

**TOWNSHIP OF WILKINS
ALLEGHENY COUNTY, PENNSYLVANIA**

ORDINANCE NO.: 1117

AN ORDINANCE OF THE TOWNSHIP OF WILKINS, COUNTY OF ALLEGHENY AND COMMONWEALTH OF PENNSYLVANIA AMENDING THE CODIFIED BOOK OF ORDINANCES, PART II, CHAPTER 310, PROPERTY MAINTENANCE, TO ADD REGULATIONS PROHIBITING NUISANCE AND DISABLING GLARE.

WHEREAS, the Township of Wilkins adopted the 2009 Edition of the International Property Maintenance Code on February 14, 2011, by Ordinance Number 1013; and

WHEREAS, the Township of Wilkins adopted the 2015 Edition of the International Property Maintenance Code on June 20, 2016, by Ordinance Number 1064; and

WHEREAS, the Township of Wilkins adopted the 2018 Edition of the International Property Maintenance Code on March 7, 2022 by Ordinance Number 1103; and

WHEREAS, it is the desire of the Township to amend Ordinance 1103 to add regulations prohibiting nuisance and disabling glare.

NOW, THEREFORE, be it ordained and enacted by the Board of Commissioners of the Township of Wilkins and it is hereby Ordained and Enacted as follows:

Section 1. The Code of the Township of Wilkins, Chapter 310, Article I, Property Maintenance Code Provisions, Section 310-2, Modifications to Standards, Paragraph R, Section 605.3, Luminaries, is hereby amended to add the following:

605.3.1. Control of Nuisance and Disabling Glare

605.3.1.1. All outdoor lighting whether or not required by this ordinance, on private, residential, commercial, industrial, municipal, recreational or institutional property, shall be aimed, located, designed, fitted and maintained so as not to present a hazard to drivers or pedestrians by impairing their ability to safely traverse (disabling glare), and so as not to create a nuisance by projecting or reflecting objectionable light onto a neighboring use or property (light trespass and nuisance glare).

605.3.1.2. Flood or spot lights, when permitted, shall be so installed and aimed so that they do not project their output into the window of a neighboring residence, an adjacent use, skyward or onto a roadway.

605.3.1.3. Vegetation screens shall not be employed to serve as the primary means for controlling glare. Rather, glare control shall be achieved primarily through the use of such means as full-cutoff fixtures, shields and baffles, and appropriate application of mounting height wattage, aiming angle and fixture placement.

Section 2. Repealer. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. Severability. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the

validity of the remaining portions of this ordinance. The Board of Commissioners of the Township of Wilkins hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 4. Nothing in this ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 5. Effective Date. This Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect on the date of adoption by the Board of Commissioners.

ORDAINED AND ENACTED this 11th day of September, 2023 at a duly assembled public meeting.

ATTEST:

TOWNSHIP OF WILKINS

Rebecca Vargo, Manager

Sylvia J. Martinelli, President