

## FOLLY BEACH CITY ORDINANCES

### PROTECTION OF LOGGERHEAD SEA TURTLES § 151.45 DEFINITIONS.

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

**ARTIFICIAL LIGHT.** Any source of light emanating from a manmade device, including but not limited to, incandescent mercury vapor, metal halide, or sodium lamps, flashlights, spotlights, street lights, vehicular lights, construction or security lights.

**BEACH.** The area of unconsolidated material that extends landward from the mean low water line to the place where there is a marked change in material or physiographic form, or to the line of permanent vegetation (usually the effective limit of storm waves).

**FLOODLIGHTS.** Reflector type light fixture, attached directly to a building and is unshielded.

**LOW PROFILE LUMINARIES.** Light fixtures set on a base which raises the source of the light no higher than 48 inches off the ground, and designed in such a way that light is directed downward from a hooded light source.

**NEW DEVELOPMENT.** New construction and remodeling of existing structures when the remodeling includes alteration of exterior lighting.

**PERSON.** Any individual, firm, association, joint venture, partnership, estate, trust, syndicate, fiduciary, corporation, group or unit or federal, state, county or municipal government.

**POLE LIGHTING.** Light fixture set on a base or pole which raises the source of the light higher than 48 inches off the ground.

**SHADING COEFFICIENT.** A coefficient expressing that percentage of the incident radiation which passes through the window as heat.

**SOLAR SCREEN.** Screens which are fixed installations and permanently project shade over the entire glass area of the window. The screens must be installed outside of the glass and must have:

- (1) A shading coefficient of .450 less;
- (2) A minimum five-year warranty; and

(3) Performance claims supported by approved testing procedures and documentation.

TINTED OR FILMED GLASS. Window glass which has been covered with window tint or film such that the material has:

- (1) A shading coefficient of .450 or less;
- (2) A minimum five-year warranty;
- (3) Adhesive as an integral part; and

(4) Performance claims which are supported by approved testing procedures and documentation.

(Ord. 8-92, passed 4-21-92; Am. Ord. 11-97, passed 7-1-97; Am. Ord. 18-99, passed 7-13-99)

§ 151.46 PURPOSE.

The purpose of this subchapter is to protect the threatened loggerhead sea turtles which nest along the beaches of the city, by safeguarding the hatchlings from sources of artificial light.

(Ord. 8-92, passed 4-21-92; Am. Ord. 11-97, passed 7-1-97; Am. Ord. 18-99, passed 7-13-99)

§ 151.47 NEW DEVELOPMENT.

(A) It is the policy of the city that no artificial light illuminate any area of the beaches of the city.

(B) To meet this intent, building and electrical plans for construction of single family or multi-family dwellings, commercial or other structures including electrical plans associated with parking lots, dune walkovers or other outdoor lighting for real property if lighting associated with the construction or development can be seen from the beach, shall be in compliance with the following:

(1) Floodlights shall be prohibited. Wall mounted light fixtures shall be fitted with hoods so that no light illuminates the beach.

(2) Pole lighting shall be shielded in a way that light will be contained within arc of three to 73 degrees on the seaward side of the pole. Outdoor lighting shall be held to the minimum necessary for security and convenience.

(3) Low profile luminaries shall be used in parking lots and the lighting shall be positioned so that no light illuminates the beach.

(4) Dune crosswalks shall utilize low profile shielded luminaries.

(5) Lights on balconies shall be fitted with hoods so that lights will not illuminate the beach.

(6) Tinted or filmed glass shall be used in windows facing the ocean above the first floor of multi-story structures. Shade screens can be substituted for this requirement.

(7) (a) Temporary security lights at construction sites shall not be mounted more than 15 feet above the ground.

(b) Illumination from the lights shall not spread beyond the boundary of the property being developed, and in no case shall those light illuminate the beach.

(C) The provisions of this section shall not apply to any structure for which a building permit has been issued by the Building Official, prior to the effective date of this subchapter.

(Ord. 8-92, passed 4-21-92; Am. Ord. 11-97, passed 7-1-97; Am. Ord. 18-99, passed 7-13-99) Penalty, see § 151.99

#### § 151.48 EXISTING DEVELOPMENT.

(A) It is the policy of the city that no artificial light illuminate any area of the beaches of the city.

(B) To meet this intent, lighting of existing structures which can be seen from the beach shall be in compliance with the following.

(1) Lights illuminating buildings or associated grounds for decorative or recreational purposes shall be shielded or screened such that they are not visible from the beach, or turned off from dusk to dawn during the period of May 1 to October 31 of each year.

(2) Lights illuminating dune crosswalks of any areas oceanward of the dune line shall be turned off from dusk to dawn during the period of May 1 to October 31 of each year.

(3) Security lighting shall be permitted throughout the night so long as low profile luminaries are used and screened in a way that those

lights do not illuminate the beach.

(4) Window treatments in windows facing the ocean about the first floor of multi-story structures are required so that interior lights do not illuminate the beach. The use of blackout draperies or shade screens are preferred. The addition of tint or film to windows or awnings is also encouraged, as is turning off unnecessary lights if the light illuminate the beach.

(Ord. 8-92, passed 4-21-92; Am. Ord. 11-97, passed 7-1-97; Am. Ord. 18-99, passed 7-13-99) Penalty, see § 151.99  
§ 151.49 PUBLICLY OWNED LIGHTING.

Street lights and lighting at parks and other publicly owned beach access areas shall be subject to the following:

(A) Whenever possible, street lights shall be located so that the bulk of their illumination will travel away from the beach. These lights shall be equipped with shades or shields that will prevent backlighting and render them not visible from the beach.

(B) Lights at parks or other public beach access points shall be shielded or shaded or shall not be utilized during the period May to October 31 of each year.

(Ord. 8-92, passed 4-21-92; Am. Ord. 11-97, passed 7-1-97; Am. Ord. 18-99, passed 7-13-99) Penalty, see § 151.99  
§ 151.99 PENALTY.

(A) Any person violating any provision of this code for which no specific penalty is prescribed shall be subject to § 10.99.

(B) Any person altering the area that is the subject of §§ 151.35 through 151.38 by littering, destruction of vegetation or the artificial movement of the existing sand dunes shall subject to a \$500 fine, and each day such exists shall constitute a separate offense. Violators will be required to replace altered sand dunes and replant the natural vegetation of the area. ('95 Code, § 5-10-5) (Ord. 15-93, passed 9-7-93)