

AMENDED ORDINANCE NO. 35-88

BY: Joanne H. Ranft

An Ordinance to enact a new Chapter 1440 of the Codified Ordinances of the City of Bexley, Ohio, pertaining to the regulation of exterior area lighting, and to declare an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1. That Chapter 1440 of the Codified Ordinances is enacted to read as follows:

1440.01 INTENT

IT IS THE INTENT OF THIS CODE TO REGULATE EXTERIOR AREA LIGHTING WITHIN THE R-3, R-6, R-12 AND R-24 RESIDENTIAL ZONING DISTRICTS. IT IS FURTHER THE PURPOSE OF THIS CODE TO PROHIBIT THE PLACEMENT OF EXTERIOR AREA LIGHTING WHICH SHINES, GLARES, REFLECTS, OR IS DIRECTED IN SUCH A MANNER OR WITH A DEGREE OF BRIGHTNESS SO AS TO BE DETRIMENTAL OR DISTURBING TO THE COMFORT OR REPOSE OF OTHER PERSONS.

1440.02 PERMIT REQUIRED; ARRANGEMENT AND SHIELDING; HEARINGS.

(a) No person shall erect ~~a high-intensity-discharge light which includes all high-intensity-discharge lamps, (H.I.D.) such as mercury vapor, high-pressure sodium, low-pressure sodium, metal-halide, etc.~~ ANY LIGHT, WHICH INCLUDES ALL HIGH INTENSITY DISCHARGE LIGHTS, INCANDESCENT LIGHTS OR OTHER TYPE LIGHTS FOR EXTERIOR AREA LIGHTING OF ~~and the type commonly used for lighting grounds around farm homes~~ AROUND HOMES, ~~which are currently being~~ INCLUDING THOSE NOW OR HEREAFTER offered by the Columbus ~~and Southern Ohio Electric~~ POWER Company on a rental basis and designated "private area lights," without first obtaining a permit therefor. A person desiring to construct or erect such a light shall file an application for a permit and all residents within 200 feet of the property involved shall be notified by mail by the City. Such notice shall advise each resident affected that if there is no objection within seven days, a permit will be issued to the applicant, but that if there is an objection, there will be a hearing at the next meeting of the Board of Zoning Appeals at which the objector should be present to discuss the objection. At such hearing the Board may take whatever action it deems advisable, INCLUDING THE IMPOSITION OF CONDITIONS REGULATING MATTERS SUCH AS POLE HEIGHT, SHIELDING, WATTAGE AND HOURS OF OPERATION. No person shall fail to comply with a decision or order of the Board, OR THE CONDITIONS OF ANY PERMIT ISSUED BY THE BOARD.

(b) All ~~high-intensity-discharge~~ EXTERIOR AREA lights, of the kind described in subsection (a) hereof, whether now in operation or hereafter approved as provided in subsection (a) hereof, must be so arranged and shielded to reflect the light away from the nearby property of any neighboring owner or tenant. If such lights are not so arranged and shielded, any such neighboring owner or tenant who claims to be affected by the operation and use of such lights may file an objection to their continued operation with the Board. Upon such objection, a hearing will be held at the next meeting of the Board at which both the owner and the objecting party shall be present to discuss the objection. At such hearing, the Board may take whatever action it deems advisable, including prohibiting the continued use of the lights involved. No person shall fail to comply with a decision or order of the Board.

Section 2. That existing Chapter 1440 be, and the same hereby is, repealed.

Section 3. That this Ordinance is an emergency ordinance necessary for the immediate preservation of the public peace, health and safety, said emergency being the expiration of the moratorium on exterior area lighting on May 31, 1988, and shall go into effect upon its passage and approval by the Mayor.

Passed: May 24, 1988

Albert J. Meyer
President of Council

ATTEST: John L. Hertz
Clerk of Council

APPROVED: May 24, 1988

David H. Madison
David H. Madison, Mayor

May 10, 1988 - 1st reading

May 24, 1988 - 2nd reading - Suspended,
Amended & Adopted