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Council Action and Executive Summary

Item # 25 **Ordinance/Resolution#** 2662

For Meeting of August 6, 2012 (Ordinance First Reading Date) **For Meeting of** September 4, 2012 (Adoption Date)

Please check box that applies to this item:
☐ QUASI JUDICIAL ☒ LEGISLATIVE ☐ ADMINISTRATIVE

TITLE: AN ORDINANCE REPEALING CHAPTER 39 OUTDOOR LIGHTING OF THE LAS CRUCES MUNICIPAL CODE, AS AMENDED, AND REPLACING IT WITH A REVISED CHAPTER 39 OUTDOOR LIGHTING OF THE LAS CRUCES MUNICIPAL CODE, AS AMENDED.

PURPOSE(S) OF ACTION:

To approve a new Outdoor Lighting Ordinance.

COUNCIL DISTRICT: All		
Drafter/Staff Contact: Barry Cole	**Department/Section:** Comm Develop/BD&S	**Phone:** 528-3082
City Manager Signature:		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

On August 7, 2000 the City Council adopted an Outdoor Lighting Ordinance. At that time there were very few jurisdictions with lighting ordinances, which put Las Cruces at the leading edge of sustainable night sky initiatives now prevalent throughout the country. Since then, the lighting industry has evolved significantly and so have local lighting ordinances. In order to keep pace with the industry and to address some shortcomings in the ordinance, staff was directed to undertake a comprehensive review and revision of the ordinance.

The proposed ordinance is a complete rewrite of the existing ordinance. The goal was to prepare an ordinance that would address the issues raised by the business community, outdoor lighting control advocates, and design professionals (see Attachment A). This proposed ordinance represents a compromise of the various interests while providing tangible results in controlling outdoor lighting.

The proposed ordinance adds flexibility in complying with a night sky policy that mitigates light pollution. The proposed ordinance also provides commercial applications a "budget" of light (lumens) which encourages the use of energy-efficient, well-designed lighting which dovetails nicely with the power "budget" given to designers by the City's adopted International Energy Conservation Code. Used in conjunction, the power budget and lumens budget contribute

significantly towards a more sustainable environment and meet the lighting levels recommended by the Illuminating Engineering Society.

Public input meetings were held on December 13, 2011 and January 31, 2012. Input was fairly evenly split between those who wanted more regulation and those who wanted less. Input was also sought from a small-scale peer review and comments received indicated the proposed ordinance could be complied with but would probably result in one to two hours of additional design time.

This ordinance is applicable City-wide as well as applicable to the City. There will be financial impact to the City of Las Cruces as existing City-owned lighting installations are gradually brought into compliance through the normal course of maintenance and alterations. New residential installations would need to specify and install appropriate lighting and existing residential installations would be impacted only when lighting is replaced. New commercial lighting would have to comply with the proposed ordinance while existing, legally-installed lighting would generally be allowed to remain unless a major change occurs, such as an addition, major alteration, or change of use.

SUPPORT INFORMATION:

1. Ordinance.
2. Exhibit "A", Proposed regulations.
3. Attachment "A", Frequently asked questions about the proposed Outdoor Lighting Ordinance.
4. Attachment "B", Existing Chapter 39 – Outdoor Lighting.

SOURCE OF FUNDING:

Is this action already budgeted?			
N/A	Yes	☐	See fund summary below
	No	☐	If No, then check one below:
	Budget Adjustment Attached	☐	Expense reallocated from: _____
		☐	Proposed funding is from a new revenue source (i.e. grant; see details below)
		☐	Proposed funding is from fund balance in the _____ Fund.
Does this action create any revenue?			
N/A	Yes	☐	Funds will be deposited into this fund: _____ in the amount of $_____ for FY__.
	No	☐	There is no new revenue generated by this action.

BUDGET NARRATIVE

N/A

FUND EXPENDITURE SUMMARY:

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
N/A	N/A	N/A	N/A	N/A	N/A

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will repeal the existing Outdoor Lighting Chapter 39 of the Las Cruces Municipal Code, as amended and replace it with the proposed language contained in Exhibit "A".
2. Vote "No"; this will keep the existing language/ordinance.
3. Vote to "Amend"; this would allow the City Council to modify the ordinance as it deems appropriate.
4. Vote to "Table"; this would allow the City Council to table/postpone the ordinance and direct staff accordingly.

REFERENCE INFORMATION:

The resolution(s) and/or ordinance(s) listed below are only for reference and are not included as attachments or exhibits.

1. N/A

COUNCIL BILL NO. 13-007
ORDINANCE NO. 2662

AN ORDINANCE REPEALING CHAPTER 39 OUTDOOR LIGHTING OF THE LAS CRUCES MUNICIPAL CODE, AS AMENDED, AND REPLACING IT WITH A REVISED CHAPTER 39 OUTDOOR LIGHTING OF THE LAS CRUCES MUNICIPAL CODE, AS AMENDED.

The City Council is informed that:

WHEREAS, staff was directed by administration to revise the existing Outdoor Lighting Ordinance in 2009; and

WHEREAS, numerous City Council work sessions and public input meetings have been held on the subject; and

WHEREAS, a revision has been prepared to replace the existing ordinance to attempt to address issues associated with outdoor lighting.

NOW, THEREFORE, Be it ordained by the governing body of the City of Las Cruces:

(I)

THAT the existing Outdoor Lighting, Chapter 39, Las Cruces Municipal Code, as amended is hereby repealed and replaced with a revised Outdoor Lighting, Chapter 39 as contained in Exhibit "A," attached hereto and made part of this ordinance.

(II)

THAT City staff is hereby authorized to do all deeds necessary in the accomplishment of the herein above.

DONE AND APPROVED this _____ day of _____ 2012.

APPROVED:

_____
Mayor

ATTEST:

_____
City Clerk

(SEAL)

Moved by: _____

Seconded by: _____

APPROVED AS TO FORM:

_____
City Attorney

VOTE:
Mayor Miyagishima: _____
Councillor Silva: _____
Councillor Smith: _____
Councillor Pedroza: _____
Councillor Small: _____
Councillor Sorg: _____
Councillor Thomas: _____

Exhibit "A"

Chapter 39

OUTDOOR LIGHTING

Article I. General

Sec. 39-1. Title.
Sec. 39-2. Purpose.
Sec. 39-3. Applicability.
Sec. 39-4. Severability.
Sec. 39-5. Minimum Requirements.
Sec. 39-6. Conflict.
Sec. 39-7. Interpretation of Meaning.
Sec 39-8. Definitions.
Sec. 39-9. Residential Lighting.
Sec. 39-10. Lighting Zones.
Sec. 39-11 Commercial Lighting.
Sec. 39-12. Flag Lighting.
Sec. 39-13. Signs and Billboards.
Sec. 39-14. Alternate Materials and Methods of Construction, Installation, and Operation.
Sec. 39-15. Lighting By Special Permit.
Sec. 39-16. Plan Submittals.
Sec. 39-17. Grandfathering.
Sec. 39-18. Variance Procedure.
Sec. 39-19. Enforcement.

Sec. 39-1. Title.

This article shall be entitled the "Outdoor Lighting Ordinance" of the City of Las Cruces, New Mexico.

Sec. 39-2. Purpose.

The purpose of this Ordinance is to provide regulations for outdoor lighting that will:

A. Permit reasonable uses of outdoor lighting for night-time safety, utility, security, productivity, enjoyment and commerce.
B. Minimize adverse offsite impacts including light trespass, and obtrusive light.
C. Curtail light pollution and improve the nighttime environment.
D. Help protect the natural environment from the adverse effects of night lighting.
E. Conserve energy and resources to the greatest extent possible.

Sec. 39-3. Applicability

A. Except as described below; all outdoor lighting installed after the date of effect of this Ordinance shall comply with these requirements. This applies to any lighting device located exterior to a structure or that illuminates areas exterior to a structure, whether permanently or temporarily installed, or any other lighting whether attached to structures, poles, the earth, or any other location, including lighting installed by any third party. This includes, but is not limited to:

- new lighting
- replacement lighting
- search light(s)
- spotlight(s)
- flood light(s)
- security lighting
- sign and architectural lighting
- lighting for parks, parking lots, roadways
- athletic facility lighting
- building overhang and open canopy lighting
- product display area lighting
- landscape lighting
- signs or billboards whether on-premise or off-premise, including LED, plasma and similar light sources

B. The following are **not** regulated by this Ordinance

1. Lighting within public right-of-way or easement for the principal purpose of illuminating streets or roads. No exemption shall apply to any lighting within the public right of way or easement when the purpose of the luminaire is to illuminate areas outside the public right of way or easement.
2. Repairs to existing luminaires.
3. Temporary lighting for theatrical, television, performance areas and construction sites;
4. Underwater lighting in swimming pools and water features
5. Temporary lighting and seasonal lighting provided that individual lamps are less than 10 watts and 70 lumens.
6. Open gas flames.
7. Emergency outdoor lighting.
8. Residential low voltage landscape lighting.
9. Commercial low-voltage landscape lighting that is controlled by an automatic device that set to turn the lights off at 11:00 P.M. or 30 minutes after the close of business, whichever is later.

Sec. 39-4. Severability

If any article, section, paragraph, sentence, phrase or part of this ordinance is declared unconstitutional or otherwise invalid, the remaining portions shall not be affected.

Sec. 39-5. Minimum requirements

The provisions of this ordinance shall be considered to be the minimum requirements to meet the purpose expressed in section 39-2 of the article; however, nothing herein shall prohibit the Building Official or his designee from imposing greater requirements to ensure the promotion of health, safety and welfare of the citizens of the city.

All outdoor lighting shall be installed in conformance with the provisions of this Ordinance, applicable Electrical, Building, and Energy Codes, applicable sections of the Las Cruces Municipal Code and manufacturer's instructions.

Sec. 39-6. Conflict.

A. Local conflict.

1. Where the provisions of any local ordinance or regulation impose a greater duty, standard or requirement than those contained herein, the provisions of such ordinance or regulation shall supersede the provisions of this ordinance.

B. Federal and state conflict.

1. Where the provisions of any federal law or state statute impose a greater duty, standard or requirement than those contained herein, the provisions of such federal law or state statute shall supersede the provisions of this ordinance.

C. Conflict within this article.

1. When two or more provisions of this article are in conflict, the most restrictive provision shall apply.

D. When the requirements herein conflict with specific lighting provisions of any of the following, only those specific provisions shall take precedence and all other requirements herein shall remain in force.

1. Lighting specified or identified in a Special Lighting Permit.
2. Lighting required by federal or state laws or regulations.

Sec. 39-7. Interpretation of meaning.

The Building Official or designee shall interpret the meaning of the provisions of this ordinance. Disagreement with an interpretation of the Building Official may be appealed to the Community Development Director. Disagreement with an interpretation by the Community Development Director may be appealed to the Planning and Zoning Commission. The appeal to the Planning and Zoning Commission must be made in writing within thirty calendar days of the aggrieved action. The decision of the Planning and Zoning Commission may be appealed to the City Council.

Sec. 39-8. Definitions.

This article contains only those definitions essential to the proper application of this ordinance. It is not intended to include commonly defined general terms or commonly defined technical terms from related codes and standards.

[Commonly defined general terms include those terms defined in general English language dictionaries and terms that are not used in a unique or restricted manner in this ordinance.]

As used in this chapter, the following words and phrases shall have the meanings ascribed to them in this section:

Absolute photometry means a photometric measurement (usually of a solid-state luminaire) that directly measures the output of the luminaire. Reference Standard IES LM-79.

Addition means an extension or increase in floor area, number of stories, height of a building or structure, or parking spaces.

Alteration—Level 1 means an alteration which includes the removal and replacement or the covering of existing materials, elements, equipment, or fixtures using new materials, elements, equipment, or fixtures that serve the same purpose.

Alteration—Level 2 means an alteration which includes the reconfiguration of space, the addition or elimination of any door or window, the reconfiguration or extension of any system, or the installation of any additional equipment.

Alteration—Level 3 means an alteration in which the work area exceeds 50 percent of the aggregate area of the building.

Approved means acceptable to the Building Official or designee.

Architectural Lighting means lighting designed to reveal architectural beauty, shape and/or form and for which lighting for any other purpose is incidental.

Astronomic Time Switch means an automatic lighting control device that switches outdoor lighting relative to time of solar day with time of year correction.

Backlight means; for an exterior luminaire, flux radiated in the quarter sphere below horizontal and in the opposite direction of the intended orientation of the luminaire. For luminaires with symmetric distribution, backlight will be the same as front light.

BUG means a luminaire classification system that evaluates backlight (B), uplight (U) and glare (G).

Candela means the basic SI (Systeme International d'Unities) unit of luminous intensity. One candela is one lumen per steradian.

Canopy means a covered, unconditioned structure with at least one side open for pedestrian and/or vehicular access. (An unconditioned structure is one that may be open to the elements and has no heat or air conditioning).

Change of Occupancy means where the use in a space changes from one group of occupancies to another group of occupancies or changes from one division to another division in the same occupancy group (as defined in the International Building Code).

Commercial Property means all properties not defined in residential.

Curfew means a time defined by this ordinance, when outdoor lighting is reduced or extinguished.

Electronic Variable Message Display means any sign capable of displaying words, symbols, figures, or images that can be electronically changed by remote or automatic means. Such signs may include the following modes of operations:

1. Static. Signs which include no animation or effects simulating animation.
2. Travel. Signs where the message is changed by the apparent horizontal movement of the letters or graphic elements of the message.
3. Scrolling. Signs where the message is changed by the apparent vertical movement of the letters or graphic elements of the message.

Emergency Outdoor Lighting means generally, lighting that is only energized by an emergency power source; or to illuminate the path of egress solely during a fire or other emergency situation; or, lighting for security purposes used solely during an alarm.

Flood Lamp means a specific form of lamp designed to direct its output in a specific direction (a beam) with a reflector formed from the glass envelope of the lamp itself, and with a diffusing glass envelope. Such lamps are so designated by the manufacturers and are typically used in residential outdoor area lighting.

Fluorescent Lamp means a lamp which use fluorescence of a phosphor to produce visible light.

Footcandle means a unit of measure expressing the quantity of light received on a surface. One footcandle is the illuminance produced by a candle on a surface one foot square from a distance of one foot. The foot-candle is equal to one lumen per square foot.

Forward Light means; for an exterior luminaire, flux radiated in the quarter sphere below horizontal and in the direction of the intended orientation of the luminaire.

Full cutoff luminaire (fco) means a luminaire where zero candela occur at or above an angle of 90 degrees and a maximum of 10% candelas at 80 degrees above the nadir of the installed luminaire. This applies to all lateral angles around the luminaire. Such candela information shall be determined by a photometric test report from a nationally recognized independent testing agency and as certified by the manufacturer.

Fully Shielded Residential means a luminaire with opaque top and sides, capable of only emitting light only in the lower photometric hemisphere as installed.

Fully Shielded means:

1. A luminaire that is certified by the manufacturer as "full cut off" [as defined by IESNA (Illuminating Engineering Society of North America)] and supported by a photometric test report from a third party testing agency and installed according to the manufacturers instructions.
2. A luminaire approved by the International Dark-Sky Association (IDA) as dark sky friendly and bearing the IDA Fixture Seal of Approval and installed according to the manufacturers instructions.
3. A luminaire constructed and installed in such a manner that all light emitted by the luminaire, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal plane through the luminaire's lowest light-emitting part. This can be determined by a photometric test by a design professional.
   Any structural part of the luminaire providing this shielding must be permanently affixed.
4. A luminaire that is shielded by building canopies, overhangs, roof eaves, and similar types of construction which prevents direct or reflected emission of light above the horizontal. This can be determined by a photometric test by a design professional.

High intensity discharge (HID) Lamp means a lamp that produces visible light directly by the electrical heating or excitation of a gas. Examples of such lighting include, but are not limited to: metal halide, high pressure sodium, and low pressure sodium. For purposes of this chapter, fluorescent lights are not considered HID lighting.

Glare means lighting entering the eye directly from luminaires or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.

Hardscape means permanent hardscape improvements to the site including parking lots, drives, entrances, curbs, ramps, stairs, steps, medians, walkways and non-vegetated landscaping that is 10 feet or less in width.

Hardscape Area means hardscape area measured in square feet that is used to calculate the Total Site Lumen Limit. Refer to Hardscape definition.

Historic Building means any building or structure that is listed in the State or National register of Historic Places; designated as a historic property under local or state designation law or survey; certified as a contributing resource within a National register listed or locally designated historic

district; or with an opinion or certification that the property is eligible to be listed on the National or State Register of Historic Places either individually or as a contributing building to a historic district by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places.

Illuminance means the density of luminous flux incident upon a surface. Illuminance is measured in footcandles (lumens/square foot) or lux (lumens/square meter).

Incandescent lamp means a lamp which produces light via an electrically heated metallic filament.

Initial Lumens means a lamps light output, in lumens, at initial installation. The manufacturer usually lists initial lumens. For example, a 100-watt incandescent lamp emits approximately 1800 lumens.

Lamp means a generic term for a source of optical radiation (i.e. "light"), often called a "bulb" or "tube". Examples include incandescent, fluorescent, high-intensity discharge (HID) lamps, and low pressure sodium (LPS) lamps, as well as light-emitting diode (LED) modules and arrays.

Landscape Lighting means lighting designed specifically for illuminating exterior natural features and for which lighting for any other purpose is incidental.

Light emitting diode (LED) means a semiconductor device that emits light when an electrical current is passed through it.

Lighting means "Electric" or "man-made" or "artificial" lighting. See "lighting equipment".

Lighting Equipment means equipment specifically intended to provide gas or electric illumination, including but not limited to, lamp(s), luminaire(s), ballast(s), poles, posts, lens(s), and related structures, electrical wiring, and other necessary or auxiliary components.

Lighting System means; on a site, all exterior electric lighting and controls.

Light Pollution means any adverse effect of artificial light including, but not limited to, glare, light trespass, skyglow, energy waste, compromised safety or security, and impacts on the nocturnal environment.

Light Trespass means light that falls beyond the property it is intended to illuminate.

Lighting Zone means an overlay zoning system establishing legal limits for lighting for particular parcels, areas, or districts in a community.

Lot means a portion of a subdivision or other parcel of land intended for the purpose, whether immediate or future, for development. It also is a tract of land described by metes and bounds and as shown on the records in the county assessor's office. Used interchangeably with 'property'.

Low Voltage Landscape Lighting means landscape lighting powered at less than 15 volts and limited to luminaires having a rated initial luminaire lumen output of 750 lumens or less.

Lumen means the unit of measure used to quantify the amount of light produces by a lamp or emitted from a luminaire (as distinct from "watt", a measure of power consumption).

Luminaire means the complete lighting unit (fixture), consisting of a lamp, or lamps and ballast(s) (when applicable), together with the parts designed to distribute the light (reflector, lens, diffuser), to position and protect the lamps, and to connect the lamps to the power supply.

Luminaire Lumens means the cumulative total of initial lumens emitted by all lamps contained within a single luminaire. For luminaires with relative photometry per Illuminating Engineering Society (IES), it is calculated as the sum of the initial lamp lumens for all lamps within an individual luminaire, multiplied by the luminaire efficiency. If the efficiency is not known for a residential luminaire, assume 70%. For luminaires with absolute photometry per Illuminating Engineering Society (IES) LM-79, it is the total luminaire lumens. The lumen rating of a luminaire assumes the lamp or luminaire is new and has not depreciated in light output.

Luminance means a measure of the brightness of a surface which is emitting light. The unit of measurement most commonly used is candelas per square meter, often referred to as nits in the U.S. (1 nit = 1 cd/m^2).

Mounting height means the height of the photometric center of a luminaire above grade level.

New lighting means lighting for areas not previously illuminated or newly installed lighting of any type except for replacement lighting or lighting repairs.

Outdoor Lighting means lighting located exterior to a structure or that illuminates areas exterior to a structure.

Outdoor Luminaire means any lighting device located exterior to a structure or that illuminates areas exterior to a structure, whether permanently or temporarily installed. This includes, but is not limited to:

- search light
- spotlight
- flood light
- security lighting
- sign and architectural lighting
- lighting for parks, parking lots, roadways
- athletic facility lighting
- building overhang and open canopy lighting
- product display area lighting
- landscape lighting
- signs or billboards whether on-premise or off-premise, including LED, plasma and similar light sources

Partially Shielded Luminaire means a luminaire with opaque top and translucent or perforated sides, designed to emit most light downward.

Photoelectric Switch means a control device employing a photocell or photodiode to detect daylight and automatically switch lights off when sufficient daylight is available.

Property line means the edge of the legally-defined property or lot.

Relative photometry means photometric measurements made of the lamp plus luminaire, and adjusted to allow for light loss due to reflection or absorption within the luminaire.

Replacement Lighting means lighting installed specifically to replace existing lighting that is sufficiently broken to be beyond repair.

Repair(s) means the reconstruction or renewal of any part of an existing luminaire for the purpose of its ongoing operation, other than relamping or replacement of components including capacitor, ballast or photocell. Note that retrofitting a luminaire with new lamp technology or ballast technology is not considered a repair and for the purposes of this ordinance the luminaire shall be treated as if new.

Residential means detached one- and two-family dwellings and townhouses not more than three stories above grade plane with a separate means of egress as defined in the International Residential Code as adopted by the City of Las Cruces.

Seasonal lighting means temporary lighting installed and operated in connection with holidays or traditions.

Shielded Directional Luminaire means a luminaire that includes an adjustable mounting device allowing aiming in any direction and contains a shield, louver, or baffle to reduce direct view of the lamp.

Sign means advertising, directional or other outdoor promotional display of art, words and/or pictures.

Spot Lamp means a specific form of lamp designed to direct its output in a specific direction (a beam) with a reflector formed from the glass envelope of the lamp itself, and with a clear or nearly clear glass envelope. Such lamps are so designated by the manufacturers, and typically used in residential outdoor area lighting.

Temporary lighting means lighting installed and operated for periods not to exceed 60 days, completely removed and not operated again for at least 30 days.

Third Party means a party contracted to provide lighting, such as a utility company.

Total Initial Lumens means the sum of the individual initial lumens output for all the luminaires of an installation. For example, six luminaires with 10,000 initial lumens output per luminaire would equal 60,000 total initial lumens.

Translucent means a material allowing light to pass through, but obscures or diffuses the image (not transparent or clear).

Unshielded Luminaire means a luminaire that does not meet the definition of "fully shielded" or "partially shielded".

Uplight means; for or an exterior luminaire, flux radiated in the hemisphere at or above the horizontal plane.

Sec. 39-9. Residential Lighting.

A. General Requirements.

For residential properties, all outdoor luminaires shall meet the requirements of Fully Shielded or Fully Shielded Residential.

Exceptions

1. One partially shielded or unshielded luminaire at the main entry, not exceeding 1800 luminaire lumens.
2. Any other partially shielded luminaire not exceeding 900 luminaire lumens.
3. Any other unshielded luminaire not exceeding 450 luminaire lumens.
4. Shielded directional luminaires not exceeding 1800 luminaire lumens provided such luminaires shall be shielded to prevent glare and light trespass beyond the property boundary, aimed away from adjacent properties, and the center beam of each lamp shall be aimed at least sixty five (65) degrees below horizontal.
5. Security lights shall not be required to be fully shielded if they comply with all of the following:
   a. One or two flood lamps or spot lamps of less than 1800 lumens each per luminaire.
   b. The center of the beam of each lamp aimed at least sixty five (65) degrees below horizontal and away from adjacent properties when the source is visible from any adjacent property
   c. Are controlled by a motion-sensor switch
   d. Do not remain on longer than 15 minutes after activation

Sec. 39-10. Lighting Zones

A. The Building Official shall establish Lighting Zones within the boundaries of the jurisdiction of the City of Las Cruces. The Lighting Zone shall determine the limitations for commercial lighting as specified in this ordinance. The Lighting Zones shall be as follows:

1. Lighting Zone 0
   a. Areas where the natural environment will be seriously and adversely affected by lighting. Impacts include disturbing the biological cycles of flora and fauna and/or

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detracting from human enjoyment and appreciation of the natural environment. Human activity is subordinate in importance to nature. The vision of human residents and users is adapted to the total darkness, and they expect to see little or no lighting. When not needed, lighting should be extinguished.

2. Lighting Zone 1
   a. Developed areas of national parks, state parks, and city parks.
3. Lighting Zone 2
   a. Areas predominately consisting of residential zoning, neighborhood business districts, light industrial with limited nighttime use and residential mixed use areas.
4. Lighting Zone 3
   a. All areas not included in Zones 0, 1, 2, or 4.
5. Lighting Zone 4
   a. High-activity commercial districts in major metropolitan areas as designated by the Building Official.

39-11. Commercial Lighting

A. Total Initial Lumens per Property

1. The total installed initial lamp lumens of all outdoor lighting systems on the property shall not exceed the total site lumen limit. The total property lumen limit shall be determined using either the Parking Space Method (Table A) or the Hardscape Area Method (Table B). Only one method shall be used per permit application, and for properties with existing lighting, existing lighting shall be included in the calculation of total installed lumens.

2. The total installed initial lamp lumens is calculated as the sum of the initial lamp lumens for all luminaires tested with relative photometry and 140% of initial lamp lumens for all luminaires tested with absolute photometry.

Table A - Allowed Total Initial Lumens per Property for Commercial Outdoor Lighting, Per Parking Space Method.

May only be applied to properties up to 10 parking spaces (including handicapped accessible spaces).

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
500 lms/space	700 lms/space	900 lms/space	1,200 lms/space	1,500 lms/space

Table B - Allowed Total Initial Lumens per Property for Commercial Outdoor Lighting, Hardscape Area Method.

Allowed Glare Rating **	G0	G1	G2	G3	G4
Building Mounted Luminaires only*** Greater than 2 mounting heights to any property line	G0	G1	G2	G3	G4
Building Mounted Luminaires only*** 1 to 2 mounting heights to any property line	G0	G0	G1	G1	G2
Building Mounted Luminaires only*** 0.5 to 1 mounting heights of any property line	G0	G0	G0	G1	G1
Building Mounted Luminaires only*** Less than 0.5 mounting heights of any property line	G0	G0	G0	G0	G1

* The luminaire must be mounted with backlight towards the property line.

**For property lines that abut public walkways, bikeways, plazas, and parking lots, the property line may be considered to be 5 feet beyond the actual property line for purpose of determining compliance with this section. For property lines that abut public roadways and public transit corridors, the property line may be considered to be the centerline of the public roadway or public transit corridor for the purpose of determining compliance with this section. NOTE: This adjustment is relative to Table C only and shall not be used to increase the lighting area of the site.

*** Building mounted luminaires that cannot be mounted with their backlight to the property line shall meet the allowed Glare Rating for all luminaires. Light from a building mounted luminaire must not exceed the B rating in the direction to the property line.

C. Automatic Daylight Switching Requirements

1. Controls shall be provided that automatically extinguish all outdoor lighting when sufficient daylight is available using a control device or system such as a photoelectric switch, astronomic time switch or equivalent functions from a programmable lighting controller, building automation system or lighting energy management system. All time switches, programmable lighting controller, building automation system or lighting energy management system shall be capable of retaining programming and the time setting during loss of power for a period of at least ten hours.

Automatic lighting controls are not required for the following:

a. Lighting under canopies.
b. Lighting for tunnels, parking garages, garage entrances, and similar conditions.
c. Approved emergency outdoor lighting.

D. Automatic Lighting Reduction Requirements.

1. Total outdoor lighting lumens shall be reduced (by at least 30%) or extinguished at 11:00 P.M. or 30 minutes after the close of business, whichever is later.

Lighting reductions are not required for any of the following:

- Approved emergency outdoor lighting,
- When there is only one luminaire on the property.
- Code required lighting for steps, stairs, walkways, and building entrances.
- When in the opinion of the Building Official, lighting levels must be maintained.
- Motion activated lighting.
- Lighting governed by special use permit in which times of operation are specifically identified.
- Businesses that operate on a 24 hour basis.
- Approved architectural illumination.
- Approved flag lighting
- Approved signs and billboards.
- Lighting for single-family dwelling units on commercial properties

E. Emergency Outdoor Lighting.

1. The lumens allowed for approved emergency outdoor lighting shall be allowed in addition to the total property lumen limit for that property.
2. Approved emergency outdoor lighting shall not be subject to the limits to off site impacts for that property.
3. Approved emergency outdoor lighting shall not be subject to the automatic lighting reduction requirements.
   Approved emergency outdoor lighting shall not be subject to the automatic switching requirements.

F. Architectural Illumination.

1. A separate allowance of lumens for architectural lighting will be allowed in the amount of 10 percent of the calculated total property lumens
2. This allowance is in addition to the total property lumen limit.
3. The luminaires used for architectural lighting shall be designed, fitted and aimed to shield the lamp and its reflective surfaces from off-site view and to place the light output onto

and not beyond the building and shall not be subject to the limits to off-site impacts for that property.

G. Single-family dwelling units on Commercial properties.

1. Lighting for a single-family dwelling unit(s) on a commercial property, as allowed by the Las Cruces Zoning Code, shall conform to the requirements for residential lighting and shall be in addition to the total property lumen limit.

Sec. 39-12. Flag Lighting

A. Only the United States and the New Mexico State flag shall be permitted to be illuminated.

1. Flag lighting sources shall not exceed 7,000 lumens per flagpole.
2. The light source shall have a beam spread no greater than necessary to illuminate the flag and shall be shielded so the light source (lamp and reflector) is not visible at normal viewing angles.

B. For a commercial property.

1. The lumens allowed for approved flag lighting shall be allowed in addition to the total property lumen limit for that property.
2. Approved flag lighting shall not be subject to the limits to off site impacts for that property.
3. Approved flag lighting shall not be subject to the automatic lighting reduction requirements.

Sec. 39-13. Signs and Billboards

A. Signs and Billboards.

1. Internally illuminated signs and billboards must be constructed so that the top of the sign is constructed of metal or of suitable material that does not allow light penetration vertically, so as to ensure that light is not emitted directly towards the sky. The light output from the face of the sign shall not exceed 150 nits.
2. Externally illuminated billboards and signs shall have luminaires mounted at the top of the billboard or sign and aimed downward. The luminaires shall be designed, fitted and aimed to shield the lamp and its reflective surfaces from off-site view and to place the light output onto and not beyond the sign or billboard. The luminance on the face of the sign or billboard shall not exceed 150 nits.
3. Electronic variable message display signs and billboards shall be equipped with automatic dimming capability, and light produced by such signs shall not exceed 150 nits during nighttime hours and shall not exceed 5000 nits during daylight hours.

B. For a commercial property.

1. The lumens allowed for approved signs and billboards shall be allowed in addition to the

total property lumen limit for that property.
2. Approved signs and billboards shall not be subject to the limits to off site impacts for that property.
3. Approved signs and billboards shall not be subject to the automatic lighting reduction requirements.

Sec. 39-14 Alternate Materials and Methods of Construction, Installation, and Operation.

The provisions of this code are not intended to prevent the use of any design, materials or method of installation or operation not specifically prescribed by this ordinance, provided any such alternate has been approved. The Building Official may approve any such proposed alternate provided he finds that it:

A. Provides at least approximate equivalence to the applicable specific requirements of this code; and

B. Is otherwise satisfactory or complies with the intent of this code; and

C. Has been designed or approved by a registered design professional and is supported by calculations showing that the design submitted meets the intent of the code. This section shall not have the effect of waiving any requirements of this code.

39-15. Special Lighting Permit.

A. High Intensity and Special Purpose Lighting

The following lighting systems are prohibited from being installed or used except by special lighting permit:

1. Temporary lighting in which any single luminaire exceeds 20,000 lumens or the total lighting load exceeds 160,000 lumens.
2. Aerial Lasers.
3. Searchlights.
4. Other very intense lighting defined as having a light source exceeding 200,000 lumens or an intensity in any direction of more than 2,000,000 candelas.

B. Complex and Non-Conforming Uses

Upon special lighting permit issued by the Building Official, lighting not complying with the technical requirements of this ordinance but consistent with its intent may be installed for complex sites or uses or special uses including, but not limited to, the following applications:

1. Sports facilities, including but not limited to unconditioned rinks, open courts, fields, and stadiums;
2. Construction lighting;
3. Lighting for industrial sites having special requirements, such as petrochemical manufacturing or storage, shipping piers, etc.
4. Parking structures;
5. Urban parks;
6. Decorative and architectural lighting of bridges, public monuments, and public buildings;
7. Theme and amusement parks;
8. Historic Buildings.

C. To obtain such a permit, applicants shall demonstrate that the proposed lighting installation:

1. Has sustained every reasonable effort to mitigate the effects of light on the environment and surrounding properties, supported by a signed statement describing the mitigation measures. Such statement shall be accompanied by the information required for a commercial plan submittal.
2. Employs lighting controls to reduce lighting at a Project Specific Curfew ("Curfew") time to be established in the Permit.

The Building Official shall review each such application. A special lighting permit may be granted if, upon review, the Building Official believes that the proposed lighting will not create unwarranted glare, sky glow, or light trespass.

Sec. 39-16. Plan Submittals

A. Plan submittals for projects involving outdoor lighting shall contain all the information required by the City of Las Cruces Building Code (Chapter 30, Las Cruces Municipal Code).
B. In addition, evidence of compliance with the requirements of this Ordinance shall be provided by including an Outdoor Lighting Site Plan consisting of the following:

1. A note indicating which method for determining total site lumens is being used and show the calculations.
2. Locations of all proposed outdoor luminaires (including site, parking lot, parking canopies, walkways/sidewalks, building-mounted, under-canopies, architectural, landscape, flagpole, external signage lighting, etc.). This includes all Normal and Emergency outdoor lighting.
3. A Fixture Schedule that includes all luminaires shown on the plan(s). The Schedule shall include, at a minimum: Fixture type/mark; Manufacturer; Catalog/Part number; Lamp quantity per luminaire; Lamp type; Lamp initial lumens; Mounting height of the luminaire above finished grade, Description/Comments.
4. City ordinance requires most sites to reduce the outdoor illumination by a minimum of at least 30% or extinguished at 11:00 P.M. or 30 minutes after the close of business. The lighting plans shall therefore be prepared in a fashion that clearly identifies which fixtures are to remain on all night for security lighting purposes. This identification can be accomplished via fixture shading, keynotes, or the creation of a separate after-hours lighting/photometric plan. This separate plan shall be titled accordingly.

5. A Note shall be placed on the lighting plan which identifies the time(s) at which the site will enter security-lighting-only mode, and a general description of the device(s) that will automatically be controlling the lighting.
6. A Pole Detail for each type of pole light shall be included in the submittal. This Detail shall include, at a minimum: Mounting height of the luminaire(s) as measured from the fixture lens to the finished grade of the parking lot, The Fixture Type of the luminaires mounted on the pole.
7. A complete date for the current plan, and complete dates for all prior versions of the plans that were submitted to the City.
8. A contact name and phone number for the preparer of the lighting submittal.
9. NOTE: These submittal requirements are intended to serve as the minimum information necessary to begin the plan review process. City staff may request additional information to be provided and/or be placed on the plans before the City will be able to approve the Site Plan.

C. Additional information may be required by the Community Development Department in order to determine compliance with this Ordinance.

D. A description of luminaires, sufficient to demonstrate compliance with this ordinance, including lamps, poles or other supports and shielding devices, provided as catalogue illustrations from the manufacturer, and photometric data, such as that furnished by the manufacturer, showing the downward angle of light emission shall be available **on the jobsite** with the approved set of plans.

Sec. 39-17. Grandfathering.

A. Lighting installed prior to the effective date of this ordinance shall comply with the following;

1. Any new luminaire or new outdoor lighting shall meet the requirements of this Ordinance for new outdoor lighting.
2. A legally installed luminaire existing as of the date of this ordinance is exempt from the provisions of this ordinance except that any replacement lighting must comply with the provisions of this ordinance for new outdoor lighting.

B. Resumption of Use after Abandonment.

1. If a property with non-conforming lighting is abandoned or remains vacant for a period of 12 months or more, then all outdoor lighting on the property shall be brought into compliance with the provisions of this Ordinance for new outdoor lighting before any further use of the property occurs or before a Certificate of Completion, Certificate of Occupancy, or Business Registration is issued.

C. Residential Properties and Single-Tenant Commercial Properties — Repairs, Alterations, Change of Occupancy, Additions, Historic Buildings, and Relocated Buildings

1. Repairs
   a. Relamping or replacement of components of a legally installed luminaire existing as of the date of this ordinance (including capacitor, ballast or photocell) shall be exempt from the provisions of this ordinance. Any other reconstruction or renewal of any part of a legally installed luminaire existing as of the date of this ordinance for the purpose of its ongoing operation is not considered a repair and for the purposes of this ordinance the luminaire shall be treated as if new outdoor lighting. Note that retrofitting a luminaire with new lamp technology or ballast technology is not considered a repair and for the purposes of this ordinance the luminaire shall be treated as if new outdoor lighting.
2. Alterations
   a. Legally installed luminaires existing as of the date of this ordinance affected by Level 1 or Level 2 alterations are exempt from the provisions of this ordinance except that replacement luminaires must comply with the provisions of this ordinance for new outdoor lighting.
   b. Where Level 3 alterations take place all outdoor lighting on the property shall be brought into compliance with the provisions of this Ordinance for new outdoor lighting before a Certificate of Completion, Certificate of Occupancy, or Business Registration is issued.
3. Change of Occupancy
   a. Where the use in a space changes from one group of occupancies to another group of occupancies or changes from one division to another division in the same occupancy group (as defined in the International Building Code as adopted by the City of Las Cruces), all outdoor lighting on the property shall be brought into compliance with the provisions of this Ordinance for new outdoor lighting before the change in use commences or before a Certificate of Completion, Certificate of Occupancy, or Business Registration is issued..
4. Additions
   a. Where there is an extension or increase in floor area, number of stories, height of a building or structure, or parking spaces all outdoor lighting on the property shall be brought into compliance with the provisions of this Ordinance for new outdoor lighting before a Certificate of Completion, Certificate of Occupancy, or Business Registration is issued.
5. Historic Buildings
   a. Where a historic building (as defined in this Ordinance) is unable to comply with the provisions of this ordinance a special permit shall be obtained before a Certificate of Completion, Certificate of Occupancy, or Business Registration is issued.
6. Relocated Buildings
   a. Where a building is relocated all outdoor lighting on the property where the building is relocated to shall be brought into compliance with the provisions of this Ordinance for new outdoor lighting before a Certificate of Completion, Certificate of Occupancy, or Business Registration is issued.

D. Multiple-Tenant Commercial Properties.

1. Outdoor lighting associated directly with a specific tenant shall be treated as Single-Tenant Commercial Property.
2. All outdoor lighting not specifically and directly associated with a single tenant shall be brought into compliance with the provisions of this ordinance for new outdoor lighting within seven years of the effective date of this ordinance.

Sec. 39-18. Variance Procedure

Variances defined as other exemptions from the requirement of this chapter, shall not be permitted unless specifically authorized by the planning and zoning commission, subject to appeal to the city council in accordance with section 38-10 of the Las Cruces Municipal Code.

Procedural requirements for variance requests shall be in compliance with section 38-10 (I), variances of the Las Cruces Municipal Code.

Sec. 39-19. Enforcement

A. Any person who violates any section of this chapter shall be guilty of a petty misdemeanor and, upon conviction, be punished by a fine of not less than $50.00 and not more than $300.00 for each violation. Each 24-hour period during any portion of which any violation of this chapter is committed or continued to exist shall constitute a separate offense.

B. Violations of this chapter are considered to be nuisances subject to the inforcement provision of LCMC 1997 § 18-1 through § 18-9.

Attachment "A"

Frequently Asked Questions about the proposed Outdoor Lighting Ordinance

Why have an outdoor lighting ordinance?

A carefully constructed outdoor lighting ordinance will encourage efficient, effective lighting which enhances the community by fostering a healthy economic environment and a better quality of life.

How did the current City of Las Cruces Outdoor Lighting Ordinance come about?

In the late 1990's the issue was brought before Las Cruces City Council who appointed an Ad Hoc committee on May 18th, 1998 and then approved an Outdoor Lighting Ordinance on August 7th, 2000. The City of Las Cruces was already leading the way to sustainable lighting solutions.

So, if we already have an ordinance—why re-write it?

Lighting technology and outdoor lighting codes have evolved since the year 2000 and we have also identified some shortcomings in our current ordinance.

What are some of the shortcomings with our current ordinance?

- It does not allow for lighting zones consistent with the NM Energy conservation code.
  - The proposed ordinance incorporates lighting zones.
- It does not allow for practical flag lighting.
  - The proposed ordinance specifically allows lighting of the United States and State of New Mexico flags.
- It does not address digital billboards and signs.
  - The proposed ordinance addresses digital billboards and signs as far as their brightness.
- It uses the outdated, 'full cutoff', system of classifying outdoor luminaires.
  - The proposed ordinance uses the uses the current industry standard, TM-15-17, for defining light distribution. This standard was developed by the Illuminating Engineering Society of North America (IESNA), in part, to help address issues of light pollution and replaces the old cutoff classification system. This new classification system includes the BUG (Backlight, Uplight, and Glare) rating which provides a means for standardizing fixture light output which can then be used to evaluate and compare fixture lumen distribution.
- Existing outdoor lighting on a property is required to come into compliance if any alteration or remodel project on the property exceeds $25,000.00.
  - In the proposed ordinance, existing outdoor lighting may be required to comply with the ordinance based on the scope of work of a remodel or alteration and not based on an arbitrary dollar amount.

How did you come up with this proposed ordinance?

Much of the framework for this draft was drawn from the Model Lighting Ordinance dated June 2010 which was developed as a joint undertaking by the Illuminating Engineering Society of North America (IESNA) and the International Dark-Sky Association (IDA). The framework was then modified to better address some of our local conditions.

Who are the IESNA and the IDA?

The Illuminating Engineering Society of North America (IESNA) is the recognized technical authority on illumination. For over 100 years; its objective has been to communicate information on all aspects of good lighting practice to its members, to the lighting community, and to consumers, through a variety of programs, publications, and services.

The mission of the International Dark-Sky Association (IDA) is to preserve and protect the nighttime environment and our heritage of dark skies through environmentally responsible outdoor lighting.

Where may I learn more about outdoor lighting?

http://www.nh.gov/oep/resourcelibrary/referencelibrary/o/outdoorlighting/documents/eip28.pdf

http://www.lrc.rpi.edu/researchAreas/outdoor.asp

http://www.ies.org/PDF/PositionStatements/PS-03-10.pdf

http://www.ies.org/PDF/PositionStatements/PS-04-10.pdf

http://www.ies.org/PDF/MLO/MLO_FINAL_June2011.pdf

Who may I talk to if I have a question or comment about our existing outdoor lighting ordinance or the proposed ordinance?

Please feel free to contact Robert Kyle at rkyle@las-cruces.org and (575)528-3106 or Barry Cole at bcole@las-cruces.org and (575)-528-3082

In conclusion:

Outdoor lighting is a complex subject. To balance safety and security while maintaining natural habitat is a real challenge. To construct an outdoor lighting ordinance which promotes quality outdoor lighting and satisfies all parties involved is not easy. Nevertheless the City of Las Cruces is committed to our motto of "People Helping People" by meeting the needs of the present without compromising the needs of the future.

Attachment "B"

Chapter 39

OUTDOOR LIGHTING*

* **Editors Note:** Ord. No. 1813, § I, adopted Aug. 7, 2000, added a new chapter 39, sections 39-1--39-4, and 39-21--39-24.

Article I. In General

Sec. 39-1. Title.
Sec. 39-2. Purpose.
Sec. 39-3. Interpretation of meaning.
Sec. 39-4. Definitions.
Secs. 39-5--39-20. Reserved

Article II. Provisions

Sec. 39-21. Non-permitted lighting.
Sec. 39-22. Exemptions and exceptions.
Sec. 39-23. Grandfathering.
Sec. 39-24. Variances.

ARTICLE I.

IN GENERAL

Sec. 39-1. Title.

This chapter shall be entitled the "outdoor lighting ordinance."
(Ord. No. 1813, § I, 8-7-00)

Sec. 39-2. Purpose.

The purpose of this chapter is to regulate outdoor lighting fixtures and installations in order to improve nighttime public safety and security, promote energy efficiency, and to reduce lighting which is detrimental to the environment or to public use and enjoyment of public and private property.
(Ord. No. 1813, § I, 8-7-00)

Sec. 39-3. Interpretation of meaning.

The building official or designee shall interpret the meaning of the provisions of this article. Disagreement with the building official's interpretation may be appealed to the city council.
(Ord. No. 1813, § I, 8-7-00)

Sec. 39-4. Definitions.

[As used in this chapter, the following words and phrases shall have the meanings ascribed to them in this section:]

Outdoor lighting fixtures: Any lighting device located exterior to a structure or intended to illuminate areas exterior to a structure, whether permanently or temporarily installed. Such devices include, but are not

limited to, search lights, spotlights, flood lights, sign and architectural lighting, and lighting for parks, parking lots, roadways, and athletic facilities.

Illuminating devices:

(1) Light fixture types:

a. Full cutoff fixture types--A fixture which, as installed, gives no emission of light above a horizontal plane;

b. Floodlights and spotlights--Fixtures defined as having a full beam width or beam spread of less than 110 degrees;

(2) Lamp types:

a. Incandescent lamps--Lamps which produce light via an electrically heated metallic filament;

b. Fluorescent lamps--Lamps which use fluorescence of a phosphor to produce visible light.

c. High intensity discharge lamps--Lamps which produce visible light directly by the electrical heating or excitation of a gas. Examples of such lighting include, but are not limited to, Metal Halide, High Pressure Sodium, Low Pressure Sodium, and Mercury Vapor. For purposes of this chapter, fluorescent lights are not considered HID lighting.

Measurement:

(1) Lamp output:

a. Total output: Measurement of total output is in lumens. This should be understood to be the initial lumen value for the lamp. (A 100-watt incandescent lamp produces about 1,800 lumens.)

b. Illuminance: Measurements of illuminance are expressed in initial lumens per square foot. (A desktop Illuminance of 20 initial lumens per square foot is adequate for most purposes.)

(2) Measurement: In measuring illuminance, the light detector should be pointed directly at the light source or sources. The intervening light path should be free of obstruction.

(Ord. No. 1813, § I, 8-7-00)

Secs. 39-5--39-20. Reserved

ARTICLE II.

PROVISIONS

Sec. 39-21. Non-permitted lighting.

(a) Newly installed fixtures which are not full-cutoff fixtures.

(b) Lighting which produces illumination in excess of 70 lumens per square foot at ground level.

(c) Lighting which presents a clear hazard to motorists, cyclists, or pedestrians.
(Ord. No. 1813, § I, 8-7-00)

Sec. 39-22. Exemptions and exceptions.

(a) Residential fixtures consisting of a single incandescent light having an output of less than 1,800 lumens or 100 watts.

(b) Floodlights and spotlight, provided that the total beam width is less than 110 degrees and the beam center is directed at least 65 degrees below the horizontal.

(c) Up lighting for billboards, signs, architectural illumination, provided that the total output is less than 5,400 initial lumens per property parcel and less than 1,800 initial lumens per fixture. Moreover, no illumination may project beyond the highest point of the structure.

(d) Seasonal decorative lighting consists of incandescent lamps in a temporary installation.

(e) Full cutoff street lighting which is part of a federal, state, or municipal installation.

(f) Specialized lighting necessary for safety, such as navigated or runway lighting of airports, or temporary lighting associated with emergency operations, road hazard warnings, etc.

(g) Lighting of sports facilities or stadiums prior to 11:00 p.m. Illumination after 11:00 p.m. is also permitted if it is necessary in order to conclude a recreational, sporting, or other scheduled activity which is in progress prior to that time.

(h) Internally illuminated and exposed neon signs, including neon used for decorative purposes. Internally illuminated signs must be constructed so that the top of the sign is constructed of metal or of suitable material that does not allow light penetration vertically, so as to ensure that light is not emitted directly towards the sky.
(Ord. No. 1813, § I, 8-7-00; Ord. No. 1836, § II, 11-6-00)

Sec. 39-23. Grandfathering.

(a) Existing lighting is exempt from the provision of this chapter except that replacement fixtures must be fully compliant.

(b) Adjustable lighting must be brought into compliance within 90 days.

(c) These grandfathering provisions do not apply to lighting on a property which ceases operations or is unoccupied for more than (12) months, or where $25,000 or more is spent on renovations or remodeling. These must be brought into full compliance before reoccupation or reuse.

(d) All existing lighting installations must be brought into compliance with the provisions of this chapter within ten years of its effective date.
(Ord. No. 1813, § I, 8-7-00)

Sec. 39-24. Variances.

Variances defined as other exemptions from the requirement of this chapter, shall not be permitted unless specifically authorized by the board of adjustment, subject to appeal to the city council in accordance with section 38-11 of this Code.

Procedural requirements for variance requests shall be in compliance with section 38-11, article II, division 5, board of adjustment and procedures for variances to the Municipal Code.
(Ord. No. 1813, § I, 8-7-00; Ord. No. 1929, §§ I, II, 8-5-02)