

ORDINANCE NO. 915
AN ORDINANCE OF THE COUNTY OF RIVERSIDE
REGULATING OUTDOOR LIGHTING

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. FINDINGS. The Board of Supervisors finds that inadequately shielded outdoor lighting results in a waste of natural resources and light trespass. The Board of Supervisors further finds that at certain levels, light trespass, and associated glare, may jeopardize the health, safety or general welfare of Riverside County residents and degrade their quality of life.

Section 2. PURPOSE. The purpose of this Ordinance is to provide minimum requirements for outdoor lighting in order to reduce light trespass, and to protect the health, property, and well-being of residents in the unincorporated areas of the County.

Section 3. AUTHORITY. This Ordinance is adopted pursuant to the Board of Supervisors' police power as set forth under Article XI, section 7 of the California Constitution.

Section 4. DEFINITIONS. As used in this Ordinance, the following terms shall have the following meanings:

- a. Adequately shielded. Shielding of an outdoor luminaire by opaque components or materials, such that light rays are limited to the parcel of origin and the light source is not visible from another property or public right-of-way.
- b. Glare. Light emitting from an outdoor luminaire that causes reduced vision or momentary blindness.
- c. Light source (lamp). An electrical bulb, tube, diode, or other device that produces artificial light or illumination.
- d. Light trespass. Light falling across a property line onto another lot or parcel of land or onto a public right-of-way. The presence of light trespass shall be determined in accordance with Section 7 of this Ordinance.
- e. Luminaire. A complete lighting unit consisting of one or more lamps, the lamp holder, any reflector or lens, and any other components or accessories.
- f. Outdoor Luminaire. Outdoor luminaires, whether permanent or portable, including general light fixtures, searchlights, spotlights, and floodlights; and the light cast by such fixtures.

Section 5. STANDARD. All outdoor luminaires in shall be located, adequately shielded, and directed such that no direct light falls outside the parcel of origin, or onto the public right-of-way. Outdoor luminaires shall not blink, flash, or rotate.

Section 6. EXEMPTIONS. The following outdoor luminaires shall be exempt from the provisions of this Ordinance when properly installed and in compliance with all County ordinances:

- a. Luminaires used or otherwise required by law enforcement or other emergency personnel.
- b. Luminaires used to illuminate publicly-owned property, including but not limited to, parks, recreation areas, schools, streets, street signs and sidewalks.
- c. Luminaires used to illuminate authorized public and private monuments.
- d. Luminaires authorized by a provision of state or federal law as long as that lighting conforms to the requirements of the state or federal law.
- e. Luminaires used for holiday decoration.
- f. Luminaires producing light directly by the combustion of fossil fuels (such as kerosene lanterns, and gas lamps).
- g. Neon luminaires.
- h. Luminaires used to illuminate agricultural activities, operations or facilities as defined in *Section 5 of Riverside County Ordinance No. 625*.

Section 7. DETERMINATION OF LIGHT TRESPASS. A determination of light trespass shall be made by observation of the allegedly non-conforming luminaire from the complaining party's property. A "complaining party" may be either an owner or occupant of private property or a public entity.

Section 8. SECURITY LIGHTING. Security lighting triggered by motion or noise shall be allowed subject to all of the provisions of this Ordinance.

Section 9. NON-CONFORMING OUTDOOR LUMINAIRES. Outdoor luminaires existing on the effective date of this Ordinance that do not meet the requirements as set forth herein shall be brought into compliance or removed as follows:

- a. Within three (3) months of the effective date of this Ordinance, where redirection of the light fixture is feasible and will bring the light fixture into compliance; or
- b. Within six (6) months of the effective date of this Ordinance, in all other cases.

Section 10. COMPLIANCE METHODS. Outdoor luminaires not meeting the standards of Section 5 be brought into compliance in any of the following ways:

- a. Redirection of the luminaire;
- b. shielding of the light source;
- c. redesign or relocation of the luminaire;
- d. replacement of the luminaire with a conforming luminaire; or
- e. removal of the luminaire.

Section 11. ENFORCEMENT. The Riverside County Sheriff and Code Enforcement Departments shall have the primary responsibility for enforcing this Ordinance.

Section 12. VIOLATIONS AND PENALTIES. Any person who violates any provision of this Ordinance once or twice within a one hundred and eighty (180) day period

shall be guilty of an infraction. Any person who violates any provision of this Ordinance more than twice within a one hundred and eighty (180) day period shall be guilty of a misdemeanor. Each day a violation is committed or allowed to continue shall constitute a separate offense and shall be punishable as such. Penalties shall not exceed the following amounts.

- a. For the first violation within a one hundred and eighty (180) day period the minimum mandatory fine shall be one hundred dollars (\$100).
- b. For the second violation within a one hundred and eighty (180) day period the minimum mandatory fine shall be two hundred and fifty dollars (\$250).
- c. For any further violations within a one hundred and eighty (180) day period the minimum mandatory fine shall be five hundred dollars (\$500) or imprisonment in the County jail for a period not exceeding six (6) months, or both.

Section 13. CONFLICT BETWEEN ORDINANCE REQUIREMENTS. This Ordinance shall neither replace the requirements of the zoning Ordinance or any other County ordinances, including but not limited to County Ordinance No. 655, nor supersede the terms of any private Covenants, Conditions and Restrictions (CC&Rs). However, when there is a conflict in the requirements of this and any other ordinance, the more stringent requirements shall apply. The County of Riverside does not enforce private CC&Rs.

Section 14. SEVERABILITY. If any provision of this Ordinance or the application thereof to any person or circumstance, is held invalid, such invalidity shall not affect the remainder of the Ordinance or the application of such provision(s) to other persons or circumstances.

Section 15. SAVINGS CLAUSE. The adoption of this Ordinance shall not in any manner affect the prosecution of ordinance violations, which violations were committed prior to the effective date of this Ordinance, nor be construed as a waiver of any permit, license, penalty or penal provisions applicable to such violations. The provisions of this Ordinance, insofar as they are substantially the same as ordinance provisions previously adopted by Riverside County relating to the same subject matter, shall be construed as restatements and continuations, and not as new enactments.

Section 16. EFFECTIVE DATE. This Ordinance shall take effect 30 days after its adoption.

Adopted: 16.1 of 12/20/2011 (Eff: 01/19/2012)