

Chapter 18.50

OUTDOOR LIGHTING

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18.50.010 Title.

This chapter shall be titled the “outdoor lighting ordinance.” [Ord. 2006-05 § 1]

18.50.020 Purpose.

The purpose of this chapter is to regulate outdoor lighting fixtures and installations in order to improve nighttime public safety and security; to promote energy efficiency; to reduce lighting which is detrimental to the environment or to public use and enjoyment of public and private property; and to preserve and promote the historic character of Mesilla. [Ord. 2006-05 § 1]

18.50.030 Definitions.

For the purposes of this chapter, terms used herein shall be defined as follows:

- A. “Accent lighting” means any directional lighting which emphasizes a particular object or draws attention to a particular area.
- B. “Direct light” means light emitted directly from the lamp, off of the reflector or reflector diffuser, or through the refractor or diffuser lens of a fixture.
- C. “Disabling glare” means lighting that impairs visibility and creates a potentially hazardous

situation for either pedestrians or motorists.

D. “Fixture” or “luminaire” means a complete lighting unit including the lamps or bulbs together with the parts required to distribute the light, to position and protect the lamps and to connect the lamps to the power supply.

E. “Full cutoff” means that no light rays are emitted by a fixture above the horizontal plane running through the lowest point of the fixture where light is emitted.

F. “Fully shielded” means that light rays emitted by a fixture, whether directly from the lamp or from the fixture, are restricted to regions below an angle 15 degrees beneath the horizontal plane running through the point on the fixture where light is emitted. When a fixture is fully shielded, no significant intensity of light shall be emitted from the fixture horizontally, or above the horizontal plane. A fully shielded condition may be accomplished by architectural structure.

G. “Glare” means the brightness of a light source that causes eye discomfort.

H. “Grandfathered fixtures” means fixtures not conforming to this chapter that were in place at the time this chapter went into full force and effect.

I. Height of Fixture. The “height of a fixture” shall be the vertical distance from the ground directly below the centerline of the fixture to the lowest direct-light-emitting part of the fixture.

J. “Indirect light” means light that has been reflected or has scattered off of other surfaces.

K. “Lamp” or “bulb” mean the light-producing source installed in the socket portion of a fixture.

L. “Light pollution” means general sky glow caused by the scattering of artificial light in the atmosphere and resulting in decreased ability to see the natural night sky.

M. “Light trespass” means light emitted by a fixture that shines beyond the property on which the fixture is installed. Light levels shall not exceed a maximum of 0.05 lumens per square foot at the property line at a vertical point five feet above grade. Light trespass measurements shall be made at the property line with the meter held normal to a line between any offending light source(s) and the light meter.

N. “Lumen” means a unit of luminous flux. One foot-candle is one lumen per square foot. For the

purposes of this chapter, the lumen output values shall be the initial lumen output ratings of a bulb. "Initial" refers to the manufacture's stated rating for a new bulb.

O. "Luminaire" means the same as "fixture."

P. "Luminous tube" means a glass tube filled with a gas or gas mixture (including neon, argon, mercury or other gases), usually of small diameter (10 – 15 millimeters), caused to emit light by the passage of an electric current, and commonly bent into various forms for use as decoration or signs. A "neon" tube does not include common fluorescent tubes. Neon signs shall be treated as internally illuminated signs for the purposes of this chapter.

Q. "Nuisance glare" means light that creates an annoyance or aggravation but does not create a potentially hazardous situation.

R. "Outdoor lighting" means the nighttime illumination of an outside area or object by any manmade device located outdoors that produces light by any means.

S. "Spotlight" or "floodlight" means any light fixture that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction.

T. "Temporary outdoor lighting" means the specific illumination of an outside area or object by any manmade device located outdoors that produces light by any means for a period of not more than seven days and that occurs only once within a 180-day time period. [Ord. 2006-05 § 1]

18.50.040 Applicability.

A. The provisions of this chapter shall apply to all outdoor lighting fixtures used for illumination or advertisement.

B. All outdoor lighting fixtures existing and legally installed and operative before the effective date of the ordinance codified in this chapter are exempt from these requirements until the end of the grandfather period.

C. When existing lighting fixtures are replaced or relocated, their replacements shall be subject to all the provisions of this chapter.

D. All governmental agencies, federal, state or county, which operate within the town limits of Mesilla are encouraged to comply with the provisions of this chapter. [Ord. 2006-05 § 1]

18.50.050 General standards and regulations.

The following general standards and regulations shall apply to all outdoor lighting installed after the effective date of the ordinance codified in this chapter with the exception of lighting which is exempt pursuant to MTC [18.50.070](#).

A. Residential and commercial outdoor lighting fixtures and devices shall be fully shielded and aimed downward in such a manner that light rays emitted by a fixture, whether directly from the bulb or from the fixture, are restricted to regions below an angle 15 degrees beneath the horizontal plane running through the point on the fixture where light is emitted.

1. Fully shielded wall-mounted fixtures shall be limited to a total light output of 3,000 lumens (e.g., a 150-watt incandescent bulb), and the number of said fixtures shall be limited to one per every 900 square feet of wall surface.
2. Unshielded wall-mounted fixtures limited to 800 lumens (e.g., a 40-watt incandescent bulb) shall be limited to one per every 400 square feet of wall surface.
3. Fully shielded pole-mounted fixtures shall be limited to 9,500 lumens (e.g., a 100-watt high pressure sodium bulb), and the number of said fixtures shall be limited to one per every 8,000 square feet of ground surface area.
4. A fully shielded condition can be accomplished by using a surrounding architectural structure.

B. Fixed and adjustable floodlights, spotlights and security lights shall not exceed 1,800 initial lumens (e.g., a 100-watt incandescent bulb), shall have a total beam width of less than 110 degrees and the beam center shall be directed at least 65 degrees below the horizontal plane. Security lights that are controlled by a motion sensor switch shall not remain on longer than six minutes after activation and shall not be activated by cars or pedestrians on public roads or walkways.

C. Any light shining onto an adjacent property or street which results in light trespass, a nuisance glare or a disabling glare shall not be permitted.

D. Lighting, other than street lights, mounted on poles or structures shall not exceed a mounting height of 15 feet. As needed, additional shielding shall be added to the light fixture in order to eliminate light trespass.

E. Existing fixtures may be adapted to comply with this chapter by adding a properly designed fully shielded structure.

F. Lighting for signs shall be directed downward onto the sign's surface and not toward the sky or onto adjacent properties. Lighting shall be limited to 1,800 initial lumens (e.g., a 100-watt incandescent bulb) per every 15 square feet of sign surface.

G. Up-lighting on landscaping and foliage shall be limited to 800 initial lumens (e.g., a 40-watt incandescent lamp) with a limit of one lamp fixture per each 100 square feet of landscaped area.

H. Up-lighting for architectural illumination is permitted; provided, that the total output is less than 5,400 initial lumens per 3,000 square feet of wall surface area and less than 1,800 initial lumens per fixture (e.g., a 100-watt incandescent bulb). No illumination may project beyond the highest point of the structure or beyond the structure's edges. Side shielding shall be used to avoid disabling or nuisance glare.

I. Flag illumination is limited to 800 initial lumens (e.g., a 40-watt incandescent bulb).

J. Internally illuminated signs shall be constructed so that the top of the sign does not allow light to emit directly towards the sky and so that the light is encased all the way around. Outdoor advertising signs illuminated wholly from within shall be of the type having a dark background with bright-colored characters. Total illumination per side shall not exceed 1,800 lumens (e.g., a 100-watt incandescent bulb).

K. Any light source permitted by this chapter may be used to light outdoor recreational facilities (public or private) such as, but not limited to, football fields, soccer fields, baseball fields, softball fields, tennis courts or show areas provided all of the following conditions are met:

1. All fixtures used for event lighting shall be fully shielded as defined in this chapter, or be designed with or provided with sharp cutoff capability, so as to minimize up-light, spill-light, light trespass and glare.
2. All events shall be scheduled so that all activity is complete before or as near to 11:00 p.m. as practical, but under no circumstances shall any illumination of the playing field, court or track be permitted after 11:30 p.m. except to conclude a scheduled event that was in progress before 11:00 p.m. and circumstances prevented concluding before 11:00 p.m.

L. In order to comply with “The New Mexico Night Sky Protection Act,” mercury vapor lamps shall not be permitted in the town of Mesilla. A suggested replacement is high pressure sodium lamps.

M. Luminous tubes (i.e., neon) shall not be permitted in the historic district of Mesilla, including neon lights behind windows that exhibit conditions similar to that of an outside light fixture.

N. Parking lot lighting shall be shut off by 11:00 p.m. unless a specific scheduled event requires parking lot lighting to be left on until the event is finished. In this situation the lights shall be shut off within a reasonable period of time following the end of the event.

O. Lighting that produces illumination of 70 lumens per square foot at ground level is not permitted.

P. Light emitted from the inside of a structure to the outside of the structure shall be subject to control by this chapter if it is determined that such light constitutes a nuisance glare, a nuisance light trespass or a disabling glare as defined by this chapter and should therefore be treated as if it were outdoor lighting. [Ord. 2006-05 § 1]

18.50.060 Further restrictions.

The town of Mesilla reserves the right to further restrict outdoor lighting, including but not limited to searchlights for special events, quartz lighting, laser lights, pole height, and level of illumination, when it is deemed to be in the best interests of the public and in keeping with the stated purpose of this chapter. [Ord. 2006-05 § 1]

18.50.070 Exemptions.

The following are exempt from the provisions of this chapter:

A. Unshielded outdoor light fixtures, single or multiple; provided, that each lighting fixture does not exceed a total light output of 800 lumens (e.g., a 40-watt incandescent bulb).

B. Traffic control signals and devices.

C. Temporary emergency lighting (e.g., fire, police, repair workers).

D. Moving vehicle lights.

E. Navigation lights (e.g., airports, heliports, radio/television towers).

F. Seasonal decorations with individual lights in place no longer than 60 days.

G. Other special situations approved by the board of trustees for temporary or periodic events (e.g., rodeos, revivals, fairs, fiestas, carnivals, nighttime construction). [Ord. 2006-05 § 1]

18.50.080 Grandfathering.

A. All lighting installations must be brought into compliance with the provisions of this chapter within four years of its effective date (February 18, 2006).

B. This grandfathering provision does not apply to the following:

1. Lighting on a property which ceases operations or is unoccupied for more than six months or where \$25,000 or more is spent on renovations or remodeling. In these situations the lighting shall be brought into full compliance before reoccupation or reuse.
2. Fixtures that are replaced or relocated. Such fixtures shall be brought into full compliance at the time of replacement or relocation.
3. Existing fixtures that direct light toward streets or parking lots and that cause disability glare to motorists or cyclists. [Ord. 2006-05 § 1]

18.50.090 Submittals.

Applications for building permits, including new construction and remodeling, or applications for subdivisions which include the installation of outdoor lighting fixtures for any purpose shall provide evidence of compliance with the requirements of this chapter. The submittal shall contain the following information and be submitted as part of the site plan to the planning, zoning and historical appropriateness commission (PZHAC) for recommendation for approval:

A. Plans indicating the location, type and height of luminaries including both building- and ground-mounted fixtures;

B. A description of the luminaries, including lamps, poles or other supports and shielding devices, which may be provided as catalogue illustrations from the manufacturer;

C. Photometric data, such as that furnished by the manufacturer, showing the angle of light emission; and

D. Additional information as may be required by the PZHAC in order to determine compliance with this chapter. [Ord. 2006-05 § 1]

18.50.100 Variances.

Variances from the provisions of this chapter shall not be permitted unless specifically authorized pursuant to the provisions of Chapters [18.75](#), [18.85](#) and [18.90](#) MTC. [Ord. 2006-05 § 1]

18.50.110 Enforcement.

A. Duty to Enforce. It shall be the duty of the persons designated by the board of trustees of the town of Mesilla to enforce the regulations contained in this chapter.

B. Notice of Noncompliance and Abatement. The town may issue a written notice of noncompliance directed to the owner of record of the property on which the noncompliant lighting fixture(s) or installation(s) exist or to the occupant or tenant of the property, or both. The notice shall describe the violation and shall establish a reasonable time limit for abatement which shall be not less than 10 days nor more than 90 days after service of the notice. The notice may be served either personally or by registered mail at the owner's last known address.

C. Complaint. In the event the owner or occupant of the property where the noncompliant lighting fixture(s) or installation(s) exist has failed, within the prescribed time, to abate the violation, then the town shall file a complaint charging a violation(s) of this chapter with the municipal court.

D. This chapter does not grant to any party other than the town of Mesilla the right to enforce this chapter or to bring any suit in any court for violation of this chapter. It does not create a private cause of action. Cross reference: Chapter [18.95](#) MTC. [Ord. 2006-05 § 1]

18.50.120 Penalties for violation.

A. Any person, firm or corporation or any officer or employee thereof, who violates the provisions of this chapter shall be deemed guilty of a petty misdemeanor and upon conviction may be punished by a fine of not more than \$500.00 or imprisonment for not more than 90 days or by both such fine and imprisonment for each separate offense as provided for in MTC Title [1](#).

B. Each 24-hour period during any portion of which any violation of this chapter is committed or continues to exist shall constitute a separate offense. [Ord. 2006-05 § 1]

The Mesilla Town Code is current through Ordinance 2021-03, passed December 30, 2021.

Disclaimer: The town clerk's office has the official version of the Mesilla Town Code. Users should contact the town clerk's office for ordinances passed subsequent to the ordinance cited above.

Town Website: <http://www.mesillanm.gov/>

Town Telephone: (575) 524-3262

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