

ORDINANCE _____

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AMENDING MESA CITY CODE TITLE 9, CHAPTER 6 "SUBDIVISION REGULATIONS" TO ALLOW REDUCED STREET LIGHT ILLUMINATION IN CERTAIN AREAS OF THE CITY OF MESA.

WHEREAS, Title 9, Chapter 6 of the Mesa City Code entitled "Subdivision Regulations" governs street lighting in the City, including the Desert Uplands Area.

WHEREAS, the City Council finds and determines that it is appropriate to allow City staff to reduce the Minimum Pilot Lumen Level to a level that is not less than approximately 33% of the illumination levels required by American National Standards Institute (ANSI)/Illuminating Engineering Society (IES) RP-8-00 (Recommended Practices for Roadway Lighting) for the remainder of the Pilot Study Period from June 1, 2017 through December 31, 2019.

WHEREAS, the City Council finds and determines that the amendment to Title 9, Chapter 6 of the Mesa City Code set forth in this Ordinance creates minimum lighting levels in the pilot areas, and in the City, that safely and adequately protect the citizens of Mesa and the traveling public while allowing the City the opportunity to implement pilot studies to determine the lighting level that best meets the needs of the City and its citizens.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. Mesa City Code 9-6-1(C) is amended as follows (added text appears in **BOLD AND ALL CAPS**, deleted text appears as a ~~strikethrough~~):

MINIMUM PILOT LUMEN LEVEL: A level not less than **THIRTY-THREE (33)** ~~fifty~~ ~~(50)~~ percent of the illumination levels required by Roadway Lighting ANSI/IES RP-8.

SECTION 2: RECITALS. The recitals above are fully incorporated in this Ordinance by reference.

SECTION 3: EFFECTIVE DATE. The effective date of this Ordinance shall be thirty (30) days following adoption by the Mesa City Council.

SECTION 4: PRESERVATION OF RIGHTS AND DUTIES. This Ordinance does not affect the rights and duties that matured, penalties that were incurred, or proceedings that were begun before the effective date of this Ordinance.

SECTION 5: SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance or any part of the material adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MESA,
MARICOPA COUNTY, ARIZONA, this 19th day of November, 2018.

APPROVED:

Mayor

ATTEST:

City Clerk