

**IN THE COMMISSIONERS COURT OF PRESIDIO COUNTY, TEXAS**  
**ORDER FOR REGULATION OF OUTDOOR LIGHTING IN THE COUNTY**

**1. DEFINITIONS**

1.1. In this order:

- a) "Outdoor lighting" means any type of lighting, fixed or movable, designed or used for outdoor illumination of building or homes, including lighting for billboards, streetlights, searchlights used for advertising purposes, externally or internally illuminated on or off-site advertising signs, and area-type lighting. It does not include lighting equipment, required by law to be installed on motor vehicles or lighting required for the safe take-off and landing of aircraft.
- b) "Installed" means the initial installation or replacement of outdoor lighting as defined herein.
- c) "Fully shielded" means that those fixtures shall be shielded in such a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected below the horizontal plane running through the lowest point on the fixture where light is emitted.
- d) "Partially shielded" means that those fixtures shall be shielded in such a manner that the bottom edge of the shield is below the plane centerline of the light source (lamp) minimizing light above the horizontal.
- e) "Spot light" means a light fixture having a narrow beam.
- f) "Flood light" shall mean a light fixture having a wide beam.

**2. GENERAL REQUIREMENTS**

- 2.1. New lighting installations: All outdoor lighting fixtures shall be fully shielded, except incandescent fixtures of less than one hundred fifty watts or other sources of less than seventy watts which shall be partially shielded.
- 2.2. Recreational facilities: No outdoor public recreational facility shall be illuminated by nonconforming means after midnight except to conclude a specific recreational activity in progress.
- 2.3. Outdoor building or landscaping illumination: The unshielded outdoor illumination of any building, landscaping or signing is prohibited except with incandescent spot lights of less than 150 watts which shall be partially shielded to prevent light from being emitted away from the target of illumination.
- 2.4. Existing fixtures: Outdoor lighting fixtures in existence or under construction on September 1, 1975, are not subject to this order.
- 2.5. Replacement fixtures: When existing lighting fixtures become irreparable, their replacements are subject to all the provisions of this order.

- 2.6. Spot lights and flood lights: For spotlights and floodlights mounted overhead on poles and used for area lighting, the axis of illumination shall be adjusted to an angle not more than 20 degrees from the vertical line between the fixture and the ground (see Exhibits 1 and 2).
- 2.7. Mercury vapor: The installation of mercury vapor fixtures is prohibited.
- 2.8. Searchlights: The operation of searchlights for advertising purposes is prohibited.

### 3. EXEMPTIONS

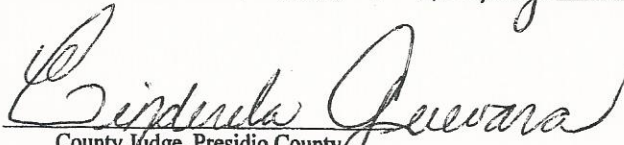
- 3.1. Any individual may submit a written request to the County Judge for a temporary exemption from the requirements of this order: The request for the exemption shall contain as a minimum the following information:
  - a) Proposed use of outdoor light involved.
  - b) Type of lamp to be used, including manufacturer's model number.
  - c) Type of light fixture used, including manufacturer's model number.
  - d) Total wattage of lamp or lamps.
  - e) Proposed location of outdoor light.
  - f) Beginning and ending date of proposed exemption.

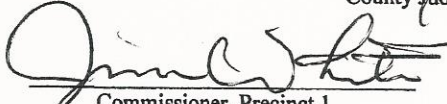
### 4. ENFORCEMENT

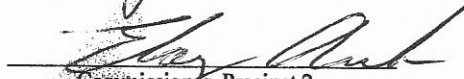
- 4.1. A law enforcement officer of the State of Texas, the Sheriff, or any other officer of Presidio County shall make enforcement of this order.
- 4.2. Upon notification of a possible violation of this order, a duly-commissioned peace officer shall be sent to the scene to investigate.
- 4.3. If in the opinion of the officer at the scene, the goal of the Order can be attained by informing the responsible party about the prohibitions established by this Order, the officer may, at his discretion, notify the party about the provisions of this Order and request compliance with it. In such instances, an entry of the notification shall be made into the dispatcher's log containing the time, date, and place of the warning, and the name of the person receiving the warning.
- 4.4. VIOLATION OF THIS ORDER IS A CLASS C MISDEMEANOR, PUNISHABLE BY A FINE NOT TO EXCEED \$500.00, AND EACH DAY OF VIOLATION MAY BE PUNISHABLE AS A SEPARATE OFFENSE.
- 4.5. THE VENUE FOR PROSECUTION OF THIS ORDER SHALL BE IN PRESIDIO COUNTY COURT.
- 4.6. THE LAW ALLOWS ANY PERSON TO OBTAIN AN INJUNCTION TO PREVENT THE VIOLATION OF THIS ORDER.

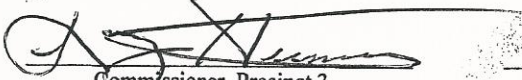
5. EFFECTIVE DATE

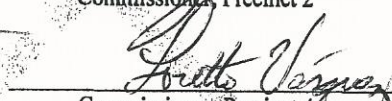
ORDERED AND ENTERED OF RECORD on this, the 12<sup>th</sup> day of May 2015

  
County Judge, Presidio County

  
Commissioner, Precinct 1

  
Commissioner, Precinct 2

  
Commissioner, Precinct 3

  
Commissioner, Precinct 4

ATTEST:

  
County Clerk, Ex Officio Clerk of the  
Presidio County Commissioners Court