

Local Law No. 3 of 2021

A Local Law Amending Chapter 123 (Peace and Good Order),
Article VI (Lighting) of the Village Code

Section 1. The Board of Trustees hereby finds and determines that nuisance lighting should be better defined and that nonessential overnight lighting should be prohibited in order to better secure and promote the public health, comfort, convenience, safety, welfare, prosperity and the peace and quiet of the Village of Quogue and its inhabitants.

Section 2. Section 123-14 (Operation as a nuisance prohibited) is hereby amended by changing the title thereof to "(Certain Lighting Prohibited)" and by changing the text thereof so that it reads in its entirety as follows:

§ 123-14 (Certain Lighting Prohibited)

- A. If the Village Ordinance Enforcement Officer determines that nuisance lighting exists on a property, he or she shall notify the property owner that lighting on the property shall comply with either (1) or (2) below.
- (1) To the extent that the abatement of nuisance lighting will require re-aiming a fixture or re-lamping to reduce lumen output, such lighting shall be re-aimed and/or re-lamped so that it ceases to be nuisance lighting.
- (2) To the extent that the abatement of nuisance lighting will require removing, replacing, shielding, retrofitting, or relocating a fixture, such lighting shall be removed, replaced, shielded, retrofitted, or relocated so that it ceases to be nuisance lighting.

B. For purposes of the foregoing, the following definitions shall apply:

Glare

A visual effect produced when a light source within the field of view is brighter than the level to which the eyes are adapted. Glare may cause annoyance, discomfort, loss of visual acuity, or momentary blindness.

Light Trespass

Light projected from a light source on a property onto another property or onto a road.

Nuisance Lighting

Any lighting that creates a potential hazard to the public by reason of its positioning or brightness or light trespass or glare to a neighboring property or properties that would cause a material loss of enjoyment, comfort, or repose to a reasonable person on such a neighboring property.

- C. Essential outdoor lighting that is minimalist in nature and reasonably sufficient in the judgment of the Ordinance Enforcement Officer for security purposes may be in operation continuously from midnight until dawn. All other outdoor lighting shall not remain on continuously from midnight until dawn.

Section 3. This local law shall become effective upon the filing thereof with the Secretary of State of the State of New York.