



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** BL2022-1088      **Name:**

**Type:** Bill (Ordinance)      **Status:** Passed

**File created:** 1/25/2022      **In control:** Government Operations and Regulations Committee

**On agenda:** 3/15/2022      **Final action:** 3/15/2022

**Title:** An Ordinance to amend Sections 2.80.080, 17.28.100, and 17.40.010 of the Metropolitan Code of Laws regarding the design and operation of outdoor electrical lighting to reduce light pollution consistent with International Dark Sky Association guidelines and to authorize the board of fire and building codes to grant variances from these provisions (Proposal No. 2020Z-014TX-003).

**Sponsors:** Burkley Allen

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
3/25/2022	1	Metropolitan Council	effective	
3/16/2022	1	Mayor	approved	
3/15/2022	1	Metropolitan Council	passed on third reading	
3/15/2022	1	Government Operations and Regulations Committee	approved	
3/14/2022	1	Planning and Zoning Committee	approved	
3/1/2022	1	Metropolitan Council	passed on second reading	
3/1/2022	1	Metropolitan Council	public hearing	
2/24/2022	1	Planning Commission	approved	
2/4/2022	1	Metropolitan Council	advertised	
2/1/2022	1	Metropolitan Council	passed on first reading	
1/25/2022	1	Metropolitan Council	filed	

An Ordinance to amend Sections 2.80.080, 17.28.100, and 17.40.010 of the Metropolitan Code of Laws regarding the design and operation of outdoor electrical lighting to reduce light pollution consistent with International Dark Sky Association guidelines and to authorize the board of fire and building codes to grant variances from these provisions (Proposal No. 2020Z-014TX-003).

Section 1. That Section 2.80.080 of the Metropolitan Code of Laws is amended by deleting the section in its entirety and replacing it with the following:

2.80.080 - Variance granting authority.

The board of fire and building code appeals, when so appealed to and after a hearing may vary the application of any provision of this chapter and Chapters 10.64 Articles I and II, 16.04, 16.08, and 16.28 through 16.56, and Section 17.28.100 of this code to any particular case when, in its opinion, the strict enforcement thereof would do manifest injustice and would be contrary to the spirit and purposes of this chapter and Chapters 10.64 Articles I and II, 16.04, 16.08 and 16.28 through 16.56, and Section 17.28.100

of this code, or public interest, and when in its opinion the interpretation of the director of codes administration and/or the metro fire marshal should be modified.

Section 2. That Section 17.28.100 of the Metropolitan Code of Laws is amended by deleting Subsection E.4.a. and replacing it with the following:

- a. All site lighting shall be shielded so that substantially all directly emitted light falls within the property line. No illumination in excess of one-half foot-candle shall be permitted across the boundary of any adjacent residential property or the mid-line of a public street.

Section 3. That Section 17.28.100 of the Metropolitan Code of Laws is amended by deleting Subsection G.5 and replacing it with the following:

5. Variances: Variances to the requirements of this chapter may be granted by the board of fire and building code appeals as provided in Chapter 2.80 of the Metropolitan Code.

Section 4. That Section 17.40.010 of the Metropolitan Code of Laws is hereby amended by deleting the first sentence and replacing it with the following:

The zoning administrator is granted the following authority and responsibilities by this title except as otherwise provided in the Metropolitan Code:

Section 5. Be it further enacted, that this ordinance take effect five days from and after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

#### Analysis

This ordinance amends various provisions of the Metropolitan Code of Laws to authorize the Board of Fire and Building Code Appeals to grant variances from the provisions of Section 17.28.100 of the Metropolitan Code. This section pertains to the design and operation of outdoor electrical lighting to reduce light pollution consistent with International Dark Sky Association guidelines.

In addition, this ordinance amends Subsection 17.28.100.E.4.a of the Metropolitan Code to clarify that no illumination in excess of one-half foot-candle is permitted across the mid-line of a public street. The current language of this subsection provides that the illumination is not permitted across a public street.