

**ORDINANCE 22-13**  
**AN ORDINANCE AMENDING THE HOLDEN BEACH CODE OF ORDINANCES, CHAPTER 92: NUISANCES**  
**(OUTSIDE LIGHTS)**

**BE IT ORDAINED BY** the Mayor and Board of Commissioners of the Town of Holden Beach, North Carolina, that Chapter 92: Nuisances (Outside Lights) be amended as follows.

**Section One:** Amend Sections 92.30 – 92.35 to read as follows.

**92.30 DEFINITIONS.**

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**DECORATIVE LIGHTS.** Lights used to enhance the appearance of an area rather than to provide illumination. These include Christmas lights and low voltage **with maximum 300 lumens** driveway and landscaping lights.

**DOORWAY LIGHTS.** Lights attached to structures or walkways used to illuminate doors and immediate areas leading to entrances; to include those installed beneath houses.

**FLOOD/SPOTLIGHTS.** Bare lights attached to buildings and used to illuminate a specific area (yards, driveways, walkways, and the like) normally for a limited time period. These may also be used as security lights – amber lights suggested.

**SAFETY LIGHT.** A light used to warn boats or vehicles of possible obstacles.

**SECURITY LIGHT.** A light (either automatic, **motion activated** or manual) which can be **illuminated** overnight for the protection of people or property.

**YARD LIGHT.** A light whose fixture is not attached to a building, ramp, or deck and is over four feet above ground level.

('85 Code, § 3-11a.) (Ord. 92-10, passed 7-22-92)

**§ 92.31 PURPOSE.**

It is the intent of this subchapter to permit sufficient outside lighting to provide for the safety and security of citizens while preventing undue distraction to residents or guests, **and to provide a safe and welcoming environment for Nesting Sea Turtles.**

('85 Code, § 3-11) (Ord. 92-10, passed 7-22-92)

**§ 92.32 UNLAWFUL LIGHTS.**

It shall be unlawful for any outside light to be installed or directed:

- (A)** To interfere with the vision of the operator of any motor vehicle on any street or waterway; **or cast any amount of Direct light more than 15 feet from the footprint**

of the residence and no direct light on the south side of ocean front homes.

- (B) Decorative, safety and security lights directed directed seaward of any ocean front home set with all night timers or day/night photo cells.

(c) That is not in compliance with the provisions of this subchapter.

('85 Code, § 3-11b.) (Ord. 92-10, passed 7-22-92; Am. Ord. 94-24, passed 10-3-94) Penalty, see § 92.99

#### § 92.33 LIGHTS PERMITTED IN R-1 AND R-2 DISTRICTS.

- (A) Decorative lights except on ocean front walkways or walkway seating structures and landscape areas on the south side of oceanfront homes

(B) Flood or spotlights provided they are directed onto the owner's property. (C)

Doorway lights of 100 watts or less per light.

(D) Safety lights with motion activation

(E) Security lights, attached to a building, and so shielded that no direct lighting is outside the owner's property.

(F) Pool lights within the confines of pool fencing or directed into the pool area. Security lights, presently on poles, which do not meet the restrictions of division (G) of this section are permitted for a period of one year following enactment of this subchapter provided they are so shielded that there is no direct lighting outside the owner's property.

(G) One yard light per living unit provided:

(1) It does not exceed ten feet in height (measured from mean lot level) and does exceed 900 lumens.

(2) External ocean front lights used exclusively for safety purposes shall be limited to the minimum number necessary for safety. Such lights shall be shielded as required to achieve their functional roles and shall use motion activation that keeps the lights off except when approached and turn back off within five minutes per activation are required. It is of the same design and wattage as the approved town street lights and does not exceed 20 feet in height.

('85 Code, § 3-11c.) (Ord. 92-10, passed 7-22-92; Am. Ord. 94-24, passed 10-3-94; Am. Ord. 94-28, passed 12-5-94)

#### § 92.34 LIGHTS PERMITTED IN C-1 COMMERCIAL DISTRICTS.

(A) Any lights permitted in R-1 or R-2 Districts are permitted.

(B) Security lights not attached in buildings and lights used to illuminate entertainment facilities provided:

(1) The light is so shielded that no direct lighting is outside the owner's property. (2)

Any pole is a minimum of ten feet from the road right-of-way.

('85 Code, § 3-11e.) (Ord. 92-10, passed 7-22-92) Penalty, see § 92.99

**§ 92.35 COMPLAINTS.**

Permitted lights which may be in violation of § 92.32 of this chapter will be reported in writing to the

Town Manager **or designee** who will make the final determination if a violation exists. The Town Manager **or designee** will notify the complainant and the alleged violator of his/her findings in writing.

('85 Code, § 3-11f.) (Ord. 92-10, passed 7-22-92)

**Section Two:** The Town Clerk is directed to forward this ordinance to American Legal Publishing for inclusion in the next published supplement to the Holden Beach Code of Ordinances.

**Section Three:** This ordinance shall be effective the 18<sup>th</sup> day of May, 2022.

This the 17<sup>th</sup> day of May, 2022.

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J. Alan Holden, Mayor

ATTEST:

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Heather Finnell, Town Clerk