

CHAPTER 554: OUTDOOR LIGHTING REGULATIONS

STATEMENT OF NEED AND PURPOSE

Good outdoor lighting at night benefits everyone. It increases safety, enhances the City's nighttime character, and helps provide security. New lighting technologies have produced lights that are extremely powerful, and these types of lights may be improperly installed so that they create problems of excessive glare, light trespass, sky glow, and higher energy use. Excessive glare can be annoying and may also cause safety problems. Light trespass reduces everyone's privacy, and higher energy use results in increased costs for everyone. This ordinance recognizes the benefits of outdoor lighting and provides clear requirements for its installation to help maintain and complement the City's character. Appropriately regulated, and properly installed, outdoor lighting will contribute to the safety and welfare of the residents of the City.

This ordinance is intended to reduce the problems created by improperly designed and installed outdoor lighting. It is intended to eliminate problems of glare, minimize light trespass, and help reduce the energy and financial costs of outdoor lighting by establishing regulations which limit the areas that certain kinds of outdoor-lighting fixtures can illuminate and by limiting the total allowable illumination of lots located in the City of Loveland. All business, residential, and community driveway, sidewalk, and property luminaires should be installed with the idea of being a "good neighbor" with attempts to keep unnecessary direct light from shining onto abutting properties or streets.

554.01. DEFINITIONS.

As used in this Chapter:

Backlight: Shall mean, for an outdoor luminaire, light, or fixture, lumens emitted in the quartersphere below horizontal and in the opposite direction of the intended orientation of the luminaire. For luminaires with symmetric distribution, backlight will be the same as the front light.

Board of Lighting Appeals: The Board of Zoning Appeals shall serve as the Board of Lighting Appeals with respect to hearing and deciding appeals relative to the application and enforcement of this Ordinance.

BUG Rating: Shall mean the metric utilized for purposes of measuring the amount of backlight, uplight, and glare emitted by any luminaire, light, or fixture as regulated by this Chapter. Backlight (B) is the light directed behind the fixture, uplight (U) is any light directed upward above the horizontal plane of the luminaire, and glare (G) is the amount of light emitted from the luminaire at high angles.

Candela: Shall mean the unit of luminous intensity that measures luminous power emitted by a light source in a particular direction, often expressed as "cd".

Commercial: Shall mean any place of business or other location where commercial activities are conducted, any office, warehouse, or other commercial establishment, public or private institution, charitable establishment, gathering place or meeting hall, public use or quasi-public institutions, schools or other institutions devoted to the pursuit of higher learning, any religious institution or places of worship, any multi-family residential structure or group of structures containing four (4)

or more units, or any other operations or activities classified as commercial uses and regulated as such, by any state, federal, or local agencies having jurisdictional authority to promulgate rules with respect to any such use.

Correlated Color Temperature (CCT): Color temperature defines the color appearance of a light source. CCT is defined in degrees Kelvin; a warm light is around 2700K, moving to neutral white at around 4000K, and to cool white, at 5000K or more.

Dark Sky Compliant Fixture: Shall mean a luminaire, light, or fixture that is designed to reduce and/or eliminate the unwanted negative impacts associated with wasted and/or poorly directed light, or otherwise as approved by the International Dark Sky Association.

Direct Light: Shall mean any light emitted directly from the lamp, the reflector, or reflector diffuser, or through the refractor or diffuser lens, of any light, luminaire, or fixture.

Fixture: Shall mean the assembly that houses any light bulb, lamp or lamps, or LED(s), and can include all or some of the following parts: a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a driver, a reflector, or mirror, and/or a refractor or lens.

Flood or Spotlight: Shall mean any luminaire, light, fixture, or lamp that incorporates a reflector or a refractor to concentrate the light output into a directed or diffused beam in a particular direction.

Footcandle: Shall mean a measurement of light intensity or illuminance (also expressed as foot candle, foot-candle, fc, lm/ft², or ft-c). One footcandle is equal to the amount of light required to saturate a one-foot square (1 sq.ft.) area with one lumen of light from a uniform source of light emitting from any luminaire, light, fixture, or lamp.

Fully shielded lights: Shall mean any outdoor light fixture that is shielded or constructed so that no light rays are emitted by the installed fixture at angles above the horizontal plane as certified by a photometric test report.

Glare: Shall refer to light emitting from a luminaire with an intensity great enough to reduce a viewer's ability to see, sometimes resulting in or causing momentary blindness, or any other lighting condition resulting in or leading to the visual sensation caused by excessive brightness, thereby causing annoyance, discomfort, or a disability loss in visual performance or visibility.

Ground Mounted: Shall mean any method by which any light, luminaire, or fixture is permanently or temporarily affixed to the ground as to project light on any horizontal or vertical plane, either in an outward, upward, or downward direction as to emit or project light onto any object, structure, feature, or building.

Height of Luminaire: The height of a luminaire shall be the vertical distance measured from the ground directly below the centerline of the luminaire to the lowest direct-light-emitting part of the luminaire.

Illuminance: Shall mean the measurement of the total amount of light or luminous flux falling onto and spreading over a given surface, measured in lux (lm/m²). Illuminance provides a measure of the intensity of light falling onto a surface.

Indirect Light: Direct light that has been reflected or has scattered off other surfaces.

Lamp: The component of a luminaire that produces the actual light. In LED fixtures it is the LED(s) or array.

Light-Emitting Diode (LED): A light-emitting diode (LED) shall mean a semiconductor light source that emits light when current flows through it.

Light Trespass: The directing of light produced by a luminaire beyond the boundaries of the property on which it is located.

Lumen: A unit of luminous flux (denoted by the abbreviation “lm”) which is the measure of the total amount of visible light from a lamp or light source. The higher the number of lumens, the brighter the lamp or other light source. One footcandle is one lumen per square foot. For the purposes of this Ordinance, the lumen-output values shall be the INITIAL lumen output ratings of a lamp or other light source.

Luminaire: Shall mean a complete lighting system intended to emit light from a fixed location, which may include an LED(s), light bulb(s), lamp(s), and a fixture.

Luminance: Shall mean the measurement of the amount of light emitting, passing through or reflected from a surface from a solid angle. Luminance indicates how much luminous intensity can be perceived by the human eye and can also indicate the brightness of light emitted or reflected off of a surface, often expressed as either “nit” or “cd/m²”.

Luminous Flux: Shall mean the measurement of the power of visible light produced by a light source, light, fixture, lamp, or luminaire, measured in lumens (lm). Luminous flux expresses the total amount of light which emitted by a lighting element, fixture, lamp, or luminaire, in all directions.

Lux: Shall mean a unit of illuminance, or luminous flux, per unit area, equal to one lumen per square meter. Lux is used as a measure of the intensity, as perceived by the human eye, of light that hits or passes through a surface, often expressed as “lm/m²”.

Nit: Shall mean a unit of measurement that equals one candela per square meter, expressing the total luminance of any lighting element, fixture, lamp, or luminaire, often expressed as “cd/m²”.

Outdoor Lighting: Shall mean the nighttime illumination of an outside area or object by any man-made device located outdoors that produces light by any means.

Pole: Any natural or artificial device intended to secure the placement of a light, fixture, or luminaire, for the specific purpose of elevating the light fixture above the ground.

Pole Mounted: Any method by which any light, fixture, luminaire, or other light-emitting device is either permanently or temporarily affixed to a natural or manufactured pole, free standing structure not intended for occupancy, or other wire, string, or device intended to mechanically suspend a luminaire, lamp, or fixture as to result in the direction of light downward or outward from the fixed location.

Residential: Shall mean any single-family dwelling unit, two-family dwelling unit, or three-family dwelling unit contained within a single building envelope that is designed, occupied, and maintained for residential use at the time of adoption of this Ordinance.

Sky Glow: Sky glow shall mean the diffuse luminance of the night sky from artificial lighting, apart from discrete natural light sources such as the Moon and visible individual stars.

Temporary outdoor lighting: The specific illumination of an outside area or object by any man-made device located outdoors that produces light by any means for a period as permitted by this Chapter.

Wall Mounted: Shall refer to any method utilized to permanently or temporarily secure any light, fixture, luminaire, or other light-emitting device to any permanent or temporary structure erected on any property, as to project light downward, upward, or outward from the fixture location onto any adjacent wall, street, parking area, sidewalk, entryway, or other horizontal or vertical service adjacent to or nearby the fixture location.

554.02 COMMERCIAL OUTDOOR LIGHTING REGULATIONS.

For purposes of this Ordinance, the following provisions shall apply to all commercial uses as defined in Section 554.01 located within the City of Loveland, Ohio:

A. COMMERCIAL OUTDOOR LIGHTING REGULATED.

All public and commercial lighting, whether indoor or outdoor, as regulated by this Chapter, and installed in the City of Loveland shall conform with the requirements established by this Ordinance. All previous language contained within the City of Loveland Code of Ordinances governing the use or installation of public and commercial indoor or outdoor lighting is hereby superseded by this Ordinance. In the case of a conflict between prior regulations and the provisions enumerated within this Chapter, the more specific provision shall apply. For purposes of this Section, the term “Public” shall mean done, perceived, or existing in open view.

B. CONTROL OF GLARE, SKY GLOW, AND LIGHT TRESPASS.

The following regulations shall apply to all commercial and public lighting installations within the City of Loveland, Ohio:

1. **Required Shielding to be Installed.** All commercial wall mounted or pole mounted lights, fixtures, luminaires, or other light-emitting devices and all ground mounted lights, fixtures, luminaires, or other light-emitting devices, including ground mounted, wall mounted or pole mounted flood or spot luminaires with bulb(s), lamp(s), or LED(s), shall be fully shielded and shall not emit any direct light above a horizontal plane through the lowest direct-light-emitting part of the luminaire, subject the following additional requirements:
 - (a) All commercial wall mounted, and pole mounted lighting fixtures regulated by this Chapter shall be installed and maintained in such a manner as to be horizontal to the ground so that the shielding characteristics of the fixture are fully maintained.

- (b) In no instance shall any ground mounted flood or spotlight direct light onto any adjacent street or right-of-way, sidewalk, alleyway, or adjacent property.
 - (c) All commercial wall mounted or pole mounted lights, fixtures, luminaires, or other light-emitting devices shall be directed fully downward and shall be oriented on a ninety (90) degree parallel plane with the corresponding horizontal plane where the building foundation or light pole, as applicable, meets the ground level.
 - (d) Decorative gas lamps and historic lamps approved within the boundaries of the City of Loveland Historic Preservation District shall be exempt from the shielding and visibility restrictions enumerated within this section, provided that the fixtures are approved by the Historic Preservation and Planning Commission and provided that the fixtures do not exceed one-thousand two hundred (1200) lumens.
2. Flat Lens Installations Required. All commercial wall mounted or pole mounted lights, fixtures, luminaires, or other light-emitting devices with an integrated lens, or refractor shall employ only a flat lens with the required shielding installed in a manner that results in no part of the light-emitting diode or bulb being directly visible from any adjacent street, alleyway, sidewalk, or right-of-way when viewed by any pedestrian or vehicular traffic, except for those fixtures meeting the following requirements:
- (a) Decorative gas lamps and historic lamps approved within the boundaries of the City of Loveland Historic Preservation District shall be exempt from the restrictions enumerated within this section, provided that the fixtures are approved by the Historic Preservation and Planning Commission and provided that the fixtures do not exceed one-thousand two hundred (1200) lumens.
3. Metal Poles Required. All commercial pole mounted lights, fixtures, luminaires, or other light emitting devices shall be required to utilize metal poles, designed, and approved specifically for use to accommodate lighting fixtures. The use of wooden poles shall be prohibited.
4. Dark Sky Compliant Fixtures Required. All commercial wall mounted, and pole mounted lights, fixtures, luminaires, or other light-emitting devices shall be designed and installed to reduce and/or eliminate the unwanted negative impacts associated with wasted and/or poorly directed light, or otherwise as approved by the International Dark Sky Association.
5. Light Trespass Prohibited. All commercial lights, fixtures, luminaires, or other light-emitting devices shall be located, aimed, and shielded to eliminate light trespass across property boundaries. In every instance, installations shall utilize additional opaque shielding as needed, to eliminate light trespass onto adjacent residential or commercial properties. Notwithstanding the foregoing, the provisions of this section shall not apply where a single cohesive development, under single or common ownership, occupies more than one property, where the properties are contiguous to one another, and the light emitted only spills onto the adjacent property held in common ownership.

6. Height Restrictions. Any pole mounted luminaire with a lamp or lamps rated at a total of MORE than one thousand eight-hundred (1800) lumens, and all flood or spot luminaires with a lamp or lamps rated at a total of MORE than nine hundred (900) lumens, shall be mounted at a height equal to, or less than twenty-five (25') from finished grade, provided that no measurable light shall spill over any front, side, or rear property line.
7. Maximum Correlated Color Temperature. All lamps and light fixtures shall contain light sources of $\leq 3500\text{K CCT}$, except as otherwise permitted within this Ordinance.
8. Maximum Permissible BUG Rating. The maximum permissible BUG Rating for all wall mounted or pole mounted commercial lights, fixtures, luminaires, or other light-emitting devices shall be B* U2 G2. (*not applicable)
9. Top-of-Pole and Ground Mounted Lighting. The following provisions shall be applicable to both top mounted, mounted downward directed lighting, and ground mounted flood lighting or spotlights:
 - (a) In the case of flags, statues or other top-of-pole mounted objects which cannot be illuminated with down-lighting, upward lighting may be used only in the form of one narrow-beam spotlight which confines the illumination to the object of interest. Lights, fixtures, luminaires, or other light-emitting devices as regulated by this Section shall meet the shielding provisions enumerated within Section 554.02(B)(1)(a) of this Ordinance.
 - (b) Ground mounted flood and spotlights installed as part of an overall lighting plan and designed and placed in a manner as to highlight architectural or landscaping features, objects, or structures, are permitted to be installed, provided that the fixture is equipped with the proper shield as required by Section 554.02(B)(1) of this Ordinance.
 - (c) The required shield for top-of-pole and/or ground mounted flood and spotlights shall be designed to fully shield the fixture and bulb when viewing the fixture while facing the object that the fixture is illuminating. The placement and emission of light shall be entirely focused upon the architectural feature, structure, or landscaping feature that the fixture is intended to illuminate.
 - (d) Top-of-pole and ground mounted flood and spotlights shall be flat lens fixtures, meeting the requirements of Section 554.02(B)(2) of this Ordinance.
 - (e) In no instance shall any top-of-pole, ground mounted flood light, or spotlight direct light onto any adjacent street or right-of-way, sidewalk, alleyway, or adjacent property.
 - (f) Ground mounted flood or spotlights shall not exceed a total height greater than eighteen (18") inches above the finished grade at the point of installation, inclusive of the mounting pedestal and fixture or any fixture housing.
- C. NONCONFORMING LIGHTING. Existing outdoor public and commercial lights, fixtures, luminaires, or other light-emitting devices regulated under Section 554.02(B) that were lawfully existing, permitted, and installed prior to the date of enactment of this Ordinance shall be permitted to remain, provided that lights, fixtures, luminaires, or other light-emitting devices are not altered, enlarged, expanded, replaced, or further modified in any way whatsoever. Nothing

within this Section shall be interpreted as prohibiting the replacement of non-functioning light bulbs, or LED drivers when conducted as part of normal maintenance of the existing lighting fixture.

- D. DISCONTINUATION OR TERMINATION. Nonconforming public and outdoor commercial lights, fixtures, luminaires, or other light-emitting devices regulated under Section 554.02(B) that are damaged or destroyed beyond fifty (50%) percent of the original value of the fixture, or that are otherwise abandoned and discontinued, or are not illuminated for more than forty-five (45) consecutive days shall be classified as being permanently discontinued and shall not be re-established, repaired, altered, modified, or replaced except in conformance with these regulations.
- E. COMPLIANCE PERIOD LIMITATION Existing outdoor public and commercial lighting shall be brought into conformance with this Ordinance not later than December 31, 2033.

554.03 OUTDOOR ADVERTISING SIGN ILLUMINATION.

- A. OUTDOOR ADVERTISING ILLUMINATION REGULATED. This section is intended to regulate the amount of light disturbance associated with lighting and illumination installed in conjunction with outdoor advertising sign illumination, and to mitigate the impacts of lighting associated with outdoor advertisement. The following provisions shall govern lighting provided as any component of all outdoor sign or advertising structures installed within the City of Loveland, Ohio:
1. Top Mounted Fixtures Required. External lighting fixtures used to illuminate an outdoor advertising sign shall be mounted on the top of the sign structure and the light shall be directed to illuminate only the signage. All such fixtures shall comply with the shielding and flat lens requirements established within Section 554.02(B) of this Ordinance. The use of bottom-mounted or ground mounted outdoor advertising-sign lighting shall be prohibited, unless all of the following standards are achieved:
 - (a) The bottom-mounted or ground-mounted fixture is designed and installed to meet the requirements of Section 554.02 of this Chapter;
 - (b) The bottom-mounted or ground-mounted fixture is designed and installed as to be completely shielded from view from any street, right-of-way, alleyway, sidewalk, or adjoining property; and
 - (c) The bottom-mounted or ground-mounted fixture is appropriately angled and directed as to direct all light directly onto the signage being illuminated with no measurable light spillover extending beyond the perimeter of the signage being illuminated.
 2. Height Restrictions. Luminaires used primarily for sign illumination may be mounted at any height, up to a maximum height of twenty-five (25) feet, regardless of lumen rating, provided that the luminaire meets the shielding and flat lens requirements established within Section 554.02(B)(1) of this Ordinance.

3. Internally Illuminated Cabinet Signs. Internally illuminated outdoor advertising signs constructed utilizing translucent materials and wholly illuminated from within shall not require shielding. Dark backgrounds with light lettering or symbols shall be required to minimize detrimental effects. The total lumen allowance per property shall not exceed one thousand eight hundred (1800) lumens per installation.
 4. Internally Illuminated Channel Letter Signs. Internally illuminated channel letter signs constructed utilizing translucent materials and wholly illuminated from within shall not require shielding. The total lumen allowance per property shall not exceed one thousand two hundred (1200) lumens per installation.
 5. External Fixtures to Be Integrated. Externally affixed light fixtures shall be designed as to be fully integrated into the design of the overall signage cabinet or structure.
 6. Auto-Dimmer Photocell Activation Required. LED-style Electronic Message Center Signs shall be permitted to be installed, subject to the provisions enumerated elsewhere within the Codified Ordinances for the City of Loveland, Ohio, provided that the signage is equipped with a nighttime auto-dimming circuit that shall reduce the total light output from dusk until dawn to not greater than eighty (80) nits (cd/m²) total luminance. No LED-style Electronic Message Center Sign shall be permitted to exceed three thousand five hundred (3,500) nits (cd/m²), total luminance during daytime operation. For more information, refer to the most recently released Illuminating Engineering Society's (IES) RP-39 "Off-Roadway Sign Luminance" recommended practice.
 7. Illuminated Interior Signage Regulated. Illuminated interior signage, including but not limited to, neon signage, LED signage, or other types of internally illuminated signs that convey operational status, hours or operation, or advertising products or services contained therein, that are also installed in a manner resulting in the signage being visible to any public or private street, access easement, parking lot, sidewalk, or other right-of-way, shall not exceed nine hundred (900) lumens.
- B. NONCONFORMING OUTDOOR ADVERTISING LIGHTING. Existing outdoor advertising structures employing either external or internal illumination that were lawfully existing, permitted, and installed prior to the date of enactment of this Ordinance shall be permitted to remain, provided that the existing sign or the lighting utilized to illuminate the sign is not altered, enlarged, expanded, replaced, or further modified in any way whatsoever.

Nothing within this Section shall be interpreted as prohibiting the replacement of non-functioning light bulbs or LED drivers when conducted as part of normal maintenance of the existing signage lighting. However, LED-style Electronic Message Center Signs shall be adjusted to meet the brightness requirements detailed in Section 554.03(A)(7) by December 31, 2023, or one (1) year from the date of the enactment of this ordinance, whichever is later.

- C. DISCONTINUATION OR TERMINATION. Nonconforming outdoor advertising structures employing either external or internal illumination that are damaged or destroyed beyond fifty (50%) percent of the original value of the structure, or that are otherwise abandoned and discontinued, or are not illuminated for more than forty-five (45) consecutive days shall be classified as being permanently discontinued and shall not be re-established, repaired, or replaced except in conformance with these regulations.

- D. COMPLIANCE PERIOD LIMITATION Existing outdoor advertising structures that utilize either external or internal illumination methods shall be brought into conformance with this Ordinance not later than December 31, 2033.

554.04 RECREATIONAL FACILITIES LIGHTING.

- A. RECREATIONAL LIGHTING REGULATED. Any light source permitted by this Ordinance may be used for lighting of publicly owned or privately owned outdoor recreational facilities, such as, but not limited to, football fields, soccer fields, baseball fields, softball fields, tennis courts, volleyball courts, or show areas, provided all the following conditions are met:
1. Shielding Required. All fixtures used for recreational event lighting shall be fully shielded and shall otherwise meet the requirements of Section 554.02 of this Ordinance.
 2. Metal Poles Required. All new recreational lighting installations shall deploy metal poles that are designed and constructed for the intended use.
 3. Glare Reduction Measures Required. All recreational lighting fixtures and installations shall be designed or provided with sharp cut-off capability, to minimize uplight, spill light, and glare. Measured spill illuminance values, as measured with the light meter aimed in the direction of the brightest reading, shall not exceed ≤ 0.20 ft-c / ≤ 2.0 lux, nor shall it exceed the maximum initial spill illuminance values as modeled and specified in the design process.
- B. SPILL ILLUMANCE MEASUREMENT METHODOLOGY. Measured spill illuminance values shall be taken a distance equal to one-hundred-fifty (150') feet beyond the edge of the field of play. Measurements should be conducted with and without the facility lighting operating so that the sports facility lighting can be isolated from other natural and artificial light sources.
- C. PROHIBITIONS ON OPERATION, TIME RESTRICTIONS. All events shall be scheduled to complete all activity before or as near to 10:30 p.m. as practical, but under no circumstances shall any illumination of the field of play be permitted after 11:00 p.m. except to conclude a scheduled event that was in progress before 11:00 p.m. and circumstances prevented concluding before 11:00 p.m.
- D. EXEMPTIONS. Recreational Lighting installed and maintained by the City of Loveland, Ohio, on any city-owned, maintained, or leased facility, shall be exempt from the requirements of this Section.

554.05 TEMPORARY OUTDOOR LIGHTING.

- A. TEMPORARY OUTDOOR LIGHTING REGULATED. Any temporary outdoor lighting that conforms to the requirements of this Ordinance shall be allowed. In addition, nonconforming temporary outdoor lighting may be permitted by the City Manager after considering the following:

1. The public and/or private benefits that will result from the temporary lighting;
 2. The proliferation of noxious conditions associated with the temporary lighting;
 3. The potential for the creation of any annoyance or safety problems that may result from the use of the temporary lighting; and
 4. The duration of time that the proposed temporary nonconforming lighting will be utilized.
- B. APPLICATION REQUIRED. Prior to erecting or installing any Temporary Outdoor Lighting, any person seeking to establish Temporary Outdoor Lighting shall submit a detailed description of the proposed temporary nonconforming lighting to the City Manager in accordance with the application procedures established within Section 554.09 of this Ordinance.

554.06 RESIDENTIAL OUTDOOR LIGHTING REGULATIONS.

The provisions stated elsewhere in this Ordinance shall not apply to properties devoted entirely to Residential use, as defined within this Ordinance. This Ordinance is not intended to regulate the installation or design of residential lighting fixtures or equipment, nor shall this Ordinance be interpreted to specifically regulate the type, quantity, design, and function of any light, fixture, or luminaire installed on residential property. Notwithstanding the foregoing, the following provisions shall apply to properties devoted entirely to residential use within the City of Loveland, Ohio.

- A. RESIDENTIAL STREET LIGHTING. Residential Street Lighting provided as part of an established or newly created municipal lighting district, or as part of a privately maintained streetlight system that is installed or replaced after the effective date of this ordinance shall be designed in full compliance with the requirements of this Ordinance.
- B. REPLACEMENT OF EXISTING FIXTURES. Whenever any pole, fixture, luminaire, or any other component of any lawfully installed Residential Street Lighting system is repaired or replaced within any lawfully established municipal lighting district, the replacement pole, fixture, luminaire, or any other replacement component shall comply with the provisions of this Ordinance.
- C. OBJECTIONABLE OR DANGEROUS USES, PRACTICES, OR CONDITIONS. No person shall install, place, maintain, direct, operate, or otherwise cause the installation, direction, or operation of any fixture, light, or luminaire on Residential property, as to result in the creation of a nuisance condition that would be otherwise injurious to an adjoining Residential property. The following shall constitute a violation of this Section:
 1. No person shall knowingly direct any light or beacon in such a manner as to shine directly upon or into any window, door, opening, yard, or other horizontal or vertical surface of any adjoining Residential property.
 2. No Person shall knowingly direct any light or beacon in such a manner as to shine directly into or upon any public street or right-of-way as to create a condition where glare is manifested and observed by the motoring public.

3. No person shall knowingly install lighting of such an intensity and brightness as to result in the proliferation of noxious, injurious, or otherwise dangerous conditions as a result of the light installation.

554.07 PROHIBITIONS.

- A. LASER SOURCE LIGHT. The use of laser source light or any similar high intensity light for outdoor advertising or entertainment, when projected above the horizontal plane is prohibited.
- B. SEARCHLIGHTS. The operation of searchlights for advertising purposes is prohibited.
- C. OUTDOOR ADVERTISING ILLUMINATION, OFF-PREMISES. The electrical illumination of outdoor advertising off- site signs is prohibited between the hours of 11:00 p.m. and sunrise.
- D. LED STRIP LIGHTING, VANITY LIGHTING, AND WINDOW LIGHTING. The use of LED strip lighting or other lighting around the perimeter or any window, door, awning, parapet wall, overhang, or other architectural feature shall be prohibited. No light shall be deployed in a manner that results in the creation of glare when viewed from any public street, right-of-way, sidewalk, alleyway, or parking lot. All lighting shall be sufficiently screened or shielded from view with an appropriate screen, baffle, or other trim or molding feature as to completely obscure the light from view. No light shall be affixed or directed as to project light upwards beyond the horizontal plane of the roof or wall to which the structure is affixed.
- E. GLOBE LIGHTING. No light shall be affixed to any post or structure that utilizes a transparent or semi-opaque globe or bulb, or globe and bulb in combination, to distribute light in a manner that results in the direction of light in all vertical and horizontal directions.

554.08 EXEMPTIONS.

- A. PERMANENT EXEMPTIONS. If not specifically exempted by the provisions of this Section, or if not exempted within another Section of this Ordinance, the requirements of this Chapter shall apply. Lights, fixtures, luminaires, or other light-emitting devices meeting one or more of the following requirements shall be exempt from the requirements of Sections 554.02 through 554.05 of this Ordinance:
 1. Any commercial wall mounted or pole mounted luminaire with a bulb(s), lamp(s), or LED(s) rated at a total of one thousand eight hundred (1800) lumens or LESS, and all flood or spot luminaires with a bulb(s), lamp(s), or LED(s) rated at nine hundred (900) lumens or LESS, may be used without restriction to light distribution or mounting height, provided the fixture is otherwise compliant with this Ordinance. No spotlight or flood luminaire rated nine hundred (900) lumens or LESS shall be aimed, directed, or focused as to direct light from the luminaire onto adjacent residential buildings or adjacent property, nor shall any fixture be installed in a manner that creases glare perceptible to persons operating motor vehicles on public ways. All fixtures exempted by this Section shall be redirected, or its light output controlled, shielded, or otherwise modified to the extent required to eliminate such conditions.

2. Luminaires used for public-roadway, alleyway, sidewalk, pedestrian way, multi-modal path, bikeway, or any other public right-of-way illumination may be installed at a maximum height of twenty-five (25') feet and may be positioned at that height up to the edge of any bordering property or the limits or any public street or right-of-way, as applicable.
3. Existing Municipal Street Lighting or other lighting designed, installed, and maintained by the City of Loveland, Ohio shall be exempted from the provisions of this Ordinance.
4. Any light or fixture installed and approved by the City of Loveland, Ohio, to include patio lights, lamps, decorative lights, bollard style lighting, flagpole lighting, or other similar lights or fixtures, where the light or fixture is installed on any municipal building, ground, park property, or any other municipally owned, leased, or operated facilities.
5. Any light installed or approved by the Ohio Department of Natural Resources along the Little Miami Scenic Bike Trail shall be exempted from the provisions of this Ordinance, provided the fixture is located entirely within the right-of-way limits of the trail.
6. All temporary emergency lighting required by the City of Loveland Police Department, City of Loveland Public Works Department, or the Loveland-Symmes Fire Department, or any other state, federal, or local regulatory agency acting on behalf of and at the request of the City of Loveland, Ohio, shall be exempt from the requirements of this Ordinance, provided the lighting is required for the provision of municipal services, or is associated with the provision of emergency services. This shall include building and security lighting, emergency scene lighting, as well as all vehicular luminaires, fixtures, beacons, or indicators.
7. All hazard warning luminaires required by Federal regulatory agencies are exempt from the requirements of this article, except that all luminaires used must be red and must be shown to be as close as possible to the Federally required minimum lumen output requirement for the specific task.
8. Decorator lamps of less than five hundred (≤ 500) lumens each, are exempt from the requirements of this Chapter.

**554.09 TEMPORARY LIGHTING, TEMPORARY EXEMPTIONS, VARIANCES,
 AND APPEALS.**

A. APPLICATION PROCESS.

A written request for the installation of Temporary Outdoor Lighting, or for a Temporary Exemption from the provisions of this Ordinance, may be submitted to the City Manager or a designated representative for consideration. The written request shall describe the type of installation proposed, the duration of the exemption being requested, and shall include the technical specifications of the intended fixture or installation, along with written justification detailing the need for such a request.

1. Application and Fees Required. The following provisions shall govern the receipt, processing, review, and disposition of any request for Temporary Outdoor Lighting, or any request for Temporary Exemption from the regulations established by this Ordinance:

- (a) The applicant shall file the written request for Temporary Outdoor Lighting or Temporary Exemption from the provisions of this Ordinance and shall utilize the form of application developed and prescribed by the office of the City Manager and shall be accompanied by a filing fee of \$75.00.
 - (b) Upon receipt of the written request, application, and fees, the City Manager, or a designated representative shall immediately date stamp the request.
 - (c) The City Manager or a designated representative shall then review the request within ten (10) business days of the date that the application is received.
 - (d) Not more than fifteen (15) business days after receiving the request, the City Manager or a designated representative shall issue a determination regarding the applicant's request for Temporary Outdoor Lighting, or for a Temporary Exemption from the provisions of this Ordinance. Such approval or denial shall be evidenced in writing, indicating whether the applicant's request has been approved or denied. Failure to issue a written determination within fifteen (15) business days shall constitute approval of the request.
 - (e) An applicant requesting Temporary Outdoor Lighting or seeking a Temporary Exemption from the provisions of this Ordinance shall be entitled to appeal the decision of the City Manager or the City Manager's designated representative to the Planning and Zoning Commission pursuant to Section 554.09(B) of this Chapter, provided that the appeal shall be filed within twenty (20) calendar days of the date of issuance of the City Manager's decision.
2. Time Limitation for Approval. The written approval issued by the City Manager pursuant to this Section shall be valid for a maximum of thirty (30) calendar days from the date of issuance of such approval, unless otherwise specifically extended. In the case that the City Manager or a designated representative fails to issue a written determination either approving or denying the applicant's request as required by Section 554.09(A)(1)(d) of this Chapter, the exemption shall be considered to be approved, with such approval valid for a term of not more than sixty (60) calendar days from the date that the application for Temporary Outdoor Lighting or Temporary Exemption was filed with the City, as evidenced by the receipt documenting the filing and acceptance of the application and the payment of the required filing fees.
3. Extension of Approval. The City Manager may, in his or her sole discretion, grant extensions to any applicant that has received prior approval of a request for Temporary Outdoor Lighting, or Temporary Exemption. Upon expiration of any granted extension, further extensions shall only be granted by the Board of Lighting Appeals. Decisions regarding whether to grant an extension to an approved exemption are discretionary and shall not be subject to appeal.
4. Further Limitations. A maximum of one (1) temporary exemption shall be granted to any applicant in any calendar quarter within a Calendar Year. For purposes of this Ordinance, Calendar Year shall commence on January 1st of each year, and shall end on December 31st of each year.

5. Supplementary Conditions and Safeguards. In granting any request, the City Manager may prescribe appropriate conditions and safeguards to assure conformity with the intent of this Chapter. Violation of such conditions and safeguards when made a part of the terms under which the request is granted shall be deemed a violation of this Ordinance, punishable under Section 554.99 of this Chapter.
 6. Appeal Period. Decisions issued by the City Manager regarding Temporary Outdoor Lighting or Temporary Exemption requests that are not appealed to the Planning and Zoning Commission within twenty (20) calendar days of the date of issuance of the decision, as specified within this Section, shall be final and non-appealable.
- B. APPEAL OF CITY MANAGER'S DETERMINATION. In the event that a request for Temporary Outdoor Lighting or Temporary Exemption is denied by the City Manager or a designated representative, the decision may be appealed to the Planning and Zoning Commission by the party filing the original request. The following provisions shall govern the application and process for an Appeal of the City Manager's Determination:
1. Timely Appeal Required. The appeal shall be made within twenty (20) calendar days of the date of issuance of the denial by the City Manager.
 2. Application Form Required. The appeal shall be made on the application form prescribed by the office of the City Manager.
 3. Application Materials and Fees Required. The appeal shall be filed in person, and shall include the following required elements:
 - (a) Application form;
 - (b) Filing Fees in the amount of \$75.00;
 - (c) A copy of the original request for Temporary Exemption, along with the receipt evidencing receipt of the request by the City and the payment of the required fees;
 - (d) A copy of the signed written denial letter from the City Manager, or a designated representative; and
 - (e) A written statement documenting the reasoning for the appeal and how the adverse decision specifically results in the imposition of an undue hardship upon the appealing party.
 4. Certification of Application. Upon receipt of the appeal, the City Manager, or a designated representative, shall immediately date stamp the request and shall review the application for completeness, to ensure that the required documentation has been provided.
 5. Review Process. After processing the request and determining that all required information has been provided by the appealing party, the City Manager, or a designated representative, shall then forward the request to the Planning and Zoning Commission for review, with such request to be heard at the next regularly scheduled monthly meeting of the Planning and Zoning Commission, provided that the request is received at least ten (10) business days in advance of the next scheduled meeting date. In such instance where the request is received less than ten (10) business days prior to the scheduled monthly Planning and Zoning Commission Meeting, the request will be heard by the Planning and Zoning Commission at the following regularly scheduled monthly meeting.

6. Action by Planning and Zoning Commission. Not more than forty-five (45) calendar days after receiving and considering the request at a regularly scheduled Planning and Zoning Commission meeting, the Commission shall provide a determination to the requesting party, indicating whether the applicant's appeal of the City Manager's decision has been approved or denied. The determination shall be made via adoption of a motion by the Commission and shall be evidenced in writing. Failure to adopt a motion either approving or denying the appeal request, and failure to provide a written response pursuant to the requirements of this Section, shall constitute an approval of the request by the Commission.
 7. Supplementary Conditions and Safeguards. In granting any appeal, the Planning and Zoning Commission may prescribe appropriate conditions and safeguards to assure conformity with the intent of this Chapter. Violation of such conditions and safeguards when made a part of the terms under which the appeal is granted shall be deemed a violation of this Ordinance, punishable under Section 554.99 of this Chapter.
 8. Right of Additional Appeal. An applicant shall be entitled to further appeal the decision of the Planning and Zoning Commission to the Board of Lighting Appeals pursuant to Section 554.09(C) of this Chapter.
 9. Appeal Period. An applicant seeking to appeal a decision of the Planning and Zoning Commission to the Board of Lighting Appeals shall be required to file the appeal within twenty (20) calendar days of the date of issuance of the Commission's decision. In the event that the Planning and Zoning Commission's decision is not appealed within twenty (20) calendar days, the decision of the Planning and Zoning Commission shall be final.
- C. APPEAL OF PLANNING AND ZONING COMMISSION'S DETERMINATION. In the event that an applicant seeks to appeal a decision of the Planning and Zoning Commission issued pursuant to Section 554.09(B) of this Chapter, the decision may be further appealed to the Board of Lighting Appeals by the party filing the original request. The following provisions shall govern the application and process for an Appeal of the Planning and Zoning Commission's determination:
1. Timely Appeal Required. The appeal shall be made within twenty (20) calendar days of the date of issuance of the Planning and Zoning Commission's decision.
 2. Application Form Required. The appeal shall be made on the application form prescribed by the office of the City Manager.
 3. Application Materials and Fees Required. The appeal shall be filed in person, and shall include the following required elements:
 - (a) Application form;
 - (b) Filing Fees in the amount of \$75.00;
 - (c) A copy of the original request for Temporary Exemption, along with the receipt evidencing receipt of the request by the City and the payment of the required fees;
 - (d) A copy of the signed written denial letter from the City Manager or a designated representative resulting in the Appeal to the Planning and Zoning Commission;

- (e) A copy of the signed written determination issued by or on behalf of the Planning and Zoning Commission, evidencing the Commission's decision regarding the initial appeal; and
 - (f) A written statement documenting the reasoning for the appeal and how the adverse decision will specifically result in the imposition of an undue hardship upon the appealing party.
4. Certification of Application. Upon receipt of the application, the City Manager or a designated representative shall immediately date stamp the request and shall review the application for completeness, to ensure that the required documentation has been provided.
5. Review Process. After processing the application and determining that all required information has been provided by the appealing party, the City Manager or a designated representative shall then forward the request to the Board of Lighting Appeals for review.
6. Hearing Required. Upon receipt of a properly filed and perfected appeal, the Board of Lighting Appeals shall schedule a hearing to consider the appeal not more than forty-five (45) calendar days after the receipt of such appeal.
7. Action by Board of Lighting Appeals. Not more than forty-five (45) calendar days after receiving and considering the request at a scheduled meeting of the Board of Lighting Appeals as required by Section 554.09(C)(6), the Board of Lighting Appeals shall provide a determination to the requesting party, indicating whether the applicant's appeal of the Planning and Zoning Commission's decision has been granted or denied. The determination shall be made via adoption of a motion by the Board of Lighting Appeals and shall be evidenced in writing. Failure to adopt a motion either granting or denying the appeal request, and failure to provide a written response as required herein, shall constitute an approval of the request.
8. Supplementary Conditions and Safeguards. In granting any appeal, the Board of Lighting Appeals may prescribe appropriate conditions and safeguards to assure conformity with the intent of this Chapter. Violation of such conditions and safeguards when made a part of the terms under which the appeal is granted shall be deemed a violation of this Ordinance, punishable under Section 554.99 of this Chapter.
9. Right of Administrative Appeal. The decision of the Board of Lighting Appeals may be further appealed, pursuant to Ohio Revised Code Chapter 2506. Decisions issued by the Board of Lighting Appeals shall be final and non-appealable after thirty (30) days, as per Section 2505.07 of the Ohio Revised Code.
- D. VARIANCES. An applicant may seek permanent relief from any provision of this Ordinance by filing an application for variance with the Board of Lighting Appeals. The following provisions shall govern the application and process for the issuance of variances to the regulations promulgated within this Chapter:

1. Application for Variance. The variance application shall be filed in person, and shall include the following required elements:
 - (a) Application form as prescribed by the City Manager's Office;
 - (b) Filing Fees, which shall be the filing fees for Variances, as established by City Council;
 - (c) Site plan demonstrating the location of the proposed variance;
 - (d) Photometric Plan demonstrating the impact of the proposed installation to adjacent properties;
 - (e) Lighting specifications and details demonstrating the fixture type, as well as any technical and supporting documents indicating the rating, brightness, glare, or other information required to ascertain the impact of the fixture or installation for which relief is being sought;
 - (f) A mailing list of all properties and the owners thereof, located within three-hundred (300') feet in any direction of the boundaries of the area covered by the application, within the City of Loveland. For the purposes of this section, the word "owners" shall mean those persons appearing on the county's current tax duplicate as the owners of fee simple title to the real properties.
 - (g) A written statement documenting the reasoning for the requested relief sought, and further documenting how strict adherence to the provisions of this Ordinance will specifically result in the imposition of an undue hardship upon the applicant; and
 - (h) A written statement, signed by the applicant, attesting to the factual nature of the application and the truthfulness of the materials and statements contained therein.

2. Public Hearing by the Board of Lighting Appeals. The City Manager or an appointed representative shall establish a date for a public hearing within thirty (30) business days after the receipt of an application for variance; provided that the date for said public hearing is satisfactory to both the Board of Lighting Appeals and the applicant. The hearing on the variance request shall be held within forty (40) business days of receipt of application, unless specifically agreed to by both the Board of Lighting Appeals and the applicant as provided herein.

3. Notice of Public Hearing in Newspaper. Before holding the public hearing required by Section 554.09(D)(2) of this Chapter, notice of such hearing shall be given by publication in a newspaper of general circulation in the City not less than ten (10) calendar days prior to the hearing. The notice shall set forth the time and place of the public hearing and the nature of the proposed variance being sought. The City shall facilitate the public hearing notice and shall provide for the cost of the publication of the notice. A copy of the public hearing notice, along with materials confirming publication on a "proof of publication" form provided by the publishing newspaper, shall be retained by the City to confirm compliance with this section.

4. Notification of Board of Lighting Appeals Hearing. Written notice of the public hearing required by Section 554.09(D)(2) of this Chapter shall be provided to the owners of the real property within the area covered by the application for the variance and to the owners within three-hundred (300') feet in any direction of the boundaries of the area covered by the application, within the City of Loveland. For the purposes of this section, the word

“owners” shall mean those persons appearing on the county's current tax duplicate as the owners of fee simple title to the real properties. Such written notice shall be provided at least ten (10) calendar days prior to the date of the hearing by hand delivery, or by posting it by prepaid ordinary U.S. mail at the address listed upon the tax duplicate for each such owner. The written notice shall contain the same information as required of notices published in newspapers as specified in Section 554.09(D)(3) of this Chapter. The City shall provide at its cost the hand or postal delivery provided herein above. The failure to hand deliver or mail the notice provided by this section shall not, however, invalidate any action of the Board of Lighting Appeals on the variance application.

5. Supplementary Conditions and Safeguards. In granting any variance, the Board of Lighting Appeals may prescribe appropriate conditions and safeguards to assure conformity with the intent of this Chapter. Violation of such conditions and safeguards when made a part of the terms under which the variance is granted shall be deemed a violation of this Ordinance, punishable under Section 554.99 of this Chapter.

6. Action by Board of Lighting Appeals. Within forty-five (45) calendar days after the public hearing required by Section 554.09(D)(2) of this Chapter, the Board of Lighting Appeals shall either approve, approve with supplementary conditions as specified in subsection (5) hereof, or disapprove the variance request. The Board of Lighting Appeals Hearing shall not be continued beyond forty-five (45) calendar days. The Board of Lighting Appeals shall further make a finding that the reasons set forth in the application justify the granting of the variance and shall further demonstrate that the decision will make possible a reasonable use of the land, building or structure.

7. Right of Administrative Appeal. The decision of the Board of Lighting Appeals regarding an application for variance to any provision of this Chapter may be appealed, pursuant to Ohio Revised Code Chapter 2506. Decisions issued by the Board of Lighting Appeals shall be final and non-appealable after thirty (30) days, as per Section 2505.07 of the Ohio Revised Code.

**554.10 REQUIREMENTS FOR NEW COMMERCIAL AND RESIDENTIAL
MULTI-FAMILY CONTRUCTION, ADDITIONS, MODIFICATIONS,
ALTERATIONS, AND STREET LIGHTING DISTRICTS.**

- A. PERMIT REQUIRED. Prior to the construction of any new commercial or residential multi-family project, or prior the construction of any commercial or multi-family addition, modification, alteration, the establishment of any outdoor street lighting district intended for the illumination of roadway and public common areas, the installation of any outdoor illuminated signage, or any other installation regulated by this Ordinance, a permit shall be obtained from the City of Loveland, Ohio.

- B. SUBMISSION CONTENTS. The applicant for any permit required by any provision of the laws of this jurisdiction in connection with proposed work involving outdoor lighting fixtures shall submit (as part of the application for permit) evidence that the proposed work will comply with this the provisions enumerated within this Ordinance. The submission shall contain but shall not necessarily be limited to the following, all, or part of which may be part or in addition to the information required elsewhere in the laws of this jurisdiction upon application for the required permit:
1. Plans indicating the location on the premises, and the type of illuminating devices, fixtures, lamps, supports, reflectors, and other devices;
 2. Descriptions of the proposed illuminating devices, fixtures, lamps, supports, reflectors, and other devices, which shall include, but not be not limited to the following:
 - (a) Catalog cut-sheets or design specifications and drawings provided by the lighting manufacturer (including sections where required);
 - (b) Photometric data, such as that furnished by manufacturers, or similar showing the IES BUG rating, Vertical Plane (1) and Horizontal Cone (2) Polar Candela Distributions through maximum candela, and Isofootcandle Lines of Horizontal Illuminance grid distance of twenty-five (25') feet.
 - (c) A photometric plan utilizing a topographic map demonstrating the on-site lighting levels and off-site impact on adjacent land parcels of the proposed lighting in relation to the property lines of the parcel being developed.
- C. ADDITIONAL SUBMISSIONS REQUIRED. The above required plans, descriptions and data shall be sufficiently complete to enable the plans examiner to readily determine whether compliance with the requirements of this Ordinance will be secured. If such plans, descriptions, and data cannot enable this ready determination, by reason of the nature or configuration of the devices, fixtures, or lamps proposed, the applicant shall additionally submit as evidence of compliance to enable such determination such certified reports of tests as will do so provided that these tests shall have been performed and certified by a recognized testing laboratory.
- D. RESIDENTIAL STREET LIGHTING APPROVAL. If any subdivision proposes to have installed street or other common or public area outdoor lighting, the final plat shall contain a statement certifying that the applicable provisions of the City of Loveland Outdoor Lighting Ordinance will be adhered to.
- E. LAMP OR FIXTURE SUBSTITUTION. Should any outdoor light fixture, or the type of light source therein, be changed after the permit has been issued, a change request must be submitted to the building official for his approval, together with adequate information to assure compliance with this Ordinance. No fixture shall be substituted prior to the issuance of the approval by the City of Loveland.

554.11 EFFECTIVE DATE.

This Ordinance shall become effective thirty (30) calendar days after its adoption by City Council.

554.12 NONCONFORMING LUMINAIRES

- A. NONCONFORMING LUMINAIRES MAY REMAIN. All existing outdoor luminaires that were lawfully existing, permitted, and installed prior to the date of enactment of this Ordinance shall be permitted to remain, provided that the existing sign or the lighting utilized to illuminate the luminaire is not altered, enlarged, expanded, replaced, or further modified in any way whatsoever. Nothing within this Section shall be interpreted as prohibiting the replacement of non-functioning light bulbs, or LED drivers when conducted as part of normal maintenance of the existing fixture.
- B. DISCONTINUATION OR TERMINATION. Nonconforming outdoor luminaires that are damaged or destroyed beyond fifty (50%) percent of the original value of the structure, or that are otherwise abandoned and discontinued, or are not illuminated for more than forty-five (45) consecutive days shall be classified as being permanently discontinued and shall not be re-established, repaired, or replaced except in conformance with these regulations.
- C. REDUCTION OF GLARE. Existing, nonconforming luminaires that direct light toward streets or parking lots in a manner that causes glare to motorists, pedestrians, or cyclists shall be either shielded or re-directed within ninety (90) calendar days after notification is furnished by the City to the property owner of record. The shielding or redirection of such fixtures shall be accomplished in a manner that results in elimination of the potential hazard to motorists, pedestrians, or cyclists.

554.13 NOTIFICATION REQUIREMENTS.

- A. The City of Loveland building permit shall include a statement asking whether the planned project will include any outdoor lighting.
- B. Within thirty (30) calendar days of the effective date of this ordinance, the Code Enforcement Officer shall take all reasonable measures to send a copy of this Ordinance, with cover letter to all local electricians and local electric utility in and around the City of Loveland.

554.14 SEVERABILITY

The provisions of this ordinance are severable, and if any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the ordinance which can be given effect without the invalid provisions or applications.

554.15 INTERPRETATION & APPLICABILITY

In the event that any provision of this Ordinance is determined to be in conflict with any other provision, section, or regulation contained within the Codified Ordinance of the City of Loveland, this Chapter shall be interpreted to be the prevailing regulation, and as such, the more specific standard shall apply.

554.16 NOTICE OF VIOLATIONS

- A. It shall be a violation for any person to install, operate, or maintain any luminaire in violation of this Ordinance. Each day during which the violation continues shall constitute a separate offense.
- B. If, after investigation, the Code Enforcement Officer finds that any provision of the Ordinance is being violated, he or she shall give notice by hand delivery or by certified mail, return-receipt requested, of such violation to the owner and/or to the occupant of such premises, demanding that violation be abated within thirty (30) calendar days of the date of hand delivery or of the date of mailing of the notice. In the event that such delivery method is unsuccessful, the Code Enforcement Officer may post the notice of violation prominently on the premises in violation.
- C. If the violation is not abated within the required thirty (30) calendar day period, the Code Enforcement Officer shall forward the matter to the City of Loveland Police Department for enforcement pursuant to Section 554.99 of this Ordinance. In addition, and notwithstanding the foregoing, the Code Enforcement Officer may also institute any other civil actions and proceedings, either in law or in equity, as to enjoin, restrain, or abate any violations of this Ordinance and to collect the penalties for such violations.

554.99 PENALTY

Anyone who violates this ordinance shall be guilty of a minor misdemeanor. If, within one year of an offense, the offender previously has been convicted of or plead guilty to a previous violation of this ordinance, whoever violates this ordinance is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more prior violations of this ordinance, whoever violates this ordinance is guilty of a misdemeanor of the third degree.