

Ordinance No. 3.01  
Town of Cloverland Lighting Ordinance

A. Purpose

The Cloverland Town Board recognizes that lighting can often unintentionally intrude on other's 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 the need for safety and security with the desire to eliminate glare and light trespass, and to preserve the economic value and enjoyment of the night sky.

B. Authority.

The Ordinance is enacted pursuant to the provisions 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 and controlled in such a way as to minimize glare and light trespass onto neighboring properties, roadways, waterbodies and the overhead sky.

1. Commercial Property

a) Lighting for all commercial, industrial, agricultural, recreational and multi unit housing development shall be controlled in such a way as to not shine on or illuminate neighboring properties or roadways.

b) Lighting on, or designed to illuminate berthing areas and/or shorelines shall be shielded in such a way as to prevent direct visibility of the light on public waters or adjacent lands more than 50 feet beyond the berthing structure.

c) Flashing or rotating exterior lighting is prohibited.

d) Signs. Lighting directed toward signs shall be directed in such a manner that the direct light is not visible from any point, except the sign itself.

2. Residential Property

a. Spot, flood and pole, tree or building mounted lights such as those installed by power companies or otherwise shall be controlled in such a way as to not shine on or illuminate neighboring properties and roadways.

b. Lighting on, or designed to illuminate berthing areas and/or shorelines shall be shielded in such a way as to prevent direct visibility of the light on public waters or adjacent lands more than 50 feet beyond the berthing structure.

c. Flashing or rotating exterior lighting is prohibited.

#### D. Exemptions

1. Any and all lighting shall be exempted as long as it doesn't shine on or illuminate neighboring properties, or on lakes, rivers, roadways, or shine up into the sky.

2. Holiday lighting and decorations shall be exempted.

3. Flags and/or Erected Flag Poles: Upward lighting of flags and/or flag poles are allowed as long as the flag is a United States flag and/or a Wisconsin States flag with no more than a 100 watt light bulb shall be exempted.

#### E. Compliance

1. Whenever a nonconforming fixture or light bulb is replaced or moved, the replacement shall meet the requirements of the ordinance. All nonconforming fixtures shall be brought into compliance at that time.

2. Lighting otherwise prohibited may be authorized by the Town Board after public hearing if there are special circumstances relating to essential safety, maintenance or security concerns.

#### F. Violations, Legal Actions, and Penalties

1. The Cloverland Town Board shall enforce the lighting ordinance. The Cloverland Town Board shall make rulings as to the compliance in questionable or disputed situations after a public hearing.

2. Violations & Notice: If any provisions of the ordinance is being violated, written notice of such violation shall be issued to the owner and/or to the occupant of such premises, indicating the nature of the violation and demanding the violation be abated. Appeals may be taken by filing written notice with the Town Clerk within thirty (30) days after receipt of such notice. Appeals shall be placed on the agenda by the Clerk at the next Town Board meeting.

3. Legal Actions: 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. Penalties: A violation of this Ordinance, or any provisions thereof, shall be punishable by a civil penalty of \$25.00 for each day of he violation after the expiration of the thirty (30) day period plus court costs and/or any other legal expenses incurred by the Town of Cloverland.

G. Severability and Liability

Should any section, clause, provision 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.

This Ordinance shall become effective upon passage and publication as provided by law.