination of this violation shall be invoked by the Building Official or his designee.

L. Street Lighting Fixtures

1. All street lighting fixtures shall be a full cut-off type fixture. If necessary, fixtures shall include “house side shields” to minimize light directed to the rear of the fixtures.
2. Alternatives: the design for an area may suggest the use of street lighting fixtures of a particular “period” or architectural style, or there may be existing historical fixtures to be retained. In such cases, the non-cut-off fixtures may be used either as alternative or supplements to street lighting described above.
3. For fixtures that do not meet the “cut-off” criteria, the maximum initial lumens generated by each fixture shall not exceed 2,000 (equivalent to a 150-watt incandescent bulb).
4. Mounting heights of such fixtures shall not exceed 15 feet for new fixtures. Where historic fixtures are being retained (and/or extended) mounting height shall be that of the existing fixtures and every effort shall be made to use brackets that match existing brackets.

M. Lighting of Outdoor Performance Areas

Outdoor nighttime performance events (concerts, athletic contests, etc.) have unique lighting needs. Illumination levels vary, depending on the nature of the event. The regulations in this section are intended to allow adequate lighting for such events while reducing glare and unwanted illumination of surrounding streets and adjacent properties, and reducing energy consumption. Such installations shall require a permit and have the following minimum requirements:

1. Lighting Plan. A lighting plan shall be submitted which shows in detail the proposed lighting installation. The outdoor lighting plan shall be in accordance with the requirements listed in Section E(2) of this ordinance.
2. Primary Playing Areas. Where playing fields or other special activity areas are to be illuminated, lighting fixtures shall be specified, mounted, and aimed so that their beams fall within the primary playing area and immediate surroundings, and so that no direct illumination is directed off the site.
3. Parking Areas. Lighting for parking areas shall meet the requirements specified elsewhere in this chapter.

N. Violations, Legal Actions, and Penalties

1. Any lighting fixtures erected, constructed, enlarged, altered, repaired, moved, improved, or converted, contrary to the provisions of this

ordinance shall be, and the same is hereby declared to be, a public nuisance.

2. If, after investigation, the Building Official or his designee finds that any provision of the ordinance is being violated, he shall give notice by certified mail, return-receipt requested, of such violation to the owner and/or to the occupant of such premises, demanding that violation be abated within 30 days of the date of mailing of the notice. If the violation is not abated within the 30-day period, the Parish Attorney may, as appropriate, commence necessary actions and proceedings, legal or equitable, to enjoin, restrain, or abate any violations of this ordinance and to collect the penalties for such violations. The Building Official after receiving a complaint about lighting shall investigate the possible violation and respond to the complainant within fourteen (14) days in writing as to the findings of the investigation. The written response shall be copied to the Parish Attorney.

3. Any person, firm, or corporation violating any provision of this Ordinance upon conviction shall be punished for each separate offense committed after the initial 30-day abatement period by a fine not exceeding five hundred dollars (\$500.00). Each day during which the violation is committed, continued, or permitted shall constitute a separate offense. Any continued failure, refusal or neglect to comply with the requirements of this section shall be prima facie evidence of the fact that a public nuisance has been committed in connection with the erection, construction, enlargement, alteration, repair, movement, improvement, or conversion of a lighting structure erected, constructed, enlarged, altered, repaired, moved, improved, or converted contrary to the provisions of this Ordinance.

O. Effective Date

This ordinance shall take effect six (6) months from the date of approval by the City-Parish Metropolitan Council.