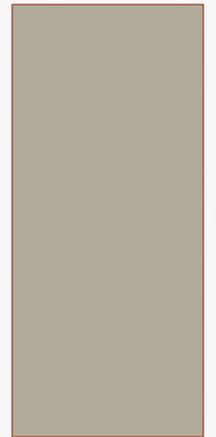


OUTDOOR LIGHTING AND GLARE

CODE TEXT AMENDMENT



MIDWAY CITY CODE CH 5.02.080 “OUTDOOR LIGHTING & GLARE”

Purpose: “to restrict the use of outdoor artificial illuminating devices emitting undesirable light rays that:

1. Have a detrimental effect on astronomical observations.
2. Create a public nuisance.

MIDWAY LIGHTING CODE

Ch 5.02.080 B (2) provides:

- *“Every outdoor light source shall be operated so that it does not emit a beam or intense glare beyond the property boundary. Such lighting shall be operated in a way that it is directed away from and shielded from any adjacent property and shall not detract from driver visibility on adjacent streets. Compliance is achieved with fixture shielding, directional control designed into the fixture, fixture location, fixture height, fixture aim, or a combination of these factors.”*

SPORTS COURTS/FIELDS

Sports Courts/Fields Lighting:

1. Tends to be elevated
2. Difficult or impossible to achieve full cutoff without shielding because of height.
3. Building permit required for lights but not courts/fields. Landowners sometimes fail to apply for permit or undergo compliance review before installation. Do not want to be told they cannot use lights after they have invested the money to install them.
4. Light trespass complaints are increasing.

DISCUSSION

The number of private sports courts in Midway is increasing.

Pickleball (and associated courts) is increasingly popular.

1. Provides fun, healthy activity.
2. Appeals to all age levels, genders, and abilities.
3. Has inherent social aspect to it.
4. Challenges of noise and light trespass.

Midway noise ordinance (5.02.010) limits to 70 dBA from 6AM to 10PM and to 55 dBA from 10PM to 6AM

LIGHTING PROHIBITIONS UNDER CURRENT CODE

Ch 5.02.080 (D) Prohibitions:

1. The operating of searchlights for advertising purposes are prohibited.
2. The unshielded or partially shielded outdoor illumination of any building, landscaping, signage, or other purpose, is prohibited.
3. Soffit lighting and recessed soffit lighting are not allowed except when directly over a porch or deck area.
4. The nighttime use of white lighting or white strobe lighting for communications towers is prohibited.

PROPOSED AMENDMENT

Recommendation:

Add to Ch 5.02.080 (D), subsection (5):

- Artificial lighting of private courts and/or fields used for sports and recreational purposes is prohibited.

POSSIBLE FINDINGS

- Construction of sports courts is becoming increasingly frequent in Midway
- Sports courts have many benefits, including promoting healthy forms of exercise, but also result in increasing complaints regarding noise and light trespass.
- Because of their elevation, the tall lights often constructed near sports courts tend to violate Midway's Lighting Code, which requires full cut off and prohibits direct light trespass beyond the property boundary.
- Based upon locally and nationally reported decibel levels associated with pickleball, use at a distance of 100 feet may violate Midway's daytime and/or nighttime noise restrictions. Prohibiting artificial lighting should negate the latter.
- City anticipates complaints continuing and likely worsening with population growth, increasing density, and further construction of courts.

ORDINANCE

2024-

AN ORDINANCE TO AMEND SECTION 5.02.080(D)(5) OF THE MIDWAY CITY MUNICIPAL CODE TO PROHIBIT ARTIFICIAL LIGHTING OF PRIVATE SPORT COURTS AND/OR RECREATIONAL FIELDS.

WHEREAS, pursuant to Utah Code Section 10-9a-509 the Midway City Council may formally initiate proceedings to amend city ordinances; and

WHEREAS, Midway City has implemented certain code provisions for the purpose of restricting the use of outdoor artificial illuminating devices that have a detrimental effect on astronomical observations and that create a public nuisance; and

WHEREAS, for these reasons, the Midway City Council desires to add Section 5.02.080(D)(5), which would prohibit artificial lighting of private courts and/or fields used for sports and recreational purposes; and

NOW THEREFORE, be it ordained by the City Council of Midway City, Utah, as follows:

The following Section of Chapter 5 shall be added:

Section 5.02.080. Outdoor Lighting and Glare

D. Prohibitions.

5. Artificial lighting of private courts and/or fields used for sports and recreational purposes is prohibited.

This ordinance shall take effect upon publication as required by law.