

VILLAGE OF NEW GLARUS
Ordinance 07-01

AN ORDINANCE TO AMEND SECTIONS 305-10, 305-43, 305-44, 305-45, 305-63,
305-66, 305-94 AND TO CREATE CHAPTER 305 ARTICLE XVII and CHAPTER
305 ARTICLE XVIII OF THE CODE OF ORDINANCES

SECTION 1. Chapter 305, Article II, S. 305-10 (B) of the Code of the Village of New Glarus is hereby amended to read as follows:

ARTICLE II Use, Site and Bulk Regulations

§ 305-10. Site Regulations.

B. Site suitability. No land shall be used or structure erected where the land is held unsuitable for such use or structure by the Village Board, upon the recommendations of the Plan Commission, by reason of flooding, concentrated run-off, inadequate drainage, adverse soil or rock formation, unfavorable topography, low percolation rate or bearing strength, erosion susceptibility, woodland preservation, or any other feature likely to be harmful to the health, safety, prosperity, aesthetics, and general welfare of the community. The Plan Commission, in applying the provisions of this subsection, shall, in writing, recite the particular facts upon which it bases its conclusion that the land is not suitable for certain uses. The applicant shall have an opportunity to present evidence contesting such unsuitability if he so desires. Thereafter, the Plan Commission may affirm, modify, or withdraw, its determination of unsuitability when making its recommendations to the Village Board.

SECTION 2. Chapter 305, Article VI, S. 305-43 of the Code of the Village of New Glarus is hereby amended to read as follows:

ARTICLE VI Traffic Visibility; Loading, Parking and Access

§ 305-43. Traffic visibility.

On a corner lot in all zoning districts other than the C-1 Commercial District, vision clearance shall be maintained as required in § 305-136 of this Chapter. Corner lots in the C-1 District shall comply with §305.18 (E)(6) of this Chapter. If local conditions and safety considerations dictate, the Plan Commission, based on recommendation from the Village Engineer, may impose greater vision clearance requirements.

SECTION 3. Chapter 305, Article VI, S. 305-44 (D) of the Code of the Village of New Glarus is hereby amended to read as follows:

ARTICLE VI Traffic Visibility; Loading, Parking and Access

§ 305-44. Off-street loading spaces.

D. Design Standards. Each off-street loading space shall have a width of at least 12 feet, a length of at least 45 feet, and a vertical clearance of at least 14 feet. Dimensions for loading spaces in connection with funeral homes shall be reduced to 10 feet in width, 25 feet in length, and eight feet in vertical clearance. Paved areas including loading spaces and central loading areas shall be landscaped and screened as prescribed in Article XVII of this Chapter. Lighting of loading and central loading areas shall be in accordance with Article XVIII of this Chapter.

SECTION 4. Chapter 305, Article VI, S. 305-45 (B) and (E) of the Code of the Village of New Glarus is hereby amended to read as follows:

ARTICLE VI Traffic Visibility; Loading, Parking and Access

§ 305-45. Off-street parking spaces.

B. Design Standards. Each required off-street parking space shall be not less than 180 square feet. No parking area of more than four spaces shall be designed so as to require any vehicle to back into a public street. In employee and customer parking areas, an average of 180 square feet of interior landscape island/peninsula per 10 parking spaces shall be provided and the minimum area of any one landscape island. Interior landscaping/safety islands and peninsulas shall be placed to create separation between driveway entrances and parking stalls, channel traffic, provide breaks in large expanses of pavement, and provide for safe pedestrian crossing of parking areas.

E. Additional Requirements

- (1) Parking and other paved area landscape requirements. Except for single family and two family residences all parking areas with five or more parking spaces and other paved areas shall be landscaped and screened in accordance with applicable sections of ARTICLE XVII of this Chapter.
- (2) Repair and Service. No motor vehicle repair work or service of any kind shall be permitted in association with parking facilities provided in residence districts.
- (3) Lighting. Lighting of all parking areas, driveways, and other paved areas shall be in accordance with Article XVIII of this Chapter.
- (4) Street and setback area. No parking shall be permitted between the street right-of-way line and the building setback line prevailing in the zone in which the proposed parking area is to be located. The resulting open area shall be planted in grass or otherwise landscaped to create a permanent green area.

SECTION 5. Chapter 305, Article IX, S. 305-63 (I) of the Code of the Village of New Glarus is hereby amended to read as follows:

ARTICLE IX Accessory Uses and Structures; Fences and Hedges

§ 305-63. Accessory uses, buildings or structures.

I. Outdoor lighting installations shall not be permitted closer than 3 feet to an abutting property line. Outdoor lighting installations on or adjacent to residential uses shall not exceed 15 feet in height unless approved by the Plan Commission. For all uses and districts, outdoor lighting shall comply with design, height and lighting intensity restrictions set forth in ARTICLE XVIII of this Chapter.

SECTION 6. Chapter 305, Article IX, S. 305-66 (C) of the Code of the Village of New Glarus is hereby amended to read as follows:

§ 305-66. Fences and hedges.

C. Height of fences regulated

- (1) Residential fences less than six feet in height are permitted on rear and side lot lines. Residential fences less than or equal to four feet in height are permitted in the street yard but shall not be closer than two feet to any public right-of-way and shall be subject to the requirements of S. 305-45 E(1). Residential fences equal to or greater than six feet shall require a conditional use permit. All fences must be constructed and maintained in a good state of repair and appearance.
- (2) Fences used to meet landscaping and screening requirements found Article XVII of this Chapter shall require approval by the Plan Commission and generally not exceed 8 feet in height when adjacent to a residential use or district.

SECTION 7. Chapter 305, Article XII, S. 305-94 (B) and (D) of the Code of the Village of New Glarus are hereby amended to read as follows:

ARTICLE XII Administration

§ 305-94. Site plan approval.

B. Application. The applicant for a zoning permit shall also submit a site plan containing the following information:

1. Plan of Operations including hours of operation, nature of activities on site, nature of materials and equipment to be used on site.
2. Owners and/or developer's name and address noted.
3. Architects and or engineers name and address noted.
4. Scale and north arrow in legend.
5. Site Plans drawn to a recognized engineering scale (i.e. 1:20 to 1:60).
6. Dimensional and area measurements of the site.
7. Existing and proposed topography.
8. Name and location of existing and proposed public rights-of-way abutting the property.
9. Location of existing floodplains, floodways, wetlands, environmental corridors, mature woodlands, and steep slopes.
10. Existing and proposed utilities easements, utility lines and fire hydrants.
11. Applicable setback lines.
12. Building dimensions and area, building coverage of lot, and total impervious surface area.
13. Location of all proposed paved areas, driveways, curb cuts.
14. Number and location of parking stalls (drawn to scale)
15. Existing and proposed stormwater management facilities.
16. Proposed location and dimensions of all outdoor storage areas, fences, and signage.
17. Location and type of existing and planned landscaping
18. Exterior lighting including fixture design and photometric analysis of site.
19. Elevation Drawings for all exterior sides of structures.
20. An Erosion Control Plan.
21. Any other data or information deemed necessary by Village Staff or the Village Plan Commission.

D. Requirements. In acting on any site plan, the Plan Commission shall consider the following:

- (4) A landscape plan complying with the requirements of Article XVII of this Chapter.
- (5) An exterior lighting plan complying with the requirements of Article XVIII of this Chapter.
- (6) Elevation drawings for all exterior sides of structures, wall signs, and free standing signs to include information indicating materials, colors, and method of illumination for all exterior surfaces.

SECTION 8. Chapter 305 ARTICLE XVII of the Code of the Village of New Glarus is hereby created to read as follows:

ARTICLE XVII Landscaping, Screening, and Woodland Preservation Regulations

§305-134. Purpose.

The purpose of this Article is to indicate the minimum requirements for the landscaping of street frontages, highway bufferyards, paved areas, building foundations; and landscaped bufferyards; for screening of outdoor trash areas and other outdoor storage; and for the preservation and restoration of woodland areas.

§305-135. Landscaping Standards.

A. Applicability. Any use for which site plan review is required under §305.94, or for which a variance is required, shall provide landscaping in accordance with the regulations of this section. A

landscape plan prepared by an individual experienced in landscape design in accordance with this section shall be submitted as part of all applications for site plan review under §305-94. In the event that a proposed addition, or last in a series of additions, would bring the total building size to 133% or greater than the original building size, all quantitative landscaping standards in this section shall be met in full. In other instances, the quantitative landscaping standards shall be met to the extent determined practical by the Planning Commission.

B. Required landscape plan. All proposed landscape plantings, berm elevations, and screening structures to be located on the subject property shall be depicted as to their location, type, and size at time of planting and maturity.

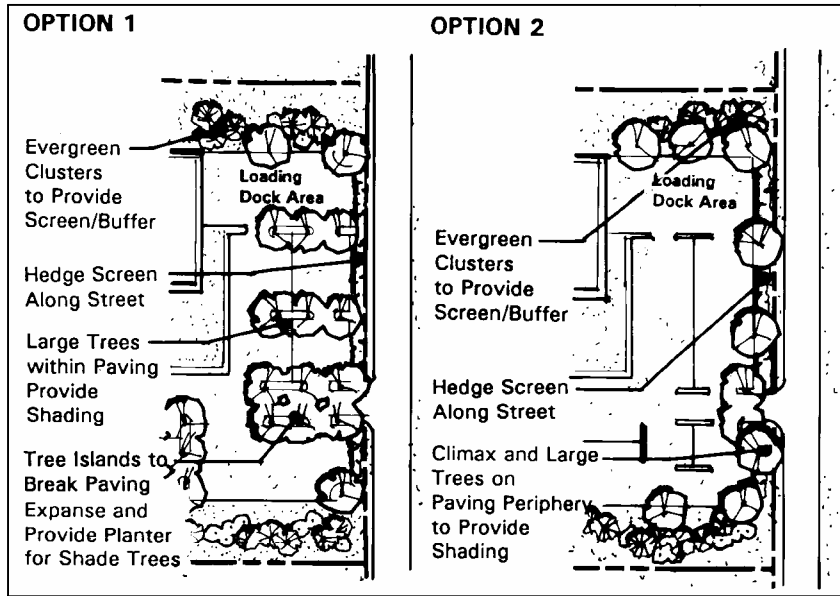
C. Landscape planting requirements. Landscaping, “living plants,” shall be provided based on the following requirements for street frontages, paved areas, building foundations, buffer yards, and general yard areas. These requirements are additive to each other and any other landscaping or screening requirements in this chapter. Credit for existing landscape plantings that are retained and protected with the development of this site shall be allowed. The point system is described in greater detail in subsection E.

(1) (a.) Street frontages. One large deciduous tree shall be planted for each 50 feet of property line along a public street right-of-way and private streets. Said trees shall be planted in the public terrace equidistant from the curb and the normal sidewalk line or on the private site within 10 feet of the property line adjoining the public right-of-way, at the discretion of the Village.

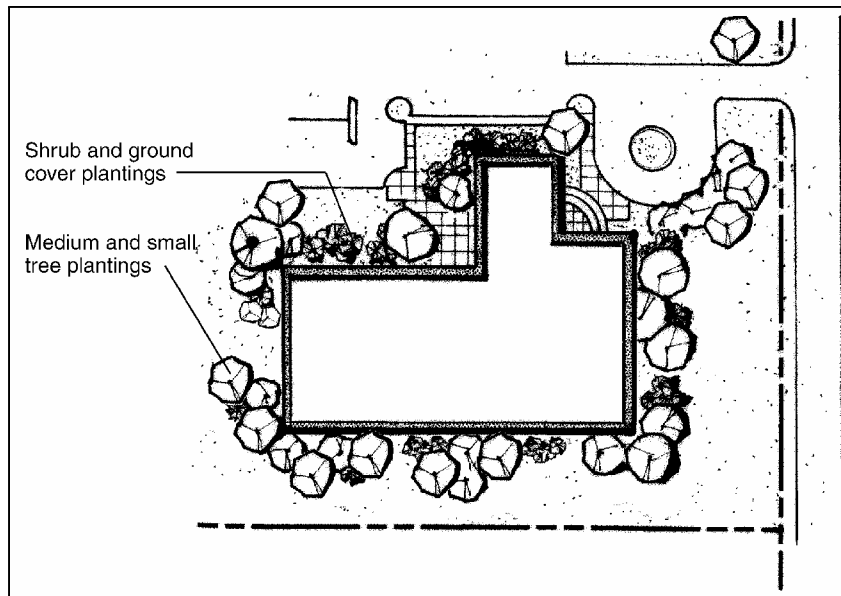
(b.) Lots backing onto state and county highways. For all lots backing onto state and county highways, landscape bufferyards shall be provided on private property and shall meet the following requirements:

Types of Plants Required	Minimum Quantity of Each Plant Type Required Per 100 Feet of Bufferyard length	Minimum Required Bufferyard Width	Minimum Structure Type
Canopy/Shade Trees	1.7	15	2-3 foot berm, undulating
Trees/Small Deciduous and Evergreen	3.4		
Shrubs	13.6		

(2) Paved areas. One large deciduous tree and 60 points of additional landscaping shall be planted for each 1,500 square feet of paving. Paving is defined as all hard surfaced areas within the ground plane including but not limited to parking stalls, driveways, trash enclosure pads, loading docks, sidewalks, plazas and patios. Plants required in this section shall be installed within landscaped islands within the paved area or within 15 feet of the edges of the paved area.



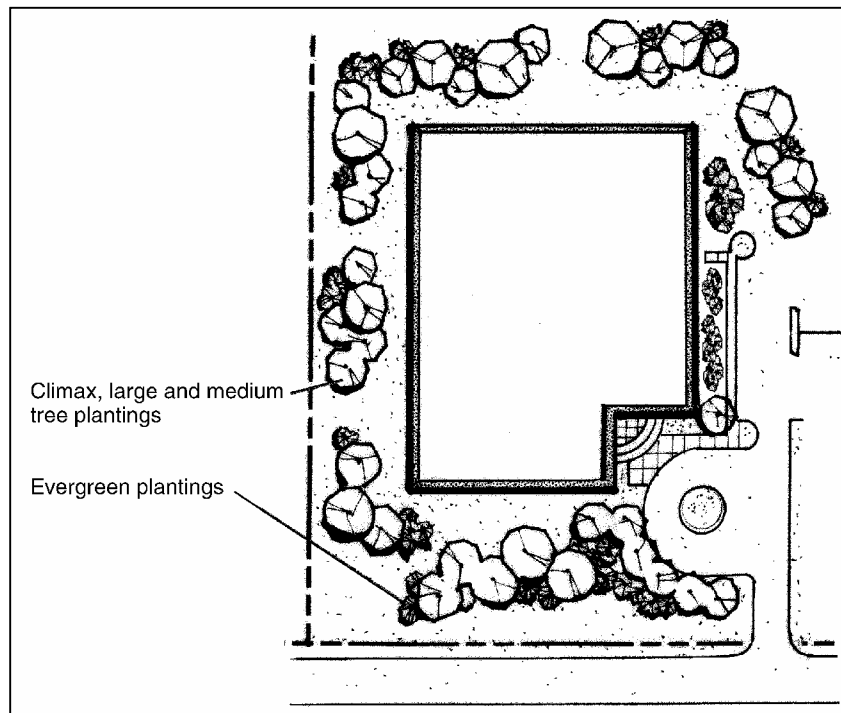
(3) **Building foundations.** 150 points of landscaping shall be planted for each 100 lineal feet of exterior building wall. Plants required by this section must be installed within 20 feet of the building foundation, and should not include large deciduous trees.



(4) **Landscaped Bufferyards.** There shall be provided and maintained a permanent buffer yard screen planting along any boundary of a nonresidential zoning district which adjoins any residential district or use. The plantings shall be designed to provide an all-season screen, with an opacity of at least 60% at maturity (80% for outdoor storage facilities). Buffer yard landscaping shall have a minimum height of three feet at time of planting, and shall be of such size when planted as to reach the necessary screening height within three years of planting. The use of berming or an opaque

fence constructed of materials compatible with the building on the site may be approved by the Plan Commission in addition to or in lieu of landscaping. The location of buffer yard plantings shall be within 25 feet of the property line, except where necessary to avoid utility easements.

(5) General yard areas. 200 additional points of landscaping shall be planted for each 5,000 square feet of total lot, site or parcel area. Landscaping required by this standard should be placed where appropriate on the site, but generally in those areas not covered by other provisions of this section. At least 50% of the general yard landscaping should be located in street yards.



(6) Other green areas. Green areas of the site not used for landscape plantings shall be graded and seeded or sodded with an acceptable maintainable lawn seed mix. Mulch of plantings or planting beds is acceptable provided that such mulching consists of organic or natural materials. Mulches shall be installed so that they will not erode, fall, be plowed or otherwise transported into walks, drives, streets or other hard surfaced portions of the site. Functional weed barriers shall be installed in all areas to be mulched.

D. Landscaping point credits. Credit for landscape plantings will be granted based on the following schedule:

- (1) Large Deciduous Tree (mature height 25+ feet): 150 points
- (2) Small Deciduous Tree (mature height <25 feet): 60 points
- (3) Evergreen Tree: 40 points
- (4) Shrub (deciduous or evergreen): 20 points
- (5) Annual/Perennial Bed: 20 points per 20 square feet of bed

E. Minimum Landscaping Size: At time of planting, plants must be the following size.

- (1) Large Deciduous Tree: 2-inch diameter at breast height.
- (2) Small Deciduous Tree: 1½-inch diameter breast height or 5 feet in height for clump varieties.
- (3) Evergreen Tree: 4 feet in height.
- (4) Shrub: 18 inches in height.
- (5) Annual/Perennial Bed: Minimum 20 contiguous square feet in area.

F. Installation. All landscaping shall be installed consistent with industry accepted standards, and shall be guaranteed by the applicant or the applicant's contractor for 2 years. Installation shall occur prior to occupancy or commencement of operations, unless doing so would result in unsatisfactory plant survival. In this case, landscaping shall be installed within 6 months of occupancy or commencement of operations, and the Village may require a performance guarantee, such as a letter of credit, before a permit for building occupancy is granted and until such landscaping is installed according to plan.

G. Landscape Maintenance. Landscaping required by this subsection is intended to be a permanent site improvement. As such, all landscaping shall be continually maintained in a live state. Maintenance shall include periodic and timely watering, fertilizing, pruning and any other such normally required horticulture activity necessary to keep all landscaping in a healthy, safe and aesthetically pleasing state. Recognizing that over time plants may mature and die or otherwise expire because of natural or unnatural causes, maintenance shall include the removal and replacement of dead or dying plants. Such replacement shall occur within the same year in which a plant dies or in the spring planting season of the following year.

H. Location in utility easements. Planting in utility easements is at the risk of the property owner. Any plants that must be removed because of utility work within such easements shall be replaced by the property owner at his or her cost.

I. Required Screening for Trash Areas.

1. All garbage cans, dumpsters, trash and recycling containers, and other storage devices situated on any property shall be closed containers with lids.
2. Where such containers are located outside a building, they shall be completely concealed or screened from public view on at least three sides by opaque fencing and gates at least 6 feet in height, supplemented by screen landscaping. Such fence enclosure shall be constructed of materials compatible with the materials on the front building wall of the main building. Any existing screens not meeting the height requirements need not be replaced solely as a result of the height requirement. However, once the screening requires substantial repair or replacement, it must conform with the height requirement of this chapter.
3. All new outside trash dumpsters shall be placed upon a dustless, all-weather hard surface such as concrete or asphalt.
4. Maintenance. Fencing and landscaping for storage areas shall be maintained in good condition and kept litter-free. All garbage cans, trash containers, and other garbage storage devices shall be emptied and the contents properly disposed of not less than once every 7 days.
5. No portion of the lot shall be used for open or unenclosed storage of trash or waste of any kind.

J. Additional Screening for Outdoor Storage Areas. In cases where the non-residential use includes areas dedicated to the outdoor storage of raw materials, finished and unfinished goods, industrial by-products and similar materials, and where the impact of such outdoor storage is deemed detrimental to the use and value of adjacent properties, the Plan Commission may require additional landscape plantings and/or screening structures for those areas in excess of those required specified in Sections A-I above.

§ 305-136 Vision Clearance on Corner and Alley Lots

Within a triangle formed by two intersecting public street right-of-way lines and a third line joining a point along each right-of-way line 15 feet from their intersection:

A. No wall, fence or earth mound shall be permitted which materially impedes vision above the height of 2½ feet.

B. No vegetation shall be permitted which materially impedes vision between the height of 2½ feet and 8 feet.

§ 305-137. Woodland Preservation.

A. Applicability. All new development (including building construction, other site improvements and/or site preparation), additions to existing development (including building construction, other site improvements and/or site preparation), certified survey maps, subdivision plats, and condominium developments shall comply with the woodland preservation standards set forth in this section.

Removal of existing mature woodlands other than those grown for commercial purposes from a property before any development approvals from the Village are sought shall not be allowed unless the property owner first obtains an Occupancy Permit under §305-93 and meets the standards of this section for woodland preservation or mitigation. All woodlands required to be protected shall remain undisturbed and in a natural state except where mitigation is permitted in accord with requirements set forth in this section.

Existing Woodlands, as applied to this ordinance, shall be based on the following sources:

1. The most recent 1"=400' aerial photographs prepared by the Southwestern Wisconsin Regional Planning Commission or Green County.
2. A field Survey of trees compiled by a registered land surveyor and identified by a landscape architect, forester, arborist, or botanist with a professional degree in one of those fields.

The area of mature woodlands, in square feet or acres, shall be measured and graphically delineated on the Site Plan and/or application for Occupancy permit.

B. Definitions. For purposes of this Article, the following definitions shall apply:

WOODLAND, MATURE – An area or stand of trees with a total combined canopy of at least one acre, with at least 50% of the trees having a diameter at breast height of at least 6 inches. No area or stand of trees specifically planted and grown for commercial purposes shall be considered a mature woodland.

C. Preservation Standards. 60 percent of the Mature Woodlands, as defined in 305.137 (B) shall be preserved, unless mitigation under this section is allowed.

D. Mitigation Approach. The Village of New Glarus recognizes that, under certain circumstances, property owners, subdividers, or developers may wish to preserve less than the minimum percentages of woodlands normally required to be preserved under subsection (c). The intent of this subsection is not to permit greater destruction of woodlands than is permitted under the requirements of this section for typical property or development. This section sets specific standards for use when the extent of tree covered land on a site and the use of the regulations would create a hardship for the efficient development of the site, in the determination of the Plan Commission.

E. Mitigation Standards. The following methods, requirements, standards and/or criteria shall be followed where mitigation is permitted:

- (1) Mitigation shall include the planting of two (2) acres of new trees for every one (1) acre of disturbed tree covered land for which mitigation is required, beyond the landscape planting standards included elsewhere in Article XVII.
- (2) On-site mitigation is preferred. The land upon which the mitigation is to take place shall be protected with a deed restriction and conservation easement as a permanent natural resource features conservation easement. Any off-site mitigation shall take place within the incorporated Village of New Glarus.
- (3) Woodlands may be mitigated under the following requirements on per acre basis, except that the Plan Commission may approve different sizes and types of plantings in mitigation areas where site conditions or context warrant:
 - a. 25 canopy trees, minimum 2-inch diameter at breast height.
 - b. 20 understory trees, minimum 4-foot high whips
 - c. 25 shrubs, minimum 12-inches high
- (4) The species of plants to be used in the mitigation of tree covered land shall generally be similar to those destroyed. Acceptable species for tree mitigation are as indicated in the following table. No more than eighty (80) percent of the total number of trees planted for mitigation purposes shall be of any single species.

Species Common Name	Species Scientific Name
Sugar Maple	<i>Acer saccharum</i>
Bitternut Hickory	<i>Carya cordiformis</i>
Hackberry (Sugarberry)	<i>Celtis occidentalis</i>
Butternut	<i>Juglans cinerea</i>
Black Walnut	<i>Juglans nigra</i>
Eastern Hophornbeam	<i>Ostrya virginiana</i>
Black Cherry	<i>Prunus serotina</i>
White Oak	<i>Quercus alba</i>
Red Oak	<i>Quercus borealis</i>
American Basswood	<i>Tilia americana</i>
American Elm	<i>Ulmus americana</i>
Slippery Elm	<i>Ulmus rubra</i>

§305-138. Exceptions and Interpretation.

A. Permanent waivers. In the event that terrain or other natural features are such that the erection of obscuring berms or planting strips, walls or fences will not serve the intended purpose, as determined by the Planning Commission, then no such screening, fences or wall shall be required.

B. Variance. Other modifications of this subchapter may be obtained by application for a variance.

SECTION 9. Chapter 305 ARTICLE XVIII of the Code of the Village of New Glarus is hereby created to read as follows:

ARTICLE XVIII Exterior Lighting Plans and Standards

§305-140. Purpose.

The purpose of this section is to regulate the spill-over of light and glare on operators of motor vehicles, pedestrians, and land uses in the vicinity of a light source in order to promote traffic safety and prevent the creation of nuisances. A further purpose of this section is to regulate outdoor night lighting fixtures to preserve and enhance the area's dark sky while promoting safety, conserving energy and preserving the environment for astronomy.

§305-141. Applicability and Definitions.

A. The requirements of this section apply to all private exterior lighting within the Village, except for lighting within public rights-of-way and/or lighting located on public property.

B. Definitions, for the purpose of this Article are as follows,

EXTERIOR LIGHTING - an outdoor artificial illuminating device, whether permanent or portable used for illumination or advertisement, including general lighting fixtures, searchlights, spotlights and floodlights, whether for architectural lighting, display lot lighting, parking lot lighting, landscape lighting, signage or other purposes.

SHIELDED FIXTURE - a fixture that is shielded in such a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected at least fifteen degrees below a horizontal plane running through the lowest point on the fixture where light is emitted.

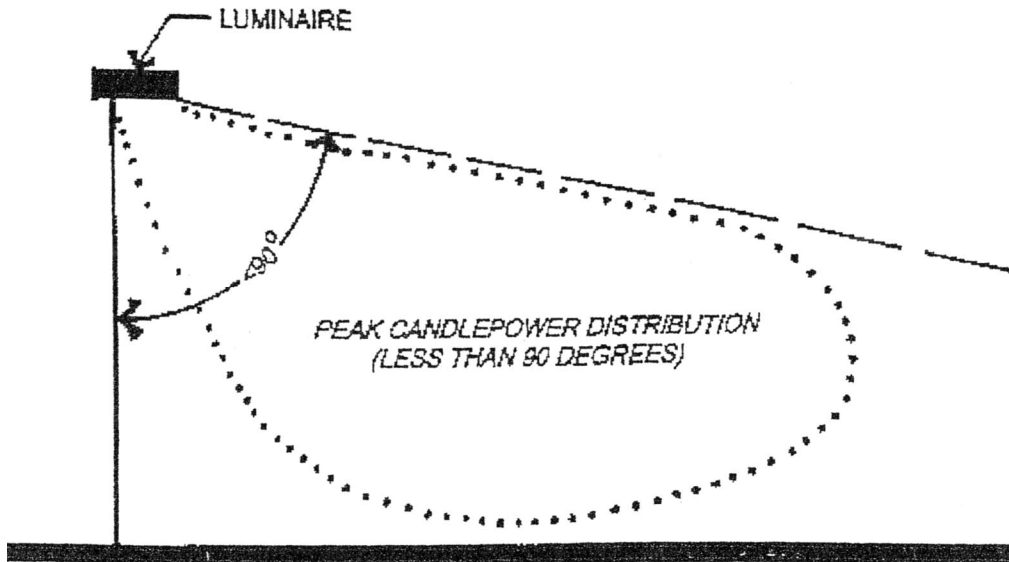
§ 305-142. Required Lighting Plan.

Where a development requires site plan review, all outdoor lighting fixtures shall be depicted and described on the required site plan or on a separate lighting plan. Depending on the complexity of the proposal or projected impact of lighting, the Village may also require the following information:

- (1) A catalog page, cut sheet, or photography of the outdoor lighting fixtures(s) including the mounting method and light cut-off angles.
- (2) A photometric plot plan, drawn to the same scale as the site plan, and indicating the location of all lighting fixtures proposed, mounting and/or installation height in feet, the average illumination level (in footcandles) within the parking lot, and illumination levels at regular intervals around the site and at property lines.

§305-143. Standards.

A. Orientation of Fixture. All exterior lighting fixtures shall be shielded fixtures, except for incandescent fixtures of 150 Watts or less, and other sources of 70 Watts or less. In no instance shall an exterior lighting fixture be oriented so that the lighting element (or a transparent shield) is visible from a property located within a residential zoning district. The use of shielded luminaires and careful fixture placement is required so as to facilitate compliance with this requirement.



B. Fixture Height. The height of any light fixture shall not exceed 15 feet for any residential use, 25 feet for LOW and MODERATE intensity non-residential uses, and 35 feet for HIGH intensity non residential uses, as defined in the table in Paragraph C below, except for athletic field lighting associated with institutional uses. The height of the pole and base shall constitute the measurement.

C. Intensity of Illumination and Filtering. In no instance shall the amount of illumination attributable to exterior lighting, as measured at the property line, exceed 0.50 footcandles above ambient lighting conditions on a cloudless night. In addition to this requirement, all exterior lighting fixtures shall not exceed the illumination levels recommended by the Illuminating Engineering Society of North America (IES) as given in the Table below. All metal halide fixtures shall be filtered by a glass or acrylic enclosure. Quartz glass shall not be considered as meeting this requirement.

IES Illumination Standards for Parking Lots

Level of Activity	Examples	General Parking & Pedestrian			Vehicle Use Only		
		Average	Minimum	Uniformity (Avg/Min)	Average	Minimum	Uniformity (Avg/Min)
High	Major League Athletic Events Major Cultural or Civic Events Regional Shopping Centers	3.6 fc 60,000 lu ¹ 750 W MH 750 W HPS 375 W LPS	0.9 fc 15,000 lu ¹ 185 W MH 185 W HPS 90 W LPS	4:1	1.8 fc 30,000 lu ¹ 375 W MH 375 W HPS 375 W LPS	0.6 fc 10,000 lu ¹ 125 W MH 125 W HPS 65 W LPS	3:1
Medium	Community	2.4 fc	0.6 fc	4:1	0.9 fc	0.3 fc	3:1

	Shopping Centers Cultural, Civic, or Recreational Event Office Parking Hospital Parking Transportation Parking Fast Food Facilities Residential Complex Parking	40,000 lu ¹ 500 W MH 500 W HPS 250 W LPS	10,000 lu ¹ 125 W MH 125 W HPS 65 W LPS		15,000 lu ¹ 185 W MH 185 W HPS 90 W LPS	5,000 lu ¹ 60 W MH 60 W HPS 30 W LPS	
Low	Neighborhood Shopping Industrial Employee Parking Educational Facility Parking Church Parking	0.9 fc 15,000 lu ¹ 185 W MH 185 W HPS 90 W LPS	0.18 fc 3,000 lu ¹ 35 W MH 35 W HPS 18 W LPS	4:1	0.45 fc 7,500 lu ¹ 90 W MH 90 W HPS 45 W LPS	0.12 fc 5,000 lu ¹ 25 W MH 25 W HPS 15 W LPS	4:1

¹ Assumes light is at a height of 20 feet. If light is at 30 feet the lumens needs to be doubled to achieve the same fc at the ground.

D. Minimum Lighting Standards. All areas designated on required site plans for vehicular parking, loading, or circulation and used for any such purpose after sunset shall provide artificial illumination in such areas meeting the minimum for “LOW” level of activity as defined in the table in Subsection C above during operating hours.

E. Architectural Lighting. All architectural lighting shall be of 150 Watts or less in incandescent, and shall be of 70 Watts or less for other lighting types. All architectural lighting during such period shall have a minimum of 90 percent of its light fall onto the illuminated structure, rather than into sky or space beyond the structure.

F. Hours of Illumination.

1. Architectural Lighting. Within one hour after closing of the store, completion of the final work shift, or completion of specific activities associated with an institutional use, only architectural lighting necessary for building security will be permitted. Under no circumstances shall the illumination of architecture other than building security lighting be permitted between 11:00 p.m. and 7:00 a.m. Public institutions and structures used primarily as places of worship are exempt from this requirement provided they comply with Section 305-143 (E.) of this Chapter.
2. Display/Storage Lot Lighting. Display and storage lot lighting other than security lighting shall be extinguished within one hour after closing of the business. Under no circumstances shall the illumination of display lots other than security lighting be permitted between 11:00 p.m. and 7:00 a.m. Display Lot security lighting during the periods indicated not exceed levels allowed for “LOW” intensity uses, as specified in the table in Subsection C above.
3. Parking, Loading and Vehicular Circulation Lighting. Within one hour after closing of the store, completion of the final work shift, or completion of specific activities associated with an institutional use, lighting of parking lot, loading and unloading areas, and other vehicular areas shall not exceed the maximum intensity allowed for “LOW” intensity uses as specified in the table in Subsection C above.

G. Lights and Fixtures Prohibited.

1. Mercury Vapor Fixtures. No new mercury vapor exterior lighting fixtures shall be installed following the effective date of this ordinance amendment.

2. **Flashing Lights.** Flashing, Flickering and other Distracting Lighting. Flashing, flickering and/or other lighting which may distract motorists are prohibited.
3. **Spotlights and Beacons.** Spotlights and Beacons directing light off premises, other than those required for aviation safety and navigation.

H. **Nonconforming Lighting.** All lighting fixtures existing prior to the effective date of this Chapter shall be considered as legal conforming structures (see Article V). To the extent permitted by technology used, existing nonconforming lighting structures shall be made to comply with operational requirements for hours of illumination, and lighting intensity requirements of the Village of New Glarus Municipal Code following the effective date of this ordinance. All replacement fixtures shall fully comply with the requirements of this section.

SECTION 10. **Severability.** In the event that any subsection, paragraph, sentence, clause or term contained in this ordinance shall be determined to be valid or unenforceable, such determination shall not affect the remaining provisions which shall continue to apply.

SECTION 11. **Effective date.** This ordinance shall take effect upon its passage as provided by law.

The foregoing ordinance was duly adopted by the Village Board of the Village of New Glarus at its regular meeting held on February 6, 2007.

Thomas C. Myers, Village President

Lynne R. Erb, Village Clerk

PRESENTED: 2/6/07

ADOPTED: 2/6/07