

CITY OF MARCO ISLAND

ORDINANCE NO. 99- 7

AN ORDINANCE RELATING TO THE REGULATION OF OUTDOOR LIGHTING; ESTABLISHING INTENT AND PURPOSE; PROVIDING DEFINITIONS; PROVIDING FOR EXEMPTIONS; PROVIDING REGULATION OF INTENSITY AND/OR GLARE FROM LIGHT SOURCES; PROVIDING FOR SHIELDING; PROVIDING THE STANDARD FOR MEASUREMENT; PROVIDING FOR INCORPORATION, CONFLICT AND SEVERABILITY; PROVIDING PENALTIES FOR VIOLATION; PROVIDING EXHIBITS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article VIII of the State Constitution and Chapter 166 of the Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Section 1.01 of the Marco Island City Charter empowers the city to adopt, amend, or repeal ordinances, resolutions and codes as may be required for the good governing of the city.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MARCO ISLAND, FLORIDA:

SECTION ONE: INTENT AND PURPOSE.

It is the intent and purpose of this Ordinance to protect and promote the health, safety and welfare of the citizens of Marco Island and the public at large, by providing reasonable standards for the installation and maintenance of outdoor lighting. All outdoor lighting shall be installed and maintained in such a manner and be so shielded that the cone of light shall fall substantially within the perimeter of the property. Through the use of shielding and limitations upon intensity, ambient light travelling outward and upward, shall be reduced to the greatest extent possible without unduly interfering with the intent and purpose of the outdoor lighting. It is further intended that this Ordinance shall be liberally construed to effect such intent and purpose.

SECTION TWO: DEFINITIONS.

Floodlight: An artificial light source designed to give direct and/or reflective illumination over a large area. Vehicular parking lighting sources, wall packs, and security/surveillance lights shall be considered as “floodlights”. Also see “uplighting”.

Foot Candle: One foot candle is the amount of illumination provided by a light source of one international candle at a distance of one foot (1') from the light source.

Glare: A sensation of brightness within the visual field that causes annoyance, discomfort, or loss in visual performance and visibility.

Hood: See definition of Shield below.

International Candle or Candle Power: One international candle is the unit of luminous intensity as established by standard light sources as maintained by the U.S. Bureau of Standards. This is called more commonly one candle power.

Luminare: A device or fixture containing a light source and means for directing and controlling the distribution of light emitted therefrom.

Shield: An opaque devise or fixture intended to direct and restrict the distribution of light emitted from a light source.

Snook Light: Regional term for a light source, usually attached to a dock facility or seawall, which is illuminated for the purpose of attracting fish.

Uplighting: A lighting technique in which sources of illumination are strategically located to light up features such as building facades, signs, and trees.

SECTION THREE: EXEMPTIONS.

Lighting at publicly owned facilities and street lighting shall be exempt from the provisions of this ordinance. Applicable FDOT design standards and public facility design standards shall be utilized in the placement, maintenance, and regulation of lights at public facilities and in public streets.

Multiple court tennis facilities existing at the date of adoption of this ordinance are permitted up to 5.0 foot-candles of illumination to fall on adjoining RSF and RMF zoned properties until 10:00 p.m.

SECTION FOUR: REGULATIONS ON INTENSITY AND GLARE FROM OUTDOOR LIGHT SOURCES.

Regulation on the intensity and glare of outdoor lighting shall be permitted as follows:

1. No lighting source shall cause more than 1.0 foot-candle of illumination to fall on adjoining residential single family (RSF) zoned property.
2. No lighting source shall cause more than 1.0 foot-candle of illumination to fall on adjoining residential multifamily (RMF) zoned property.

3. No lighting source shall cause more than 10.0 foot-candles of illumination to fall on any adjoining commercially (C)-zoned property.
4. No lighting source shall cause more than 1.0 foot-candle of illumination to fall on any public right-of-way in residential areas.
5. No lighting source shall cause more than 10.0 foot-candles of illumination to fall on any public right-of-way in commercial areas.

Outdoor lighting on property abutting lands subject to sea turtle nesting activities is further regulated pursuant to Division 3.10 of the Collier County Land Development Code titled “Sea Turtle Protection”.

SECTION FIVE: SHIELDING (HOODS) REQUIRED.

All outdoor lighting (except public recreational lighting and sign lighting) shall be shielded and directed according to the following schedule:

<i>Wattage of Each Light Source</i>	<i>Shielding Required</i>	<i>Directed Downward</i>
Up to 50 Watts	No	No
50 to 100 Watts	Yes	No
Over 100 Watts	Yes	Yes
Floodlights	Yes	Yes
“Snook lights”	Yes	Yes
*Uplighting	Yes	No

Except for uplighting, light sources which are required to be shielded shall be shielded in such a manner that no light emitted from the light source shall travel upward or horizontally. In addition, light sources required to be directed downward shall be so directed that the cone of light emitted from the source of illumination shall not exceed an included angle of 90 degrees (45 degrees as measured from the mid-point of the light source to the ground). Refer to Exhibits for illustrations of shielding and angle measurements.

*Uplighting shall be shielded in such a manner that no illuminated part of the light source shall be visible from any adjoining public right-of-way or property line.

Illuminated signage shall be regulated pursuant to Division 2.5 of the Collier County Land Development Code titled “Signs”.

SECTION SIX: STANDARDS OF MEASUREMENT.

Light intensity and glare shall be measured in foot-candles at the property line with a direct reading from a portable light meter. Said meter shall be factory tested and calibrated.

City Council may change, delete or add to the permitted levels of illumination by resolution.

SECTION SEVEN: INCORPORATION, CONFLICT AND SEVERABILITY

- [1] It is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of Ordinances of the City of Marco Island, Florida, and that the sections of this Ordinance may be renumbered or relettered and that the word "ordinance" may be changed to "section", "article" or other appropriate word.
- [2] All sections or parts of sections of the Code of Laws and Ordinances of Collier County, Florida, all Collier County ordinances or parts of ordinances, and all Collier County resolutions or parts of resolutions made applicable by the City Charter in conflict herewith are hereby repealed to the extent of such conflict.
- [3] If any word, phrase, clause, subsection or section of this Ordinance is for any reason held unconstitutional or invalid by any court of competent jurisdiction, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

SECTION EIGHT: PENALTIES FOR VIOLATION.

- [1] Pursuant to Section 162.22, Florida Statutes, a person found to be in violation of this Ordinance may be charged with a fine, not to exceed \$500.00, and may be sentenced to a definite term of imprisonment, not to exceed 60 days. Each violation or non-compliance shall be considered a separate and distinct offense. Further, each day of continued violation or non-compliance shall be considered as a separate offense.
- [2] Violation of this Ordinance may also be prosecuted before the Marco Island Code Enforcement Board.

SECTION NINE: EFFECTIVE DATE

This Ordinance shall take effect immediately upon adoption by the Marco Island City Council.

Passed in open and regular session through roll call vote by the City Council of the City of Marco Island, Florida, this 19th day of April, 1999.

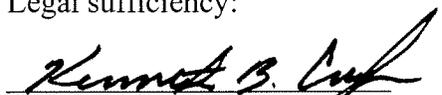
Attest:


 A. William Moss
 City Manager/City Clerk

CITY OF MARCO ISLAND, FLORIDA

By: 
 David E. Brandt, Chairman

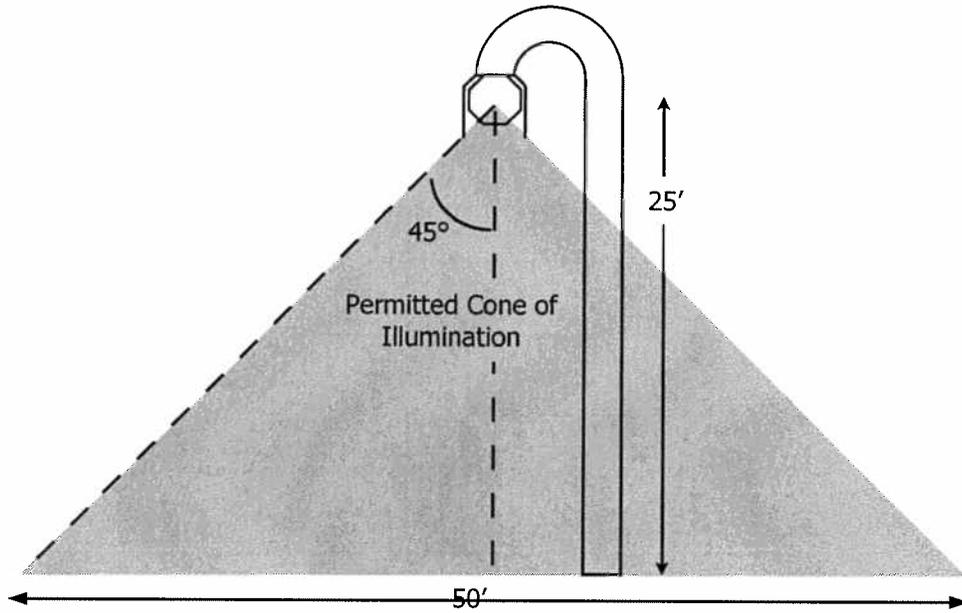
Approved as to form and
Legal sufficiency:


 Kenneth B. Cuyler, City Attorney

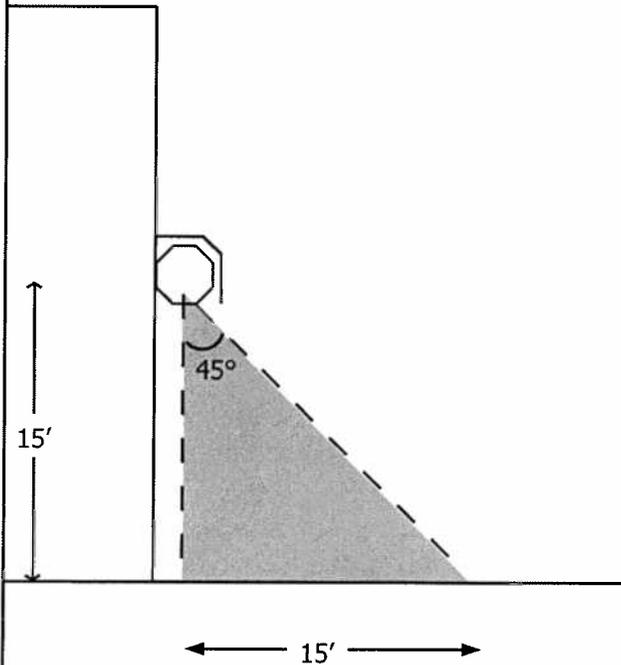
Exhibits

Vehicular Parking

Scale: 1" = 10'



Wall Packs



Wall-mounted Security Lights

