

TOWN OF CASTLE VALLEY
ORDINANCE NO. 1991 – 1

**AN ORDINANCE ESTABLISHING LIMITS ON OUTDOOR LIGHTING IN THE TOWN OF
CASTLE VALLEY**

PREAMBLE:

WHEREAS, the governing body of Town of Castle Valley is authorized by 10-9-1, Utah Code (1990), to regulate and restrict the location, use, height, number of stories and size of structures within the Town of Castle Valley;

WHEREAS, the governing body of the Town of Castle Valley is authorized by 10-8-60, Utah Code (1990) to declare what shall be a nuisance, abate the same, and impose fines upon persons who may create, continue or suffer nuisances to exist;

WHEREAS, the governing body of the Town of Castle Valley has determined that excessive or uncontrolled outdoor lighting interferes with the comfortable enjoyment of life and property, is offensive to the senses, and is a nuisance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE VALLEY AS FOLLOWS:

SECTION I LIGHTING

A. Buildings and grounds in the Town of Castle Valley may be illuminated by such lighting fixtures as the owner of the property may determine, provided that the lighting fixtures are equipped with proper shields, shrouds, lenses, or other devices that concentrate the illumination only upon the building and grounds of the owner and to prevent bright or direct illumination from being directly visible from other properties in the Town of Castle Valley or from any public rights of way therein.

B. Indoor lighting shall not be constructed or used in such a fashion as to circumvent the restrictions on outdoor lighting set forth herein.

C. Insect control devices that use visible light shall also comply with the outdoor lighting restrictions set forth herein.

D. Owners of existing outdoor lighting shall bring their lighting fixtures into compliance with this ordinance within 60 days after its effective date.

SECTION II ENFORCEMENT

A. Any violation of this ordinance, brought to the attention of the Town Council by citizen complaint, which is not corrected within 60 days after demand by the Town of Castle Valley is made on the owner, shall be a Class B misdemeanor. Property owners may request a hearing before the governing body of the Town of Castle Valley to show why their lighting does not constitute a nuisance.

B. Persons violating this ordinance shall be prosecuted in the Grand County Justice Court, the Seventh Circuit Court, or any other court of competent jurisdiction until and unless a justice court for the Town of Castle Valley is established.

SECTION III EFFECTIVE DATE

This ordinance shall take effect on the 1st day of August, 1991, or upon its publication in the Times Independent, whichever occurs later.

PASSED AND APPROVED by the Town Council on the 10th day of July, 1991.

/s/ John W. Groo, Mayor

ATTEST:

/s/ Janie Tuft, Clerk/Recorder