

ORDINANCE 2018-07
LIGHTING ORDINANCE FOR
THE TOWN OF WINCHESTER, VILAS COUNTY, WISCONSIN

A. Purpose:

The Winchester Town Board recognizes that lighting can often unintentionally intrude on others' rights to enjoy the beauty, peace, and tranquility of their property and detract from our town's Northwoods character. The purpose of this ordinance is to balance safety and security needs with the desire to eliminate glare, light trespass, and to preserve both the economic value and enjoyment of the night sky.

B. Authority:

This ordinance is enacted pursuant to provisions in Section 60.22(3), 60.23(29), and Ch. 61 of the Wisconsin Statutes.

C. General Requirements:

All exterior lighting shall be shaded in such a manner that the illumination is directed down or controlled in such a way as to eliminate glare and light trespass onto neighboring properties, roadways, bodies of water, and the sky.

1. Commercial Property:

- a) Lighting for all commercial, industrial, agricultural, recreational, and multi-unit housing shall be controlled in such a way as to not shine on or illuminate neighboring properties or roadways.
- b) Lighting designed to illuminate berthing areas on shorelines shall be shielded sufficiently to prevent direct visibility of the light on public waters or adjacent lands more than 50 feet from the berthing structure.
- c) Flashing or rotating exterior lighting is prohibited.
- d) Lighting directed to illuminate signs shall be done so in a manner that the light is not visible from any point other than the sign itself.

2. Residential Property:

- a) Spot, flood and pole, tree mounted, or building mounted lights shall not illuminate neighboring properties or roadways.
- b) Lighting designed to illuminate berthing areas on shorelines shall be shielded sufficiently to prevent direct visibility of the light on public waters or adjacent lands more than 50 feet from the berthing structure.
- c) Flashing or rotating exterior light is prohibited.

d) Flag poles may be lit by a single lamp placed within 5 feet of the base of the pole pointing directly at the flag.

D. Compliance

1. All nonconforming fixtures shall meet the requirements of this ordinance by August 1, 2018.
2. Lighting otherwise prohibited may be authorized by the Town Board if there are special circumstances relating to essential safety, maintenance, or security concerns.

E. Violations, Legal Actions, and Penalties

1. The Winchester Town Board shall enforce the lighting ordinance and shall make rulings as to the compliance in questionable or disputed situations after receiving a written signed complaint.
2. If any provision of this ordinance is being violated, written notice of such violation shall be issued to the owners/occupants of such premises indicating both the nature of the violation and a demand that the violation be abated. Owners/Occupants may appeal in writing with the Town Clerk within thirty (30) days after receipt of such notice. Appeals shall be placed on the agenda by the Clerk for the next Town Board meeting.
3. If the violation is not abated or appealed within the thirty (30) day period, actions may be instituted to abate any violations of this Ordinance and to collect the penalties for such violations.
4. Any person found to be in violation of this ordinance may be subject to a penalty.
5. Should any section, clause or portion of this ordinance be adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.
6. This ordinance shall be effective upon passage and publication as provided by law.