

[HISTORY: Adopted by the City Council of the City of Las Vegas 9-14-2022 by Ord. No. 22-09.^[1] Amendments noted where applicable.]

GENERAL REFERENCES

Nuisances — See Ch. 301.

Zoning — See Ch. 450.

[1] *Editor's Note: This ordinance also repealed former Ch. 285, Lighting, Outdoor, adopted 2-15-2012 by Ord. No. 12-03.*

§ 285-1 Purpose.

The purpose of this Chapter 285 is to regulate outdoor lighting in order to: 1) permit the use of outdoor lighting that does not exceed the levels specified in the New Mexico Night Sky Protection Act^[1] and recommended practices for nighttime safety, utility, productivity, enjoyment and commerce; 2) minimize adverse off-site impacts of lighting such as light trespass and light pollution; 3) reduce or prevent glare and conserve energy to the greatest practical extent; 4) reduce sky glow and improve the nighttime environment; 5) help protect the natural environment from the adverse effects of night lighting from gas or electric sources; and 6) promote a sense of safety and security and ensure aesthetically appropriate outdoor lighting in keeping with the character of the City of Las Vegas ("City"). The provisions in this Chapter 285 shall not apply to state-owned roadways within the City limits or lighting used by the City Fire Department, the City Police Department or other emergency services.

[1] *Editor's Note: See N.M.S.A. 1978, § 74-12-1 et seq.*

§ 285-2 Definitions.

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

HOLIDAY LIGHTING

Lights limited to small individual lamps connected by a wire, where the spacing of bulbs is not closer than three inches.

LAMP

The light-producing source installed in a luminaire.

LIGHT POLLUTION

The general sky glow caused by the scattering of artificial light in the atmosphere that results in decreased ability to see the natural night sky.

LIGHT TRESPASS

The light emitted by a luminaire that shines beyond the property on which the luminaire is installed.

LUMINAIRE

A complete lighting unit, including the lamps, together with the parts required to distribute the light, to position and/or protect the lamps, and to connect the lamps to the power supply.

NUISANCE GLARE

The brightness of a light source that causes eye discomfort, including light that creates an annoyance or aggravation, but does not create a potentially hazardous situation, and light that impairs visibility and creates a potentially hazardous situation for either pedestrians or motorists.

§ 285-3 Applicability and general provisions.

- A. All outdoor luminaries installed after January 1, 2023 on property within the City limits shall comply with this Chapter 285.
- B. Unless an outdoor luminaire violates the light trespass provisions of this Chapter 285, all outdoor luminaires existing and legally installed and operative before the effective date of this Chapter 285 are exempt from the requirements of Chapter 285 until the time of the lamp's replacement or August 1, 2023, whichever comes first.

- C. If a nonconforming luminaire is replaced prior to January 1, 2023, the replacement luminaire shall conform to the requirements of this Chapter 285. Modifications to the nonconforming luminaires in any historic district shall also comply with this Chapter 285.
- D. This Chapter 285 applies to the lighting of streets as well as other types of lighting.

§ 285-4 Submittals.

- A. Applications for review by the district review board that include the installation or replacement of outdoor lighting fixtures for new construction, additions or remodeling shall contain the following information:
 - (1) Plans indicating the location, type and height of both building- and ground-mounted luminaires;
 - (2) A description of the luminaires, including lamps, poles or other supports, and shielding devices, that may be provided as catalogue cuts from the manufacturer; and
 - (3) Photometric data, such as that furnished by the manufacturer, showing the angle of light emission.
- B. Applications for single-family residences or other situations where the sum total of the outdoor luminaries does not exceed 1,000 lumens are not required to comply with § 285-4.

§ 285-5 General standards.

- A. All lamps, with the exception of City-owned and operated street lights, shall be shielded to prohibit light trespass.
- B. All outdoor luminaires shall be designed, installed, located, operated and maintained such that glare onto adjacent properties or streets shall be minimized to the greatest practical extent. Glare onto any adjacent property, roadway or alley by any non-City-owned or non-City-operated lamp is prohibited. Such lamp shall be removed, or in the alternative mounted at such a height, and shielded in such a manner, so as to minimize, to the greatest practical extent, the light trespass onto the adjacent property, roadway or alley.
- C. Except for certain structures in historic districts, accent lighting shall be directed onto the building or object and not toward the sky or onto adjacent properties. Direct light emissions must not be visible above the roof line or beyond the building edge. Nongovernmental flagpole lighting is prohibited. Neon lights are only permitted for commercial property, and must be turned off during nonbusiness hours.
- D. Holiday lighting is exempt from the requirements of this Chapter 285 for the time period between December 1 of each year and January 15 of the following year. Flashing holiday lighting is prohibited on commercial property, and holiday lighting on commercial property shall be turned off no later than 10:00 p.m. each night. For non-commercial property, holiday lighting shall be turned off no later than 10:00 p.m. each night.

§ 285-6 Maximum illumination standards.

- A. Illumination levels shall not exceed the following standards for average maintained horizontal footcandles at grade:

Area:	Commercial:	Residential:
Sidewalks	1.0	0.2
Pedestrian area	2.0	0.5
Parking lots	1.0	none
Building entrances	5.0	none
Building grounds	1.0	none
Public spaces	3.0	none

- (1) The maximum illumination at any point shall not exceed the allowed average by more than one footcandle.

- B. In all cases, the average maintained footcandles upon reaching any residential property line shall be zero. Shielding shall be required on all outdoor luminaires and lamps to ensure that light emitting from non-City sources shall not trespass onto any of the adjacent or nearby property.
- C. Higher levels of illumination may be appropriate for specific or unusual applications. Requests for higher allowed levels may be considered by the City Council on an individual basis. Standards of the Illuminating Engineering Society of North America shall be the justification for consideration of any request for higher levels of illumination.
- D. The property owner or tenant is responsible for properly maintaining illumination levels and required shielding.
- E. The City reserves the right to further restrict outdoor lighting, including restrictions on pole height and level of illumination, when it is deemed to be in the best public interest in keeping with the stated purpose of this Chapter 285.

§ 285-7 Violations.

- A. If, after investigation, the City determines that any provision of this Chapter 285 is being violated, the City shall give written notice of such violation(s) to the owner and/or occupant of such property, demanding that the violation be abated within 30 days of the date the notice is sent to the owner and/or occupant. If the violation is not abated within the thirty-day period, the City may file a court action, either legal or equitable, to enjoin, restrain or abate any violation(s) of this Chapter 285.
- B. A violation of this Chapter 285 shall be punishable by a nondiscretionary civil penalty of \$100, and each day of violation after the expiration of the thirty-day period provided above shall constitute a separate offense for the purpose of calculating the civil penalty.