

**Outdoor Lighting**  
**[Added 12-15-2020 by Ord. No. 156]**

**§ 156-1. Purpose.**

Recognizing that artificial night-time environment lighting is necessary to safely illuminate roadways, public places, sidewalks, parking lots, industrial, commercial and residential areas, the Town of Smithfield also recognizes that artificial light is energy consumptive and a form of pollution.

Light pollution contributes to excessive energy waste, can contribute to uncomfortable glare, light trespass from property to property and is an environmental concern to wildlife and human habitats alike. The Town of Smithfield has enacted this ordinance to regulate the installation and retrofit of outdoor lighting in order to achieve the following purposes:

- A. To promote energy efficient and sustainable lighting practices and luminaires;
- B. To promote energy conservation and reduce greenhouse gas emissions associated with the production of energy through depletion of natural resources.
- C. To minimize adverse off-site impacts from new and existing lighting installations; and
- D. To permit reasonable uses of outdoor lighting for safety, security, productivity, commerce and enjoyment.
- E. To protect the existing unique qualities of Smithfield's dark skies for astronomy, protection of environment, enjoyment purposes, promote tourism and reduce light pollution;
- F. To protect the residents and surrounding environment, including light sensitive plants, animals and habitats, from the unintended effects of artificial light pollution;
- G. No part of this Ordinance is intended to be in conflict with applicable sections of the Smithfield Zoning Ordinance relating to the subject matter or with RIGL §42-136 Outdoor Lighting Control.

**§ 156-2. Definitions.**

- a. DARK SKY — Ability to visually identify, without aid, zodiacal light, a prominently bright defined night sky, including star clusters galaxies and other deep sky objects.
- b. HOLIDAY SEASONAL LIGHTING: Lighting that is installed

seasonally during a holiday period and shall otherwise be construed as a temporary lighting condition whereupon expiration of said holiday is to be removed or otherwise discontinued from use, shall not be subject to enforcement under this chapter.

- c. INTERNATIONAL DARK SKY ASSOCIATION (ISA) — Established in 1988 as an educational, environmental 501(c)(3) nonprofit dedicated to protecting and preserving the nighttime environment and the heritage of dark skies through quality outdoor lighting. With thousands of members in more than 70 countries, IDA is the leading authority concerning the problems and solutions related to light pollution.
- d. LIGHT, DIRECT — Light emitted directly from the lamp, off of the reflector or reflector diffuser, or through the refractor or diffuser lens, of a luminaire.
- e. LIGHT FIXTURE, FULL CUT-OFF TYPE — A luminaire or light fixture that, by design of the housing, does not allow any light dispersion or direct glare to shine above a 90 degree horizontal plane from the base of the luminaire.
- f. LIGHT, FULLY SHIELDED — Fully shielded luminaire light fixture which can control the glare in any direction.
- g. LIGHT GLARE — Light emitting from a luminaire with intensity great enough to reduce a viewer's ability to see and may cause bothersome visual discomfort.
- h. LIGHT, INDIRECT — Direct light that has been reflected or has scattered off of surfaces other than those associated with the light fixture.
- i. LIGHTING, OUTDOOR — The nighttime illumination of an outside area or object by any manufactured device located outdoors that produces light by any means.
- j. LIGHT POLLUTION — Stray or reflected light that is emitted into the atmosphere above the 90-degree horizontal plane from the luminaire, and which can or does cause unwanted sky glow, uplight or which can or is directly seen from an abutting property.
- k. LIGHT TRESPASS — Direct light from an artificial light source on one property that is intruding into an area, or property where it is unwanted, does not belong or that may be perceived as a nuisance.
- l. LUMINAIRE — A complete lighting system, including a light source component (lamp or lamps that produce the actual light) and a fixture.
- m. LUMINAIRE, HEIGHT OF — The vertical distance from the

ground directly below the center line of the luminaire to the lowest direct-light-emitting part of the luminaire.

- n. STREETLIGHT – A publicly owned streetlight, overhead, area, post top or high-flood, which illuminates a public right of way, parks, school or public facility.
- o. TARGET AREA — The location of the target which is to be hit by the light source.
- p. UPLIGHTING — Any light source that distributes illumination above a 90-degree horizontal plane.

**§ 156-3. Applicability.**

A. New Installations: All outdoor lighting, with the exception of lighting and/or light fixtures installed on a structure and/or property devoted exclusively to single family residential use, installed after the effective date of this ordinance shall conform to the standards set forth herein.

(1) In the case of new single family residential uses, all outdoor lighting shall be properly aimed as to not create excess glare, uplight or trespass in an unreasonable manner as to not be construed as a nuisance.

(2) Existing Installations: All outdoor lighting installed prior to the effective date of this ordinance shall be exempt from the provisions of this ordinance, until a light and/or light fixture(s) must be repaired, modified, refurbished and/or replaced. At the occurrence of any of these several events, any light and/or light fixture with the exception of lighting and/or light fixtures installed on a structure and/or property devoted exclusively to single family residential use, shall conform to the standards set forth herein.

B. Existing and new streetlight installations: All municipally owned and maintained streetlight assets, whether overhead, post top, flood or other shall be shielded, recessed or directed as to avoid conflict of light trespass into private property, reduce or eliminate uplight and uncomfortable glare to the greatest extent practicable without compromise to public safety.

- (1) Install a replacement dark sky compliant lamp fixture with an ISA certification.
- (2) Consider light and light fixture aiming or glare control devices such as light shields to prevent and/or reduce light trespass and light pollution.
- (3) All government-owned and operated properties and facilities are urged to immediately conform to the provisions of this

ordinance, in accordance with RIGL § 42-136.

- (4) Lighting for site security should be configured for motion or infrared sensor operation, except in the case of lighting required by state or federal safety standards, property insurance coverage requirements or site safety standards.
- (5) Lighting for site security should be configured for dimming, occupancy or timing controls, except in the case of lighting required by state or federal safety standards, property insurance coverage requirements or site safety standards.

#### **§ 156-4. General standards.**

All new, retrofitted, refurbished and/or modified outdoor lighting that is installed in the Town of Smithfield, with the exception of lighting and/or light fixtures installed on a structure and/or property devoted exclusively to single family residential use, as defined herein, shall be the minimum necessary, in both number of luminaires and intensity of light, to achieve the intended purpose of the lighting, and shall meet the following standards, as relevant:

- A. All exterior lights and sign illumination shall be designed, located, installed and directed in such a manner as to:
  - (1) Prevent glare, light trespass, uplighting or light pollution; and
  - (2) Be shielded to the extent possible so as to confine the light glare within the target area.
- B. In all areas adjacent to residential property, no externally mounted, roof top mounted, source illumination directed towards the property line shall be visible at the property line at ground level or above.
- C. To reduce off-site glare, lighting fixtures for all parking and pedestrian areas shall be:
  - (1) Full cut-off type fixtures or
  - (2) Fully shielded/recessed fixtures where the lens is recessed or flush with the bottom surface.
  - (3) Correlated Color Temperature (CCT) of lighting shall not exceed 4000\*-Kelvin for outdoor applications; 3000\*-Kelvin is recommended.
- D. Lighting fixtures for building security or aesthetics and any display purposes shall be:
  - (1) Top downward (not upward or sideways), and
  - (2) Full cut off or fully shielded/recessed.
- E. Where outdoor playing fields or other special outdoor

activity areas are to be illuminated, lighting fixtures shall be specified, mounted and aimed so that:

- (1) The lighting fixture's beams fall within the primary playing target area and immediate surroundings, and
- (2) No direct lighting trespass or light pollution.

F. The height of luminaires, except streetlights in public rights-of-way, shall be the minimum necessary to provide adequate illumination, but shall typically not exceed a height of fifteen (15) feet when pole mounted unless a properly credentialed illuminating engineer hired for the benefit of the Town finds that a height of any luminaire structure up to twenty (20) feet will result in no greater Light Trespass and no greater Light Pollution than a luminaire structure at fifteen feet (15) in height or unless the luminaires must overhang vehicle travel lanes. Luminaires attached to the building shall be limited to the height necessary for illumination of entrances or locations not served by pole lighting. In no case shall a building fixture be mounted on the roof.

#### **§ 156-5. Waterfront lighting.**

Outdoor lighting in and around the ponds, lakes, rivers, and other waters of the Town shall not be installed or maintained so as to create a hazard or nuisance to other property owners and shall comply with the following:

- A. Lights on docks shall be no more than three feet above the dock, shall be directed downward and be full cut off fixtures.
- B. Lights illuminating paths, stairs, decks, etc., shall not be directed towards the water and shall not direct light upwards.
- C. All exterior lighting shall be located, mounted and shielded, so that direct illumination is not focused towards the water surface more than 20 feet from shore.
- D. Correlated Color Temperature (CCT) of lighting under this article shall be as low on the Kelvin Scale to reasonably attain the desired lighting levels. CCT for this article is recommended not to exceed 3000\*-Kelvin.

#### **§ 156-6. Architectural and landscape lighting.**

- A. All fixtures shall be aimed and/or shielded to illuminate only the target area such that no stray light from the luminaire passes above the horizontal plane.
- B. Upward aimed façade and building lighting shall be fully shielded and fully confined from projecting into the sky by the building

eaves, roofs, overhangs or structures and shall be mounted as flush with the illuminated wall as possible.

**§ 156-7. Canopy and service lighting.**

Outdoor sales and gas station service canopy lighting shall be aimed downward, recessed and installed such that the center of the fixture's luminous opening is flush with or recessed into the canopy ceiling. All lighting from the canopy must be substantially confined to the ground area directly beneath the perimeter of the canopy. All exterior lighting for canopies and/or service areas shall be of an indirect nature, emanating only from fixtures located under canopies, under eaves on the principal building or at ground level in the landscaping. Exterior lighting shall be arranged and shielded so there shall be no glare or reflections onto adjacent properties or street rights-of-way.

**§ 156-8. Signage.**

In addition to the requirements of this ordinance, all signs shall also comply with the provisions of Article VIII of the Smithfield Zoning Ordinance, as applicable. The Building Official or assigned designee shall determine compliance with the provisions of this article.

- A. Illuminated signs shall not cause glare distracting to drivers, nor shall they be in such a position, such color or lumen output as will hamper the readability of traffic lights or traffic signs.
- B. Signs may be illuminated externally by a downward-directed stationary light. Sign lighting shall not be directed upwards unless the sign is affixed to the side of the building and is fully shielded and fully confined from projecting into the sky.
- C. The requirements of this section are for the lighting of signs only. Article VIII of the Smithfield Zoning Ordinance regulates signs and shall be used in conjunction with this section.

**§ 156-9. Flagpole lighting.**

All flagpole lighting shall be from the top of the pole downward, no up-lighting of the flagpole is permitted.

**§ 156-10. Enforcement.**

This ordinance shall be enforced by the Town Engineer, or designee, as assigned by the Town Manager of the Town of Smithfield, and who shall interpret, administer and enforce the provisions of this Chapter. The Town Engineer, or designee, shall investigate suspected violations and issue notices of violation requiring corrective action,

and shall have the ability to assign penalties for noncompliance in accordance with provisions as allowed by the Code of Ordinances for the Town of Smithfield.

- a) Any person violating the provisions of this Chapter shall be punished by a fine of up to One Hundred Dollars (\$100.00) for each violation. The Town Engineer's office shall oversee compliance with the provisions of this Chapter and all violations issued hereunder shall be adjudicated in the Smithfield Municipal Court.
- b) The imposition of a fine for a violation of the provisions of this Chapter shall not preclude the Town from seeking or obtaining any or all other legal and equitable remedies to prevent or remediate a violation of this chapter, including but not limited to injunctive relief.

**§ 156-11. Severability.**

If any of the provisions of this Chapter shall be held invalid by a court of competent jurisdiction, then such provision shall be considered separate and apart from the remaining provisions of this Chapter, which shall remain in full force and effect.

The Ordinance shall take effect 30-days after its adoption.

APPROVED AS TO ITS FORM AND LEGALITY:

  
TOWN SOLICITOR

ADOPTED: February 1, 2022

  
TOWN COUNCIL PRESIDENT

  
TOWN CLERK

