

*City of Jarrell*



161 Town Center Blvd.  
Jarrell, TX 76537  
512-746-4593

**ORDINANCE NO. 2020-0128-04**

**AN ORDINANCE OF THE CITY OF JARRELL, TEXAS AMENDING SECTION 4.06 IN THE CITY OF JARRELL CODE OF ORDINANCES HEREBY KNOWN AS OUTDOOR LIGHTING; INTRODUCING AN ORDINANCE TO RESTRICT THE PERAMETERS OF APPLICABLE OUTDOOR LIGHTING IN NONRESIDENTIAL DISTRICTS.**

**WHEREAS**, the City Council of the City of Jarrell will adopt the following policies regarding outdoor lighting the Unified Development Code (UDC) described in Section 1 hereto and incorporated herein and;

**WHEREAS**, on January 28, 2020, after proper notification, the Planning and Zoning Commission held a hearing on the request; and

**WHEREAS**, on January 28, 2020, the City Council held a public hearing on the request; and

**WHEREAS**, The City Council finds that the new ordinance promotes the health, safety and welfare of the City of Jarrell; and

**WHEREAS**, the City Council finds that all notice requirements have been met.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JARRELL, TEXAS;**

**Section 1.** The UDC, section 4.06 of the City of Jarrell, Texas shall hereby be amended by including the following provisions for outdoor lighting as indicated by “**EXHIBIT A**”.

**Section 2.** The City Council hereby determines that the new utility ordinance and associated variances meets the goals of development for the City of Jarrell.

**Section 3.** That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict only.

**Section 4.** That is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public as required by law, and that the public notice of the time, place and purpose of said meeting was given as required.

**Section 5: Publication Clause**

The City Secretary of the City of Jarrell is hereby authorized and directed to publish the caption of this ordinance in the manner and for the length of time prescribed by law.

**Section 6: Severability Clause**

The provisions of this ordinance are severable, and if any sentence, section, or other parts of this ordinance should be found to be invalid, such invalidity shall not affect the remaining provisions, and the remaining provisions shall continue in full force and effect.

**Section 7: Open Meeting Clause**

The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this ordinance and the subject hereof were discussed, considered, and formerly acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.


**Section 8: Effective Date**

This ordinance shall take effect and be in force from and after its passage.

**PASSED AND APPROVED** on the first and final reading this **28<sup>th</sup>** day of **January 2020** at a meeting of the City Council of the City of Jarrell, Texas.


**THE CITY OF JARRELL**

**BY:**

  
\_\_\_\_\_  
Larry Bush, Mayor



**ATTEST:**

  
\_\_\_\_\_  
Dianne Peace, City Secretary

# EXHIBIT A

## Requirements

- (a) The installation of outdoor lighting which does not meet the following lamp efficiency is prohibited:
- (1) Lamps of 1,000 to 10,000 lumens must have an energy efficiency of 50 lumens per watt or better.
  - (2) Lamps of more than 10,000 lumens must have an energy efficiency of 75 lumens per watt or better.
- (b) Outdoor lighting, as outlined above, energized between 10:00 p.m. and sunrise which only emits light below a horizontal plane running through the lowest point on the fixture where light is emitted are allowed.
- (c) All lighting located in Nonresidential Districts shall be aimed, located, designed, fitted, shielded, and maintained so as to not present a hazard to drivers or pedestrians by impairing their ability to safely traverse and so as not to create a nuisance by projecting or reflecting objectionable light onto neighboring use or property.
- ~~(e)~~ (d) The illumination of any sports recreational facility, public or private, is allowed between sunrise and 11:00 p.m., unless it is needed to complete a specific organized activity or event already in progress at 11:00 p.m.
- ~~(e)~~ (e) The installation of street lights which does not exceed by ten percent (10%) federal and state minimums for total luminous output and peak luminous flux at ground level are allowed.
- ~~(e)~~ (f) The replacement, enlargement, alteration, repair or improvement of any existing outdoor lighting equipment which becomes damaged or inoperable with equipment which does not conform with this article is prohibited. This prohibition applies to all fixtures exempted in [section 4.06.006](#). Interim mercury vapor bulb replacement shall be allowed until March 2007.
- (g) Whenever the use of any existing building, structure, or premises is changed to a new use, all outdoor lighting shall be reviewed and brought into compliance with this code before the new use commences.
- ~~(f)~~ (h) The illumination of any billboard or advertising sign, whether on premises or off premises, between sunrise and 11:00 p.m. is allowed, except instances that meet one of the following criteria:
- (1) On-premises signs may remain illuminated between 11:00 p.m. and sunrise only while the business is open to the public; or
  - (2) On- or off-premises signs may remain illuminated between 11:00 p.m. and sunrise only if no light is emitted above a horizontal plane and the light emitted does not constitute light trespass, as herein defined.
- ~~(g)~~ (i) Any illumination device energized between 11:00 p.m. and sunrise, except those exempted by [section 4.06.006](#), which constitutes light trespass is prohibited.
- ~~(h)~~ (j) Any illuminated device not exempted by [section 4.06.006](#) which emits energy in wavelengths not visible to the human eye is prohibited. Prohibited wavelength emissions are those shorter than 350 nanometers (ultraviolet); provided, however, such prohibition is not intended to restrict the use of any equipment other than that used for visible lighting. For example, sun tanning apparatus.
- ~~(h)~~ (k) The illumination of the flag of the United States of America and/or the flag of the State of Texas after dark and before sunrise is allowed so long as such illumination is in accordance with the State of Texas Government Code title 11 State Symbols and Honors; Preservation, subtitle A. State Symbols and Honors, chapter 3100. State Flag, subchapter B. Display of State Flag, section 3100.052. Display Outdoors, which states:
- (1) The state flag should not normally be displayed outdoors before sunrise or after sunset.
  - (2) For patriotic effect, the state flag may be displayed outdoors:
    - (A) 24 hours a day, if properly illuminated during darkness; or
    - (B) In the same circumstances that the flag of the United States may be displayed.

(3) The state flag should not be displayed outdoors during inclement weather unless the flag is a weatherproof flag.

(l) Piers for light poles taller than eight (8) feet shall be designed by an Engineer competent in structural engineering. Soil condition and wind loading shall be accounted for in the pier design.

(m) Any lighting operating with a red, white, or blue beacon, flashing, or alternating light will not be permitted.

(n) Emergency lighting, as may be required by any public agency while engaged in the performance of their duties, or for illumination of the path of egress during emergency as described in NFPA 75 and NFPA 101, are exempt from the requirements of this Ordinance.

(Ordinance 2005-007, sec. IV, adopted 4/19/05)

  **Sec. 4.06.005 Materials and methods of installation**

This article is not intended to prohibit the use of any design, material or method of prescribed installation not specifically proscribed by this article, provided such alternative meets the legislative intent of this article. (Ordinance 2005-007, sec. V, adopted 4/19/05)