

***VILLAGE OF
BALD HEAD ISLAND***

***ARTIFICIAL LIGHTING
ORDINANCE***

ADOPTED JUNE 15, 1996

AMENDED OCTOBER 21, 2001

SECTION 1. DEFINITIONS

The following definitions shall apply to terms used herein and any terms not specifically defined herein shall have the usual customary definitions applied thereto.

(a) “Artificial light” shall be defined as any source of light emanating from a manmade device, including but not limited to incandescent, mercury vapor, metal halide, sodium lamps, flashlights, spotlights, street lights, vehicular lights, construction or security lights.

(b) “Baffled light” shall be defined as any artificial light which is attached directly to a building and is shielded from horizontal view.

(c) “Beach” shall be defined as that area extending landward from the mean low water line to the stable line of natural vegetation.

(d) “Flood light” shall be defined as any reflector-type light fixture which is attached directly to a building and is unshielded.

(e) “Low profile luminaries” shall be defined as any light fixture set on a base which raises the source of the light no higher than forty-eight inches (48”) off the ground and designed in such a way that light is directed downward from a hooded light source.

(f) “New development” shall be defined as construction of buildings or other sources of artificial light undertaken after the effective date hereof and shall include remodeling of existing structures.

(g) “Pole light” shall be defined as any light fixture set on a base or pole where the point of light is higher than forty-eight (48”) inches off the ground.

SECTION 2. PURPOSE

The purpose of the ordinance is to protect the flora and fauna and specifically to protect threatened sea turtles which nest along the beaches of Bald Head Island by safeguarding nesting females and the hatchlings from dangers associated with exposure to artificial light. It is the policy of the Village of Bald Head Island that nesting female and hatchling loggerhead sea turtles not be exposed to artificial sources of light while on the beaches of the Village of Bald Head Island.

SECTION 3.

(a) It shall be unlawful for any individual to illuminate, by artificial light, any portion of the beach within the confines of the Village of Bald Head Island between the hours of sunset and sunrise from May 1 through October 31 except by such frequencies of red light as do not disturb nesting or hatchling sea turtles.

(b) No new development within the Village of Bald Head Island shall be undertaken except that which includes exterior lighting which shall conform to the requirements hereinafter set forth.

(c) No exterior lighting of any kind shall be permitted except low profile luminaries and baffled lights, except that pole lights shall be permitted in commercial areas; marina, lighthouse, fire station, the public right-of-way or multiple family areas located more than 100 feet landward of the stable line of natural vegetation. The lighting standard shall be approved by the Village Council.

SECTION 4.

(a) Existing homes located within the Village of Bald Head Island shall, within one (1) year of the effective date of this ordinance, have exterior lighting which conforms to the requirements of Section 3 hereof.

(b) Old Baldy is specifically exempted from this ordinance.

SECTION 5.

No building permit shall be issued by the Building Inspection department for the Village of Bald Head Island nor shall any certificate of occupancy be issued for any structure which shall, in any manner, fail to conform to the requirements for exterior lighting contained herein.

SECTION 6. (amended 10/26/01)

Any person violating the provisions of this ordinance shall be subject to a civil penalty in the amount of \$100 for each offense. The offender shall be provided with thirty (30) days to correct the violation(s). Failure to correct such violation(s) within thirty (30) days shall constitute a Class 3 misdemeanor, punishable by a fine not to exceed \$500 and/or imprisonment, pursuant to North Carolina General Statutes 14-4. Nothing herein contained shall prevent the Village of Bald Head Island from taking such other lawful action as is necessary to prevent or remedy any violation.