

**COUNCIL WORKSHOP**

**September 20, 2011  
5:30 p.m.**

**AGENDA**

City of



*“Where Dreams Can Soar”*

*The City of Bonney Lake’s Mission is to protect the community’s livable identity and scenic beauty through responsible growth planning and by providing accountable, accessible and efficient local government services.  
Website: [www.ci.bonney-lake.wa.us](http://www.ci.bonney-lake.wa.us)*

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*The City Council may act on items listed on this agenda, or by consensus give direction for future action.  
The Council may also add and take action on other items not listed on this agenda.*

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**Location:** Bonney Lake Justice Center, 9002 Main Street East, Bonney Lake, Washington.

**I. Call to Order:** Mayor Neil Johnson

**II. Roll Call:**

Elected Officials: Mayor Neil Johnson, Jr., Deputy Mayor Dan Swatman, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin and Councilmember James Rackley.

**III. Agenda Items:**

**A. Council Open Discussion.**

Page 3 **B. Review of Council Minutes:** September 6, 2011 Council Workshop and September 13, 2011 Council Meeting.

Page 17 **C. Discussion:** (Tabled from 9/6 Council Workshop) Model Lighting Ordinance.

Page 61 **D. Discussion/Action:** (Tabled from 9/13 Council Meeting): AB11-99 – Resolution 2146 – A Resolution of the City of Bonney Lake, Pierce County, Washington Authorizing the Mayor to Sign a Contract Amendment with Dionne and Rorick for Legal Services.

Page 65 **E. Discussion:** (Continued from 9/6 Council Workshop): AB11-116 – Ordinance D11-116 – An Ordinance of the City of Bonney Lake, Pierce County, Washington Renaming Sumner-Buckley Highway within City Limits.

Page 69 **F. Discussion:** AB11-112 – Ordinance D11-112 – An Ordinance of the City of Bonney Lake, Pierce County, Washington Amending Chapter 2.08 of the BLMC Relating to the Departments and Offices of the City.

Page 79 **G. Discussion:** AB11-113 – Ordinance D11-113 – An Ordinance of the City of Bonney Lake, Pierce County, Washington Updating the Position, Classification and Grade Table of Non-Represented Employees.

**IV. Executive Session:** Pursuant to RCW 42.30.110(b), the City Council may hold an executive session. The topic(s) and the session duration will be announced prior to the executive session.

**V. Adjournment**

**For citizens with disabilities requesting translators or adaptive equipment for listening or other communication purposes, the City requests notification as soon as possible of the type of service or equipment needed.**

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**COUNCIL WORKSHOP**

*September 6, 2011  
5:30 p.m.*

**DRAFT MINUTES**



*“Where Dreams Can Soar”*

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**Location:** Bonney Lake Justice Center, 9002 Main Street East, Bonney Lake, Washington.

**I. Call to Order:** Mayor Johnson called the Workshop to order at 5:32 p.m.

**II. Roll Call:** [A1.3]

Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Mayor Neil Johnson, Jr. elected officials attending were Deputy Mayor Dan Swatman, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin and Councilmember James Rackley.

Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Chief of Police Mike Mitchell, Facilities & Special Projects Manager Gary Leaf, City Attorney Jim Dionne, Administrative Services Director/City Clerk Harwood Edvalson, and Administrative Specialist Shawn Campbell.

**III. Agenda Items:**

**A. Council Open Discussion:**

Southern Sewer Service Area: Councilmember Hamilton gave a brief history of the southern sewer service area in the City of Bonney Lake. He asked if the City is in discussions with Pierce County or Cascadia to create a master plan for sewer service to the area. He added if a joint agreement cannot be reached, the City must move forward with alternate plans to provide sewer service to the southern service area. City Administrator Morrison said the City has sent many letters but no agreement has been reached. He said Pierce County said they will follow the wishes of Cascadia. He said the City has spoken with the Pierce County Executive’s top aides, but have not yet spoken to Pat McCarthy herself. Director Grigsby said he does not believe the County has resumed planning for the membrane plant that was shelved when Cascadia filed bankruptcy. He said the area is currently served with an onsite sewer system that only has one elementary school using it at this time. He said if the County is planning on including areas outside the Cascadia planned community a bigger plant would be needed. He added the City met with the Pierce County Executive in 2007, and developed a plan that has since been put on hold. Councilmember Hamilton asked for the administration to contact the current Pierce County Executive Pat McCarthy and start a dialogue regarding the sewer plant for the area. Councilmember Decker said he does not believe the Cascadia project will be operational for some time, and the Sumner plant will take a very long time to upgrade. He added the City of Buckley is very interested in partnering with the City of Bonney Lake for sewer service. He said he understands it would be expensive but it may be worth exploring. Councilmember Rackley said the City does not know what, if anything, the City of Sumner is willing to do and the City of Bonney Lake needs to start planning now. Mayor Johnson asked if the City heard back from the new owners of Cascadia. Director Vodopich said they have not, but the City would be notified if anything were to move forward with the County.

Indefinite Delivery Contract: Deputy Mayor Swatman said his understanding of the budget process is that the City Council approves funds for an item in the budget, then the individual departments return to Council with a proposed agreement to spend those funds. He said with an “indefinite delivery” contract, the entire budget is allocated and the City Council does not have any further discussions for individual projects. Director Grigsby said the City has a backlog of units in need of repair. He said the contract in question allows the City to receive pricing for a larger volume of items even though only a small amount will be completed at a time. He added with this tool the City will be able to fix several units a year and decrease the backlog. City Administrator Morrison said this contract will allow the City to receive better pricing, as if the City purchased a large quantity instead of a small amount.

Urban Growth Area Letter to Pierce County Council: Councilmember Hamilton said a letter has been drafted by the City Attorney for the Deputy Mayor to sign. Mayor Johnson stated he believed the entire Council should sign the letter. Director Vodopich said the Pierce County Community Development Committee will meet Monday, September 12<sup>th</sup> and again on September 19<sup>th</sup>. He said if Council would like the County to consider the letter it would need to be provided to them as soon as possible. Deputy Mayor Swatman stated he feels it will be difficult to have the letter succeed without the support of the administration. City Attorney Dionne said the administration has provided a great deal of effort in preparing the document to present to Pierce County Council as directed by Council. He said the administration is behind the letter. He suggested the Council review the letter as a whole and vote to sign the letter. Mayor Johnson stated he would sign the letter as the representative of the Council body if the letter has Council’s full support.

**At 6:14 pm, Councilmember Rackley moved to have a 15-minute recess to review the letter. Councilmember Decker seconded the motion.**

**Motion approved 7 – 0.**

The Workshop reconvened at 6:31pm.

**Councilmember Rackley moved to amend the agenda to include an action item to authorize the Mayor to sign the letter representing the City of Bonney Lake. Councilmember Decker seconded the motion.**

**Motion Approved 7-0**

**Councilmember Hamilton moved to Authorize The Mayor To Sign A Letter To Send To Pierce County Council Regarding The City of Sumner’s Proposed Urban Growth Amendment Expansion. Councilmember Rackley seconded the motion.**

**Councilmember Lewis moved to amend the last sentence of the letter to: The Bonney Lake City Council is definitely opposed to this expansion and would ask that you not move this proposal forward for full council consideration. Councilmember Rackley Seconded the motion.**

**Motion Approved 7-0**

Councilmember Decker questioned the reasons for sending the letter. He stated it is not the place of the City to oppose another jurisdiction’s expansion. He stated the City of Bonney Lake recently added a similar space in Bonney Lake. He said if the City is concerned about development cost being less expensive in the valley, the City should match the development cost of the City of Sumner. Councilmember Hamilton stated the letter spells out that the City of

Bonney Lake does not feel the proposed UGA amendment is in accordance with the Washington State Growth Management Act, due to the excessive amount of commercial property the City of Sumner already has. He said the letter also states the City agrees with Pierce County staff and the County Planning Commission. He added the proposed development would destroy 125 acres of agricultural land that could not be replaced. Councilmember Rackley said if this amendment is approved it would change the dynamics on the plateau. He said businesses would build in the valley instead of on the plateau because the development fees in the valley are lower. He added the reason for fees being higher in Bonney Lake is the Council has made a commitment to development paying for itself. Deputy Mayor Swatman stated the rules for each jurisdiction are the same. He said the proposed amendment has errors and should to be fixed before it moves forward. Mayor Johnson stated the WSU property the City recently rezoned is part of the City's UGA. He added the area is being preserved for a park and some commercial that the City is in need of. He added the proposed Orton Junction development is not currently in any jurisdiction's UGA. He said it is the responsibility of the Council to weigh in on issues that will affect Bonney Lake. Councilmember Hamilton said the Growth Management Act mandates jurisdictions to take the existing lands within their jurisdictions and utilize the lands the best they can. He added cities spend millions of dollars to prepare the lands within their jurisdiction for development. Councilmember Hamilton called for the vote.

**Motion Approved 7-0.**

Personnel Update to Budget: Councilmember Carter asked if the amendments to the budget regarding personnel would be part of the 2012 budget amendment. City Administrator Morrison said this issue will be added to the Finance Committee agenda during the September 13, 2011 meeting.

Summer Events: Councilmember Carter said the City has offered many successful events over the summer. She thanked the Relay for Life volunteers, including Debbie McDonald, David Wells, and Carol Paul.

Grand Opening of Highway 410: Mayor Johnson said the ribbon cutting ceremony for the SR 410 widening project will be Wednesday, September 7, 2011 at 10 am.

9/11/01 Remembrance: Mayor Johnson said it has been 10 years since 9/11. He encouraged everyone to remember the events of that day, those who lost their lives, and the sacrifices of their families.

- B. **Review of Council Minutes:** July 16, 2011 Special Council Meeting; July 19, 2011 Council Workshop; July 26, 2011 Council Meeting; and August 9, 2011 Council Meeting.

The minutes were forwarded to the September 13, 2011 Meeting for action with no corrections.

- C. **Discussion:** Metropolitan Park Districts (Tabled from 8/16/11).

Facilities & Special Projects Manager Gary Leaf gave Council a presentation on the creation of a Metropolitan Park District (MPD). He covered what a MPD is, how it is formed, if the Boundary Review Board would be involved, if annexations affect MPD's, how a board is established, MPD funding, how the tax levy is set, what the bonding limits are for non-voted and voted bonds, the effect of the levy lid, if the City can issue tax-exempt bonds for a YMCA

facility, other tax issues related to bonds to consider, what happens to city-owned park land, a time line for election to form a MPD, election trends, examples of capital projects, and voted bond cost for a 20 year bond.

Councilmember Hamilton questioned the financing options for a MPD. He asked if the MPD board would have the authority to levy up to 75 cents per thousand dollars against property owners in Bonney Lake without a public vote. He asked about the indebtedness of the MPD. Mr. Leaf said 50 % of the board vote is needed to create the MPD itself but a 60% vote is needed to issue a voted bond. Deputy Mayor Swatman asked if the ballot measure to create a MPD could also include an amount for a tax levy in the same vote. Mr. Leaf said when the issue is on the ballot it is only to create a MPD. He added the board must decide the tax levy amount, and until the people vote to create a MPD, there is no board. Deputy Mayor Swatman said he would like to get the details confirmed before putting the issue to the people for the vote. Councilmember Decker said he would like to make sure citizens know the MPD could tax up to 75 cents per thousand dollars of property value. City Administrator Morrison said the MPD board has several options for funding: levy the maximum amount and use that to pay for all non-voted bonds, put a vote before the people and asked citizens if they would support a large park bond and keep the tax levy very low only to pay for operations and maintenance, or a combination of the two. City Attorney Dionne said the makeup of the MPD board would be part of what the citizens vote on. Councilmember Rackley said if the funding for parks came from a taxing district, the City could slowly reduce funding for parks from the general fund. Councilmember Carter said the MPD would pay the City to manage the MPD. Mr. Leaf said this is one option, or the MPD could have all their own staff. Councilmember Hamilton said the MPD could not be a department of the City. Mr. Leaf said they are separate legal entities but they can still be managed by the City staff. Mayor Johnson suggested having further discussion on this at a future workshop.

**Councilmember Decker moved to table item F. Discussion: Model Lighting Ordinance to the September 20, 2011 Workshop. Councilmember Rackley seconded the motion.**

**Motion Approved 7-0**

**D. Discussion:** Broadcast of City Council Meetings.

City Administrator Morrison explained that the cable franchise agreement has expired and the City is currently working with Rainier Cable Vision to establish a new master agreement. He said the City is currently charging a 5% utility tax and the agreement gives the City the ability to charge a 6% franchise fee. He said the Council could adjust the franchise fee down if they wanted or they can use the money to purchase the infrastructure needed to broadcast City Council Meetings. Councilmember Rackley said this would be a perfect time if the Council would like to broadcast the meetings because the funds would be available. He said the City has a mechanism to pay for the infrastructure. He added Comcast is planning on broadcasting Council meetings and this would allow more citizens to be informed about what is going on in the City. Deputy Mayor Swatman said the cost to the citizens is important, he believes it is a good idea if it can be done cost effectively. Councilmember McKibbin said this is the next step for a growing city. He said it would encourage better attendance at the meetings. Councilmember Lewis said it is a good idea, but is concerned about adding taxes during these difficult financial times. Councilmember Hamilton said it is appropriate to record and broadcast the meetings. He would prefer they be broadcasted on the web so citizens could watch at their leisure. Councilmember Decker asked for concrete numbers and information to

be brought back to a future workshop. Councilmember Carter said she would like to have as much information as possible available to the citizens.

**Councilmember Decker moved to add Broadcast of Council Meetings to the September 20, 2011 workshop for discussion. Councilmember Rackley seconded the motion.**

**Motion Approved 7-0**

**E. Discussion:** Renaming of Sumner-Buckley Highway, East.

Councilmember Hamilton said the City should do something to honor the military and their families. He said this small piece of Sumner-Buckley Hwy inside City limits could be renamed to honor those veterans. He added the street should be renamed to something other than two neighboring cities. Mayor Johnson asked the City Attorney to look into if we can rename the road without support of the City of Buckley or Pierce County. Councilmember Hamilton said the road could be renamed Veterans Memorial Hwy E to honor both the veterans and the public servants who have died in the line of duty. Deputy Mayor Swatman added the road is not called Old Sumner Buckley Highway inside the city limits of Buckley. City Administrator Morrison said the City must rename streets by ordinance. By majority consensus, Council is in favor of changing the name of Old Sumner Buckley Highway.

**IV. Executive Session:** Pursuant to RCW 42.30.110(1)(i) the Council recessed to an executive session with the City Attorney at 7:59 p.m. for 20 minutes to discuss potential litigation, and pursuant to RCW 42.30.11091(a) to discuss lease of real estate. The Council returned to chambers at 8:22 p.m.

**V. Adjournment:**

**At 8:23 p.m. Councilmember Rackley moved to adjourn the Workshop. Councilmember Lewis seconded the motion.**

**Motion to adjourn approved 7 – 0.**

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Harwood T. Edvalson, CMC  
City Clerk

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Neil Johnson, Jr.  
Mayor

*Items Submitted to the September 6, 2011 Council Workshop:*

- City of Bonney Lake –*Letter to Pierce County Council* – Community Development Director Vodopich.
- City of Bonney Lake –*Power Point Presentation on MPD* – Facilities & Special Projects Manager Gary Leaf.

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CITY COUNCIL MEETING

September 13, 2011  
7:00 P.M.

DRAFT MINUTES

City of



"Where Dreams Can Soar"

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*Website: [www.ci.bonney-lake.wa.us](http://www.ci.bonney-lake.wa.us)*

**Location:** Bonney Lake Justice Center, 9002 Main Street East, Bonney Lake, Washington.

**I. CALL TO ORDER** – Mayor Neil Johnson, Jr. called the meeting to order at 7:00 p.m.

- A. Flag Salute: Mayor Johnson led the audience in the Pledge of Allegiance.
- B. Roll Call: Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Mayor Johnson, elected officials attending were Deputy Mayor Swatman, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, and Councilmember Randy McKibbin. Councilmember Lewis and Councilmember Jim Rackley were absent.

**Councilmember McKibbin moved to excuse Councilmembers Lewis & Rackley. Councilmember Decker seconded the motion.**

**Motion approved 5 – 0.**

Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Chief Financial Officer Al Juarez, Police Chief Mike Mitchell, Administrative Services Director/City Clerk Harwood Edvalson, City Attorney Jim Dionne, and Records & Information Specialist Susan Duis.

- C. Announcements, Appointments and Presentations:
  - 1. Announcements:
    - a. **Proclamation**: Proclaiming September 15, 2011 as Mike Mitchell Day in Bonney Lake.  
  
Mayor Johnson read the proclamation aloud, and thanked Police Chief Mike Mitchell for his years of service to the City. He presented Chief Mitchell with a plaque and congratulated him on his upcoming retirement.
  - 2. Appointments: None.
  - 3. Presentations: None.
- D. Agenda Modifications:  
Councilmember Decker requested that Consent Agenda Items B. and C. be moved to Full Council issues for consideration.

**II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:**

- A. Public Hearings:

1. **Public Hearing Pursuant to Declaration of a Moratorium: AB11-102 – Ordinance 1396 – Declaring A Moratorium On Collective Medical Marijuana Gardens.**

**Mayor Johnson opened the hearing at 7:05 p.m. Seeing no one coming forward to speak, the public hearing was closed at 7:05 p.m.**

B. Citizen Comments:

Quinn Dahlstrom, 6527 193<sup>rd</sup> Av E, Bonney Lake, thanked the City for awarding the Lake Debra Jane water main project contract to Jennings Northwest. She said they provided great customer service when working on the project in her neighborhood. She also thanked Chief Mike Mitchell for his service as Police Chief in Bonney Lake and wished him well. Ms. Dahlstrom also thanked Mayor Johnson for appointing Dana Powers as Interim Chief, who has served in the community for many years.

Fire Chief Jerry Thorsen, East Pierce Fire & Rescue, presented a Certificate of Appreciation to Chief Mitchell from the Fire Department. He said the department wishes him a happy and well-deserved retirement.

Katrina Minton-Davis, 19004 107<sup>th</sup> St E, spoke on behalf of Relay for Life. She thanked the Mayor and Council and staff for their support and said the group exceeded its fundraising goal by raising \$205,000 this year. She said the event will be held at Bonney Lake High School in 2012, as the Sumner track will be under construction. She said the organization is already planning for next year's event and looks forward to continued support.

Marilee Hill-Anderson, Sumner School District, spoke about issues regarding youth and marijuana use. She said she did not want to speak specifically for or against the proposed moratorium on collective gardens but wanted to share information so the Council can get a full picture of what they see as the full impact of marijuana use amongst youth. She provided the Council and staff with a graph showing the change in perception of harm trends for graduating high school students. Councilmember Hamilton welcomed staff to share information with the Public Safety Committee.

Monica Gaub, 20720 127<sup>th</sup> St E, Bonney Lake, is the Prairie Ridge Community Coalition coordinator and spoke about how ongoing drug use impacts local communities. She thanked the Council for their thoughtfulness and strategic actions moving forward, and said her group is available to help provide information.

HaeMan Song, Pierce County Community Connections, is a Chemical Dependency Prevention Specialist, and shared information with the Council on the number of youth in treatment for drug use in recent years. He said in 2007, 57% of youth in drug treatment programs said marijuana was their 'drug of choice'; that number has increased to 75% in 2010 (over 7,000 youth). He said marijuana use has increased amongst youth for the first time in 10 years. He responded to questions regarding these statistics and forms of treatment. He said in Pierce County, 11% of 10<sup>th</sup> graders and 23% of 12<sup>th</sup> graders report current marijuana use, based on a recent survey. Councilmember Hamilton asked if research shows a correlation between decriminalization of marijuana by the State with increased drug use in youth. Mr. Song said that more data needs to be

gathered, but there has been an increase in the number of youth using marijuana recently. He said that based on anecdotal information, it seems very easy to obtain a medical marijuana prescription, and school nurses and others are not sure how to deal with these issues. Councilmember Carter suggested Councilmembers read the recent article in the MRSC newsletter that discusses issues related to marijuana.

- C. Correspondence: None.

### III. COUNCIL COMMITTEE REPORTS:

- A. Finance Committee: Deputy Mayor Swatman said the committee met at 5:30 p.m. earlier in the evening and discussed personnel updates and forwarded the following items to upcoming meetings and workshops: a proposed ordinance for land use fees, a resolution for property acquisition at Dike 13, and an ordinance updating BLMC Chapter 2.08. He said the committee also reviewed meeting minutes and discussed options to broadcast council meetings.

- B. Community Development Committee: Councilmember McKibbin said the committee met on September 6<sup>th</sup> and forwarded Resolutions 2149 and 2150 and motions to approve projects as complete to the current Consent Agenda for consideration.

- C. Public Safety Committee: Councilmember Hamilton said the committee has not met since the last Council meeting.

- D. Other Reports:

Business Opening: Mayor Johnson said he attended the grand opening of the new BECU Bank earlier in the day, and the bank is excited to move in a larger new building. He said BECU also presented a donation check to Beautify Bonney Lake.

Police Chief's Retirement: Mayor Johnson said he and a large number of staff members attended the Chief's going-away luncheon earlier in the day.

SR410 Road Widening Ribbon Cutting Ceremony: Mayor Johnson said he, Councilmembers Lewis, Swatman and Rackley, and members of the City staff attended the ribbon-cutting ceremony for the SR410 road-widening project last week.

Local Sports: Councilmember Decker noted that the Bonney Lake High School Panthers beat the Sumner High School football team last weekend.

### IV. CONSENT AGENDA:

- A. **Approval of Corrected Minutes**: August 16, 2011 Council Workshop; August 23, 2011 Council Meeting; and August 30, 2011 Special Joint Council/Planning Commission Meeting.
- B. **Approval of Accounts Payable and Utility Refund Checks/Vouchers**: ~~Accounts Payable checks/vouchers #61834 thru 61878 (Including Wire Transfer #s 7932127, 8082011) in the amount of \$460,925.39; Accounts Payable checks/vouchers #61879 thru 61881 in the amount of \$148.00; Accounts Payable checks/vouchers #61882 thru 61833~~

~~in the amount of \$212.88; Accounts Payable checks/vouchers #61884 thru 61885 in the amount of \$1,350.00; Accounts Payable checks/vouchers #61886 thru 61933 (Including Wire Transfer # 9012011) in the amount of \$569,149.01; Accounts Payable checks/vouchers #61934 thru 61972 in the amount of \$86,759.36; Accounts Payable checks/vouchers #61973 thru 61974 in the amount of \$938.31; Accounts Payable checks/vouchers #61975 thru 61975 in the amount of \$134.62, for a grand total of \$1,119,617.57. VOIDED CHECKS: Accounts Payable checks/vouchers #61910 in the amount of \$900.00 and Accounts Payable checks/vouchers #61926 in the amount of \$500.00. Moved to Full Council Issues, Item B.~~

- C. ~~**Approval of Payroll:** Payroll for August 16-31st 2011 for checks 29968-29997 including Direct Deposits and Electronic Transfers in the amount of \$ 608,421.38. Moved to Full Council Issues, Item B.~~
- D. ~~**AB11-99 – Resolution 2146** – A Resolution Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign A Contract Amendment With Dionne And Roriek For Legal Services. Moved to Finance Committee Issues, Item B.~~
- E. ~~**AB11-103 – Resolution 2148** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Updated Client Services Agreement With Pinnacle Investigations For Pre-Employment Background Checks For Applicants Considered For A Regular Or Temporary Position Of Employment With The City. Moved to Finance Committee Issues, Item C.~~
- F. **AB11-108 – Resolution 2149** – A Resolution Of The City Of Bonney Lake, Pierce County, Washington, Authorizing Awarding The Contract With Henderson Partners LLC For The Construction Of The West Tapps Sidewalk And Watermain Improvements.
- G. **AB11-109 – Resolution 2150** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Awarding The Prairie Ridge Booster Pump Station and Wholesale Intertie Project To Waunch Construction And Trucking, Inc.
- H. **AB11-105** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Accept As Complete The Interim Justice Center With M.J. Takisaki Inc.
- I. **AB11-106** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Accept As Complete The Angeline Force Main Project With Archer Construction, Inc.
- J. **AB11-107** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Accept As Complete The North Debra Jane Lake Watermain Replacement Project With Jennings NW LLC.

Deputy Mayor Swatman requested that Items D. and E. be moved to Finance Committee Issues for consideration. Items B. and C. were moved to Full Council Issues during Agenda Modifications (above).

**Councilmember Decker moved to approve the Consent Agenda as amended.  
Councilmember Carter seconded the motion.**

**Consent Agenda approved as amended 5 – 0.**

## V. FINANCE COMMITTEE ISSUES:

- A. **AB11-80** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Setting A Public Hearing At 7:00 P.M., Or As Soon Thereafter As Possible, During The Regular Council Meeting Of September 27, 2011 For The Renewal Of A Cable Television Franchise Agreement With Comcast Of California / Colorado / Washington I, Inc; And For The Establishment Of A Franchise Fee Of Five Percent.

**Councilmember Decker moved to approve AB11-80. Councilmember Hamilton seconded the motion.**

Councilmember Decker asked if the proposed ordinance will change the franchise fee. Deputy Mayor Swatman said the combined franchise and utility tax would be the same amount for customers. He said the Council has not yet decided whether to broadcast Council meetings, and that issue is separate from the franchise agreement. Councilmember Carter said per the staff memo, customers could have access to a public access channel for Council meetings, but that may require an additional cost to customers. Deputy Mayor Swatman confirmed that broadcasting is not part of the proposed franchise agreement, and this motion is simply to set the public hearing to move forward through that process.

**Motion AB11-80 approved 5 – 0.**

- B. **AB11-99 – Resolution 2146** – A Resolution Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign A Contract Amendment With Dionne And Rorick For Legal Services.

**Councilmember Decker moved to approve Resolution 2146. Deputy Mayor Swatman seconded the motion.**

Deputy Mayor Swatman said the Finance Committee reviewed this item previously. He said the firm of Dionne & Rorick currently provides the City's prosecuting services, and the City has recently hired an internal Prosecuting Attorney. He said staff at Dionne & Rorick have made a case for keeping this position as a non-City employee. He said it's the Council's authority to approve or deny this proposed amendment.

**Councilmember Decker moved to table Resolution 2146 to the September 20<sup>th</sup> Workshop. Councilmember Carter seconded the motion.**

Councilmember Decker noted that two councilmembers were not in attendance and should have the chance to discuss this item.

**Motion to table approved 5 – 0.**

- C. **AB11-103 – Resolution 2148** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Updated Client Services Agreement With Pinnacle Investigations For Pre-Employment Background Checks For Applicants Considered For A Regular Or Temporary Position Of Employment With The City.

**Councilmember Decker moved to approve Resolution 2148. Deputy Mayor Swatman seconded the motion.**

Deputy Mayor Swatman said the City runs background checks on all city employees, including temporary summer hires. He said the proposed contract is a renewal for services only. City Administrator Morrison said the City does not do background checks on elected or appointed officials such as Councilmembers. Administrative Services Director/City Clerk Edvalson said the City can select different levels of background check services, and normally uses the 'Bronze Star' report level, with an expanded reporting time frame. City Administrator Morrison said the City can request a higher level background check for specific positions.

**Resolution 2148 approved 5 – 0.**

**VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:** *None.*

**VII. PUBLIC SAFETY COMMITTEE ISSUES:** *None.*

**VIII. FULL COUNCIL ISSUES:**

- A. AB11-110 – Resolution 2151** – A Resolution Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign An Agreement With Swiss Sportsman's Club Of Tacoma Regarding Fire Hydrant Installation And Water Connections.

**Councilmember Decker moved to approve Resolution 2151. Councilmember Carter seconded the motion.**

City Administrator Morrison said per this agreement, the Swiss Sportsman's Park will exchange a number of connections for a hydrant installation. He said it seems to be a mutually acceptable and practical resolution to the issues between the City and Swiss Park. He said if the property is later sold and developed, the City would recoup its costs for the hydrant installation. Deputy Mayor Swatman thanked the administration and Swiss Sportsman's Club for working through this issue to find a solution. Councilmember Decker thanked the Club for working with the City.

**Resolution 2151 approved 5 – 0.**

- B. Approval of Accounts Payable and Utility Refund Checks/Vouchers:** Accounts Payable checks/vouchers #61834 thru 61878 (Including Wire Transfer #s 7932127, 8082011) in the amount of \$460,925.39; Accounts Payable checks/vouchers #61879 thru 61881 in the amount of \$148.00; Accounts Payable checks/vouchers #61882 thru 61833 in the amount of \$212.88; Accounts Payable checks/vouchers #61884 thru 61885 in the amount of \$1,350.00; Accounts Payable checks/vouchers #61886 thru 61933 (Including Wire Transfer # 9012011) in the amount of \$569,149.01; Accounts Payable checks/vouchers #61934 thru 61972 in the amount of \$86,759.36; Accounts Payable checks/vouchers #61973 thru 61974 in the amount of \$938.31; Accounts Payable checks/vouchers #61975 thru 61975 in the amount of \$134.62, for a grand total of \$1,119,617.57. **VOIDED CHECKS:** Accounts Payable checks/vouchers #61910 in the amount of \$900.00 and Accounts Payable checks/vouchers #61926 in the amount of \$500.00. *Moved from Consent Agenda Issues, Item C.*

**Councilmember Decker moved to approve Accounts Payable and Utility Refund Checks/Vouchers. Deputy Mayor Swatman seconded the motion.**

Councilmember Decker said he plans to approve the item but would like to receive more information on the items included in voucher review, in particular a brief description for larger expenditures. Chief Finance Officer Al Juarez said additional information is available and could be distributed prior to meetings if the Council desires. Deputy Mayor Swatman said the current amount of information shared with the full Council was determined for specific reasons in the past. Mayor Johnson suggested the Council discuss this item at a future Workshop if there is interest. He said he wants to ensure staff are meeting Councilmembers' expectations.

**Accounts Payable and Utility Refund Checks/Vouchers approved 5 – 0.**

- C. Approval of Payroll:** Payroll for August 16-31st 2011 for checks 29968-29997 including Direct Deposits and Electronic Transfers in the amount of \$ 608,421.38. *Moved from Consent Agenda Issues, Item B.*

**Councilmember Hamilton moved to approve Payroll. Councilmember Carter seconded the motion.**

Councilmember Decker said he felt the information provided on the agenda may seem vague, as it lists a small number of checks for the entire payroll, but many employees are paid by direct deposit or electronic transfer. Mayor Johnson suggested the presentation of payroll be discussed at Workshop along with checks and vouchers.

**Payroll approved 5 – 0.**

**IX. EXECUTIVE SESSION: None.**

**X. ADJOURNMENT:**

**At 7:52 p.m., Councilmember Hamilton moved to adjourn the meeting. Councilmember Carter seconded the motion.**

**Motion to adjourn approved 5 – 0.**

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Harwood Edvalson, CMC  
City Clerk

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Neil Johnson  
Mayor

Items presented to Council at the September 13, 2011 Meeting:

- Quinn Dahlstrom – *Letter to Council* – Bonney Lake Resident.
- Merrily Hill-Anderson – “Graduating Class of 2010-11 Perception of Harm Trends” – Sumner School District.

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**Illuminating**  
ENGINEERING SOCIETY



**JOINT IDA-IES**

**MODEL  
LIGHTING  
ORDINANCE  
with USER GUIDE**

## **The User Notes**

The User Notes are intended to clarify the sections of the MLO for the various audiences who will use it: lighting designers, city officials, engineers, citizen groups, and others. Every effort has been made to keep the language technically accurate and clear, but since different disciplines may use the same term in different ways, or have different interpretations, some guidance may be helpful. While these Notes can not be a full tutorial on modern lighting design, it is hoped that the Notes will help facilitate the dialogue necessary to adopt the MLO.

## **Background**

The problems of light pollution first became an issue in the 1970s when astronomers identified the degradation of the night sky due to the increase in lighting associated with development and growth. As more impacts to the environment by lighting have been identified, an inter-national “dark sky” movement is advocating for the precautionary approach to outdoor lighting design.

Many communities have passed anti-light-pollution laws and ordinances. However, there is little or no agreement among these laws, and they vary considerably in language, technical quality, and stringency. This is confusing for designers, engineers, and code officials. The lack of a common basis prevents the development of standards, educational programs, and other means of achieving the goal of effective lighting control.

This MLO will allow communities to drastically reduce light pollution and glare and lower excessive light levels. The recommended practices of the IES can be met using readily available, reasonably priced lighting equipment. However, many conventional lighting practices will no longer be permitted, or will require special permits.

This Model Lighting Ordinance (MLO) is the result of extensive efforts by the International Dark Sky Association (IDA) and the Illuminating

Engineering Society of North America (IES). Among its features is the use of lighting zones (LZO-4) which allow each governing body to vary the stringency of lighting restrictions according to the sensitivity of the area as well as accommodating community intent. In this way, communities can fine-tune the impact of the MLO without having to customize the MLO. The MLO also incorporates the Backlight-Uplight-Glare (BUG) rating system for luminaires, which provides more effective control of unwanted light.

**Joint IDA-IESNA  
Model Outdoor Lighting  
Ordinance (MLO)**

June 15, 2011

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### GENERAL NOTES IN ADOPTING THIS ORDINANCE

Adoption of this ordinance should follow the established development, review, and approval processes of the adopting authority. If no such processes are in place, this ordinance may be adopted as a new independent section of the Municipal Code.

The MLO is probably best adopted as an “overlay zoning” ordinance. This means that it overlays, but is different from, land-use zoning. It can be added to or integrated into existing ordinances or codes and cross-referenced to other applicable codes and ordinances such as the electrical code, the sign code, planning ordinances, etc.

The MLO may best be managed by assigning it to planning officials and using existing administrative structures.

Because of the diverse community and lighting needs across large areas, this MLO is not intended for adoption as a state, provincial or national ordinance. Regional coordination is encouraged. Light pollution knows no boundaries, and the effects of polluting light persist as far as 200 kilometers (about 120 miles) from the source. One large city could adopt the MLO and dramatically affect a region, but adoption in suburbs and small towns must be part of a regional effort to achieve significant improvements in the overall quality of the night sky.

Adopting agencies should also consider that the MLO, like all other modern codes, is designed to evolve over time. Lighting technology will change, and MLO changes will be needed every few years. On-going renewal cycles are strongly recommended as any part of an adopting ordinance.

### MLO Development and Task Force Members

This Model Lighting Ordinance has been developed as a joint undertaking by the Illuminating Engineering Society and the International Dark-Sky Association.

The Joint Task Force responsible for developing the MLO include

IDA	IES
Co-Chair: Jim Benya	Naomi Miller
Co-Chair: Nancy Clanton	Cheryl English
Leslie Lipstein	Denis Lavoie
Leo Smith	Eric Gibson
Michael Mutmansky	

John Walter representing the electric utility industry also contributed as a member of the Joint Task Force.

# MODEL LIGHTING ORDINANCE – USER GUIDE

# MODEL LIGHTING ORDINANCE – TEXT

## I. PREAMBLE – USER GUIDE

In general, the preamble is part of the ordinance but is typically not part of the code. It establishes the reasons why the municipality is undertaking these regulations.

Local governments may add other purposes to the Preamble including established local government environmental or energy goals that support the model lighting ordinance. The environmental impacts of outdoor lighting fall into two categories: carbon footprint (energy used in the life of a lighting product) and obtrusive light.

CARBON FOOTPRINT	OBTRUSIVE LIGHT
Cost & Impact of Mining the Materials Used	Impact on Humans
Energy Used in Production	Impact on the Environment
Energy Used during Product Life	
Disposal/Recycling Costs	

## II. LIGHTING ZONES – User Guide

Lighting zones reflect the base (or ambient) light levels desired by a community. The use of lighting zones (LZ) was originally developed by the International Commission on Illumination (CIE) and appeared first in the US in IES Recommended Practice for Exterior Environmental Lighting, RP-33-99.

It is recommended that lower lighting zone(s) be given preference when establishing zoning criteria. Selection of lighting zone or zones should be based not on existing conditions but rather on the type of lighting environments the jurisdiction seeks to achieve. For instance, new development on previously rural or undeveloped land may be zoned as LZ-1. Using lighting zones allows a great deal of flexibility and customization without the burden of excessive regulation. Example: a jurisdiction may choose to establish vertical lighting zones with the lighting zone at street level at a higher zone than the residential housing on upper levels.

## I. PREAMBLE – Ordinance Text

The purpose of this Ordinance is to provide regulations for outdoor lighting that will:

- a. Permit the use of outdoor lighting that does not exceed the minimum levels specified in IES recommended practices for night-time safety, utility, security, productivity, enjoyment, and commerce.
- b. Minimize adverse offsite impacts of lighting such as light trespass, and obtrusive light.
- c. Curtail light pollution, reduce skyglow and improve the nighttime environment for astronomy.
- d. Help protect the natural environment from the adverse effects of night lighting from gas or electric sources.
- e. Conserve energy and resources to the greatest extent possible.

## II. LIGHTING ZONES – Ordinance Text

The Lighting Zone shall determine the limitations for lighting as specified in this ordinance. The Lighting Zones shall be as follows:

### **LZ0: No ambient lighting**

Areas where the natural environment will be seriously and adversely affected by lighting. Impacts include disturbing the biological cycles of flora and fauna and/or detracting from human enjoyment and appreciation of the natural environment. Human activity is subordinate in importance to nature. The vision of human residents and users is adapted to the darkness, and they expect to see little or no lighting. When not needed, lighting should be extinguished.

**II. LIGHTING ZONES – User Guide - continued**

However, if an adjacent use could be adversely impacted by allowable lighting, the adopting authority may require that a particular site meet the requirements for a lower lighting zone. For example, the authority could specify Lighting Zone 1 or 2 requirements if a commercial development were adjacent to a residence, hospital or open space, or to any land assigned to a lower zone.

Lighting zones are best implemented as an overlay to the established zoning especially in communities where a variety of zone districts exists within a defined area or along an arterial street. Where zone districts are cohesive, it may be possible to assign lighting zones to established land use zoning. It is recommended that the lighting zone includes churches, schools, parks, and other uses embedded within residential communities.

ZONE	Recommended Uses or Areas	Considerations
0	Lighting Zone 0 should be applied to areas in which permanent lighting is not expected and when used, is limited in the amount of lighting and the period of operation. LZ-0 typically includes undeveloped areas of open space, wilderness parks and preserves, areas near astronomical observatories, or any other area where the protection of a dark environment is critical. Special review should be required for any permanent lighting in this zone. Some rural communities may choose to adopt LZ-0	Recommended default zone for wilderness areas, parks and preserves, and undeveloped rural areas. Includes protected wildlife areas and corridors.
1	Lighting Zone 1 pertains to areas that desire low ambient lighting levels. These typically include single and two family residential communities, rural town centers, business parks, and other commercial or industrial/storage areas typically with limited nighttime activity. May also include the developed areas in parks and other natural settings.	Recommended default zone for rural and low density residential areas. Includes residential single or two family; agricultural zone districts; rural residential zone districts; business parks; open space include open space include preserves in developed areas.

**II. LIGHTING ZONES – Ordinance Text - continued**

**LZ1: Low ambient lighting**

Areas where lighting might adversely affect flora and fauna or disturb the character of the area. The vision of human residents and users is adapted to low light levels. Lighting may be used for safety and convenience but it is not necessarily uniform or continuous. After curfew, most lighting should be extinguished or reduced as activity levels decline.

**LZ2: Moderate ambient lighting**

Areas of human activity where the vision of human residents and users is adapted to moderate light levels. Lighting may typically be used for safety and convenience but it is not necessarily uniform or continuous. After curfew, lighting may be extinguished or reduced as activity levels decline.

**LZ3: Moderately high ambient lighting**

Areas of human activity where the vision of human residents and users is adapted to moderately high light levels. Lighting is generally desired for safety, security and/or convenience and it is often uniform and/or continuous. After curfew, lighting may be extinguished or reduced in most areas as activity levels decline.

**LZ4: High ambient lighting**

Areas of human activity where the vision of human residents and users is adapted to high light levels. Lighting is generally considered necessary for safety, security and/or convenience and it is mostly uniform and/or continuous. After curfew, lighting may be extinguished or reduced in some areas as activity levels decline.

**II. LIGHTING ZONES – User Guide - continued**

ZONE	Recommended Uses or Areas	Considerations
2	Lighting Zone 2 pertains to areas with moderate ambient lighting levels. These typically include multifamily residential uses, institutional residential uses, schools, churches, hospitals, hotels/motels, commercial and/or businesses areas with evening activities embedded in predominately residential areas, neighborhood serving recreational and playing fields and/or mixed use development with a predominance of residential uses. Can be used to accommodate a district of outdoor sales or industry in an area otherwise zoned LZ-1.	<b>Recommended default zone for light commercial business districts and high density or mixed use residential districts.</b> Includes neighborhood business districts; churches, schools and neighborhood recreation facilities; and light industrial zoning with modest nighttime uses or lighting requirements.
3	Lighting Zone 3 pertains to areas with moderately high lighting levels. These typically include commercial corridors, high intensity suburban commercial areas, town centers, mixed use areas, industrial uses and shipping and rail yards with high night time activity, high use recreational and playing fields, regional shopping malls, car dealerships, gas stations, and other nighttime active exterior retail areas.	<b>Recommended default zone for large cities' business district.</b> Includes business zone districts; commercial mixed use; and heavy industrial and/or manufacturing zone districts.
4	Lighting zone 4 pertains to areas of very high ambient lighting levels. LZ-4 should only be used for special cases and is not appropriate for most cities. LZ-4 may be used for extremely unusual installations such as high density entertainment districts, and heavy industrial uses.	<b>Not a default zone.</b> Includes high intensity business or industrial zone districts.

**III. GENERAL REQUIREMENTS – User Guide**

This Section sets out the requirements that apply to all lighting, both residential and non-residential.

Each adopting jurisdiction should incorporate their existing standards as to when compliance with new regulations is required, when repair or remodeling triggers compliance and if the new ordinance will be retroactive to existing development. The Applicability section of this model ordinance should serve as a guide if the adopting jurisdiction does not have standards or policies in place. Likewise, the adopting jurisdiction should use their existing policies and definitions of what constitutes public monuments, and temporary and/or emergency lighting. Community attitudes and precedents should be taken into account in deciding to regulate seasonal holiday lighting.

**EXEMPTIONS – User Guide**

This is standard language intended to prevent conflict of laws and to give the community the ability to set specific lighting requirements in special plans and under use permits. It can be amended to conform to similar language in other ordinances. For example, while public monuments, statuary, and flags should be lighted, the lighting also should be limited to avoid excess.

Lighting for streets, roads, and highways is usually regulated by a street lighting ordinance, and is not covered by this model ordinance. However, since street lighting can affect nearby areas, some recognition of its effect is appropriate. (See Section XI)

**SIGN LIGHTING – User Guide**

A sign lighting ordinance is strongly recommended if not already in place. It should carefully limit lighting to prevent over-lighted signs from being used to circumvent lighting ordinances.

**III. GENERAL REQUIREMENTS – Ordinance Text**

**A. Conformance with All Applicable Codes**

All outdoor lighting shall be installed in conformance with the provisions of this Ordinance, applicable Electrical and Energy Codes, and applicable sections of the Building Code.

**B. Applicability**

Except as described below, all outdoor lighting installed after the date of effect of this Ordinance shall comply with these requirements. This includes, but is not limited to, new lighting, replacement lighting, or any other lighting whether attached to structures, poles, the earth, or any other location, including lighting installed by any third party.

**Exemptions from III.(B.)** The following are not regulated by this Ordinance

- a. Lighting within public right-of-way or easement for the principal purpose of illuminating streets or roads. No exemption shall apply to any lighting within the public right of way or easement when the purpose of the luminaire is to illuminate areas outside the public right of way or easement, unless regulated with a street lighting ordinance.

**Note to adopting agency: if using the street lighting ordinance (Section XI), this exemption should read as follows:**

Lighting within the public right-of-way or easement for the principal purpose of illuminating roads and highways. No exemption shall apply to any street lighting and to any lighting within the public right of way or easement when the purpose of the luminaire is to illuminate areas outside of the public right of way or easement.

- b. Lighting for public monuments and statuary.
- c. Lighting solely for signs (lighting for signs is regulated by the Sign Ordinance).
- d. Repairs to existing luminaires not exceeding 25% of total installed luminaires.

**III. GENERAL REQUIREMENTS – Ordinance Text - Continued**

- e. Temporary lighting for theatrical, television, performance areas and construction sites;
- f. Underwater lighting in swimming pools and other water features.
- g. Temporary lighting and seasonal lighting provided that individual lamps are less than 10 watts and 70 lumens.
- h. Lighting that is only used under emergency conditions.
- i. In lighting zones 2, 3 and 4, low voltage landscape lighting controlled by an automatic device that is set to turn the lights off at one hour after the site is closed to the public or at a time established by the authority.

**Exceptions to III. (B.)** All lighting shall follow provisions in this ordinance; however, any special requirements for lighting listed in a) and b) below shall take precedence.

- a. Lighting specified or identified in a specific use permit.
- b. Lighting required by federal, state, territorial, commonwealth or provincial laws or regulations.

**C. Lighting Control Requirements**

**1. Automatic Switching Requirements**

Controls shall be provided that automatically extinguish all outdoor lighting when sufficient daylight is available using a control device or system such as a photoelectric switch, astronomic time switch or equivalent functions from a programmable lighting controller, building automation system or lighting energy management system, all with battery or similar backup power or device.

**LIGHTING CONTROLS – User Guide**

This section requires all outdoor lighting to have lighting controls that prohibit operation when sufficient daylight is available, and to include the capability, either through circuiting, dimming or alternating sources, to be able to reduce lighting without necessarily turning all lighting off.

**CURFEW REQUIREMENTS – User Guide**

The intent is to reduce or eliminate lighting after a given time. Benefits include reduced environmental impact, longer hours of improved astronomy, energy savings, and improved sleeping conditions for residents. Additionally, some police departments have indicated that post-curfew light reductions make drive-by patrolling easier because it allows them to see further into and through a site.

The authority should determine the time of curfew and the amount of lighting reduction based on the character, norms and values of the community.

Typically, curfews go into effect one hour after the close of business. Restaurants, bars and major entertainment facilities such as sports stadiums, may require the curfew go into effect two hours after the close of business. The authority may elect to have no curfew for facilities with shift workers and 24 hour operations, or to extend the curfew time to meet specific needs. The MLO can be modified to address those concerns.

Areas without street lights or with very low ambient light levels should consider turning off all non-emergency lighting at curfew while commercial areas or urban areas may prefer a reduction in lighting levels. A reduction of at least 30% is recommended for most uses.

**III. GENERAL REQUIREMENTS – Ordinance Text - Continued**

**Exceptions to III.(C.) 1.** Automatic lighting controls are not required for the following:

- a. Lighting under canopies.
- b. Lighting for tunnels, parking garages, garage entrances, and similar conditions.

**2. Automatic Lighting Reduction Requirements**

The Authority shall establish curfew time(s) after which total outdoor lighting lumens shall be reduced by at least 30% or extinguished.

**Exceptions to III.(C.) 2.** Lighting reductions are not required for any of the following:

- a. With the exception of landscape lighting, lighting for residential properties including multiple residential properties not having common areas.
- b. When the outdoor lighting consists of only one luminaire.
- c. Code required lighting for steps, stairs, walkways, and building entrances.
- d. When in the opinion of the Authority, lighting levels must be maintained.
- e. Motion activated lighting.
- f. Lighting governed by special use permit in which times of operation are specifically identified.
- g. Businesses that operate on a 24 hour basis.

### IV. NON-RESIDENTIAL LIGHTING - User's Guide

This section addresses non-residential lighting and multiple-family residences having common spaces, such as lobbies, interior corridors or parking. Its intent is to:

- Limit the amount of light that can be used
- Minimize glare by controlling the amount of light that tends to create glare
- Minimize sky glow by controlling the amount of uplight
- Minimize the amount of off-site impacts or light trespass

This MLO provides two methods for determining compliance. The prescriptive method contains precise and easily verifiable requirements for luminaire light output and fixture design that limit glare, uplight, light trespass and the amount of light that can be used. The performance method allows greater flexibility and creativity in meeting the intent of the ordinance. Note that both the prescriptive and the performance method limit the amount of light that can be used, but do not control how the lighting is to be used.

Most outdoor lighting projects that do not involve a lighting professional will use the prescriptive method, because it is simple and does not require engineering expertise.

For the prescriptive method, the initial luminaire lumen allowances defined in Table A (Parking Space Method) or B (Hardscape Area Method) will provide basic lighting (parking lot and lighting at doors and/or sensitive security areas) that is consistent with the selected lighting zone. The prescriptive method is intended to provide a safe lighting environment while reducing sky glow and other adverse offsite impacts. The Per Parking Space Method is applicable in small rural towns and is a simple method for small retail “mom and pop” operations without drive lane access and where the parking lot is immediately adjacent to the road. A jurisdiction may

### IV. NON-RESIDENTIAL LIGHTING - User's Guide

For all non-residential properties, and for multiple residential properties of seven domiciles or more and having common outdoor areas, all outdoor lighting shall comply either with Part A or Part B of this section.

## **PRESCRIPTIVE METHOD - User's Guide**

also allow a prescriptive method for classes of sites, such as car dealerships, gas stations, or other common use areas.

Note that the values are for initial luminaire lumens, not footcandles on the target (parking lot, sidewalk, etc). Variables such as the efficiency of the luminaire, dispersion, and lamp wear can affect the actual amount of light so the lumens per square foot allowance is not equal to footcandles on the site. By specifying initial luminaire lumen values, it is easier for officials to verify that the requirement is being met. Initial luminaire lumens are available from photometric data. Each initial luminaire lumens calculation should be supplied on the submittal form.

Solid state luminaires, such as LEDs, do not have initial lamp lumens, only initial luminaire lumens (absolute photometry). Other luminaires tested with relative photometry will have initial luminaire lumens which can be calculated by multiplying initial lamp lumens by the luminaire efficiency. In this example, three types of luminaires are used to light a parking area and building entry in a light commercial area. Two of these three luminaires use metal halide lamps: 70 watt wall mounted area lights and 150 watt pole mounted area lights. For these, the Initial Luminaire Lumens is equal to the initial lamp lumens multiplied by the luminaire efficiency. These values are entered into the compliance chart. The lumen value for the building mounted LED luminaires is equal to the lumens exiting the luminaire. Therefore, the value already represents the Initial Luminaire Lumens and no luminaire efficiency is needed. The total Luminaire Lumens for the site is equal to 247,840.

The allowable lumens are based on the lighting zone and the total hardscape area. Referencing Table B, the allowed lumens are 2.5/SF for LZ2. Multiplying this by the total hardscape square footage gives a value of 250,000 lumens allowed. Because this value is greater than the value calculated for the site, the project complies. Listed below is an example on a typical compliance worksheet for the Prescriptive Method.

## **IV. NON-RESIDENTIAL LIGHTING (cont.) - Ordinance Text**

### **A. Prescriptive Method**

An outdoor lighting installation complies with this section if it meets the requirements of subsections 1 and 2, below.

#### **1. Total Site Lumen Limit**

The total installed initial luminaire lumens of all outdoor lighting shall not exceed the total site lumen limit. The total site lumen limit shall be determined using either the Parking Space Method (Table A) or the Hardscape Area Method (Table B). Only one method shall be used per permit application, and for sites with existing lighting, existing lighting shall be included in the calculation of total installed lumens.

The total installed initial luminaire lumens is calculated as the sum of the initial luminaire lumens for all luminaires.

**IV. NON-RESIDENTIAL LIGHTING (cont.) - User Guide**

In this example, three types of luminaires are used to light a parking area and building entry in a light commercial area. Two of these three luminaires use metal halide lamps: 70 watt wall mounted area lights and 150 watt pole mounted area lights. For these, the Initial Luminaire Lumens is equal to the initial lamp lumens multiplied by the luminaire efficiency. These values are entered into the compliance chart. The lumen value for the building mounted LED luminaires is equal to the lumens exiting the luminaire. Therefore, the value already represents the Initial Luminaire Lumens and no luminaire efficiency is needed. The total Luminaire Lumens for the site is equal to 247,840. The allowable lumens are based on the lighting zone and the total hardscape area. Referencing Table B, the allowed lumens are 2.5/SF for LZ2. Multiplying this by the total hardscape square footage gives a value of 250,000 lumens allowed. Because this value is greater than the value calculated for the site, the project complies.

**IV. NON-RESIDENTIAL LIGHTING (cont.) - Ordinance Text**

PRESCRIPTIVE METHOD EXAMPLE - COMPLIANCE CHART			
Lamp Descriptions	Qty	Initial Luminaire Lumens	Total
70 W Metal Halide	8	3,920	31,360
150 W Metal Halide	20	9,600	192,000
18 W LED	24	1,020	24,480
TOTAL INITIAL LUMINAIRE LUMENS			247,840
SITE ALLOWED TOTAL INITIAL LUMENS*			250,000
PROJECT IS COMPLIANT?			YES

\* Below is the method of determining allowed total initial lumen for non-residential outdoor lighting using the hardscape area method. (Table B).

SITE ALLOWED TOTAL INITIAL LUMENS	
<i>SITE DESCRIPTION</i>	Light Commercial
<i>Lighting Zone</i>	LZ-2
<i>Hardscape Area (SF)</i>	100,000
<i>Allowed Lumens per SF of Hardscape (Table B)</i>	2.5
<i>Site Allowed Total Initial Lumens (lumens per SF X hardscape area)</i>	250,000

**PRESCRIPTIVE METHOD - User’s Guide - continued**

**LIMITS TO OFF-SITE IMPACT**

The prescriptive method of the MLO restricts uplighting, including upward light emitted by decorative luminaires. A jurisdiction may choose to preserve some types of lighting, including lighting of monuments or historic structures. In this case, the adopting jurisdiction should exempt or otherwise regulate these types of lighting carefully so that it does not inadvertently allow glaring or offensive lighting systems.

Offsite effects of light pollution include glare, light trespass, sky glow, and impacts on the nocturnal environment . All of these are functions of the fixture or luminaire design and installation. This document replaces the previous luminaire classification terminology of full cut-off, semi cut-off, and cut-off because those classifications were not as effective in controlling offsite impacts as with the new IESNA luminaire classification system as described in TM-15-07.

A traditional method of defining light trespass is to identify a maximum light level at or near the property line. However, this method does not address offensive light that is not directed toward the ground, or the intensity of glaring light shining into adjacent windows. The requirements defined in Table C limit the amount of light in all quadrants that is directed toward or above the property line. The Backlight/Uplight/ Glare (BUG) rating will help limit both light trespass and glare. (A detailed explanation of the BUG system is provided in the section on Table C.)

The limits for light distribution established in Table C (for the BUG rating system) prevent or severely limit all direct upward light. A small amount of uplight reflected by snow, light-colored pavement or a luminaire's supporting arms is inevitable and is not limited by the prescriptive method of this ordinance.

**IV. NON-RESIDENTIAL LIGHTING (cont.) - Ordinance Text  
PRESCRIPTIVE METHOD**

2. Limits to Off Site Impacts

All luminaires shall be rated and installed according to Table C.

3. Light Shielding for Parking Lot Illumination

All parking lot lighting shall have no light emitted above 90 degrees.

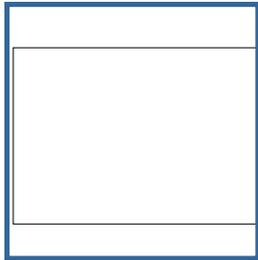
Exception:

a) Ornamental parking lighting shall be permitted by special permit only, and shall meet the requirements of Table C-1 for Backlight, Table C-2 for Uplight, and Table C-3 for Glare, without the need for external field-added modifications.

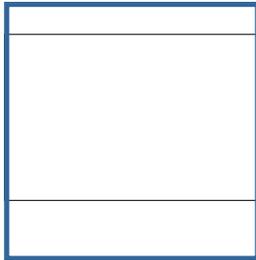
**PRESCRIPTIVE METHOD - User's Guide - continued**

**LIMITS TO OFF-SITE IMPACT**

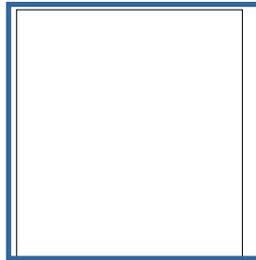
A seemingly non-compliant fixture, such as a post-top translucent acorn luminaire, may in certain cases meet the BUG ratings, as long as it has proper interior baffling within the acorn globe. However, the BUG ratings in Table C will limit the use of the following types of luminaires in all lighting zones:



Barn Lights



Non-shielded  
Floodlights



Floodlights or lights  
not aimed  
downward

**IV. NON-RESIDENTIAL LIGHTING (cont.) - Ordinance Text**

**PERFORMANCE METHOD - User’s Guide**

The performance method is best for projects with complex lighting requirements or when the applicant wants or needs more flexibility in lighting design. The performance method is also used when any lighting designer plans to aim or direct any light fixture upward (above 90 degrees). An engineer or lighting professional generally will be required to design within the performance method. An adopting jurisdiction may also wish to hire an engineer or lighting professional to review and approve projects using this method and/or incorporate review of the performance method into special review procedures.

The Performance Method is also best for projects where higher lighting levels are required compared to typical area lighting. An example might be a car sales lot where more light might be required on the new cars than would be needed for a standard parking lot. Another example is a gas station canopy requiring more light than a building entrance canopy.

The first step in the Performance Method regulates overlighting by establishing the Total Initial Site Lumens (Table D) that are allowed.

Allowances include the summation of the following (Table D):

- 1) Initial lumen allowance per site
- 2) Per area (SF) of hardscape

Table E allows additional lumens for unique site conditions.

Examples of allowances include:

- 1) Per building entrance/exit
- 2) Per length (linear feet) of Outdoor Sales Frontage Perimeter
- 3) Per area (SF) of Vehicle Service Station Canopy
- 4) Plus more ...

The Site Total Initial Site Lumens allowed are a combination of allowances from Table D and Table E.

**IV. NON-RESIDENTIAL LIGHTING (cont.) - Ordinance Text**

**B. Performance Method**

**1. Total Site Lumen Limit**

The total installed initial luminaire lumens of all lighting systems on the site shall not exceed the allowed total initial site lumens. The allowed total initial site lumens shall be determined using Tables D and E. For sites with existing lighting, existing lighting shall be included in the calculation of total installed lumens.

The total installed initial luminaire lumens of all is calculated as the sum of the initial luminaire lumens for all luminaires.

**IV. NON-RESIDENTIAL LIGHTING - User’s Guide - continued**

**LIMITS TO OFF-SITE IMPACT**

The second step in the Performance Method is to determine if the proposed luminaires are producing off site impacts such as glare, sky glow and light trespass. One may either use Option A which are the Maximum Allowable BUG Ratings in Table C, or Option B through computer lighting calculations show compliance with Maximum Vertical Illuminance at any point in the plane of the property line in Table F. Option B will be required for all non-residential luminaires that

- A) do not have BUG ratings, or
- B) exceed the BUG ratings,
- C) are not fully shielded, or
- D) have adjustable mountings.

For the performance method, Option B (2) requires photometric calculations for the site perimeter, to a height of no less than 33 feet (10 meters) above the tallest luminaire. Vertical illuminances at eye height (5 feet above grade) will give values that can be used to verify compliance by comparing actual site conditions to the photometric plan submitted during review.

Note that the MLO specifies 'total initial luminaire lumens' as a measurement in addition to footcandles/lux. The footcandle (lux) is equal to one lumen per square meter. Lux is the metric unit and is equal to one lumen per square meter.

**IV. NON-RESIDENTIAL LIGHTING (cont.) - Ordinance Text  
PERFORMANCE METHOD**

**2. Limits to Off Site Impacts**

All luminaires shall be rated and installed using either Option A or Option B. Only one option may be used per permit application.

Option A: All luminaires shall be rated and installed according to Table C.

Option B: The entire outdoor lighting design shall be analyzed using industry standard lighting software including inter-reflections in the following manner:

- 1) Input data shall describe the lighting system including luminaire locations, mounting heights, aiming directions, and employing photometric data tested in accordance with IES guidelines. Buildings or other physical objects on the site within three object heights of the property line must be included in the calculations.
- 2) Analysis shall utilize an enclosure comprised of calculation planes with zero reflectance values around the perimeter of the site. The top of the enclosure shall be no less than 33 feet (10 meters) above the tallest luminaire. Calculations shall include total lumens upon the inside surfaces of the box top and vertical sides and maximum vertical illuminance (footcandles and/or lux) on the sides of the enclosure.

The design complies if:

- a) The total lumens on the inside surfaces of the virtual enclosure are less than 15% of the total site lumen limit; and
- b) The maximum vertical illuminance on any vertical surface is less than the allowed maximum illuminance per Table F.

## DESIGN COMPLIANCE – User Guide

The application form will require information about the number of luminaires, the number of lamps in each luminaire, the initial luminaire lumens for each luminaire and the initial lumen output for each lamp (based on the wattage and type of lamp selected) as well as plans showing the site area measurements. This will allow the reviewer to verify that the lumen output of all the luminaires does not exceed the allowance.

Field verification can be achieved by asking the applicant and/or owner to verify that the luminaire type, lamp type and wattages specified have been used. Also ask the applicant for photometric data for each luminaire, since the initial luminaire lumens and B-U-G ratings are stated on the photometric report.

However, if a jurisdiction requires additional on-site verification, it may also request a point-by-point photometric plan. While this will not be a true measure of compliance with the criteria of this Ordinance, comparing the actual measured levels on site to the photometric plan can be an indication whether or not the installed lighting varies from the approved design.

**V. RESIDENTIAL LIGHTING – User Guide**

This section applies to single family home, duplexes, row houses, and low rise multi-family buildings of 6 dwelling units or less.

**RESIDENTIAL LIGHTING EXCEPTIONS**

The exceptions allow for typical lighting that might exceed the specified limits.

Landscape Lighting - While not common in residential areas, it can cause light pollution and light trespass if it is not controlled.

Lighting controlled by Vacancy (Motion) Sensor - Reduces light pollution and light trespass and should be encouraged.

**RESIDENTIAL LIGHTING EXAMPLE**

In this example on the following page, five different luminaires are used on a residential property. Each luminaire must comply to meet the requirements. The site plan following shows luminaire types followed by a tabulation of each luminaire, whether or not it is fully shielded, lamp type, and initial luminaire lumens. If the luminaire lumens are not known, multiply the initial lamp lumens by the luminaire efficiency. If the efficiency is not known, multiply the initial lamp lumens by 0.7 as a reasonable assumption. The maximum allowable lumen values come from Table G, based on the shielding classification and location on the site. In this case, each luminaire complies with the requirements of Table G.

Comparison of efficacy by power (120 Volt Incandescent lamps)			
OUTPUT (Lumens)	POWER (WATT)		
	Incandescent	CFL	LED
500	40	8-10	9
850	60	13-18	12-15
1,200	75	18-22	15
1,700	100	23-28	18

**V. RESIDENTIAL LIGHTING – User Guide**

**A. General Requirements**

For residential properties including multiple residential properties not having common areas, all outdoor luminaires shall be fully shielded and shall not exceed the allowed lumen output in Table G, row 2.

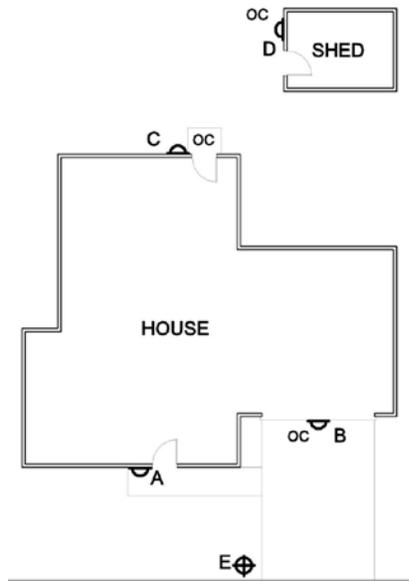
Exceptions

1. One partly shielded or unshielded luminaire at the main entry, not exceeding the lumen output in Table G - row 1.
2. Any other partly shielded or unshielded luminaires not exceeding the allowed lumen output in Table G - row 3.
3. Low voltage landscape lighting aimed away from adjacent properties and not exceeding the allowed lumen output in Table G- row 4.
4. Shielded directional flood lighting aimed so that direct glare is not visible from adjacent properties and not exceeding the allowed lumen output in Table G row 5.
5. Open flame gas lamps.
6. Lighting installed with a vacancy sensor, where the sensor extinguishes the lights no more than 15 minutes after the area is vacated.
7. Lighting exempt per Section III (B.).

**B. Requirements for Residential Landscape Lighting**

1. Shall comply with Table G.
2. Shall not be aimed onto adjacent properties.

V. RESIDENTIAL LIGHTING – User Guide



-  WALL SCONCE
-  POST TOP LUMINAIRE
-  OCCUPANCY SENSOR

PROPERTY TYPE: RESIDENTIAL - LIGHTING ZONE 1								
Luminaire Type	Where	description	Lamp Type	Fully Shielded	Initial Luminaire Lumens*	Max Allow (Table G)	Controls	Compliant?
A	Front Entry	Decorative Wall Sconce	9W CFL	No	420	420	None	Yes
B	Garage Door	Fully Shielded Wall Pack	23W CFL	Yes	1050	1260	Occ Sensor	Yes
C	Back Entry	Decorative Wall Sconce	7W CFL	No	280	315	Occ Sensor	Yes
D								
E								

## VI. LIGHTING BY SPECIAL PERMIT ONLY - User's Guide

This section addresses types of lighting that are intrusive or complex in their impacts and need a higher level of scrutiny and/or site sensitivity.

It should be noted that safety could be compromised if lighting conforming to this ordinance is located adjacent to excessively bright and/or glaring lighting.

It is important that the authority set clear and reasonable guidelines for applying for a special lighting use permit, and establish rules and procedures for granting or refusing them. They may differ from existing special use policies, in which case one or the other may be changed to achieve the overall goal of effective lighting without glare, sky glow, or light trespass.

### SPORTS FIELD LIGHTING

For athletic and sports fields, the appropriate level of lighting will depend on the Class of Play and Facilities. Class of Play is divided into 4 categories, depending on the number of fixed spectator seats. (Competition play intended for nighttime TV broadcast may require higher lighting levels).

**CLASS I:** Competition play at facilities with 5,000 or more fixed spectator seats. (Professional, Colleges & Universities, some Semi-Professional & Large Sports Clubs)

**CLASS II:** Games at facilities with over 1,500 fixed spectator seats. (Smaller Universities and Colleges, some Semi-pro, large amateur leagues and high schools with large spectator facilities)

**CLASS III:** Games at facilities with over 500 fixed spectator seats. (Sports Clubs and amateur leagues, some high schools and large training professional training facilities with spectator sections)

**CLASS IV:** Competition or recreational play at facilities with 500 fixed spectator seats or less. Class IV Class of Play applies to games at which family and close friends of the players and staff are usually the majority of spectators. (Smaller amateur leagues, park and recreation department facilities, most Little Leagues smaller high schools, elementary and middle schools, and social events)

## VI. LIGHTING BY SPECIAL PERMIT ONLY - ORDINANCE TEXT

### A. High Intensity and Special Purpose Lighting

The following lighting systems are prohibited from being installed or used except by special use permit:

1. Temporary lighting in which any single luminaire exceeds 20,000 initial luminaire lumens or the total lighting load exceeds 160,000 lumens.
2. Aerial Lasers.
3. Searchlights.
4. BOther very intense lighting defined as having a light source exceeding 200,000 initial luminaire lumens or an intensity in any direction of more than 2,000,000 candelas.

### B. Complex and Non-Conforming Uses

Upon special permit issued by the Authority, lighting not complying with the technical requirements of this ordinance but consistent with its intent may be installed for complex sites or uses or special uses including, but not limited to, the following applications:

1. Sports facilities, including but not limited to unconditioned rinks, open courts, fields, and stadiums.
2. Construction lighting.
3. Lighting for industrial sites having special requirements, such as petrochemical manufacturing or storage, shipping piers, etc.
4. Parking structures.
5. Urban parks
6. Ornamental and architectural lighting of bridges, public monuments, statuary and public buildings.
7. Theme and amusement parks.
8. Correctional facilities.

To obtain such a permit, applicants shall demonstrate that the proposed lighting installation:

- a. Has sustained every reasonable effort to mitigate the effects of light on the environment and surrounding properties, supported by a signed statement describing the mitigation measures. Such statement shall be accompanied by the calculations required for the Performance Method.

## **SPORTS FIELD LIGHTING - continued**

When Class of Play is above Class IV, a dual control should be installed to limit illumination to Class IV levels during practices where spectators are fewer than 500.

(See IES Recommended Practice for Sports and Recreational Area Lighting RP-6)

## **VII. EXISTING LIGHTING - User's Guide**

Adoption of this section on existing lighting is strongly encouraged.

If the adopting jurisdiction has criteria in place that require a property to come into compliance with the current zoning ordinance, it is recommended that the criteria also be applied to bringing existing lighting into compliance. If there are no established criteria, this section of the MLO is recommended.

Amortization allows existing lighting to gradually and gracefully come into compliance. Substantial changes or additions to existing properties are considered the same as new construction, and must comply.

Most outdoor lighting can be fully depreciated once it is fully amortized, usually no longer than 10 years, if not sooner, from the date of initial installation. Some jurisdictions may prefer to require phase-out in a substantially shorter period. The Authority may also wish to require compliance much sooner for “easy fixes” such as re-aiming or lowering lumen output of lamps. Where lighting is judged to be a safety hazard, immediate compliance can be required.

## **VI. LIGHTING BY SPECIAL PERMIT ONLY - ORDINANCE TEXT**

- b. Employs lighting controls to reduce lighting at a Project Specific Curfew (“Curfew”) time to be established in the Permit.
- c. Complies with the Performance Method after Curfew.

The Authority shall review each such application. A permit may be granted if, upon review, the Authority believes that the proposed lighting will not create unwarranted glare, sky glow, or light trespass.

## **VII. EXISTING LIGHTING - ORDINANCE TEXT**

Lighting installed prior to the effective date of this ordinance shall comply with the following.

### **A. Amortization**

On or before [amortization date], all outdoor lighting shall comply with this Code.

### **B. New Uses or Structures, or Change of Use**

Whenever there is a new use of a property (zoning or variance change) or the use on the property is changed, all outdoor lighting on the property shall be brought into compliance with this Ordinance before the new or changed use commences.

### **C. Additions or Alterations**

#### **1. Major Additions.**

If a major addition occurs on a property, lighting for the entire property shall comply with the requirements of this Code. For purposes of this section, the following are considered to be major additions:

**VII. EXISTING LIGHTING - ORDINANCE TEXT**

Additions of 25 percent or more in terms of additional dwelling units, gross floor area, seating capacity, or parking spaces, either with a single addition or with cumulative additions after the effective date of this Ordinance.

Single or cumulative additions, modification or replacement of 25 percent or more of installed outdoor lighting luminaires existing as of the effective date of this Ordinance.

- 2. Minor Modifications, Additions, or New Lighting Fixtures for Non-residential and Multiple Dwellings  
For non-residential and multiple dwellings, all additions, modifications, or replacement of more than 25 percent of outdoor lighting fixtures existing as of the effective date of this Ordinance shall require the submission of a complete inventory and site plan detailing all existing and any proposed new outdoor lighting.

Any new lighting shall meet the requirements of this Ordinance.

- 3. Resumption of Use after Abandonment  
If a property with non-conforming lighting is abandoned for a period of six months or more, then all outdoor lighting shall be brought into compliance with this Ordinance before any further use of the property occurs.

**VIII. ENFORCEMENT AND PENALTIES - User’s Guide**

Enforcement and penalties will vary by jurisdiction. There are, however, certain practices that will promote compliance with lighting regulations. Education is a key tool in promoting compliance. Proactive enforcement procedures can include providing a copy of the lighting regulations to every contractor at the time they visit to obtain a building permit. Another effective tool is a requirement that the builder or developer acknowledge in writing that the he or she is familiar with the lighting requirements and will submit a lighting plan for approval.

**VIII. ENFORCEMENT AND PENALTIES - Ordinance Text**

**(RESERVED)**

**VIII. ENFORCEMENT AND PENALTIES (cont.) - User’s Guide**

Submission of the Lighting Plan should be required as a precondition to any approvals. The Lighting Plan should include the location and BUG rating for each luminaire, specify whether compliance is by the performance or prescriptive method, and a worksheet to show that the luminaires and their BUG ratings are compliant.

**IX. TABLES - User’s Guide**

The tables are to be reviewed periodically by a joint committee of the IES and IDA, and adjusted as standards and technology permit. If more research on the impacts of outdoor lighting shows the effects of light pollution to be a significant concern, then the values in the tables may be modified. Such changes will have no significant impact to the balance of the language of the Ordinance or Code.

**VIII. ENFORCEMENT AND PENALTIES (cont.) - User’s Guide**

**IX. TABLES - Ordinance Text**

**Table A - Allowed Total Initial Luminaire Lumens per Site for Non-residential Outdoor Lighting, Per Parking Space Method.** May only be applied to properties up to 10 parking spaces (including handicapped accessible spaces).

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
350 Lumens Per space	490 Lumens Per space	630 Lumens Per space	840 Lumens Per space	1,050 Lumens Per space

**Table B - Allowed Total Initial Lumens per Site for Non-residential Outdoor Lighting, Hardscape Area Method**

May be used for any project. When lighting intersections of site drives and public streets or road, a total of 600 square feet for each intersection may be added to the actual site hardscape area to provide for intersection lighting.

LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
0.5 lumens per SF of hardscape	1.25 lumens per SF of hardscape	2.5 lumens per SF of hardscape	5.0 lumens per SF of hardscape	7.5 lumens per SF of hardscape

IX. TABLES - Ordinance Text

TABLE B – Allowed Lumens Per Square Foot

	LZ-0	LZ-1	LZ-2	LZ-3	LZ-4
Base Allowance of lumens per SF of Hardscape	0.5	1.25	2.5	5.0	7.5
<b>Additional allowances for sales and service facilities. No more than two additional allowances per site, Use it or Lose it.</b>					
Outdoor Sales Lots. This allowance is lumens per square foot of uncovered sales lots used exclusively for the display of vehicles or other merchandise for sale, and may not include driveways, parking or other non sales areas. To use this allowance, luminaires must be within 2 mounting heights of sales lot area.	0	4 lumens per square foot	8 lumens per square foot	16 lumens per square foot	16 lumens per square foot
Outdoor Sales Frontage. This allowance is for lineal feet of sales frontage immediately adjacent to the principal viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires must be located between the principal viewing location and the frontage outdoor sales area	0	0	1,000 Per Linear foot	1,500 Per Linear foot	2,000 Per Linear foot
Drive Up Windows. In order to use this allowance, luminaires must be within 20 feet horizontal distance of the center of the window.	0	2,000 lumens per drive-up window	4,000 lumens per drive-up window	8,000 lumens per drive-up window	8,000 lumens per drive-up window
Vehicle Service Station. This allowance is lumens per installed fuel pump.	0	4,000 L Per pump	8,000 L Per pump	16,000 L Per pump	24,000 L Per pump

**IX. TABLES - TABLE C BUG RATING - User’s Guide**

Work on the BUG system started in 2005 when the IES upgraded the roadway cutoff classification system. The original system, which included the ratings full cutoff, cutoff, semi-cutoff and non cutoff, had been designed as a rating system focused on brightness and glare control. However, with increasing demand for control of uplight and light trespass in addition to glare, IES realized that a more comprehensive system was needed. IES developed TM-15 Luminaire Classification System for Outdoor Luminaires.

As this is a relatively new rating system, and many people may not be familiar with it, more explanation of how the rating system works is provided here. For example, some people are familiar with terms such as “full cutoff” and they may expect the MLO to include those terms. It will be very important that all groups recognize that older terms and concepts are inadequate for the complex tasks of controlling light pollution. It is recommended that the new rating system adopted in TM-15, as followed herein by the MLO, be used intact and exclusively.

BUG requires downlight only with low glare (better than full cut off) in lighting zones 0, 1 and 2, but allows a minor amount of uplight in lighting zones 3 and 4. In lighting zones 3 and 4, the amount of allowed uplight is enough to permit the use of very well shielded luminaires that have a decorative drop lens or chimney so that dark sky friendly lighting can be installed in places that traditional-appearing luminaires are required. BUG typically cannot be used for residential luminaires unless they have been photometrically tested. For non-photometrically tested residential luminaires, shielding description is used instead.

The lumen limits established for each lighting zone apply to all types of lighting within that zone. This includes, but is not limited to, specialty lighting, façade lighting, security lighting and the front row lighting for auto dealerships. BUG rating limits are defined for each luminaire and

**IX. TABLES - Ordinance Text**

**Table C - Maximum Allowable Backlight, Uplight and Glare (BUG) Ratings**

May be used for any project. A luminaire may be used if it is rated for the lighting zone of the site or lower in number for all ratings B, U and G. Luminaires equipped with adjustable mounting devices permitting alteration of luminaire aiming in the field shall not be permitted.

<b>TABLE C-1 Allowed Backlight Rating*</b>	<b>LZ-0</b>	<b>LZ-1</b>	<b>LZ-2</b>	<b>LZ-3</b>	<b>LZ-4</b>
Greater than 2 mounting heights from property line	<b>B1</b>	<b>B3</b>	<b>B4</b>	<b>B5</b>	<b>B5</b>
1 to less than 2 mounting heights from property line and ideally oriented**	<b>B1</b>	<b>B2</b>	<b>B3</b>	<b>B4</b>	<b>B4</b>
0.5 to 1 mounting heights from property line and ideally oriented**	<b>B0</b>	<b>B1</b>	<b>B2</b>	<b>B3</b>	<b>B3</b>
Less than 0.5 mounting height to property line and properly oriented*	<b>B0</b>	<b>B0</b>	<b>B0</b>	<b>B1</b>	<b>B2</b>

\*For property lines that abut public walkways, bikeways, plazas, and parking lots, the property line may be considered to be 5 feet beyond the actual property line for purpose of determining compliance with this section. For property lines that abut public roadways and public transit corridors, the property line may be considered to be the center-line of the public roadway or public transit corridor for the purpose of determining compliance with this section. NOTE: This adjustment is relative to Table C-1 and C-3 only and shall not be used to increase the lighting area of the site.

\*\* To be considered 'ideally oriented', the luminaire must be mounted with the backlight portion of the light output oriented perpendicular and towards the property line of concern.

**IX. TABLES - TABLE C BUG RATING - User's Guide – cont.**

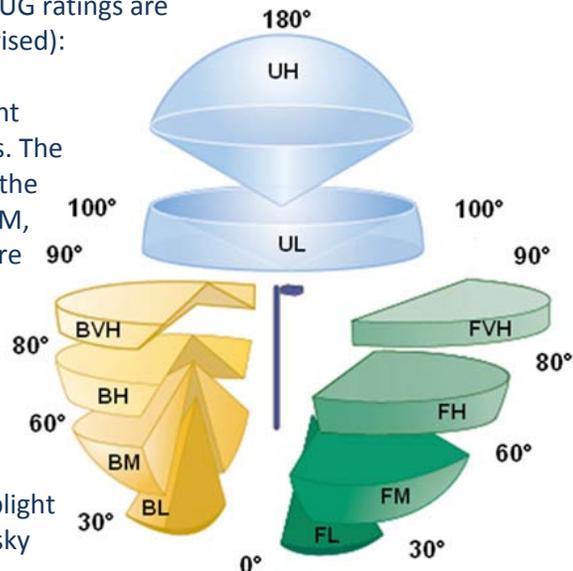
**IX. TABLES - Ordinance Text**

are based on the internal and external design of the luminaire, its aiming, and the initial luminaire lumens of the specified luminaires. The BUG rating limits also take into consideration the distance the luminaire is installed from the property line in multiples of the mounting height (See Table C).

The three components of BUG ratings are based on IES TM-15-07 (revised):

Backlight, which creates light trespass onto adjacent sites. The B rating takes into account the amount of light in the BL, BM, BH and BVH zones, which are in the direction of the luminaire OPPOSITE from the area intended to be lighted.

Uplight, which causes artificial sky glow. Lower uplight (zone UL) causes the most sky glow and negatively affects professional and academic astronomy. Upper uplight (UH) not reflected off a surface is mostly energy waste. The U rating defines the amount of light into the upper hemisphere with greater concern for the light at or near the horizontal angles (UL).



Glare, which can be annoying or visually disabling. The G rating takes into account the amount of frontlight in the FH and FVH zones as well as BH and BVH zones.

BUG ratings apply to the Lighting Zone of the property under consideration.

IX. TABLES - TABLE C BUG RATING - User’s Guide – cont.

(Key: **UH**=Uplight High, **UL**=Uplight Low, **BVH**=Backlight Very High, **BH**=Backlight High, **BM**=Backlight Medium, **BL**=Backlight Low, **FVH**=Forward Light Very High, **FH**=Forward Light High, **FM**=Forward Light Medium, **FL**=Forward Light Low.)

In general, a higher BUG rating means more light is allowed in solid angles, and the rating increases with the lighting zone. However, a higher B (backlight) rating simply indicates that the luminaire directs a significant portion of light behind the pole, so B ratings are designated based on the location of the luminaire with respect to the property line. A high B rating luminaire maximizes the spread of light, and is effective and efficient when used far from the property line. When luminaires are located near the property line, a lower B rating will prevent unwanted light from interfering with neighboring properties.

At the 90-180 degree ranges:

- Zone 0 allows no light above 90 degrees.
- Zone 1 allows only 10 lumens in the UH and UL zones, 20 lumens total in the complete upper hemisphere. (This is roughly equivalent to a 5 W incandescent lamp).
- Zone 2 allows only 50 lumens in the UH and UL zones, 100 lumens total (less than a 25W incandescent lamp).
- Zone 3 allows only 500 lumens in the UH and UL zones, 1000 lumens total (about the output of a 75W incandescent bulb).
- Zone 4 allows only 1,000 lumens in the UH and UL zones, 2000 lumens total (about the output of a 100W incandescent bulb).

IX. TABLES - Ordinance Text

TABLE C-2 - Maximum Allowable Uplight (BUG) Ratings - Continued

TABLE C-2	LZ0	LZ1	LZ2	LZ3	LZ4
Allowed Uplight Rating	U0	U1	U2	U3	U4
<b>Allowed Uplight Rating for Street or Area Lighting</b>	<b>U0</b>	<b>U0</b>	<b>U0</b>	<b>U0</b>	<b>U0</b>

Table C - 3 Maximum Allowable Glare (BUG) Ratings - Continued

TABLE C-3	LZ0	LZ1	LZ2	LZ3	LZ4
Allowed Glare Rating	G0	G1	G2	G3	G4
Any luminaire not ideally oriented*** with 1 to less than 2 mounting heights to any property line of concern	G0	G0	G1	G1	G2
Any luminaire not ideally oriented*** with 0.5 to 1 mounting heights to any property line of concern	G0	G0	G0	G1	G1
Any luminaire not ideally oriented*** with less than 0.5 mounting heights to any property line of concern	G0	G0	G0	G0	G1

\*\*\* Any luminaire that cannot be mounted with its backlight perpendicular to any property line within 2X the mounting heights of the luminaire location shall meet the reduced Allowed Glare Rating in Table C-3.

TABLE D EXAMPLE - PERFORMANCE METHOD - User’s Guide

The first step in the Performance Method is to establish the Site Total Initial Site Lumens which regulates overlighting. The performance method allows layers of light depending on the complexity of the site.

Table D establishes the basic total initial site lumens allowed. These lumen allowances are added together for a total initial site lumen allowance. Allowances include:

- 1) Initial lumen allowance per site
- 2) Per area (SF) of hardscape

IX. TABLES - Ordinance Text

**Table D Performance Method Allowed Total Initial Site Lumens**

May be used on any project.

	LZ0	LZ1	LZ2	LZ3	LZ4
Allowed Lumens Per SF	0.5	1.25	2.5	5.0	7.5
Allowed Base Lumens Per Site	0	3,500	7,000	14,000	21,000

**Table E Performance Method Additional Initial Luminaire Lumen Allowances.**

All of the following are “use it or lose it” allowances.

All area and distance measurements in plain view unless otherwise noted.

	LZ0	LZ1	LZ2	LZ3	LZ4
Additional Lumens Allowances for All Buildings except service stations and outdoor sales facilities. A MAXIMUM OF THREE (3) ALLOWANCES ARE PERMITTED. THESE ALLOWANCES ARE “USE IT OR LOSE IT”.					
<b>Building Entrances or Exits.</b> This allowance is per door. In order to use this allowance, luminaires must be within 20 feet of door.	400	1,000	2,000	4,000	6,000
Building Facades. This allowance is lumens per unit area of building façade that are illuminated. To use this allowance, luminaires must be aimed at the façade and capable of illuminating it without obstruction.	0	0	8 lumens per square foot	16 lumens per square foot	24 lumens per square foot

**TABLE E PERFORMANCE METHOD - User’s Guide**

The allowable light levels for these uses defined in Table E may be used to set a prescriptive lighting allowance for these uses in each lighting zone. It should be noted that the lighting allowance defined in Table E is only applicable for the area defined for that use and cannot be transferred to another area of the site. For some uses, such as outdoor sales, the jurisdiction is encouraged to define a percentage of the total hardscape area that is eligible for the additional lighting allowance. For example, a set percentage of a car dealership's lot may be considered a display area and receive the additional lighting allowance where the remainder of the lot would be considered storage, visitor parking, etc. and cannot exceed the base light levels defined in Table A.

**IX. TABLES - Ordinance Text**

**Table E - Performance Method Additional Initial Lumen Allowances (cont.)**

Lighting Application	LZ0	LZ1	LZ2	LZ3	LZ4
(Lumens Allowed Per Square Foot)					
<b>Sales or Non-sales Canopies.</b> This allowance is lumens per unit area for the total area within the drip line of the canopy. In order to qualify for this allowance, luminaires must be located under the canopy.	0	3	6	12	18
<b>Guard Stations.</b> This allowance is lumens per unit area of guardhouse plus 2000 sf per vehicle lane. In order to use this allowance, luminaires must be within 2 mounting heights of a vehicle lane or the guardhouse.	0	6	12	24	36
<b>Outdoor Dining.</b> This allowance is lumens per unit area for the total illuminated hardscape of outdoor dining. In order to use this allowance, luminaires must be within 2 mounting heights of the hardscape area of outdoor dining	0	1	5	10	15
<b>Drive Up Windows.</b> This allowance is lumens per window. In order to use this allowance, luminaires must be within 20 feet of the center of the window.	0	2000 Per drive up window	4000 Per drive up window	8000 Per drive up window	8000 Per drive up window
<b>Additional Lumens Allowances for Service Stations only. Service stations may not use any other additional allowances.</b>					
<b>Vehicle Service Station Hardscape.</b> This allowance is lumens per unit area for the total illuminated hardscape area less area of buildings, area under canopies, area off property, or areas obstructed by signs or structures. In order to use this allowance, luminaires must be illuminating the hardscape area and must not be within a building, below a canopy, beyond property lines, or obstructed by a sign or other structure.	0	4	8	16	24

IX. TABLES - Ordinance Text

Table E - Performance Method Additional Initial Lumen Allowances (cont.)

Lighting Application	LZ0	LZ1	LZ2	LZ3	LZ4
(Lumens Allowed Per Square Foot)					
<p><b>Vehicle Service Station Canopies.</b> This allowance is lumens per unit area for the total area within the drip line of the canopy. In order to use this allowance, luminaires must be located under the canopy.</p>	0	8	16	32	32
<p>Additional Lumens Allowances for Outdoor Sales facilities only. Outdoor Sales facilities may not use any other additional allowances. NOTICE: lighting permitted by these allowances shall employ controls extinguishing this lighting after a curfew time to be determined by the Authority.</p>					
<p><b>Outdoor Sales Lots.</b> This allowance is lumens per square foot of uncovered sales lots used exclusively for the display of vehicles or other merchandise for sale, and may not include driveways, parking or other non sales areas and shall not exceed 25% of the total hardscape area. To use this allowance, Luminaires must be within 2 mounting heights of the sales lot area.</p>	0	4	8	12	16
<p><b>Outdoor Sales Frontage.</b> This allowance is for lineal feet of sales frontage immediately adjacent to the principal viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires must be located between the principal viewing location and the frontage outdoor sales area.</p>	0	0	1000 Per lin- Ear foot	1500 Per lin- Ear foot	2000 Per lin- Ear foot

IX. TABLES - Ordinance Text

**Table F Maximum Vertical Illuminance at any point in the plane of the property line**

<b>LZ0</b>	<b>LZ1</b>	<b>LZ2</b>	<b>LZ3</b>	<b>LZ4</b>
<b>0.05 FC or 0.5 LUX</b>	<b>0.1 FC or 1.0 LUX</b>	<b>0.3 FC or 3.0 LUX</b>	<b>0.8 FC or 8.0 LUX</b>	<b>1.5 FC or 15 LUX</b>

**TABLE G RESIDENTIAL LIGHTING - User’s Guide**

**Residential Light Levels**

Most residential lighting has traditionally used incandescent lamps which are identified by their wattage. However, since new technologies provide more light for fewer watts, it is no longer possible to regulate residential lighting solely by providing a maximum wattage. Table G, therefore, lists maximum initial luminaire lumens only.

**IX. TABLES - Ordinance Text**

**Table G - Residential Lighting Limits – in Lumens**

	<b>LZ0</b>	<b>LZ1</b>	<b>LZ2</b>	<b>LZ3</b>	<b>LZ4</b>
<b>Row 1</b> Maximum Allowed Luminaire Lumens* for Unshielded Luminaires at one entry only	Not Allowed	420	630	630	630
<b>Row 2</b> Maximum Allowed Luminaire Lumens* for each Fully Shielded Luminaire	630	1,260	1,260	1,260	1,260
<b>Row 3</b> Maximum Allowed Luminaire Lumens* for each Unshielded Luminaire excluding main entry	Not Allowed	315	315	315	315
<b>Row 4</b> Maximum Allowed Luminaire Lumens* for each Landscape Lighting	Not Allowed	Not Allowed	1,050	2,100	2,100
<b>Row 5</b> Maximum Allowed Luminaire Lumens* for each Shielded Directional Flood Lighting	Not Allowed	Not Allowed	1,260	2,100	2,100
<b>Row 6</b> Maximum Allowed Luminaire Lumens* for each Low Voltage Landscape Lighting	Not Allowed	Not Allowed	525	525	525

**X. DEFINITIONS - User’s Guide**

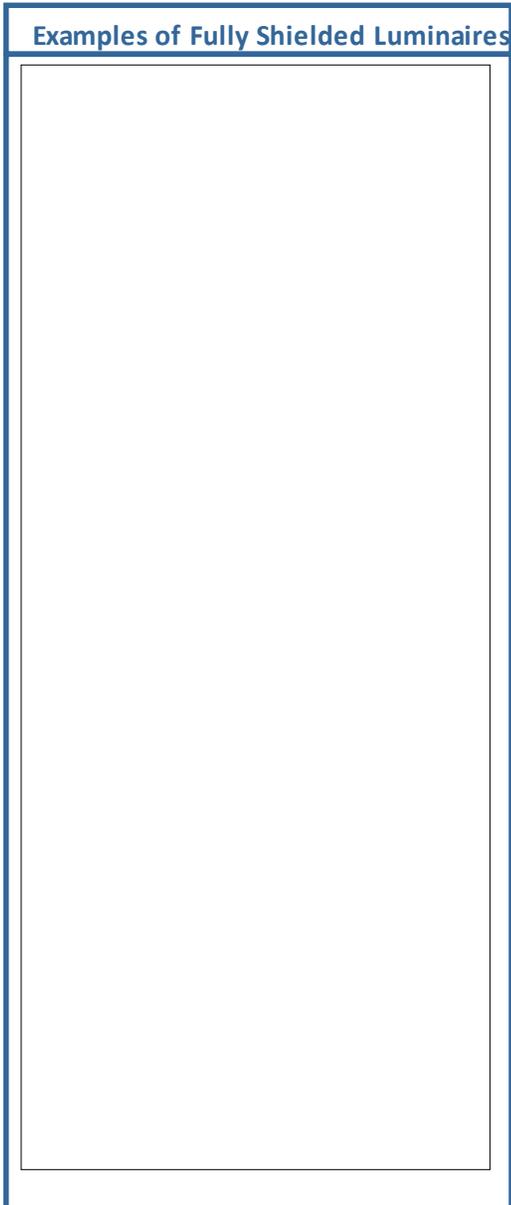
Definitions are typically generally added to any code when new code sections are added. The definitions are legally required and play a significant role in the interpretation of the ordinance and code.

Most city attorneys will not accept references to outside sources regardless of credibility, such as the IES Handbook. Thus as a general rule, a definition for an unfamiliar term (e.g. lumens) must be added by the adopting ordinance.

When adopting or integrating the MLO definitions, be sure to retire conflicting technical terminology. In particular, the latest IES Luminaire Classification System as defined in IES TM-15-07 is likely to need attention.

**X. DEFINITIONS - Ordinance Text**

<b><i>Absolute Photometry</i></b>	Photometric measurements (usually of a solid-state luminaire) that directly measures the footprint of the luminaire. Reference Standard IES LM-79
<b><i>Architectural Lighting</i></b>	Lighting designed to reveal architectural beauty, shape and/or form and for which lighting for any other purpose is incidental.
<b><i>Authority</i></b>	The adopting municipality, agency or other governing body.
<b><i>Astronomic Time Switch</i></b>	An automatic lighting control device that switches outdoor lighting relative to time of solar day with time of year correction.
<b><i>Backlight</i></b>	For an exterior luminaire, lumens emitted in the quarter sphere below horizontal and in the opposite direction of the intended orientation of the luminaire. For luminaires with symmetric distribution, backlight will be the same as front light.
<b><i>BUG</i></b>	A luminaire classification system that classifies backlight (B), uplight (U) and glare (G).
<b><i>Canopy</i></b>	A covered, unconditioned structure with at least one side open for pedestrian and/or vehicular access. (An unconditioned structure is one that may be open to the elements and has no heat or air conditioning.)
<b><i>Common Outdoor Areas</i></b>	One or more of the following: a parking lot; a parking structure or covered vehicular entrance; a common entrance or public space shared by all occupants of the domiciles.
<b><i>Curfew</i></b>	A time defined by the authority when outdoor lighting is reduced or extinguished.



**X. DEFINITIONS - Ordinance Text**

<b><i>Emergency conditions</i></b>	Generally, lighting that is only energized during an emergency; lighting fed from a backup power source; or lighting for illuminating the path of egress solely during a fire or other emergency situation; or, lighting for security purposes used solely during an alarm.
<b><i>Footcandle</i></b>	The unit of measure expressing the quantity of light received on a surface. One footcandle is the illuminance produced by a candle on a surface one foot square from a distance of one foot.
<b><i>Forward Light</i></b>	For an exterior luminaire, lumens emitted in the quarter sphere below horizontal and in the direction of the intended orientation of the luminaire.
<b><i>Fully Shielded Luminaire</i></b>	A luminaire constructed and installed in such a manner that all light emitted by the luminaire, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal plane through the luminaire's lowest light-emitting part.
<b><i>Glare</i></b>	Lighting entering the eye directly from luminaires or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.
<b><i>Hardscape</i></b>	Permanent hardscape improvements to the site including parking lots, drives, entrances, curbs, ramps, stairs, steps, medians, walkways and non-vegetated landscaping that is 10 feet or less in width. Materials may include concrete, asphalt, stone, gravel, etc.
<b><i>Hardscape Area</i></b>	The area measured in square feet of all hardscape. It is used to calculate the Total Site Lumen Limit in both the Prescriptive Method and Performance Methods. Refer to Hardscape definition.

X. DEFINITIONS - Ordinance Text

<b><i>Hardscape Perimeter</i></b>	The perimeter measured in linear feet is used to calculate the Total Site Lumen Limit in the Performance Method. Refer to Hardscape definition.
<b><i>IDA</i></b>	International Dark-Sky Association.
<b><i>IESNA</i></b>	Illuminating Engineering Society of North America.
<b><i>Impervious Material</i></b>	Sealed to severely restrict water entry and Movement.
<b><i>Industry Standard Lighting Software</i></b>	Lighting software that calculates point-by-point illuminance that includes reflected light using either ray-tracing or radiosity methods.
<b><i>Lamp</i></b>	A generic term for a source of optical radiation (i.e. “light”), often called a “bulb” or “tube”. Examples include incandescent, fluorescent, high-intensity discharge (HID) lamps, and low pressure sodium (LPS) lamps, as well as light-emitting diode (LED) modules and arrays.
<b><i>Landscape Lighting</i></b>	Lighting of trees, shrubs, or other plant material as well as ponds and other landscape features.
<b><i>LED</i></b>	Light Emitting Diode.
<b><i>Light Pollution</i></b>	Any adverse effect of artificial light including, but not limited to, glare, light trespass, sky-glow, energy waste, compromised safety and security, and impacts on the nocturnal environment.

**X. DEFINITIONS - Ordinance Text**

<b><i>Light Trespass</i></b>	Light that falls beyond the property it is intended to illuminate.
<b><i>Lighting</i></b>	“Electric” or “man-made” or “artificial” lighting. See “lighting equipment”.
<b><i>Lighting Equipment</i></b>	Equipment specifically intended to provide gas or electric illumination, including but not limited to, lamp(s), luminaire(s), ballast(s), poles, posts, lens(s), and related structures, electrical wiring, and other necessary or auxiliary components.
<b><i>Lighting Zone</i></b>	An overlay zoning system establishing legal limits for lighting for particular parcels, areas, or districts in a community.
<b><i>Low Voltage Landscape Lighting</i></b>	Landscape lighting powered at less than 15 volts and limited to luminaires having a rated initial luminaire lumen output of 525 lumens or less.
<b><i>Lumen</i></b>	The unit of measure used to quantify the amount of light produced by a lamp or emitted from a luminaire (as distinct from “watt,” a measure of power consumption).
<b><i>Luminaire</i></b>	The complete lighting unit (fixture), consisting of a lamp, or lamps and ballast(s) (when applicable), together with the parts designed to distribute the light (reflector, lens, diffuser), to position and protect the lamps, and to connect the lamps to the power supply.

X. DEFINITIONS - Ordinance Text

Mounting Height: The horizontal spacing of poles is often measured in units of “mounting height”. Example: “The luminaires can be spaced up to 4 mounting heights apart.”

<b>Luminaire Lumens</b>	For luminaires with relative photometry per IES, it is calculated as the sum of the initial lamp lumens for all lamps within an individual luminaire, multiplied by the luminaire efficiency. If the efficiency is not known for a residential luminaire, assume 70%. For luminaires with absolute photometry per IES LM-79, it is the total luminaire lumens. The lumen rating of a luminaire assumes the lamp or luminaire is new and has not depreciated in light output.
<b>Lux</b>	The SI unit of illuminance. One lux is one lumen per square meter. 1 Lux is a unit of incident illuminance approximately equal to 1/10 footcandle.
<b>Mounting height</b>	The height of the photometric center of a luminaire above grade level.
<b>New lighting</b>	Lighting for areas not previously illuminated; newly installed lighting of any type except for replacement lighting or lighting repairs.
<b>Object</b>	A permanent structure located on a site. Objects may include statues or artwork, garages or canopies, outbuildings, etc.
<b>Object Height</b>	The highest point of an entity, but shall not include antennas or similar structures.
<b>Ornamental lighting</b>	Lighting that does not impact the function and safety of an area but is purely decorative, or used to illuminate architecture and/or landscaping, and installed for aesthetic effect.

**X. DEFINITIONS - Ordinance Text**

<p><b><i>Ornamental Street Lighting</i></b></p>	<p>A luminaire intended for illuminating streets that serves a decorative function in addition to providing optics that effectively deliver street lighting. It has a historical period appearance or decorative appearance, and has the following design characteristics:</p> <ul style="list-style-type: none"> <li>· designed to mount on a pole using an arm, pendant, or vertical tenon;</li> <li>· opaque or translucent top and/or sides;</li> <li>· an optical aperture that is either open or enclosed with a flat, sag or drop lens;</li> <li>· mounted in a fixed position; and</li> <li>· with its photometric output measured using Type C photometry per IESNA LM-75-01.</li> </ul>
<p><b><i>Outdoor Lighting</i></b></p>	<p>Lighting equipment installed within the property line and outside the building envelopes, whether attached to poles, building structures, the earth, or any other location; and any associated lighting control equipment.</p>
<p><b><i>Partly shielded luminaire</i></b></p>	<p>A luminaire with opaque top and translucent or perforated sides, designed to emit most light downward.</p>
<p><b><i>Pedestrian Hardscape</i></b></p>	<p>Stone, brick, concrete, asphalt or other similar finished surfaces intended primarily for walking, such as sidewalks and pathways.</p>
<p><b><i>Photoelectric Switch</i></b></p>	<p>A control device employing a photocell or photodiode to detect daylight and automatically switch lights off when sufficient daylight is available.</p>
<p><b><i>Property line</i></b></p>	<p>The edges of the legally-defined extent of privately owned property.</p>

**X. DEFINITIONS - Ordinance Text**

<b><i>Relative photometry</i></b>	Photometric measurements made of the lamp plus luminaire, and adjusted to allow for light loss due to reflection or absorption within the luminaire. Reference standard: IES LM-63.
<b><i>Repair(s)</i></b>	The reconstruction or renewal of any part of an existing luminaire for the purpose of its ongoing operation, other than relamping or replacement of components including capacitor, ballast or photocell. Note that retrofitting a luminaire with new lamp and/or ballast technology is not considered a repair and for the purposes of this ordinance the luminaire shall be treated as if new. “Repair” does not include normal relamping or replacement of components including capacitor, ballast or photocell.
<b><i>Replacement Lighting</i></b>	Lighting installed specifically to replace existing lighting that is sufficiently broken to be beyond repair.
<b><i>Sales area</i></b>	Uncovered area used for sales of retail goods and materials, including but not limited to automobiles, boats, tractors and other farm equipment, building supplies, and gardening and nursery products.
<b><i>Seasonal lighting</i></b>	Temporary lighting installed and operated in connection with holidays or traditions.
<b><i>Shielded Directional Luminaire</i></b>	A luminaire that includes an adjustable mounting device allowing aiming in any direction and contains a shield, louver, or baffle to reduce direct view of the lamp.
<b><i>Sign</i></b>	Advertising, directional or other outdoor promotional display of art, words and/or pictures.

**X. DEFINITIONS - Ordinance Text**

<b><i>Sky Glow</i></b>	The brightening of the nighttime sky that results from scattering and reflection of artificial light by moisture and dust particles in the atmosphere. Skyglow is caused by light directed or reflected upwards or sideways and reduces one's ability to view the night sky.
<b><i>Temporary lighting</i></b>	Lighting installed and operated for periods not to exceed 60 days, completely removed and not operated again for at least 30 days.
<b><i>Third Party</i></b>	A party contracted to provide lighting, such as a utility company.
<b><i>Time Switch</i></b>	An automatic lighting control device that switches lights according to time of day.
<b><i>Translucent</i></b>	Allowing light to pass through, diffusing it so that objects beyond cannot be seen clearly (not transparent or clear).
<b><i>Unshielded Luminaire</i></b>	A luminaire capable of emitting light in any direction including downwards.
<b><i>Uplight</i></b>	For an exterior luminaire, flux radiated in the hemisphere at or above the horizontal plane.
<b><i>Vertical Illuminance</i></b>	Illuminance measured or calculated in a plane perpendicular to the site boundary or property line.

## XI. OPTIONAL STREETLIGHT ORDINANCE - User's Guide

This section was added since the first public review. It is designed to work closely with the proposed revision to ANSI/IES RP-8 Standard Practice for Roadway and Street Lighting.

Street and roadway lighting is one of the world's largest causes of artificial skyglow. Many adopting agencies will recognize that the MLO will make privately owned lighting more efficient and environmentally responsible than their street lighting systems. But because the process of designing street lighting often requires more precise lighting calculations, applying the MLO directly to street lighting is not advised. Using existing standards of street lighting is recommended, particularly IES RP-8 and AASHTO standards.

Until a new recommended practice for street lighting can be developed, this section can serve to prevent most of the uplift of street lighting systems without setting specific requirements for the amount of light, uniformity of light, or other performance factors. Adopting agencies should include these basic improvements to street lighting along with regulations to private lighting.

Lighting streets with “period” ornamental luminaires that evoke the look of a time when the light source was a gas flame can cause glare if high-lumen lamps are used. Such ornamental street lights should not exceed a BUG rating of G1. If additional illuminance and/or uniformity is desired, the ornamental fixtures should be supplemented by higher mounted fully shielded luminaires, as illustrated in RP-33-99.

Few street lighting warranting processes exist. The adopting agency needs to gauge whether a complex warranting systems is required, or if a simple one using posted speeds, presence of pedestrians, or other practical considerations is sufficient. Examples of a current street lighting warranting system are included in the Transportation Association of Canada's Guide for the Design of Roadway Lighting 2006.

## XI. OPTIONAL STREETLIGHT ORDINANCE – Ordinance Text

Note to the adopting authority: the intent of this section is that it only applies to streets and not to roadways or highways.

### A. Preamble

The purpose of this Ordinance is to control the light pollution of street lighting, including all collectors, local streets, alleys, sidewalks and bike-ways, as defined by ANSI/IES RP-8 Standard Practice for Roadway and Street Lighting and in a manner consistent with the Model Lighting Ordinance.

### B. Definitions

Roadway or Highway lighting is defined as lighting provided for freeways, expressways, limited access roadways, and roads on which pedestrians, cyclists, and parked vehicles are generally not present. The primary purpose of roadway or highway lighting is to help the motorist remain on the roadway and help with the detection of obstacles within and beyond the range of the vehicle's headlights.

Street lighting is defined as lighting provided for major, collector, and local roads where pedestrians and cyclists are generally present. The primary purpose of street lighting is to help the motorist identify obstacles, provide adequate visibility of pedestrians and cyclists, and assist in visual search tasks, both on and adjacent to the roadway.

Ornamental Street Lighting is defined as a luminaire intended for illuminating streets that serves a decorative function in addition to providing optics that effectively deliver street lighting. It has a historical period appearance or decorative appearance, and has the following design characteristics:

- designed to mount on a pole using an arm, pendant, or vertical tenon;
- opaque or translucent top and/or sides;
- an optical aperture that is either open or enclosed with a flat, sag or drop lens;
- mounted in a fixed position; and
- with its photometric output measured using Type C photometry per IESNA LM-75-01.

**XI. OPTIONAL STREETLIGHT ORDINANCE – Ordinance Text**

**C. Scope**

All street lighting not governed by regulations of federal, state or other superceding jurisdiction.

EXCEPTION: lighting systems mounted less than 10.5 feet above street level and having less than 1000 initial lumens each.

**D. Master Lighting Plan**

The Authority shall develop a Master Lighting Plan based on the American Association of State Highway and Transportation Officials (AASHTO) Roadway Lighting Design Guide GL-6, October 2005, Chapter 2. Such plan shall include, but not be limited to, the Adoption of Lighting Zones and:

1. Goals of street lighting in the jurisdiction by Lighting Zone
2. Assessment of the safety and security issues in the jurisdiction by Lighting Zone
3. Environmentally judicious use of resources by Lighting Zone
4. Energy use and efficiency by Lighting Zone
5. Curfews to reduce or extinguish lighting when no longer needed by Lighting Zone

**E. Warranting**

The Authority shall establish a warranting process to determine whether lighting is required. Such warranting process shall not assume the need for any lighting nor for continuous lighting unless conditions warrant the need. Lighting shall only be installed where warranted.

**XI. OPTIONAL STREETLIGHT ORDINANCE – Ordinance Text**

**F. Light Shielding and Distribution**

All street lighting shall have no light emitted above 90 degrees.

Exception: Ornamental street lighting for specific districts or projects shall be permitted by special permit only, and shall meet the requirements of Table H below without the need for external field-added modifications.

**Table H - Uplight Control Requirements for Ornamental Street Lights - by Special Permit Only**

Lighting Zone	Maximum Uplight Rating
LZ0	U-0
LZ1	U-1
LZ2	U-2
LZ3	U-3
LZ4	U-4

City of Bonney Lake, Washington  
**City Council Agenda Bill (AB)**

<b>Department/Staff Contact:</b> Executive / Don Morrison	<b>Meeting/Workshop Date:</b> 20 September 2011	<b>Agenda Bill Number:</b> AB11-99
<b>Agenda Item Type:</b> Resolution	<b>Ordinance/Resolution Number:</b> 2146	<b>Councilmember Sponsor:</b>

**Agenda Subject:** Modification to Legal Services Agreement with Dionne and Rorick

**Full Title/Motion:** A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Approving A Modification To The Legal Services Contract With Dionne And Rorick..

**Administrative Recommendation:** Approve. Note: It is the Administration's belief that no written modification to the Agreement is necessary.

**Background Summary:** With the City's hiring of its own City Prosecutor as a City employee, Dionne and Rorick has proposed a modification to the legal services agreement to reflect this change.

**Attachments:** Resolution and Exhibit

<b>BUDGET INFORMATION</b>			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
<b>Budget Explanation:</b> NA			

<b>COMMITTEE, BOARD &amp; COMMISSION REVIEW</b>											
<b>Council Committee Review:</b>	Finance Committee Date: 23 August 2011	<i>Approvals:</i> Chair/Councilmember Dan Swatman Councilmember James Rackley Councilmember Mark Hamilton	<table style="border: none;"> <tr> <td style="padding: 0 5px;">Yes</td> <td style="padding: 0 5px;">No</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	Yes	No	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Yes	No										
<input checked="" type="checkbox"/>	<input type="checkbox"/>										
<input checked="" type="checkbox"/>	<input type="checkbox"/>										
<input checked="" type="checkbox"/>	<input type="checkbox"/>										
Forward to: September 13 <sup>th</sup> Regular Meeting		<b>Consent Agenda:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No									
<b>Commission/Board Review:</b>											
<b>Hearing Examiner Review:</b>											

<b>COUNCIL ACTION</b>			
Workshop Date(s):	September 20, 2011	Public Hearing Date(s):	
Meeting Date(s):	September 13, 2011	Tabled to Date:	September 20, 2011

<b>APPROVALS</b>		
<b>Director:</b>	<b>Mayor:</b>	<b>Date Reviewed by City Attorney:</b> (if applicable):

**RESOLUTION NO. 2146**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AUTHORIZING THE MAYOR TO SIGN A CONTRACT AMENDMENT WITH DIONNE AND RORICK FOR LEGAL SERVICES.

The City Council of the City of Bonney Lake, Washington, does hereby resolve that the Mayor is authorized to sign a contract amendment with Dionne and Rorick for Legal Services, attached here to as Exhibit "A" and incorporated herein as if fully set forth.

**PASSED** by the City Council this \_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Neil Johnson, Mayor

ATTEST:

\_\_\_\_\_  
Harwood T. Edvalson, CMC  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
James Dionne, City Attorney

Exhibit "A" to Resolution No. 2146

AGREEMENT MODIFICATION

For the purpose of providing legal services and in consideration of the following mutual promises and conditions, the law firm of Dionne & Rorick, hereinafter referred to as "Attorney," and the City of Bonney Lake, hereinafter referred to as "City," hereby agree to modify the current contract relationship dated October 12, 1999 by replacing the current section 2 of that contract to read as follows and to begin in effect as of September 1, 2011:

2. (a) Attorney agrees to provide up to 45 retainer hours per month for the flat fee of \$4975 per month to the City of Bonney Lake for all Departments other than Public Works. For purposes of this subsection (a), Criminal Court shall be considered to be a City Department, provided that, Attorney shall only provide backup services to a City-hired and supervised prosecuting attorney/employee of the City. Additional hours will be billed at \$165 per hour; (b) Attorney agrees to provide six (6) retainer hours per month for the Public Works Department for the flat fee of \$900 per month. Additional hours will be billed at \$175 per hour; (c) These amounts and rates shall increase each fiscal year, beginning in January 2012 by that percentage increase set forth in the All-Urban Consumers Index (CPI-U) for the Seattle-Tacoma-Bremerton area for the immediately preceding calendar year.

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City of Bonney Lake, Washington  
**City Council Agenda Bill (AB)**

<b>Department/Staff Contact:</b> Executive / Don Morrison	<b>Meeting/Workshop Date:</b> 20 September 2011	<b>Agenda Bill Number:</b> AB11-116
<b>Agenda Item Type:</b> Ordinance	<b>Ordinance/Resolution Number:</b> D11-116	<b>Councilmember Sponsor:</b> Hamilton

**Agenda Subject:** Renaming of Sumner-Buckley Highway East

**Full Title/Motion:** A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Renaming That Portion Of Sumner-Buckley Highway East That Lies Within The City Limits..

**Administrative Recommendation:** Approve

**Background Summary:** The City of Bonney Lake desires to honor Veterans for their dedication and loyal service to our country by renaming Sumner-Buckley Highway East. SBH was chosen because it is no longer relevant as the roadway has been mostly replaced by SR 410 and neither the Cities of Sumner nor Buckley currently have a portion of Sumner-Buckley Highway East within their City limits. Bonney Lake is currently larger than both Sumner and Buckley combined, yet was excluded in the original name of the highway. The City Council desires to add to its local identity and build public support for a Veterans Memorial Park. Thus, Sumner-Buckley Highway East appears an ideal candidate for renaming.  
**Attachments:** Ordinance D11-116

<b>BUDGET INFORMATION</b>			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
<b>Budget Explanation:</b> There will be some cost in replacing the street name signs.			

<b>COMMITTEE, BOARD &amp; COMMISSION REVIEW</b>			
<b>Council Committee Review:</b>	<i>Approvals:</i>		<b>Yes No</b>
Date:	Chair/Councilmember NAME		<input type="checkbox"/> <input type="checkbox"/>
	Councilmember NAME		<input type="checkbox"/> <input type="checkbox"/>
	Councilmember NAME		<input type="checkbox"/> <input type="checkbox"/>
Forward to:	<b>Consent</b>		
	<b>Agenda:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No		
<b>Commission/Board Review:</b>			
<b>Hearing Examiner Review:</b>			

<b>COUNCIL ACTION</b>	
Workshop Date(s): September 20, 2011	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

<b>APPROVALS</b>		
<b>Director:</b>	<b>Mayor:</b>	<b>Date Reviewed by City Attorney: (if applicable):</b>

**ORDINANCE NO. D11-116**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, RENAMING THAT PORTION OF SUMNER-BUCKLEY HIGHWAY EAST THAT LIES WITHIN THE CITY LIMITS.**

**WHEREAS**, the City of Bonney Lake desires to honor Veterans for their dedication and loyal service to our country; and

**WHEREAS**, A street name will be a reminder to the public of the daily sacrifice of the men and women in military uniform and without that sacrifice we would not be free; and

**WHEREAS**, the present name of Sumner-Buckley Highway East is no longer relevant because the roadway has been mostly replaced by SR 410; and

**WHEREAS**, neither the Cities of Sumner nor Buckley currently have a portion of Sumner-Buckley Highway East within their City limits; and

**WHEREAS**, the City of Bonney Lake wishes to add to its local identity and build public support for a Veterans Memorial Park; and

**WHEREAS**, the City Council has determined that the public convenience and welfare will be served by a change in the name of Sumner-Buckley Highway East;

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON, DO ORDAIN AS FOLLOWS:**

**Section 1.** That portion of the Sumner-Buckley Highway East within the city limits is hereby renamed (*insert a name from list below*). All current street numbers shall remain as presently addressed.

1. Veterans Highway East
2. Veterans Memorial Drive East
3. Memorial Drive East
4. Veterans Road East
5. Veterans Memorial Road East
6. Other Name

**Section 2.** The Mayor is hereby authorized to cause each residence and business affected by the name change to be given notice of the change, to designate this change on the official maps of the City of Bonney Lake, to notify those affected agencies and utilities of the name change in order for them to effect the change in a timely manner, and to formally request Pierce County to likewise rename Sumner-Buckley Highway East to *Insert New Name* from its westward county limits to 214<sup>th</sup> Avenue East.

***DISCUSSION DRAFT***

**Section 3. Effective Date.** This Ordinance shall take effect thirty (30) days after its passage, approval, and publication as required by law.

**PASSED** by the City Council and approved by the Mayor this \_\_\_\_<sup>th</sup> day of , 2011.

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Neil Johnson, Jr.  
Mayor

ATTEST:

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Harwood T. Edvalson  
City Clerk, CMC

APPROVED AS TO FORM:

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James Dionne  
City Attorney

Passed:  
Valid:  
Published:  
Effective Date:

Don,

I did some research last week on names (Google map search). Unscientific of course.

1. No Veterans Hwy in Washington State
2. No Veterans Memorial Hwy in Washington State
3. No Veterans Road in Washington State
4. No Veterans Memorial Road in Washington State
5. There is a Veterans Memorial Drive in Covington, WA
6. There is a Memorial Way in Seattle, WA
7. There is a Memorial Drive in Des Moines, WA
8. There is a Memorial Highway in Mount Vernon, WA
9. There is a Veteran Drive in Tacoma WA (American Lake)
10. There is a Veterans Way in Pullman, WA

This is only if we want it to be unique to Bonney Lake

Mark

City of Bonney Lake, Washington  
**City Council Agenda Bill (AB)**

<b>Department/Staff Contact:</b> Executive / Don Morrison	<b>Meeting/Workshop Date:</b> 20 September 2011	<b>Agenda Bill Number:</b> AB11-112
<b>Agenda Item Type:</b> Ordinance	<b>Ordinance/Resolution Number:</b> D11-112	<b>Councilmember Sponsor:</b>

**Agenda Subject:** Departments and Offices of the City

**Full Title/Motion:** An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 2.08 Of The Bonney Lake Municipal Code And Ordinance Number 1181 Regarding The Departments And Offices Of The City..

**Administrative Recommendation:** Approve

**Background Summary:** Some changes have been made to the organization structure of the City by other ordinances or by previous discussion and tacit approval. These changes need to be reflected in the basic organizational structure of the City. It is proposed that BLMC 2.08 be amended as contained in Ordinance D11-112.  
**Attachments:** Ordinance D11-112

<b>BUDGET INFORMATION</b>			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
<b>Budget Explanation:</b> NA			

<b>COMMITTEE, BOARD &amp; COMMISSION REVIEW</b>											
<b>Council Committee Review:</b>	Finance Committee Date: September 13, 2011	<i>Approvals:</i> Chair/Councilmember Dan Swatman Councilmember James Rackley Councilmember Mark Hamilton	<table style="width: 100%; border: none;"> <tr> <td style="text-align: right;"><b>Yes</b></td> <td style="text-align: left;"><b>No</b></td> </tr> <tr> <td style="text-align: right;"><input type="checkbox"/></td> <td style="text-align: left;"><input type="checkbox"/></td> </tr> <tr> <td style="text-align: right;"><input type="checkbox"/></td> <td style="text-align: left;"><input type="checkbox"/></td> </tr> <tr> <td style="text-align: right;"><input type="checkbox"/></td> <td style="text-align: left;"><input type="checkbox"/></td> </tr> </table>	<b>Yes</b>	<b>No</b>	<input type="checkbox"/>					
<b>Yes</b>	<b>No</b>										
<input type="checkbox"/>	<input type="checkbox"/>										
<input type="checkbox"/>	<input type="checkbox"/>										
<input type="checkbox"/>	<input type="checkbox"/>										
	Forward to: 9/20/11 Workshop	<b>Consent Agenda:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No									
<b>Commission/Board Review:</b>											
<b>Hearing Examiner Review:</b>											

<b>COUNCIL ACTION</b>	
Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

<b>APPROVALS</b>		
<b>Director:</b>	<b>Mayor:</b>	<b>Date Reviewed by City Attorney:</b> 9/7/2011 (if applicable):

**ORDINANCE NO. D11-112**

**AN ORDINANCE OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING CHAPTER 2.08 OF THE BONNEY LAKE MUNICIPAL CODE AND ORDINANCE NUMBER 1181 REGARDING THE DEPARTMENTS AND OFFICES OF THE CITY.**

WHEREAS, RCW 35A.12.090 vests in the Mayor the power of appointment and removal of appointive officers and employees subject to any applicable law, rule, or regulation relating to civil service, and

WHEREAS, RCW 35A.11.020 vests in the City Council the power to organize and regulate the internal affairs of the City within the provisions of RCW 35A.11 and to define the functions, powers, and duties of its officers and employees, and

WHEREAS, changes to the operations of the City adopted by other ordinances or by interim approval need to be reflected in the official organizational structure of the City;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE DO ORDAIN AS FOLLOWS:

Section 1. Chapter 2.08 BLMC and the corresponding portions of Ordinances No. 1181 are hereby amended to read as follows:

**Chapter 2.08.010 – City Appointive Officers.** A. Pursuant to RCW 35A.12.020, the following shall be appointive officers of the City: City Administrator, Administrative Services Director/City Clerk, Police Chief, City Attorney, Public Works Director, ~~Planning and~~ Community Development Director, Community Services Director, and Chief Financial Officer.

B. The general functions, powers and duties of appointive officers shall be as provided in this chapter; provided, however that the general functions, powers and duties of the municipal court judge shall be as provided in Chapter 2.16.

C. Persons appointed by the Mayor to an appointive office described in this section shall be subject to confirmation by a majority vote of the City Council. In the case of vacancies, the Mayor is authorized to employ an interim or acting officer for up to twelve (12) months without Council confirmation. Thereafter, any continued or new interim appointment shall be subject to Council approval.

D. All appointive officers shall serve at the pleasure of the mayor as per the provisions of RCW 35A.12.090.

**Chapter 2.08.020 – City Departments and Offices Created.** A. There is hereby created in the City of Bonney Lake the following offices and departments of city government: Executive Department, Office of the City Attorney, ~~Office of Financial Services~~ Department of Finance, Department of Administrative Services, Department of Public Works, Department of ~~Planning and~~ Community Development, Police Department, ~~Department of Community Services~~, and Municipal Court.

**Chapter 2.08.030 – Executive Department.** A. The executive department shall consist of the Mayor, the City Administrator, and the Office of Financial Services. Offices of the Mayor, City Administrator, Facilities and Special Projects and Events, and Prosecuting Attorney.

B. Salary. The salary for the Mayor shall be established by ordinance of the City Council.

C. Mayoral Powers and Duties.

1. The mayor is the chief executive officer of the city. All departments of the City are under the supervision and control of the Mayor

2.. Oath, Affidavit and Signature Powers. The mayor and the deputy mayor shall have power to administer oaths and affirmations, take affidavits and certify them. The mayor, or the deputy mayor when acting as mayor, shall sign all conveyances made by the city and all instruments which require the city seal.

D. City Administrator. The City Administrator shall be responsible to the Mayor for the general coordination and supervision of the activities of the various city departments and offices, subject to the directives of the mayor. The City Administrator shall be generally responsible for promoting efficient and effective service delivery and to see that departments are coordinating their activities.

~~E. Office of Financial Services. The Office of Financial Services shall be under the supervision of a Chief Financial Officer who shall assist the Mayor and City Administrator in the preparation of the annual budget and all work incidental thereto and shall have all duties assigned by state law to a city treasurer; supervise and be responsible for the disbursement of all monies; monitor expenditures to ensure that budget appropriations are not exceeded and as otherwise provided by law and the rules and regulations of the State Auditor’s office relating to municipal corporations; maintain a general accounting system for the City government and each of its offices and departments; administer the payroll system of the City; prepare and distribute to the city council and all department heads a monthly statement of all receipts and disbursements in sufficient detail to show the exact financial condition of the City; prepare, as of the end of each fiscal year, a complete financial statement and report; supervise the collection of all taxes, special assessments, license fees and other revenues of the City; supervise investment of City funds; assist with, and facilitate, the purchase of supplies, materials, equipment and other articles used by any office or department of the City government.~~

E. Office of the Prosecuting Attorney. The Office of the Prosecuting Attorney shall be under the general supervision of the Mayor and City Administrator. The Prosecuting Attorney shall be responsible for managing and prosecuting all misdemeanor criminal cases coming before the Bonney Lake Municipal Court, such as domestic violence, DUI, sexual assault, and child abuse cases; representing the city in bench and jury trials, arraignments, pre-trial hearings, sentencing hearings, appeals, forfeitures, and other court hearings; and coordinating with the public defender and city attorney as needed.

F. Office of Facilities and Special Projects and Events. The Office of Facilities, Special Projects, and Events shall be under the supervision of a Facilities and Special Projects and Events Manager. Said office may be organized into distinct sections including but not necessarily limited to the following: Facilities, Special Projects, and Special Events. The general functions of the office are to coordinate and/or sponsor recreation programs; planning municipal parks, trails, and open spaces; maintaining the buildings and grounds of the City; planning and coordinating community events and festivals, manage the solid waste contract of the City, and undertake special projects as assigned.

**Chapter 2.08.040 – Office of the City Attorney.** A. Duties and Responsibilities. The Office of City Attorney shall be the legal advisor to the Mayor and Council and of all of the officers, commissions and boards of the City in relation to matters pertaining to their operations in a governmental capacity. The City Attorney shall represent the City in all litigation, as assigned, in all courts in which the City is a party or directly interested and shall ~~prosecute all violations of the provisions of this Code and~~ act generally as Attorney for the City and the several departments of the City government, together with such additional duties as the Council may prescribe by ordinance from time to time. In addition to the duties prescribed by the laws of the State of Washington, as hereinabove set forth, the City Attorney shall: attend all regular meetings of the Council, review and approve, as to form, all proposed ordinances, resolutions, leases, instruments of conveyances, contracts and agreements, and such other and similar instruments as may be required by the business of the City when requested to do so by the Council, Mayor, City Administrator, or department head; advise the Council, boards, commissions, department heads and other City officials and officers including the rendering of formal opinions when so requested, or when it appears to the Attorney advisable to do so; ~~attend all sessions of the Municipal Court of the City and prosecute all violations of this Code brought in said Court if so directed;~~ coordinate with the Prosecuting Attorney as required, consult with and participate with other City officials or representatives of the City concerning settlement of claims against the City or its officials, officers and employees while acting in their official, governmental capacities; attend, when requested to do so, official meetings of any board or commission in connection with the proposed drafting of any ordinances, resolutions or contracts.

B. Outside Legal Counsel. Nothing contained in this section shall be construed as to limit the authority of the mayor and city council to retain outside legal counsel when in the judgment of both the mayor and city council such counsel is needed or desirable, subject only to the availability of budgeted funds for such purposes, and subject to the limitations of state law for dealing with conflicts of interest.

~~**Chapter 2.08.050 – Department of Community Services.** A. The Department of Community Services shall be under the supervision of the Community Services Director. Said department may be organized into distinct divisions including but not necessarily limited to the following: Parks, Recreation, Senior Center, and Facilities. The department director may serve as the manager of one or more divisions of the department.~~

~~—————B. The duties and responsibilities of the Department of Community Services shall include, but not necessarily limited to: providing a variety of services to senior citizens and operating the senior center; coordinating and/or sponsoring recreation programs; planning and maintaining municipal parks, trails, and open spaces; administering a community forestry program; maintaining the buildings and grounds of the City; planning and coordinating community events and festivals; serving as a central point of contact for general citizen service requests.~~

~~—————C. Senior Services Division. The Senior Services Division shall be under the supervision of the Senior Services Manager who shall have the duty and responsibility to plan, organize and administer a variety of services for senior citizens; manage the Bonney Lake Senior Center; coordinate with the Bonney Lake Area Senior Citizens non-profit corporation and other groups who have a close relationship with the Senior Center; develop, schedule and oversee the programs and services which are offered at the senior center; work with community agencies and resources on the provision of senior services; work with private and public funding sources on continued funding, and develop fund raising ideas for the Senior Center; assist in writing grants~~

for specific programs or capital expenditures; provide information and make appropriate referrals for Bonney Lake senior adults needing assistance; and supervise the activities, programs, and classes offered through the senior center.

**Chapter 2.08.050 – Department of Finance.** The Department of Finance. shall be under the supervision of a Chief Financial Officer who shall assist the Mayor and City Administrator in the preparation of the annual budget and all work incidental thereto and shall have all duties assigned by state law to a city treasurer; supervise and be responsible for the disbursement of all monies; monitor expenditures to ensure that budget appropriations are not exceeded and as otherwise provided by law and the rules and regulations of the State Auditor’s office relating to municipal corporations; maintain a general accounting system for the City government and each of its offices and departments; administer the payroll system of the City; prepare and distribute to the city council and all department heads a monthly statement of all receipts and disbursements in sufficient detail to show the exact financial condition of the City; prepare, as of the end of each fiscal year, a complete financial statement and report; supervise the collection of all taxes, special assessments, license fees and other revenues of the City; supervise investment of City funds; assist with, and facilitate, the purchase of supplies, materials, equipment and other articles used by any office or department of the City government.

**Chapter 2.08.060 – Department of Public Works.** A. The department of public works shall be under the general supervision of a Public Works Director. The Mayor may organize said department into different divisions including but not necessarily limited to the following: an Engineering Division headed by a City Engineer, and an Maintenance and Operations Division headed by an Assistant Public Works Director. The Public Works Director may serve as the manager of one or more divisions or offices of the department as needed or assigned.

B. The duties and responsibilities of the Department of Public Works shall include, but not necessarily limited to, the construction, operation and maintenance of all public streets, sidewalks, alleys, bridges, viaducts, highways and rights-of-way, including the placement and operation of signs, signals and lighting fixtures; the construction, operation and maintenance of all public water supply, storage and distribution facilities, including water mains, pumping stations, reservoirs, and wells; the construction, operation and maintenance of all sanitary sewers, sewer facilities and appurtenances, including sanitary sewers, and pumping stations; the construction and maintenance of all storm sewer facilities and appurtenances, including storm sewers, drains, ditches, culverts and streams and watercourses under jurisdiction of the city; the construction, maintenance and operation of all public parking lots; the cleaning of all streets and alleys including snow removal operations; the maintenance and repair of the city’s fleet; and the making of necessary surveys, maps, drawings and documents and the preparation of contract drawings, specifications, cost estimates for public works projects.

C. Engineering Division. The Engineering Division shall be under the supervision of a City Engineer. The major purpose of the Engineering Division shall be to oversee the environmental, transportation, utility, and other public work related engineering projects and programs of the City to ensure technical competence and compliance with standards and codes.

D. Operations and Maintenance Division. The Operations and Maintenance Division shall be under the supervision of an Assistant Public Works Director. The general purpose of the Operations and Maintenance Division shall be to maintain and operate the water, sanitary sewer collection, street, and storm water systems of the City. The Operations and Maintenance Division shall also maintain the City’s fleet, City parks and open space, and oversee the community forestry program of the City.

**Chapter 2.08.070 – Department of Community Development.** A. The Department of Community Development shall be under the general supervision of a Community Development Director. The mayor may organize the Community Development Department into different divisions including but not necessarily limited to the following: a Planning Division headed by a Planning Manager, and a Building Division headed by a Building Official. The department director may serve as the manager of one or more divisions or offices of the department as needed.

B. The duties and responsibilities of the Department of Community Development shall include, but not necessarily limited to: supervise, administrate, and generally plan the physical development of the City; prepare the comprehensive and coordinated plans therefore; administrate, inspect, and enforce SEPA and all platting, zoning, environmental, and land use ordinances and regulations, and the establishment of proper liaison and cooperation thereof with other departments, commissions and agencies; prepare and administer department budget; provide information to the public, answer questions, advise clients, and staff the Permit Center; administer central permit issuance system and coordinate the review of permit applications and plans with other City departments or divisions; interpret, administer, and make recommendations for revisions to City building codes and assist the public with construction and development requirements; prepare reports and make presentations at dangerous building hearings; respond to citizen complaints and inquiries regarding code requirements; supervise field inspection of new and modified structures for conformity to codes; examine applications and enforce building codes; recommend revisions to City ordinances pertaining to code enforcement, inspection services, and permit issuance. The Department of Planning and Community Development shall coordinate the geographical information systems (GIS) of the City.

C. Planning Division. The Planning Division shall be under the supervision of a Planning Manager. The general purpose of the planning division shall be to administer the current and long range planning programs of the city related to the development and implementation of land use and related municipal plans and policies, to prepare and administer the official comprehensive plans and land use codes of the City, and to generally plan the physical development of the City.

D. Building Division. The Building Division shall be under the supervision of a Building Official. The general purpose of the building division shall be to administer and enforce the various building and related codes of the City and coordinate plan reviews, inspections, and enforcement actions.

**Chapter 2.08.080 – Police Department.** A. The Police Development shall be under the supervision of the Police Chief, who shall serve as the Chief Law Enforcement Officer of the City as provided in RCW 35A.12.020. The mayor may organize the police department into different divisions including but not necessarily limited to the following: Administration managed by a Lieutenant or similar command position, and Operations managed by a Lieutenant or similar command position. The Police Chief may serve as the manager of one or more divisions or offices of the department as needed.

B. Police Positions-~~Chief Exempted from Civil Service.~~ The positions of Chief of Police, Assistant Police Chief, and Department Assistant shall be excluded from civil service and the Bonney Lake Civil Service Commission Rules and Regulations pursuant to RCW 41.12.050(2).

C. The duties and responsibilities of the Police Department shall include all duties and responsibilities prescribed by city ordinance or resolution, as well as the provisions of state and federal law. The Police Department has all such authority, responsibility, and duties as are

normal to municipal police departments, including, but not limited to, maintenance of the peace, issuance of citations, arrest and detention of persons committing criminal offenses or who are mentally ill, investigation of criminal activity, establishment and maintenance of intelligence files, production of scientific evidence, crime prevention, animal control, and such other duties as are set by ordinance of the City or by the laws of the State.

D. Operations Division. The Operations Division shall be under the supervision of an assistant chief, police lieutenant or similar command position. The general purpose of the Operations Division shall be to carry out the patrol, traffic, school resource, crime prevention, and related operational programs of the police department.

E. Administrative Division. The Administrative Division shall be under the supervision of an assistant chief, police lieutenant or similar command position. The general purpose of the Administrative Division shall be to carry out the investigations, records, property, evidence, training, and support services activities of the police department.

**Chapter 2.08.090 – Department of Administrative Services.** A. The Department of Administrative Services shall be under the supervision of an Administrative Services Director. Administrative Services Director shall supervise the divisions and offices of the department, shall provide administrative assistance to the mayor as needed, and provide legislative support to the Council as requested. The mayor may organize the Department of Administrative Services into various offices and divisions including but not necessarily limited to the following: Office of the City Clerk headed by a City Clerk which may be the Administrative Services Director, Office of Human Resources headed by a Human Resources ~~Officer~~ Manager, Office of Information Services headed by an Information Services ~~Coordinator~~ Manager, and Senior Services Division, headed by a Senior Services Manager. The department director may serve as the manager of one or more divisions or offices of the department as required. If so designated by the mayor, the Administrative Services Director shall also serve as the City’s designated risk manager. The powers, duties and responsibilities of the Department of Administrative Services and its various divisions and offices shall include, but not necessarily limited to the following:

B. Office of the City Clerk. The City Clerk shall be responsible for supervision of all city records, whether printed or electronic. The duties of the City Clerk shall include the performance of all duties as set forth in RCW 35A.42.040 and other statutes and ordinances applicable to the Office of the City Clerk.

C. Office of Human Resources. The Office of Human Resources shall be under the supervision of a Human Resources ~~Officer~~ Manager. It shall be the duty and responsibility of the human resources office to recommend and administer the city’s human resources policies and programs; ensure compliance with statutory requirements and city policies and procedures relative to employment law, collective bargaining, and safety issues; develop, maintain, and administer a comprehensive benefits program for the employees of the city; maintain and update the city’s classification system; maintain the city’s salary schedules; develop recruiting plans and administer the selection and hiring processes for all city employment; coordinate with departments on the use of contract employees and employment agencies; represent the city in all collective bargaining and grievance issues; investigate and resolve employee relations issues; develop and administer the city’s safety programs; administer the city’s equal employment opportunities programs; maintain the data in the city’s human resources information system.

D. Office of Information Services. The Office of Information Services shall be under the supervision of the Information Services ~~Coordinator~~ Manager. It shall be the duty and responsibility of the information services ~~coordinator~~ manager to manage the city-wide information technology/systems and telecommunications systems and activities; lead and

develop technology strategic plans and implementation strategies; provide IT/IS leadership in integrating and aligning technology with city plans, goals and objectives; organize, manage and evaluate the Information Services Office and its operations to ensure effective support for organizational objectives and efficient and effective implementation of initiatives.

**E. Senior Services Division.** The Senior Services Division shall be under the supervision of the Senior Services Manager who shall have the duty and responsibility to plan, organize and administer a variety of services for senior citizens; manage the Bonney Lake Senior Center; coordinate with the Bonney Lake Area Senior Citizens non-profit corporation and other groups who have a close relationship with the Senior Center; develop, schedule and oversee the programs and services which are offered at the senior center; work with community agencies and resources on the provision of senior services; work with private and public funding sources on continued funding, and develop fund raising ideas for the Senior Center; assist in writing grants for specific programs or capital expenditures; provide information and make appropriate referrals for Bonney Lake senior adults needing assistance; and supervise the activities, programs, and classes offered through the senior center.

**Chapter 2.08.100 – Municipal Court.** A. The Municipal Court shall be organized and operate in accordance with the provisions contained in Chapter 2.16 of the Bonney Lake Municipal Code and the General Rules prescribed by the Washington State Courts system.

B. The Municipal Court shall be under the general direction of the municipal court judge and day-to-day supervision of the Court Administrator who shall manage and oversee all court functions, other than judicial functions.

**Chapter 2.08.110 – Auditing Officer.** Pursuant to the provisions of RCW 42.24.080, the position of auditing officer for the city is hereby established. The City Administrator or his/her designee is hereby designated as the Auditing Officer.

**Chapter 2.08.120 – ~~Position Classifications~~ Job Descriptions.** Under the direction of the Administrative Services Director, the Human Resources ~~Officer-Manager~~ is authorized and directed to establish and maintain ~~position classifications~~ job descriptions for all regular full-time and part-time positions in the City. Said ~~classification specifications~~ job descriptions shall include, at a minimum, the essential duties and responsibilities of the position and the desired minimum qualifications as may be described in this Chapter.

**Chapter 2.08.130. Appointment of Department Heads, Officers and Employees.** A. All department heads, officers and employees of the City shall be appointed on the basis of their knowledge, ability, and skill to perform the essential duties and responsibilities of the position, as required by RCW 35A.12.090.

**Chapter 2.08.140. Limitations.** This Chapter expresses the general organizational structure for the administration of the City, only, and is not intended to create any employment right or benefit for an individual employee or appointive officer.

Section 3. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

Section 4. Effective Date. This Ordinance concerning powers vested solely in the Council, it is not subject to referendum and shall take effect and be in force five days from and after its passage, approval and publication as required by law.

**PASSED by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2011.**

\_\_\_\_\_  
Neil Johnson Jr., Mayor

ATTEST:

\_\_\_\_\_  
Harwood T. Edvalson, CMC, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
James J. Dionne, City Attorney

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City of Bonney Lake, Washington  
**City Council Agenda Bill (AB)**

<b>Department/Staff Contact:</b> Executive / Don Morrison	<b>Meeting/Workshop Date:</b> 20 September 2011	<b>Agenda Bill Number:</b> AB11-113
<b>Agenda Item Type:</b> Ordinance	<b>Ordinance/Resolution Number:</b> D11-113	<b>Councilmember Sponsor:</b>

**Agenda Subject:** Update of the Position Classification and Grade Table of Nonrepresented Employees

**Full Title/Motion:** An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Attachment A-1 Of Ordinance No. 1299 Relating To The Position Classification And Salary Grades Of Non-Represented Employees.

**Administrative Recommendation:** Approve

**Background Summary:** A number of non-represented City positions have been reclassified or proposed for modification since the December 2008 adoption of the position classification and salary grade table for non-represented employees. It is proposed to amend Attachment "A-1" of Ordinance 1299 to reflect said proposed grade and/or title changes of these position classifications.

**Attachments:** Ordinance D11-113; Attachment "A-1"

<b>BUDGET INFORMATION</b>			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
<b>Budget Explanation:</b> NA			

<b>COMMITTEE, BOARD &amp; COMMISSION REVIEW</b>			
<b>Council Committee Review:</b>	Finance Committee	<i>Approvals:</i>	<b>Yes No</b>
	Date: September 13, 2011	Chair/Councilmember Dan Swatman	<input type="checkbox"/> <input type="checkbox"/>
		Councilmember James Rackley	<input type="checkbox"/> <input type="checkbox"/>
		Councilmember Mark Hamilton	<input type="checkbox"/> <input type="checkbox"/>
	Forward to: 9/20/11 Workshop	<b>Consent</b>	
		<b>Agenda:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Commission/Board Review:</b>			
<b>Hearing Examiner Review:</b>			

<b>COUNCIL ACTION</b>	
Workshop Date(s): September 20, 2011	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

<b>APPROVALS</b>		
<b>Director:</b>	<b>Mayor:</b>	<b>Date Reviewed</b>
		<b>by City Attorney:</b> 9/7/11
		(if applicable):

**ORDINANCE NO. D11-113**

**AN ORDINANCE OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING ATTACHMENT A-1 OF ORDINANCE NO. 1299 RELATING TO THE POSITION CLASSIFICATION AND SALARY GRADES OF NON-REPRESENTED EMPLOYEES.**

**WHEREAS**, a number of non-represented City positions have been reclassified or added since the December 2008 adoption of the position classification and salary table for non-represented employees; and

**WHEREAS**, the City Council desires to amend Attachment "A-1" of Ordinance 1299 to reflect said grade and/or title changes of these position classifications;

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON DO ORDAIN AS FOLLOWS:**

**Section 1.** Attachment "A-1" of Ordinance No. 1299 is hereby amended as attached.

**Section 2.** This Ordinance concerning matters set out in RCW 35A.11.090, it is not subject to referendum, and shall take effect five (5) days after its passage, approval and publication as required by law.

**PASSED** by the City Council and approved by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Neil Johnson, Jr., Mayor

ATTEST:

\_\_\_\_\_  
Woody Edvalson, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
James J. Dionne, City Attorney

GRADE	ADMINISTRATION AND EXECUTIVE	PUBLIC SAFETY	PLANNING AND COMMUNITY DEVELOPMENT	PUBLIC WORKS	GRADE
1-9					1-9
10					10
11	Records and Information Specialist; Customer Services Specialist; Special Events Coordinator				11
12	Executive Assistant		Construction Inspector	Support Services Coordinator	12
13	Accountant			Project Manager	13
14	Financial Operations Supervisor ; Senior Services Manager				14
15				Assistant Engineer	15
16	Accounting Manager				16
17	Human Resources Officer Manager	Court Administrator		Transportation Supervisor; Utilities Supervisor	17
18	Prosecuting Attorney		Development Review Engineer		18
19		Police Lieutenant	Planning Manager	Assistant City Engineer - Utilities	19
20	Information Systems Coordinator Manager;		Building Official		20
21					21
22	Facilities and Special Projects/Events Mgr.			City Engineer; Assistant Public Works Director	22
23		Assistant Police Chief			23
24	Administrative Services Director; Chief Financial Officer <del>Community Services Director</del>				24
25		Police Chief	Planning & Community Development Director	Public Works Director	25
26		Municipal Judge			26
27	City Administrator				27
28					28