

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2013-008

DARK SKIES POLICY

WHEREAS, Section 129 of the *Municipal Act, 2001*, S.O. 2001, Chapter 25, as amended provides municipalities with the authority to prohibit and regulate with respect to noise, vibration, odour, dust, and outdoor illumination, including indoor lighting that can be seen outdoors;

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of Tay Valley Township enacts as follows:

1. GENERAL REGULATIONS

1.1 THAT, the Dark Skies Policy, attached hereto as Schedule "A", be adopted.

2. ULTRA VIRES

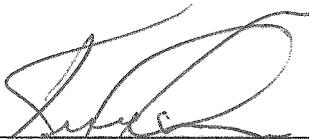
2.1 Should any sections of this by-law, including any section or part of any schedules attached hereto, be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

3. BY-LAW REPEALED

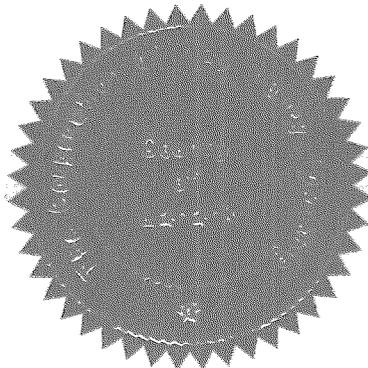
3.1 All by-laws or parts thereof and resolutions passed prior to this by-law which are in contravention of any terms of this by-law are hereby rescinded.

4. EFFECTIVE DATE

ENACTED AND PASSED this 15th day of January, 2013.



Keith Kerr, Reeve





Janie Laidlaw, Acting Clerk

THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2013-008

SCHEDULE "A"



Tay Valley Township

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| SECTION: | NUMBER: |
| PE | 1 |

SUBJECT: DARK SKIES POLICY

1.0 PURPOSE

To provide a mechanism to protect the integrity of our dark night sky that adds to the quality of life, economic well being and community identity of the Township through the use of safer, efficient and more cost-effective lighting at township facilities.

2.0 LEGISLATIVE AUTHORITY

Section 129 of the Municipal Act 2001, S.O. 2001 c.25 provides municipalities with the authority to prohibit and regulate with respect to noise, vibration, odour, dust, and outdoor illumination, including indoor lighting that can be seen outdoors.

3.0 SCOPE

Any installation of outdoor lighting on Township facilities within the boundaries of the township shall do so in conformity with the requirements of the Dark Skies By-Law.

4.0 DEFINITIONS

Direct Light means light emitted directly from the lamp, off the reflector or luminaire.

Glare means light emitting from a luminaire with an intensity great enough to reduce a viewer's ability to see, and in extreme cases causing momentary blindness.

Light Trespass means the shining of light produced by a luminaire beyond the boundaries of the property on which it is located.

Luminaire means a complete lighting system, including a lamp or lamps and a fixture.

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5.0 Regulations

More detail on types of lighting that are appropriate and on retro-fitting lighting is provided in the Dark Skies Bylaw.

5.1 Luminaire Design Factors For Outdoor Areas

When the municipality installs an outdoor lighting fixture it shall be required to use completely shielded Full-Cut-Off fixtures, as identified in Appendix I of the Dark Skies By-law.

5.2 Prohibitions

5.2.1 Laser Source Light

The use of laser source light or any similar high intensity light for outdoor advertising or entertainment purposes is prohibited.

5.2.2 Searchlights

The operation of searchlights for advertising or entertainment purposes is prohibited.

5.2.3 Existing Luminaires

Existing luminaires which are determined to direct light toward streets or parking lots and cause glare to motorists or cyclists and therefore deemed to be a public safety concern, shall be either shielded or re-directed within 30 days of determination.

6.0 APPROVAL AUTHORITY

6.1 The Chief Building Official is authorized to include in his review of Building Plans a review of the type of lighting fixtures. The By-law Enforcement Officer is authorized to implement this policy.

7.0 POLICY REVIEW

7.1 This Policy shall be reviewed at least once per term of Council.

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