



211 Walnut Street  
Neenah, WI 54956

AN ORDINANCE: By Plan Commission  
Re: Creating Chapter 26, Article XVI of the Code of Ordinances relating to outdoor lighting standards.

ORDINANCE NO. 2023-05  
Introduced: \_\_\_\_\_  
Committee/Commission Action:

**AN ORDINANCE**

The Common Council of the City of Neenah, Wisconsin, does ordain as follows:

**Section 1.** Chapter 26, Article 16 of the Code of Ordinances of the City of Neenah, consisting of Section 26-675 through and including Section 26-689, and relating to Outdoor Lighting standards is created to read as follows:

**ARTICLE XVI. OUTDOOR LIGHTING**

**Sec. 26-675. Intent.**

The intent of this section is to reduce the impact of light trespass and prevent the unnecessary glare on adjacent properties and to regulate commercial, industrial and certain multi-family residential use lighting standards, while also providing a safe, secure, and visually attractive nighttime environment.

**Sec. 26-676. Applicability.**

The following standards shall apply to all outdoor lighting within commercial, industrial, and multi-family residential uses and zoning districts with the following exceptions:

1. Public street lighting.
2. Traffic control and emergency lighting.
3. Outdoor lighting on single-family and two-family residential properties.
4. Temporary lighting used for city sanctioned festivals, celebrations, and holidays.
5. Approved historic light fixtures that are consistent with the historic character of a district.
6. Lighting associated with or used as signage.
7. Aviation lighting used exclusively for aviation purpose per Federal Aviation Administration.

**Sec. 26-677. Definitions.**

*Foot-candle* is a unit of measurement for lighting and means a unit of illumination that on a surface is one foot from a uniform source of light equivalent to that of one candle and equal to one lumen per square foot.

*Full cut-off fixture* means a light fixture that, by design, does not allow any light dispersion or direct glare to shine above a ninety-degree horizontal plane from the base of the fixture.

*Light Trespass* means light from an artificial source that is intruding into an unintended area.

*Lumen* means a unit of illumination, being the amount of illumination of a unit area of a spherical surface, due to a light of unit intensity placed at the center of the sphere.

*Photometry* means the science of the measurement of light, in terms of its perceived brightness to the human eye.

*Security Lighting* means any light source used to illuminate a building, structure or property during evening hours intended to deter criminal activity.

**Sec. 26-678. Outdoor Lighting Plan.**

An outdoor lighting (photometric) plan is required for any proposed site plan that installs or modifies outdoor lighting fixtures. This plan shall include:

1. Photometric calculation which includes proposed intensity of illumination in foot candle values across the site plan in a grid like fashion. The grid should be either overlaid on the site plan or have a separate plan with the same scale as the site plan.
2. Proposed light fixtures and their proposed height, design, method of shielding, and candle power of the light source.

**Sec. 26-679. Lighting Standards.**

The following standards shall be set forth to ensure that proper use of outdoor lighting is being exercised throughout the city.

1. Lighting levels shall be measured in foot candles with a direct reading portable light meter. Readings shall be taken at heights between six inches and six feet above ground level at a position facing the light source. Measurements shall be made after dark with the light sources in operation and then again with the light sources turned off. The difference between these two readings shall be compared to the maximum permitted illumination. The foregoing procedure will reduce the effects of moonlight and other ambient light.
2. The illumination level at any property line shall not exceed:
  - a. 0.0 foot candles above ambient lighting conditions on a cloudless night when the adjoining property is a single-family or two-family use or zoned R-1, Single-Family Residence District or R-2, Two-Family Residence District.

- b. The maximum illumination for adjacent, non-residentially used or zoned property shall not exceed 0.5 foot candles above ambient lighting conditions on a cloudless night.
3. Light illumination uniformity ratio shall not exceed:
  - a. 4:1 – Ratio of the average to minimum light levels
  - b. 10:1 – Ratio of the maximum to minimum light levels
4. The average lighting level shall be less than or equal to 1.5 foot candles.

**Sec. 26-680. Lighting Fixtures.**

1. All exterior lighting fixtures shall be of a full cut-off design. This means it shall direct all light downward and away from adjoining properties.
2. In no instance shall an exterior lighting fixture be oriented such that the direct light source is visible from an adjacent property or street. Flood lights and spot lights are prohibited.
3. Any light fixture with the purpose of providing security lighting shall be protected by a weather resistant and vandalism resistant covering.
4. Flashing, flickering, moving and/or other lighting which is a nuisance or may distract motorists, such as red, yellow or green lights near traffic signals are prohibited.
5. The following shall be maximum mounting height for the respective lighting fixture. The mounting height shall be measured from the mounting surface to the bottom of the light fixture.
  - a. No lighting mount shall exceed 25 feet or the height of the principal structure, whichever is of lesser height. Notwithstanding, however, and upon careful review by City's Plan Commission of location and impact on surrounding properties, the Commission may allow lighting mounts which exceed 25 feet in height.
  - b. A mounted light fixture shall maintain a ten-foot setback from all property lines.

**Sec. 26-681. Illumination of Buildings and Vertical Structures.**

The illumination of a building, statue, flag, or other form of art and architecture is allowed only when the light fixture is directed in a manner intended to only illuminate the vertical structure, and which does not in fact cause any unnecessary light trespass or glare to adjacent properties.

**Secs. 26-682 – 26-689. Reserved.**

**Section 2. Severability.** In the event any section, subsection, clause, phrase or portion of this ordinance be for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not otherwise affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

**Section 3. Repeal and Effective Date.** All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Moved by: Steiner/Borchardt  
Adopted: March 15, 2023  
Approved: 8-0-0-1 Stevenson Excused  
Published: March 22, 2023

Approved:

  
Jane B. Lang, Mayor

Attest:

  
Charlotte Nagel, City Clerk

THIS INSTRUMENT WAS DRAFTED BY:  
City Attorney David C. Rashid  
211 Walnut Street  
Neenah, WI 54956  
State Bar No. 1056542

