



Town of Huntsville Staff Report

Meeting Date: May 28, 2025

To: General Committee

Report Number: DEV-2025-59

Confidential: No

Author(s): Corey Crewson, By-law Enforcement Officer

Subject: Repeal and Replace the Outdoor Lighting Bylaw

Report Highlights

With the current Outdoor Lighting Bylaw coming into full effect on January 25, 2026, Staff are proposing to repeal and replace Bylaw 2016-3 the Outdoor Lighting Bylaw to ensure that there are sufficient enforcement tools for non-compliance.

Recommendation

IT IS RECOMMENDED THAT: Committee approve the following:

1. The draft amendments to the Outdoor Lighting By-law, attached as Schedule A to report DEV-2025-59;
2. An amendment to the Appeals Committee By-law Schedule "A" to add Outdoor Lighting Bylaw;
3. An amendment to the 2022-2026 Committees of Council Terms of Reference to change to follow Appeals Committee By-law Schedule "A";

AND FURTHER THAT: the relevant by-laws be provided to Council for consideration;

AND FURTHER THAT: The Outdoor Lighting Bylaw 2016-3 be repealed and replaced upon final approval by Council.

Background

As per Section 129 of the Municipal Act, 2001, a Municipality may prohibit and regulate noise, vibration, odour, dust and outdoor illumination. Staff have conducted a full review of the current Outdoor Lighting Bylaw and have incorporated Municipal updates. Due to the extensive formatting and changes within the by-law, staff are suggesting repealing and replacing the current bylaw.

Discussion

Updates to the Bylaw:

Staff have prepared a detailed summary of the proposed changes to the Bylaw. Although most of the changes are due to a reorganization of the Bylaw, there have been some significant changes which are noted within this report.

The draft bylaw changes are as follows:

Section 1.0 Definitions

While most of the definitions from the current Outdoor Lighting Bylaw were carried over into the draft bylaw, some of the existing were updated and additional definitions were added to provide clarification and ensure consistency of the sections contained within. These updates provide the reader a better understanding of what is being described and provide some consistency with other municipal bylaws.

Section 3.0 Prohibitions

Section 3 has been revised from the current Outdoor Lighting Bylaw and provides a clearer direction to residents of the Municipality on the guidelines of when outdoor lighting is permitted and not permitted.

Section 3.6 has been amended to restrict the use of Architectural Lighting and Landscape lighting between the hours of 11:00pm and sunrise the following day. This section also provides exceptions where safety concerns such as vehicle or pedestrian travel are known. Although the bylaw sets out a general requirement that all lighting needs to be dark sky compliant, the exceptions also require reduced luminaires for security lighting and motion sensors to be used for pedestrian traffic.

Section 6.0 Exemptions

Section 6.2 This section has been added in the event that an exemption be sought to provide relief from the Bylaw. An application for an exemption is to be heard by the Appeals Committee for the Town of Huntsville in the event that lighting is required for a temporary event.

Section 6.3 This section has been added to provide an exemption for the use of Bubbler Lights, provided they meet the requirements set out in the section such as the colour of light, the maximum wattage of the light and that they do not flash.

Section 7.0 Pre-existing Non-conforming Outdoor Light Fixtures

The grandfathering clause in the current Outdoor Lighting Bylaw has been carried over to the draft and is noted in this section. An updated term has been included in the draft Outdoor Lighting Bylaw to change the term used to Pre-existing Outdoor Luminaire. Any Pre-existing Outdoor Luminaire must be brought into compliance by January 25, 2026.

Section 10.0 Orders

This section has been added to provide the process for both the Investigating Officer and the Person contravening the Bylaw. Through this Order process Staff can request that the Outdoor Luminaire be fixed, altered, removed or replaced within a specified timeframe.

Section 12.0 Administrative Penalties

This section has been added to outline the procedure for AMPs and allowance for this to be used as an enforcement tool for noncompliance under the Bylaw. This is in addition to the Order section of the Bylaw.

Options

- The Outdoor Lighting Bylaw be repealed and replaced. (**recommended**)
- The Outdoor Lighting Bylaw not be repealed and replaced (not recommended)

Operational

The By-law changes will enable the Town to use AMPs to be collected through the By-law Department.

Relevant Policies / Legislation / Resolutions

[Bylaw 2016-3](#) - Outdoor Lighting Bylaw

Council Strategic Direction

- Protected Natural Environment-1.1: Continue to apply best practices in maintaining our natural heritage features.
- Protected Natural Environment-3.4: Continue to promote community awareness of municipal, provincial, and federal programs focused on climate change mitigation and energy conservation.
- Town's Vision: A growing community that is vibrant, inclusive, and healthy while protecting our heritage and natural features.

Attachments

[2025- X- Outdoor Lighting - final](#)
[2025-X - Outdoor Lighting - Redline](#)

Consultations

Christopher Nagy- Manager of Building and Bylaw Services-CBO

Respectfully Submitted: Corey Crewson, By-law Enforcement Officer

Manager Approval (if required): Christopher Nagy, Manager of Building and Bylaw Services-CBO

Director Approval: Kirstin Maxwell, Director of Development Services

CAO Approval: Denise Corry, Chief Administrative Officer



CORPORATION OF THE TOWN OF HUNTSVILLE

BY-LAW NUMBER 2025-x

Being a by-law to regulate outdoor illumination to ensure responsible lighting, light pollution mitigation and conservation of the night environment

WHEREAS The Council of the Corporation of the Town of Huntsville finds it expedient to regulate outdoor illumination;

AND WHEREAS Authority to pass this by-law is provided by Section 129 of the *Municipal Act*, S.O., 2001, and states that:

"A local municipality may,

- (a) prohibit and regulate with respect to noise, vibration, odour, dust and outdoor illumination, including indoor lighting that can be seen outdoors; and
- (b) prohibit the matters described in clause (a) unless a permit is obtained from the municipality for those matters and may impose conditions for obtaining, continuing to hold and renewing the permit, including requiring the submission of plans."

AND WHEREAS the Town of Huntsville Official Plan encourages sensitive lighting which is oriented downward, is low wattage, energy efficient, and minimizes glare and light trespass, throughout the Town, in order to:

- a) prevent conflicts with abutting uses and preserve privacy;
- b) prevent impacts on wildlife and hazards to navigation; and
- c) preserve the night environment;

AND WHEREAS Council has passed a Community Planning Permit By-law under Section 34 of the *Planning Act*, R.S.O 1990, C.P.13 which governs lighting requirements as required in the Official Plan;

AND WHEREAS O.Reg. 608/06 and 173/16 of the *Planning Act*, R.S.O 1990, C.P.13 allow a municipality to regulate and manage development;

AND WHEREAS Subsection 51(25) of the *Planning Act*, R.S.O., 1990, c.P. 13, states that the approval authority may impose such conditions to the approval of a plan of subdivision as in the opinion of the approval authority are reasonable, having regard to the nature of the development proposed for the subdivision, including a requirement,

- "(d) that the owner of land proposed to be subdivided enter into one or more agreements with a municipality...dealing with such matters as the approval authority may consider necessary, including the provision of municipal or other services."

AND WHEREAS the Town of Huntsville values its night environment as one of the natural attributes that support our tourist economy and traditional Muskoka experience;

AND WHEREAS the Council of the Corporation of the Town of Huntsville deems it desirable to enact a by-law with respect to preserving and improving the night environment by regulating lighting fixtures;

AND WHEREAS the by-law will be referred to as the "Outdoor Lighting By-law";

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF HUNTSVILLE ENACTS AS FOLLOWS:

1.0: DEFINITIONS

For the purposes of this By-Law, terms used shall be defined as follows:

'Architectural Lighting' means an **Outdoor Luminaire, Fixture** or light that is attached to the exterior of any building, structure, boathouse, dock, post or any other thing which is used to illuminate any part of a building, structure, boathouse, dock, post or any part of a property;

'Bubbler Light' means an **Outdoor Luminaire** or other light that is used to warn people about the location of open water in the winter months, mainly used in conjunction with a dock and/or boathouse;

'Committee' means the Appeals Committee as per the Appeals Committee By-law

'Direct Light' means light emitted directly from the **LAMP** or the reflector or luminaire.

'Director' means the Director of Development Services or designate.

'Dock Light Fixture' means an **Outdoor Luminaire** or light that is used for the purposes of illuminating a dock which are affixed to the surface of the dock and meet the requirements of section 6.3 for wattage requirements;

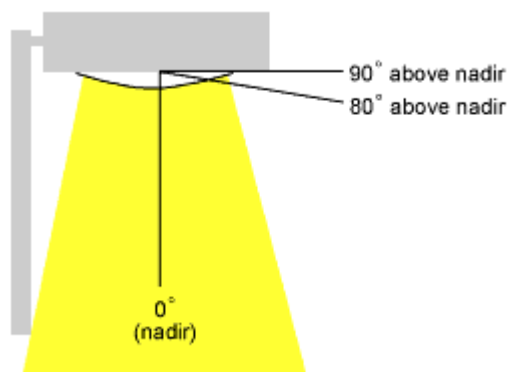
'Emergency Purposes' means during the course of their regular duties, an emergency service such as Police, Ambulance or Fire or any Town **Staff** or agent must illuminate an area that may otherwise be non-compliant with a provision of this By-law.

"Fees and Charges By-law " means the Municipal By-law adopted by council which establishes fees schedule for the Town's services.;

'Festive Lighting' means strings of holiday lights, or internally lit inflatable or plastic decorations, or other lighting of holiday or seasonal decorations;

'Fixture' means the assembly that houses the lamp or lamps and can include all or some of the following parts: a housing, a mounting bracket or pole socket.

'Full Cut-Off Fixture' means a **Luminaire** or light **Fixture** that, by design of the housing, does not allow any light dispersion or direct **Glare** to shine above a horizontal plane from the base of the **Fixture** where light is emitted, and the emission of light in the glare zone from 80-degrees to 90-degrees from nadir is less than 10% of the total emitted light from the **Fixture** (see figure below) . The **Fixture** must be **Installed** in a horizontal position as designed. These fixtures produce no stray light due to the exposure of the bulb light source because the source is recessed or shielded.



'Glare' means light emitting from a **Luminaire** with an intensity great enough to reduce a viewer's ability to see, and in extreme cases causing momentary blindness.

'Install' means the wiring, connecting, plugging in, turning on, placing, mounting or attaching any light **Fixture** or **Outdoor Luminaire** on a property;

'Lamp' means the component of a **Luminaire** that produces the actual light.

'Landscape Lighting' means an **Outdoor Luminaire** which illuminates trees, shrubs, rocks or other landscape features, of which the output is not more than 350 **Lumens** and does not include a **Pathway Light Fixture**;

'Laser Source Light' means light amplification by stimulated emission of radiation which produces a high intensity narrow beam of light;

'Light Pollution' means light that shines where it is not intended or wanted and may be a nuisance by limiting the enjoyment of the outdoor night environment. The consequences of light pollution are **Glare**, **Light Trespass** and artificial sky glow.

'Light Trespass' means the shining of light produced by a **Luminaire** beyond the boundaries of the property on which it is located.

'Lumen' is the photometric unit of light output and the unit of measure used to quantify the amount of light produced by a **Lamp** or emitted from any **Luminaire** (as distinct from **'Watt,'** a measure of power consumption).

'Luminaire' means a complete lighting system, including a lamp or lamps and a **Fixture**.

"Officer" means a Municipal Law Enforcement Officer or designate for the **Town** of Huntsville;

'Outdoor Luminaire' means an outdoor illuminating device, outdoor lighting, reflective surface, **Lamp** or similar device, permanently **Installed** or portable, used for illumination, or advertisement. Such devices shall include, but not limited to, lights used for:

- (a) **Architectural Lighting**
- (b) Recreational areas
- (c) Parking lot lighting
- (d) **Landscape Lighting**
- (e) Signs (advertising or other)
- (f) Product display area lighting
- (g) Security lighting

'Owner' includes, with respect to land or property, the registered **Owner**, occupant, tenant, or the **Person** for the time being managing or receiving the rent of the property whether on his own account or on an account of an agent or trustee of any other **Person**, or any of the aforesaid;

'Pathway Light Fixture' means a **Full Cut Off Fixture**, powered by solar power, battery power or wired, of which the output of each **Fixture** is not more than 20 **Lumens** and is no higher than 0.91 m (3 ft.) from current grade and for which the sole purpose is to illuminate an exterior pathway, walkway or stairway;

'Person' includes an individual, an **Owner**, corporation, partnership, company, firm, association, or party and includes the successors, assigns, heirs, executors, administrators, or other legal representatives of a **Person** to whom the context can apply according to law and the singular shall include the plural;

'Pre-existing Luminaire' means an **Outdoor Luminaire** not conforming to this By-law that was **Installed** prior to the passing date of By-law 2016-3 (January 25, 2016);

"Sport Court" means an outdoor area of land or non-roofed structure that is purpose built, intended to be permanent, and is capable of being used for sports or recreational activities, and other similar use;

'Staff' means, Municipal By-law Enforcement **Officer** or designate for the Town of Huntsville.

'Strobe Light' or **'Stroboscopic Lamp'**, commonly called a strobe, means a device used to produce regular flashes of light.

'Town' means the Corporation of the Town of Huntsville.

2.0 General Regulation

- 2.1 Every **Person Installing** an **Outdoor Luminaire** within the boundaries of the **Town** shall comply with the requirements of this By-law. If conflicts arise regarding control and maintenance of outdoor and indoor lighting, this By-law shall be the governing document.
- 2.2 Every **Person Installing** an Outdoor Luminaire shall be required to use completely shielded **Full Cut-Off Fixtures**, as detailed but not limited to the examples in Schedule "A" attached hereto and forming part of this By-law.

3.0 Prohibitions

- 3.1 No **Person** shall **Install** or maintain on lands or permit to be **Installed** or maintained upon a property, an **Outdoor Luminaire** that is not a **Full Cut-Off Fixture**;
- 3.2 No **Person** shall **Install** or maintain on lands or permit to be **Installed** or maintained upon a property, an **Outdoor Luminaire** that creates **Light Pollution**;
- 3.3 No **Person** shall **Install** or maintain on lands or permit to be **Installed** or maintained upon a property, an **Outdoor Luminaire** that creates **Light Trespass**;
- 3.4 No **Person** shall **Install** or maintain on lands or permit to be **Installed** or maintained upon a property, a **Laser Source Light** or any similar high intensity light outside;
- 3.5 No **Person** shall **Install** or maintain on lands or permit to be **Installed** or maintained upon a property, a **Strobe Light** or **Stroboscopic Lamp** outside;
- 3.6 No **Person** shall leave **Architectural Lighting** or **Landscape Lighting** on between 11:00 p.m. to sunrise of the next day with the exception of the following:
- a) **Dock Light Fixtures** and **Pathway Light Fixtures**;
 - b) A maximum of three (3) **Outdoor Luminaires** attached to the exterior of a boathouse;
 - c) Any other **Outdoor Luminaires** necessary for the purposes of traversing the property and which all such **Luminaires** are triggered by motion sensor and remain on for a maximum period of 15 minutes per cycle.
 - d) **Outdoor Luminaires** used for security purposes as part of Commercial operations shall be reduced to 2,000 **Lumens**
 - e) Town of Huntsville owned facilities

- 3.7 No **Person** shall **Install** or maintain on lands or permit to be **Installed** or maintained upon a property, any **Festive Lighting** with the exception of the following:
- a) All **festive lighting** shall be used during the intended season or holiday
 - b) All **Festive Lighting** shall be turned off from 11:00pm of one day to sunrise of the following day;
 - c) **Festive Lighting** shall also be exempt from Section 3.4 provided that all **Laser Source Lighting** is pointed directly onto a building of the property in which the lights are located.
- 3.8 No **Person** shall **Install** or maintain on lands or permit to be **Installed** or maintained upon a property, any **Bubbler Light** in contravention of the requirements of this By-law;
- 3.9 No **Person** shall **Install** or maintain on lands or permit to be **Installed** or maintained upon a property, an **Outdoor Luminaire** used for a **Sport Court** or outdoor recreational area that is not in compliance with the requirements of this By-law with the exception of the following:
- a) Town owned facilities
- 3.10 No **Person** shall **Install** or maintain an **Outdoor Luminaire** on an outdoor sign that is not in compliance with the requirements of this By-law.
- 3.11 No **Person** shall use strobe lights except for construction purposes or emergency purposes.
- 3.12 No **Person** shall use searchlights for advertising or entertainment purposes.

4.0 Lighting of Outdoor Advertising Signs

- 4.1 Outdoor advertising signs and light **Fixtures** used to illuminate signs or billboards shall minimize **Light Pollution** by being mounted on top of the sign facing down, must utilize full cut-off **Fixtures** and be directed at the sign such that 90% of the light is on the sign and must be in compliance with all other sections of this by-law. Where a conflict arises between a provision of this by-law and one or more provisions of the Town of Huntsville Sign By-law, the Sign By-law will take precedence.

5.0 Recreational Facilities

- 5.1 Any **Outdoor Luminaire** permitted by this By-law may be used for lighting of outdoor recreational facilities, such as, but not limited to, football fields, soccer fields, baseball fields, softball fields, tennis courts, ice rinks, ski hills or show areas, provided all of the following conditions are met:
- a) All new **Outdoor Luminaire Fixtures** used for event lighting shall be **Full Cut Off Fixtures**, or be designed or provided with full cut-off capability by a shielding retrofit, so as to minimize up-light, spill-light, and **Glare**;
 - b) All facility's lighting shall be turned off by 11:00 pm to sunrise of the next day;
- 5.2 All Town of Huntsville Recreational Facilities shall be exempt from Section 5.1 of this bylaw.

6.0 Exemptions

- 6.1 Other Authorities Having Jurisdiction

This policy does not apply to any related provincial or federal policies or regulations related to lighting

buildings, structures or waterways, including, but not limited to, authorities under NAV Canada, Canada Coast Guard, Transport Canada, Ministry of Transportation and Industry Canada.

6.2 Request For Exemption- Temporary Events

A **Person** may submit a request to the **Committee** for a temporary exemption to the requirements imposed by this By-law. The request for lighting exemption for temporary events shall require approval by the **Committee** and contain the following information:

- a) Specific exemption requested (e.g. searchlights);
- b) Type and use of exterior light involved;
- c) Date of the event;
- d) Duration of time for requested exemption;
- e) Proposed location of exterior light; and
- f) Physical size of exterior light.

6.3 Exceptions for Bubbler Lights

Every **Person** who **Installs** or Owns a **Bubbler Light** shall be exempt from Sections 3.1, 3.2, 3.3 and 3.8 and shall comply with the following conditions:

- a) The light shall be a solid blue or yellow colour;
- b) The light shall not flash or be intermittent at any time;
- c) If using a fluorescent light, the maximum Wattage shall be 13 Watts;
- d) If using an incandescent light, the maximum Wattage shall be 60 Watts;
- e) If using a LED light, the maximum Wattage shall be 10 Watts.
- f) All **Bubbler Lights** that existed prior to the passing of this By-law and were either a solid red or amber in colour, shall be exempt from Section 3.6 until such time that the bulb requires maintenance or needs to be replaced.

6.4 Every **Person** who uses any light for **Emergency Purposes** shall be exempt from Section 3.1.

6.5 Lighting required to monitor emissions for industrial purposes are exempt from this By-law.

7.0 Pre-Existing Nonconforming Outdoor Light Fixtures

7.1 **Outdoor Luminaire Fixtures** which are identified as **Luminaire Fixture** to be brought into compliance with this By-law by January 25, 2026.

7.2 **Outdoor Luminaire Fixtures** which are determined to direct light toward streets, parking lots or navigable waterways and cause **Glare** to motorists, cyclists or boaters, and therefore deemed to be a public safety concern, should be either shielded or re-directed within a reasonable timeframe as specified by the Officer.

8.0 Substantial New Development Involving Outdoor Lighting

8.1 Submission Contents

In support of substantial new development (e.g. Commercial, Industrial, Institutional, Multiple Residential, etc.), as determined by the Planner, or designate, involving **Outdoor Lighting Fixtures**, the applicant shall submit evidence that the proposed work will comply with this By-law. The submission shall contain, but shall not necessarily be limited to, the following:

- a) Detailed lighting Plans certified by a qualified illumination professional, indicating the location of on the premises, and the type of illuminating devices, **Fixtures, Lamps**, supports, reflectors, and other devices including signage lighting;

- b) Description of the illuminating devices, **Fixtures, Lamps**, supports, reflectors, and other devices and the description may include, but is not limited to, catalogue cuts by manufacturers and drawings (including sections where required);
- c) Photometric data, such as that furnished by manufacturers, or similar documentation showing the angle of cut off or light emissions and total maximum **Lumen** output.

The above required plans, descriptions and data shall be sufficiently complete to enable **Staff** to readily determine compliance with the provisions of this By-law and shall be included in an implementing Site Plan Agreement or Community Planning Permit.

9.0 INSPECTION AND ENFORCEMENT

- 9.1 An **Officer** may, at any reasonable time, enter and inspect any land to determine whether provisions of this By-law, or through a condition of a permit issued under this By-law has been complied with, or to ensure that an Order issued under this By-law has been complied with;
- 9.2 For the purposes of conducting an inspection pursuant to Section 9.1 of this By-law, the **Town** may, in accordance with Section 436(2) of the Municipal Act, 2001;
 - a) Require the production of documents or things relevant to the inspection;
 - b) Inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - c) Require information from any **Person** concerning a matter related to the inspection;
 - d) Alone or in conjunction with a **Person** possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purpose of the inspection.
- 9.3 Upon completion of the work pursuant to the permit, the **Owner** and/or permit holder shall contact the **Town** for an inspection;
- 9.4 This By-law shall be administered and enforced by the **Director**, an **Officer** or their designate.
- 9.5 If a sample is taken under clause 9.2 d) and the sample has not been divided into two parts, a copy of any report on the sample shall be given to the **Person** from whom the sample was taken.
- 9.6 A receipt shall be provided for any document or thing removed under clause 9.2 b), and the document or thing shall be promptly returned after the copies or extracts are made.

10.0 ORDERS

- 10.1 If an Officer is satisfied that a contravention of this By-law has occurred, the Officer may issue an Order and such Order shall contain:
 - a) The municipal address of the land, this may also include the roll number associated with the land;
 - b) Reasonable particulars of the contravention(s); and
 - c) The period in which there must be compliance.
- 10.2 Any Order issued pursuant to Section 10.1 of this By-law may require a **Person** or corporation who has contravened any section of this By-law to:
 - a) Discontinue the contravening act;
 - b) Fix, alter, remove or replace any **Outdoor Luminaires, Fixtures** or other illuminated objects to be compliant with the provisions of this By-law;

- c) Provide an Officer written proof that the Wattage or **Lumens** of any Outdoor **Luminaire** comply with the provisions of this By-law;
- d) Provide an Officer written proof that an Outdoor **Luminaire** has the status of a **Pre-existing Luminaire**;
- e) Provide a Lighting Design Plan which is completed by a professional in relation to lighting and to ensure that the plan complies with all provisions of this By-law.

10.3 Every **Person** shall comply with an Order made under Section 10.

10.4 Any Order issued under this section may be served personally and/or served by sending it by registered mail, and/or email to the last known address of;

- a) The **Owner** of the property at the address shown on the municipal tax rolls;
- b) The **Person** identified as contravening this By-law;
- c) If sent via email, the Order shall be sent to the last known email address of the **Person(s)** or corporation(s) in which the Order is addressed to.

10.5 Where service of an Order is made by regular or registered mail, the Order shall be deemed to have been served on the fifth day after the Order is mailed.

10.6 Where service of an Order is made by email, the Order shall be deemed to have been served on the fifth day after the Order was emailed or upon a response from the recipient of the Order.

10.7 Where service cannot be made under Section 10.4, it is deemed sufficient if the **Director**, their designate or **Officer** places a placard containing the terms of the Order in a conspicuous place on the affected lands and the placing of the placard shall be deemed to be sufficient service of the Order on the **Person** to whom the Order is addressed to;

10.8 An Order under Section 10.1 may require work to be done even though the facts which constitute the contravention of this By-law were present before this By-law making them a contravention came into force.

10.9 If an **Owner** fails to do the work required by an Order issued pursuant to Section 10.1 inclusive of this By-law within the period specified, the **Town**, in addition to all other remedies it may have, may do the work and for this purpose may enter on the land with its employees and agents. The costs incurred by the **Town** in so doing shall be paid by the **Owner** of the land and may be recovered by the **Town** in the same manner as property taxes;

10.10 The costs in subsection 10.9 shall include interest calculated at a rate of 15 per cent, calculated for the period commencing on the day the **Town** incurs the costs and ending on the day the costs, including the interest, are paid in full.

10.11 For the purposes of subsection 10.9, the **Town** or any authorized agent on behalf of the Town may enter upon land at any reasonable time and complete the work set out in the Order.

11.0 OFFENCES AND PENALTIES

11.1 No **Person** shall hinder or obstruct, or attempt to hinder or obstruct, any **Officer** exercising a power or performing a duty under this by-law. Any **Person** who is alleged to have contravened any of the provisions of this By-law shall identify themselves to the **Officer** upon request, failure to do so shall be deemed to have obstructed or hindered the **Officer** in the execution of his or her duties.

11.2 Every **Person** who contravenes any of the provisions of this By-law is guilty of an offence and, upon conviction is liable to a fine or penalty under the *Provincial Offences Act, R.S.O. 1990, Chapter P.33*, as amended.

- 11.3 Each day that such offence is committed, or permitted to continue, shall constitute a separate offence and may be punishable as such. Such fines shall be recoverable under *the Provincial Offences Act, R.S.O. 1990, Chapter P.33*, as amended.

12.0 Administrative Penalties

- 12.1 Every **Person** who contravenes any of the provisions of this By-law, including those contained in any of the Schedules and every director of a corporation who concurs in such contravention by the corporation is guilty of an offence and may be subject to an Administrative Penalty or as an offence and conviction liable to a fine in keeping with the provisions of the *Provincial Offences Act R.S.O. 1990, Chapter P.33*, as amended.
- 12.2 An **Officer** who finds that a **Person** has contravened any provision of this By-law may issue a penalty notice addressed to that **Person**.
- 12.3 Any **Person** who contravenes any provision of this By-law shall, upon issuance of a penalty notice pursuant to Section 12.2, be liable to pay to the Municipality an administrative penalty in the amount as noted within the Fee and Charges By-law.
- 12.4 An **Officer** has the right to issue an elevated fine as noted under the **Fee and Charges By-law**, when a violation has reoccurred at the same property, or by the same **Person**.
- 12.5 The penalty notice shall be given to the **Person** to whom or to which it is addressed as soon as is reasonably practicable and shall include the following information:
- a) Particulars of the contravention, including to which property it applies;
 - b) The amount of the administrative penalty;
 - c) A statement advising that an administrative penalty will constitute a debt to the Municipality.
- 12.6 A **Person** who has been issued a penalty notice shall pay the administrative penalty within fifteen (15) days from the date the notice was issued.
- 12.7 An administrative penalty that is deemed to be confirmed constitutes a debt to the Municipality and may be added to the tax roll of the property on which the offence occurred.

13: SEVERABILITY

Should any part, section, subsection or portion of this By-law be repealed or declared by a court of competent jurisdiction to be illegal, the same shall not affect the validity of the By-law as a whole or in part thereof, except for that which was declared to be invalid.

SECTION 14: EFFECTIVE DATE

This by-law shall take effect upon the date of passing thereof.

READ a first time this th day of , **2025**.

Mayor (Nancy Alcock)

CAO / Clerk (Tanya Calleja)

READ a second and **third** time and **finally passed** this th day of , **2025**.

Mayor (Nancy Alcock)

CAO / Clerk (Tanya Calleja)

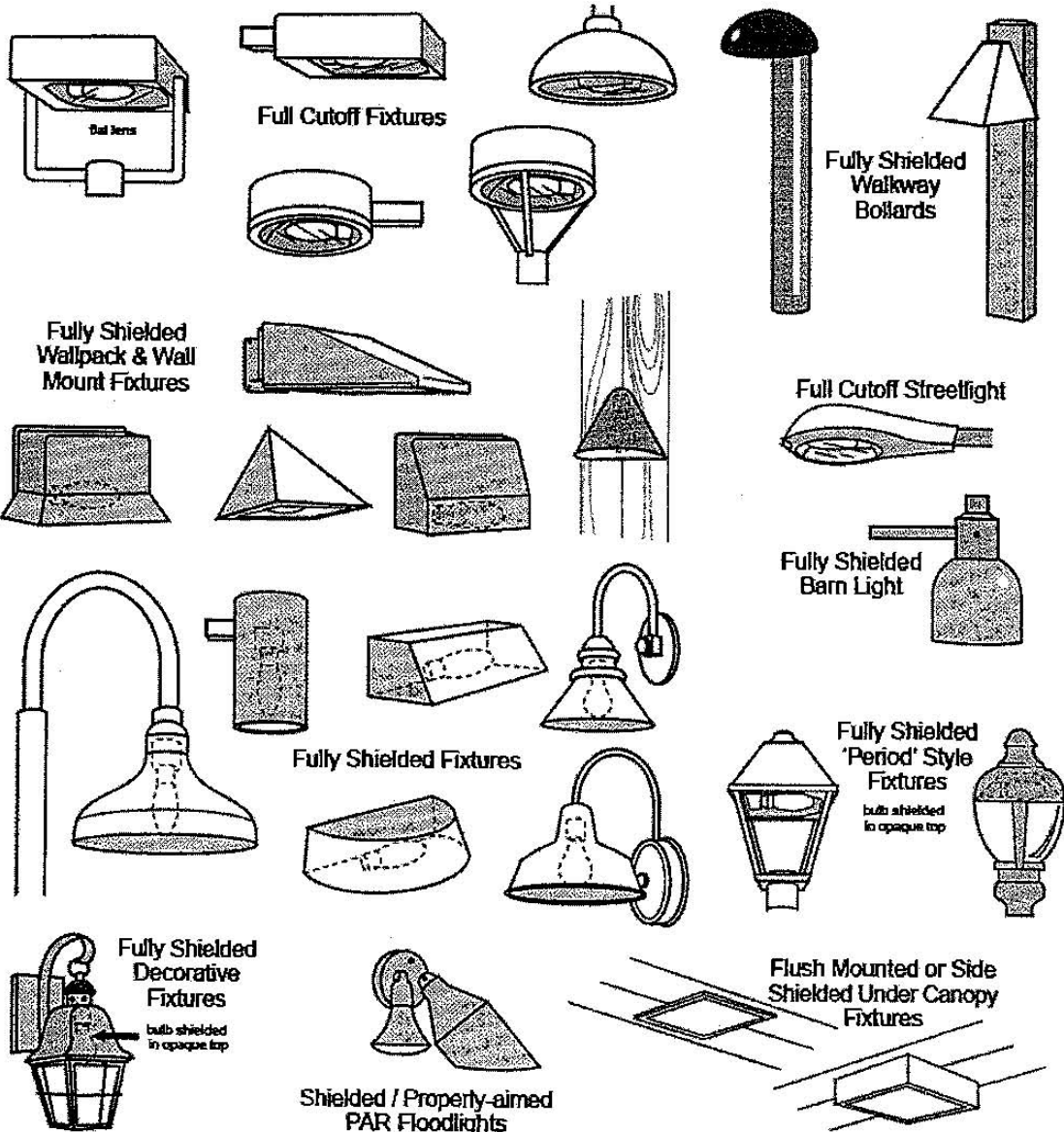
THE CORPORATION OF THE TOWN OF HUNTSVILLE

By-law 2025-XX: Outdoor Lighting By-law

Schedule "A" Light Fixture Examples

ACCEPTABLE

Fixtures that shield the light source to minimize glare and light trespass and to facilitate better vision at night



THE CORPORATION OF THE TOWN OF HUNTSVILLE
PART I Provincial Offences Act By-law
20XX-XX: Outdoor Lighting By-law
Schedule "B": Set Fines

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision creating or defining offence	COLUMN 3 Set Fine
1	Install or maintain outdoor luminaire- not a full-cut-off fixture	3.1	\$500.00
2	Install or maintain outdoor luminaire that creates light pollution	3.2	\$500.00
3	Install or maintain outdoor luminaire that creates light trespass	3.3	\$500.00
4	Install or maintain laser source light or any similar high intensity light outside	3.4	\$500.00
5	Install or maintain strobe light or stroboscopic lamp outside	3.5	\$500.00
6	Have architectural light or landscape light on between 11:00pm to sunrise of next day architectural light or landscape light on between 11:00pm to sunrise of next day	3.6	\$500.00
7	Install or maintain festive lighting not in compliance with By-law	3.7	\$500.00
8	Install or maintain bubbler light not in compliance with By-law	3.8	\$500.00
9	Install or maintain outdoor luminaire for sport court or outdoor recreational area not in compliance with By-law	3.9	\$500.00
10	Install or maintain outdoor luminaire on outdoor sign not in compliance with By-law	3.10	\$500.00
11	Use strobe lights not in compliance with By-law	3.11	\$500.00
12	Use searchlights for advertising or entertainment purposes	3.12	\$500.00
13	Fail to comply with an Order	10.3	\$500.00
14	Hinder or obstruct an Officer	11.1	\$500.00

NOTE: The penalty provision for the offences indicated above is section 11.2 of By-law, a certified copy of which has been filed.



CORPORATION OF THE TOWN OF HUNTSVILLE
BY-LAW NUMBER 20~~2546-3x~~

Being a by-law to regulate outdoor illumination to ensure responsible lighting,
light pollution mitigation and conservation of the night environment

WHEREAS The Council of the Corporation of the Town of Huntsville finds it expedient to regulate outdoor illumination;

AND WHEREAS Authority to pass this by-law is provided by Section 129 of the Municipal Act, S.O., 2001, and states that:

“A local municipality may,

prohibit and regulate with respect to noise, vibration, odour, dust and outdoor illumination, including indoor lighting that can be seen outdoors; and
prohibit the matters described in clause (a) unless a permit is obtained from the municipality for those matters and may impose conditions for obtaining, continuing to hold and renewing the permit, including requiring the submission of plans.”

and Section 34(1)41 of the Planning Act, R.S.O., 1990, c.P. 13 and amendments thereto;

AND WHEREAS the Town of Huntsville Official Plan encourages sensitive lighting which is oriented downward, is low wattage, energy efficient, and minimizes glare and light trespass, throughout the Town, in order to:
prevent conflicts with abutting uses and preserve privacy;
prevent impacts on wildlife and hazards to navigation; and
preserve the night environment;

AND WHEREAS Council has passed a eCommunity pPlanning pPermit bylawBy-lawby-law under sSection 34 of the pPlanning Act, R.S.O 1990, C.P.13 which governs lighting requirements as required in the eOfficial pPlan;

AND WHEREAS O.Reg.s 608/06 and 173/16 of the Planning Act, R.S.O 1990, C.P.13 allow a municipality to regulate and manage development;

AND WHEREAS Subsection 41(7) of the Planning Act, R.S.O., 1990, c.P. 13, states that as a condition to the approval of the plans and drawings referred to in Subsection 41(4), a municipality may require the owner of the land to:

“(a) — provide to the satisfaction of and at no expense to the municipality any or all of the following:

5. — Facilities for the lighting, including floodlighting, of the land or of any buildings or structures thereon.

(c) — enter into one or more agreements with the municipality dealing with and ensuring the provision of any or all of the facilities, works or matters mentioned in clause (a) or (d) and the maintenance thereof as mentioned in clause (b) or with the provision and approval of the plans and drawings referred to in subsection (4)”

AND WHEREAS Subsection 51(25) of the Planning Act, R.S.O., 1990, c.P. 13, states that the approval authority may impose such conditions to the approval of a plan of subdivision as in the opinion of the approval authority are reasonable, having regard to the nature of the development proposed for the subdivision, including a requirement,

“(d) — that the owner of land proposed to be subdivided enter into one or more agreements with a municipality...dealing with such matters as the approval authority may consider necessary, including the provision of municipal or other services.”

AND WHEREAS Section 13.19 of the Town of Huntsville Official Plan encourages sensitive lighting which is oriented downward, is low wattage, energy efficient, and minimizes glare and light trespass, throughout the Town, in order to:

~~prevent conflicts with abutting uses and preserve privacy;
prevent impacts on wildlife and hazards to navigation; and
preserve the night environment;~~

AND WHEREAS Section 129 of the Municipal Act 2001, S.O. 2001, states that:

~~“A local municipality may,~~

~~(a) — prohibit and regulate with respect to noise, vibration, odour, dust and outdoor illumination, including indoor lighting that can be seen outdoors; and
prohibit the matters described in clause (a) unless a permit is obtained from the municipality for those matters and may impose conditions for obtaining, continuing to hold and renewing the permit, including requiring the submission of plans.”~~

AND WHEREAS Subsection 41(7) of the Planning Act, R.S.O., 1990, c.P. 13, states that as a condition to the approval of the plans and drawings referred to in Subsection 41(4), a municipality may require the owner of the land to:

~~“(a) — provide to the satisfaction of and at no expense to the municipality any or all of the following:~~

~~5. — Facilities for the lighting, including floodlighting, of the land or of any buildings or structures thereon;~~

~~(c) — enter into one or more agreements with the municipality dealing with and ensuring the provision of any or all of the facilities, works or matters mentioned in clause (a) or (d) and the maintenance thereof as mentioned in clause (b) or with the provision and approval of the plans and drawings referred to in subsection (4)”~~

AND WHEREAS Subsection 51(25) of the Planning Act, R.S.O., 1990, c.P. 13, states that the approval authority may impose such conditions to the approval of a plan of subdivision as in the opinion of the approval authority are reasonable, having regard to the nature of the development proposed for the subdivision, including a requirement,

~~“(d) — that the owner of land proposed to be subdivided enter into one or more agreements with a municipality...dealing with such matters as the approval authority may consider necessary, including the provision of municipal or other services.”~~

AND WHEREAS Section 13.19 of the Town of Huntsville Official Plan encourages sensitive lighting which is oriented downward, is low wattage, energy efficient, and minimizes glare and light trespass, throughout the Town, in order to:

a) — prevent conflicts with abutting uses and preserve privacy;
b) — prevent impacts on wildlife and hazards to navigation; and
c) — preserve the night environment;

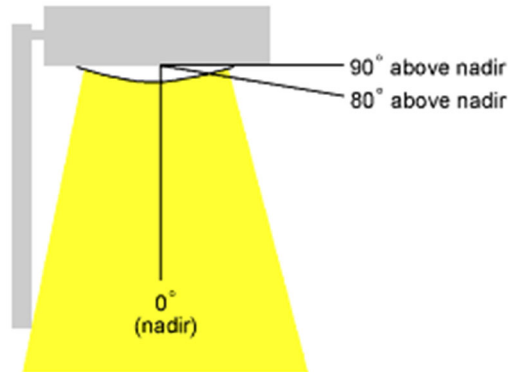
AND WHEREAS the Town of Huntsville values its night environment as one of the natural attributes that support our tourist economy and traditional Muskoka experience;

AND WHEREAS the Council of the Corporation of the Town of Huntsville deems it desirable to enact a by-law with respect to preserving and improving the night environment by regulating lighting fixtures;

~~AND WHEREAS properly designed light fixtures do not emit undesirable or nuisance light into the night environment or emit light that causes glare, and thus protect the night environment and human health both on our roads and on the water;~~

AND WHEREAS the by-law will be referred to as the "Outdoor Lighting By-law";

NOW THEREFORE the Council of the Corporation of the Town of Huntsville enacts as follows:



SECTION 1: DEFINITIONS

For the purposes of this By-Law, terms used shall be defined as follows:

“Architectural Lighting” means an Outdoor Luminaire, Fixture or light that is attached to the exterior of any building, structure, boathouse, dock, post or any other thing which is used to illuminate any part of a building, structure, boathouse, dock, post or any part of a property;

“Bubbler Light” means an Outdoor Luminaire, or other light that is used to warn people about the location of open water in

the winter months, mainly used in conjunction with a dock and/or boathouse;

“Committee” means a committee that sits as an the Appeals Committee as per the Appeals Committee By-law and the Appeals Committee Appointing By-law

‘Direct Light’ means light emitted directly from the ~~lamp~~ LAMP or ~~off of~~ the reflector or luminaire.

‘Director’ means the ~~Executive~~ Director of Development Services or designate ~~as deemed appropriate based on the circumstance.~~

“Dock Light Fixture” means an Outdoor Luminaire, or light that is used for the purposes of illuminating a dock which are affixed flat to the surface of the dock and are usually powered by using solar power and have a maximum output of 10 Lumens and meet the requiremetns of section 6.3 for wattage requirements;

“Emergency Purposes” means during the course of their regular duties, any time an emergency service such as Police, Ambulance or Fire or any Township Staff or agent must has to illuminate an area that may otherwise be non-compliant with a provision of this By-law.

“Fees and Charges By-law ” means the Municipal By-law adopted by council which establishes fees schedule for the Town’s services.;

“Festive Lighting” means strings of holiday lights, or internally lit inflatable or plastic decorations, or other lighting of holiday or seasonal decorations;

‘Fixture’ means the assembly that houses the lamp or lamps and can include all or some of the following parts: a housing, a mounting bracket or pole socket.

~~‘Floodlight’ or ‘Spotlight’ means any light fixture or lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction.~~

~~‘Footcandle’ means a measure of luminance per unit area used in IESNA standard measurements i.e. one footcandle (fc) equates to one lumen per square foot.~~

‘Full ~~Ce~~ut-~~Off~~ Fixture’ means a Luminaire or light Fixture that, by design of the housing, does not allow any light dispersion or direct ~~g~~Glare to shine above a horizontal plane from the base of the Fixture where light is emitted, and the emission of light in the glare zone from 80-degrees to 90-degrees from nadir is less than 10% of the total emitted light from the Fixture (see figure below) . The Fixture must be Installed in a horizontal position as designed. These fixtures produce no stray light due to the exposure of the bulb light source because the source is recessed or shielded.

‘Glare’ means light emitting from a ~~L~~uminaire with an intensity great enough to reduce a viewer's ability to see, and in extreme cases causing momentary blindness.

~~‘Grandfathered Luminaires’ means luminaires not conforming to this code, that existed prior to the passage of this by-law.~~

~~“”~~

~~‘IESNA’ means the Illuminating Engineering Society of North America, which is an organization of the lighting industry that advises on lighting practice involving minimum illumination levels.~~

~~‘Indirect Light’ means direct light that has been reflected or has scattered off surfaces other than the luminaire reflector.~~

~~“Install” means the wiring, connecting, plugging in, turning on, placing, mounting or attaching any light Fixture or Outdoor Luminaire on a property;~~

‘Lamp’ means the component of a ~~L~~uminaire that produces the actual light.

~~“Landscape Lighting” means an Outdoor Luminaire which illuminates trees, shrubs, rocks or other landscape features, of which the output is not more than 350 Lumens and does not include a Pathway Light Fixture;~~

~~“Laser Source Light” means light amplification by stimulated emission of radiation which produces a high intensity narrow beam of light;~~

‘Light Pollution’ means light that shines where it is not intended or wanted and may be a nuisance by limiting the enjoyment of the outdoor night environment. The consequences of light pollution are ~~G~~lare, ~~L~~ight ~~t~~respass and artificial sky glow.

‘Light Trespass’ means the shining of light produced by a ~~L~~uminaire beyond the boundaries of the property on which it is located.

~~“Lumen” is the photometric unit of light output and the unit of measure used to quantify the amount of light produced by a Lamp or emitted from any Luminaire (as distinct from ‘Watt,’ a measure of power consumption).~~

~~‘Lumen’ means a unit of luminous flux equal to the light emitted in a unit solid angle by a uniform point source.~~

‘Luminaire’ means a complete lighting system, including a lamp or lamps and a ~~f~~ixture.

~~“Officer” means a Municipal Law Enforcement Officer or designate for the Town of Huntsville;~~

~~‘Outdoor Light Fixtures’ means outdoor artificial illuminating devices, installed or portable, used for flood lighting, general illumination or advertisement.~~

~~“Outdoor Luminaire” means an outdoor illuminating device, outdoor lighting, reflective surface, Lamp or similar device, permanently Installed or portable, used for illumination, or advertisement. Such devices shall include, but not limited to, lights used for:~~

- ~~(a) Architectural Lighting~~
- ~~(b) Recreational areas~~
- ~~(c) Parking lot lighting~~
- ~~(d) Landscape Lighting~~
- ~~(e) Signs (advertising or other)~~
- ~~(f) Product display area lighting~~
- ~~(g) Security lighting~~

‘Owner’ includes, with respect to land or property, the registered ~~O~~wner, occupant, tenant, or the ~~P~~erson for the time being managing or receiving the rent of the property whether on his own account or on an account of an agent or trustee of any other ~~P~~erson, or any of the aforesaid;

“Pathway Light Fixture” means a Full Cut Off Fixture, ~~that is usually~~ powered by solar power, battery power or wired, of which the output of each Fixture is not more than 20 Lumens and is no higher than 0.91 m (3 ft.) from current grade and for which the sole purpose is to illuminate an exterior pathway, walkway or stairway;

‘Person’ includes an individual, an ~~owne~~Owner, corporation, partnership, company, firm, association, or party and includes the successors, assigns, heirs, executors, administrators, or other legal representatives of a ~~P~~erson to whom the context can apply according to law and the singular shall include the plural;

~~‘Pole Spacing Ratio’ means the ratio of the inter pole distance per effective height of lamp on the pole.~~

‘Pre-existing Luminaire’ means an Outdoor Luminaire not conforming to this By-law that was Installed prior to the passing date of By-law 2016-3 (January 25, 2016);

“Sport Court” means an outdoor area of land or non-roofed structure that is purpose built, intended to be permanent, and is capable of being used for sports or recreational activities, and other similar use;

‘Staff’ means, Municipal By-law Enforcement Officer or designate for the Town of Huntsville.

‘Strobe Light’ or ‘Stroboscopic Lamp’, commonly called a strobe, means a device used to produce regular flashes of light.

‘Town’ means the Corporation of the Town of Huntsville.

~~‘Wall Pack Light Fixture’ means a floodlight fixture mounted on an exterior wall of a building.~~

SECTION 2: REGULATIONS

2.0 General Regulation

2.1 Every Person Installing an Outdoor Luminaire and/or an Indoor Luminaire within the boundaries of the Township shall comply with the requirements of this By-law. If conflicts arise regarding control and maintenance of outdoor and indoor lighting, this By-law shall be the governing document.

~~Any person who installs outdoor lighting within the boundaries of the Town shall do so in conformity with the requirements of this by-law and shall not cause direct light pollution. If conflicts arise regarding control and maintenance of outdoor lighting, this by-law shall be the governing document.~~

2.2—— Every Person Installing an Outdoor Luminaire shall be required to use completely shielded Full Cut-Off Fixtures, as identified detailed but not limited to the examples in Schedule “A” attached hereto and forming part of this By-law.

2.2 Luminaire Design Factors For Outdoor Areas

~~Any person installing an outdoor lighting fixture shall be required to use Full Cut-off fixtures, as identified in Appendix ‘I’ attached hereto and forming part of this by-law. Outdoor lighting fixtures shall include, but are not limited to, lights for: buildings and structures, including canopies, overhangs, docks and boathouses; recreational areas; parking lot lighting; landscape lighting; billboards and signs; public and private street lighting; display and service area lighting; public and private walkway lighting; residential yard lights; and outdoor lighting for all residential, waterfront residential, commercial, industrial, institutional and provincial and federal government uses not otherwise specified.~~

Regulations Prohibitions

3.1—— No Person shall Install or maintain on lands or permit to be Installed or maintained upon a property, an Outdoor Luminaire that is not a Full Cut-Off Fixture;

3.2 No Person shall Install or maintain on lands or permit to be Installed or -maintained upon a property, an Outdoor Luminaire that creates Light Pollution;

3.3 No Person shall Install or maintain on lands or permit to be Installed or maintained upon a property, an Outdoor Luminaire that creates Light Trespass;

3.4 ——No Person shall Install or maintain on lands or permit to be Installed or maintained upon a property, a Laser Source Light or any similar high intensity light outside;

3.5 ——No Person shall Install or maintain on lands or permit to be Installed or maintained upon a property, a Strobe Light or Stroboscopic Lamp outside;

3.6 No Person shall leave Architectural Lighting or Landscape Lighting on between 11:00 p.m. to sunrise of the next day with the exception of the following:
Dock Light Fixtures and Pathway Light Fixtures;

A maximum of three (3) Outdoor luminaires attached to the exterior of a boathouse;

Any other Outdoor Luminaires necessary for the purposes of traversing the property and which all such Luminaires are triggered by motion sensor and remain on for a only on for a maximum period of 15 minutes -per cycle. Outdoor Luminaires used for security purposes as part of Commercial operations shall be reduced to 2,000 Lumens Town of Huntsville owned facilities

3.7 No Person shall Install or maintain on lands or permit to be Installed or maintained upon a property, any Festive Lighting with the inexception of the following: ~~contravention of the requirements of this By-law;~~

All festive lighting shall be used during the intended season or holiday

All Festive Lighting shall be turned off from 11:00pm of one day to sunrise of the following day;

Festive Lighting shall also be exempt from Section 3.4 provided that all Laser Source Lighting is pointed directly onto a building of the property in which the lights are located.

3.8 No Person shall Install or maintain on lands or permit to be Installed or maintained upon a property, any Bubbler Light in contravention of the requirements of this By-law;

3.9 No Person shall Install or maintain on lands or permit to be Installed or maintained upon a property, an Outdoor Luminaire used for a Sport Court or outdoor recreational area that is not in compliance with the requirements of this By-law with the exception of the following:

(a) Town owned facilities

3.10 No Person shall Install or maintain an Outdoor Luminaire on an outdoor sign that is not in compliance with the requirements of this By-law.

3.11 No Person shall prohibit the use of strobe lights except for construction purposes or emergency purposes.

3.12 No Person shall prohibit the use of searchlights for advertising or entertainment purposes.

2.3 Outdoor Light Fixtures

2.3.1 All new outdoor light fixtures shall consist of Full Cut off fixtures.

2.3.2 All existing outdoor light fixtures shall be encouraged to adhere to the requirements of Section 2.2. Property owners whose structures are furnished with unshielded outdoor light fixtures shall be required to replace them with full cut off fixtures within ten (10) years of the passing of this Bylaw.

2.3.3 All architectural lighting, outdoor light fixtures and building lighting shall be mounted such that the light is aimed down. There shall be no light pollution emanating from the fixture in accordance with full cut off design.

2.3.4 The use of low wattage temporary lights for decoration purposes such as Christmas lighting and property ornamentation shall be exempt from Section 2.3.3 to a maximum of 20 watts of LED lighting or 100 watts incandescent lighting.

2.3.5 Lighting used to warn people about the location of open water in the winter months (mainly used when bubbling boathouses and docks) shall be any colour except red. White lighting for such purposes shall be prohibited. The use of yellow/amber colour lighting is encouraged to a maximum of 13 watts compact fluorescent lighting, 60 watts incandescent lighting or 10 watts LED lighting. The light should be used to illuminate the surface of the weakened ice and housed in a full cut off fixture to prevent glare and light trespass across the waterway. Flashing or intermittent lights shall be prohibited.

2.3.6 Lighting required to monitor emissions for industrial purposes are exempt from this Bylaw.

2.3.7 All artificial lighting for yards and parking areas shall be arranged so as to minimize light trespass onto neighbouring properties

2.44.0 Lighting of Outdoor Advertising Signs

Outdoor advertising signs and light ~~F~~ixtures used to illuminate signs or billboards shall minimize ~~L~~ight ~~p~~ollution by being mounted on top of the sign facing down, must utilize full cut-off ~~f~~ixtures and be directed at the sign such that 90% of the light is on the sign and must be in compliance with all other sections of this by-law. Where a conflict arises between a provision of this by-law and one or more provisions of the Town of Huntsville Sign By-law, the Sign By-law will take precedence.

~~4.1 No Person shall Install or maintain an Outdoor Luminaire on an outdoor sign that is not in compliance with the requirements of this By-law.~~

2.55.0 Recreational Facilities

2.5.1 Any Outdoor Luminaire ~~light source~~ permitted by this By-law may be used for lighting of outdoor recreational facilities, such as, but not limited to, football fields, soccer fields, baseball fields, softball fields, tennis courts, ice rinks, ski hills or show areas, provided all of the following conditions are met:

- a) All new Outdoor Luminaire ~~outdoor light~~ fixtures used for event lighting shall be Full Cut Off ~~Fixtures~~ full cut off fixtures, or be designed or provided with full cut-off capability by a shielding retrofit, so as to minimize up-light, spill-light, and Glare;
- b) All facility's lighting shall be turned off by 11:00 pm to sunrise of the next day ~~or when not in use unless it is required for security purposes~~;
- e) ~~Owners of g~~Grandfathered Lighting Fixtures at outdoor recreational facilities are required to install shielding Fixtures when doing maintenance and provide Full Cut Off Fixture ~~full cut off light fixtures when scheduled replacement occurs~~.

5.2 All Town of Huntsville Recreational Facilities shall be exempt from Section 5.1 of this Bylaw

2.6 Prohibitions

2.6.1 Laser Source Light

~~The use of laser source light or any similar high intensity light for outdoor advertising or entertainment purposes is prohibited.~~

2.6.2 Searchlights

~~The operation of searchlights for advertising or entertainment purposes is prohibited.~~

2.6.3 Outdoor Advertising Off-site Signs

~~Electrical illumination of outdoor advertising off site signs along roadways is prohibited after business hours.~~

2.6.4 Strobe Lights

~~The use of strobe lights is prohibited, except for construction projects or emergency purposes.~~

2.768.0 Exemptions

2.7.168.21 Other Authorities Having Jurisdiction

This policy does not apply to any related provincial or federal policies or regulations related to lighting buildings, structures or waterways, including, but not limited to, authorities under NAV Canada, Canada Coast Guard, Transport Canada, Ministry of Transportation and Industry Canada. MTO???

68.232.7.2 Request For Exemption For Temporary Events ~~Events/Advertising~~

A temporary exemption to the requirements imposed by this By-law is permitted for temporary events and/or advertising provided such lighting does not continue for greater than 96 contiguous hours (4 days).

For exemptions requiring greater than 96 contiguous hours (4 days), any Person may submit a request for exemption to speak before the Committee for the Town of Huntsville ~~written request to the Executive Director of Development Services, or designate~~, for a temporary exemption to the requirements imposed by this By-law. The request for lighting exemption for temporary events shall require approval by the Committee ~~Director, or designate~~, and contain the following information:

- a) Specific exemption requested (e.g. searchlights);
- b) Type and use of exterior light involved;
- c) Date of the event;
- d) Duration of time for requested exemption;
- e) Proposed location of exterior light; and
- f) Physical size of exterior light.

~~8.4 Every Person who Installs Festive Lighting shall be exempt from Sections 3.1, 3.2, 3.3, 3.4 and 3.9 and shall comply with the following conditions:~~

~~All Festive Lighting shall be turned off from 11:00pm of one day to sunrise of the following day:~~

~~Festive Lighting shall also be exempt from Section 3.4 provided that all Laser Source Lighting is pointed directly onto a building of the property in which the lights are located.~~

~~86.345~~ Exceptions for Bubbler Lights

~~Every Person who Installs or Owns a Bubbler Light shall be exempt from Sections 3.1, 3.2, 3.3 and 3.8 and shall comply with the following conditions:~~

- ~~(a) The light shall be blue or yellow in colour;~~
- ~~(ba) The light shall be a solid blue or yellow colour;~~
- ~~(eb) The light shall not flash or be intermittent at any time;~~
- ~~(ec) If using a fluorescent light, the maximum Wattage shall be 13 Watts;~~
- ~~(ed) If using an incandescent light, the maximum Wattage shall be 60 Watts;~~
- ~~(fe) If using a LED light, the maximum Wattage shall be 10 Watts.~~
- ~~(gf) All Bubbler Lights that existed prior to the passing of this By-law and were either a solid red or amber in colour, shall be exempt from Section 3.6 until such time that the Lightbulb requires maintenance or needs to be replaced.~~

~~68.64 Every Person who uses any light for Emergency Purposes shall be exempt from Section 3.1.~~

~~86.75 2.3.6~~ Lighting required to monitor emissions for industrial purposes are exempt from this ~~Bylaw~~By-law.

~~792.80~~ Grandfathering of ~~Pre-existing~~ Nonconforming Outdoor Light Fixtures

~~79.12.8.1 Outdoor Luminaire fixtures which are identified as Pre-existing Luminaire Fixtures are to be brought into compliance with this bylawBy-law by January 25, 2026. Having regard to Section 2.8.3, all outdoor light fixtures and luminous advertising signs lawfully in place prior to the date of passing of the By-law shall be grandfathered for a period of ten (10) years from the passing of this By-law. After ten (10) years all outdoor light fixtures and luminous advertising will be required to meet the provisions of this By-law.~~

~~9.2.8.2 Any Grandfathered Luminaires outdoor lighting Ffixtures and luminous advertising signs that are replaced, modified, or moved shall be required to meet the provisions of this By-law.~~

~~79.2.8.2 3~~ Outdoor lighting Ffixtures which are determined to direct light toward streets, parking lots or navigable waterways and cause Gglare to motorists, cyclists or boaters, and therefore deemed to be a public safety concern, should be either shielded or re-directed within a reasonable timeframe as specified by the Officer.

SECTION ~~83~~: SUBSTANTIAL NEW DEVELOPMENTS INVOLVING OUTDOOR LIGHTING

~~3810.1~~ Submission Contents

In support of substantial new developments (e.g. Commercial, Industrial, Institutional, Multiple Residential, etc.), as determined by the Planner, or designate, involving outdoor lighting fFixtures, tha~~t~~e

applicant shall submit evidence that the proposed work will comply with this By-law. The submission shall contain, but shall not necessarily be limited to, the following:

- a) Detailed lighting Plans certified by a qualified illumination professional, indicating the location of lighting on the premises, and the type of illuminating devices, ~~F~~ixtures, ~~L~~amps, supports, reflectors, and other devices including signage lighting;
- b) Description of the illuminating devices, ~~f~~ixtures, ~~L~~amps, supports, reflectors, and other devices and the description may include, but is not limited to, catalogue cuts by manufacturers and drawings (including sections where required);
- c) Photometric data, such as that furnished by manufacturers, or similar documentation showing the angle of cut off or light emissions and total maximum ~~L~~umen output.

The above required plans, descriptions and data shall be sufficiently complete to enable ~~Council and Staff~~ to readily determine compliance with the provisions of this By-law and shall be included in an implementing Site Plan Agreement or Community Planning Permit.

~~These requirements shall be further detailed in future Town of Huntsville "Development Standards" or "Development Guidelines".~~

944.0 INSPECTION AND ENFORCEMENT

~~944.1 The Director, aAn Officer or their designate may, at any reasonable time, enter and inspect any land to determine whether provisions of this By-law, or through a condition of a permit issued under this By-law has been complied with, or to ensure that an Order issued under this By-law has been complied with;~~

~~944.2 For the purposes of conducting an inspection pursuant to Section 9.1 of this By- law, the Township may, in accordance with Section 436(2) of the Municipal Act, 2001;~~

- ~~(a) Require the production of documents or things relevant to the inspection;~~
- ~~(b) Inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;~~
- ~~(c) Require information from any Person concerning a matter related to the inspection;~~
- ~~(d) Alone or in conjunction with a Person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purpose of the inspection.~~

~~944.3 Upon completion of the work pursuant to the permit, the Owner and/or permit holder shall contact the municipalityTown for an inspection;~~

~~944.4 This By-law shall be administered and enforced by the Director, an Officer or their designate.~~

~~944.7 A sample taken under clause 11.5 d) shall be divided into two parts, and one part shall be delivered to the Person from whom the sample is taken, if the Person so requests at the time the sample is taken and provides the necessary facilities.~~

~~944.8 If a sample is taken under clause 943.42 d) and the sample has not been divided into two parts, a copy of any report on the sample shall be given to the Person from whom the sample was taken.~~

~~944.9 A receipt shall be provided for any document or thing removed under clause 943.24 b), and the document or thing shall be promptly returned after the copies or extracts are made.~~

102.0 ORDERS

~~102.1 If an Officer is satisfied that a contravention of this By-law has occurred, the Officer may issue an Order and such Order shall contain:~~

- ~~(a) The municipal address of the land, this may also include the roll number associated with the land;~~
- ~~(b) Reasonable particulars of the contravention(s); and~~

(c) _____
The period in which there must be compliance.

102.2 Any Order issued pursuant to Section 108.1 of this By-law may require a Person or corporation who has contravened any section of this By-law to:

- (a) _____ Discontinue the contravening act;
- (b) _____ Fix, alter, remove or replace any Outdoor Luminaires, Fixtures or other illuminated objects to be compliant with the provisions of this By-law;
- (c) _____ Provide an Officer written proof that the Wattage or Lumens of any Outdoor Luminaire comply with the provisions of this By-law;
- (d) _____ Provide an Officer written proof that an Outdoor Luminaire has the status of a ~~Grandfathered Luminaire~~ Pre-existing Nonconforming Outdoor Light Fixtures;
- (e) _____ Provide a Lighting Design Plan which is completed by a professional in relation to lighting and to ensure that the plan complies with all provisions of this By-law.

120.3 Every Person shall comply with an Order made under Section 108.

102.4 Any Order issued under this section may be served personally and/or served by sending it by registered mail, and/or email to the last known address of:

- (a) _____ The Owner of the property at the address shown on the municipal tax rolls;
- (b) _____ The Person identified as contravening this By-law;
- (c) _____ If sent via email, the Order shall be sent to the last known email address of the Person(s) or corporation(s) in which the Order is addressed to.

102.5 Where service of an Order is made by regular or registered mail, the Order shall be deemed to have been served on the fifth day after the Order is mailed.

102.6 Where service of an Order is made by email, the Order shall be deemed to have been served on the fifth day after the Order was emailed or upon a response from the recipient of the Order.

102.7 Where service cannot be made under Section 104.4, it is deemed sufficient if the Director, their designate or Officer places a placard containing the terms of the Order in a conspicuous place on the affected lands and the placing of the placard shall be deemed to be sufficient service of the Order on the Person to whom the Order is addressed to;

102.8 An Order under Section 104.1 may require work to be done even though the facts which constitute the contravention of this By-law were present before this By-law making them a contravention came into force.

102.9 If an Owner fails to do the work required by an Order issued pursuant to Section 104.1 inclusive of this By-law within the period specified, the Town, in addition to all other remedies it may have, may do the work and for this purpose may enter on the land with its employees and agents. The costs incurred by the Town in so doing shall be paid by the Owner of the land and may be recovered by the Town in the same manner as property taxes;

102.10 The costs in subsection 104.9 shall include interest calculated at a rate of 15 per cent, calculated for the period commencing on the day the Town~~ship~~ incurs the costs and ending on the day the costs, including the interest, are paid in full.

102.11 For the purposes of subsection 104.9, the Town or any authorized agent on behalf of the Town may enter upon land at any reasonable time and complete the work set out in the Order.

113.0 SECTION 4: OFFENCES AND PENALTIES

113.1 No Person shall hinder or obstruct, or attempt to hinder or obstruct, any Officer exercising a power or performing a duty under this by-law. Any Person who is alleged to have contravened any of the provisions of this By-law shall identify themselves to the Officer upon request, failure to do so shall be deemed to have obstructed or hindered the Officer in the execution of his or her duties.

1134.21 Every Person who contravenes any of the provisions of this By-law is guilty of an offence and, upon conviction is liable to a fine or penalty under the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.

1134.32 Each day that such offence is committed, or permitted to continue, shall constitute a separate offence and may be punishable as such. Such fines shall be recoverable under the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.

~~4.3 — Staff may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not the provisions of this By-law are in compliance and to enforce and carry out the provisions of this By-law or any direction or order issued pursuant to the Municipal Act, 2001, S.O. 2001, c.25 or this By-law.~~

~~4.4 — For the purposes of an inspection under subsection (1) staff may,~~

- ~~a) — Require the production for inspection of documents or things relevant to the inspection;~~
- ~~b) — Inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;~~
- ~~c) — Require information from any Person concerning a matter related to the inspection; and~~
- ~~d) — Alone or in conjunction with a Person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.~~

~~4.5 — A sample taken under clause 4.4 d) shall be divided into two parts, and one part shall be delivered to the Person from whom the sample is taken, if the person so requests at the time the sample is taken and provides the necessary facilities.~~

~~4.6 — If a sample is taken under clause 4.4 d) and the sample has not been divided into two parts, a copy of any report on the sample shall be given to the Person from whom the sample was taken.~~

~~4.7 — A receipt shall be provided for any document or thing removed under clause 4.4 b), and the document or thing shall be promptly returned after the copies or extracts are made.~~

~~4.8 — No Person shall hinder or obstruct, or attempt to hinder or obstruct, staff are exercising a power or performing a duty under this By-law.~~

~~4.9 — If staff is satisfied that a contravention of this By-law has occurred, staff may make an order requiring the Person who contravened the by-law or who caused or permitted the contravention or the Owner or occupier of the land on which the contravention occurred to:~~

- ~~a) — Discontinue the contravening activity; or~~
- ~~b) — Do work to correct the contravention.~~

~~4.10 — Any Person who contravenes an order under subsection 4.9 is guilty of an offence.~~

~~4.11 — An order under subsection 4.9 shall set out:~~

- ~~a) — Reasonable particulars of the contravention adequate to identify the contravention and the location of the land on which the contravention occurred; and~~
- ~~b) — The date by which there must be compliance with the order.~~

~~4.12 — An order under subsection 4.9 shall be served to the owner or any person staff determines to be an interested party. Service of an order shall be deemed to be served by sending the order registered or first class mail, by posting or by personal service.~~

~~4.13 — An order under subsection 4.9 may require work to be done even though the facts which constitute the contravention of the by-law were present before the by-law making them a contravention came into force.~~

~~4.14 — In default of any work directed or required by the Town under this section being done by the Person directed or required to do it, the matter or thing shall be done at the Person's expense.~~

~~4.15 — Where the Town or any authorized agent on behalf of the Town has performed the work required to bring about compliance with the by-law, the Town may recover the costs of doing anything or matter under subsection 4.14 by action or by adding the costs to the tax roll and collected in the same manner as property taxes.~~

~~4.16 — The costs in subsection 4.15 shall include interest calculated at a rate of 15 per cent, calculated for the period commencing on the day the Town incurs the costs and ending on the day the costs, including the interest, are paid in full.~~

~~4.17 — For the purposes of subsection 4.14, the Town or any authorized agent on behalf of the Town may enter upon land at any reasonable time and complete the work set out in the order.~~

~~4.18 — Where the singular is used it shall also mean or stand for the plural.~~

124.0 Administrative Penalties

124.1 Every Person who contravenes any of the provisions of this By-law, including those contained in any of the Schedules and every director of a corporation who concurs in such contravention by the corporation is guilty of an offence and may be subject to an Administrative Penalty or as an offence and conviction liable to a fine in keeping with the provisions of the Provincial Offences Act R.S.O. 1990, Chapter P.33, as amended.

124.2 An Officer who finds that a Person has contravened any provision of this By-law may issue a penalty notice addressed to that Person.

124.3 Any Person who contravenes any provision of this By-law shall, upon issuance of a penalty notice pursuant to Section 127.2, be liable to pay to the Municipality an administrative penalty in the amount as noted within the Fee and Charges BylawBy-law.

124.4 An Officer has the right to issue an elevated fine as noted under the Fee and Charges By-law, when a violation has reoccurred at the same property, or by the same Person.

124.5 The penalty notice shall be given to the Person to whom or to which it is addressed as soon as is reasonably practicable and shall include the following information:

(a)- Particulars of the contravention, including to which property it applies;

(b-) The amount of the administrative penalty;

(c-) A statement advising that an administrative penalty will constitute a debt to the Municipality.

124.6 A Person who has been issued a penalty notice shall pay the administrative penalty within fifteen (15) days from the date the notice was issued.

124.7 An administrative penalty that is deemed to be confirmed constitutes a debt to the Municipality and may be added to the tax roll of the property on which the offence occurred.

SECTION ~~135~~: SEVERABILITY

Should any part, section, subsection or portion of this By-law be repealed or declared by a court of competent jurisdiction to be illegal, the same shall not affect the validity of the By-law as a whole or in part thereof, except for that which was declared to be invalid.

SECTION ~~146~~: EFFECTIVE DATE

This by-law shall take effect upon the date of passing thereof.

READ a first time this 25th day of ~~January~~, 20~~25~~16.

Mayor (~~Scott Aitchison~~ Nancy Alcock)

CAO / Clerk (~~Denise Corry~~ Tanya Calleja)

READ a second and third time and finally passed this 25th day of ~~January~~, 20~~25~~16.

Mayor (Nancy Alcock ~~Scott Aitchison~~)

CAO / Clerk (~~Denise Corry~~ Tanya Calleja)

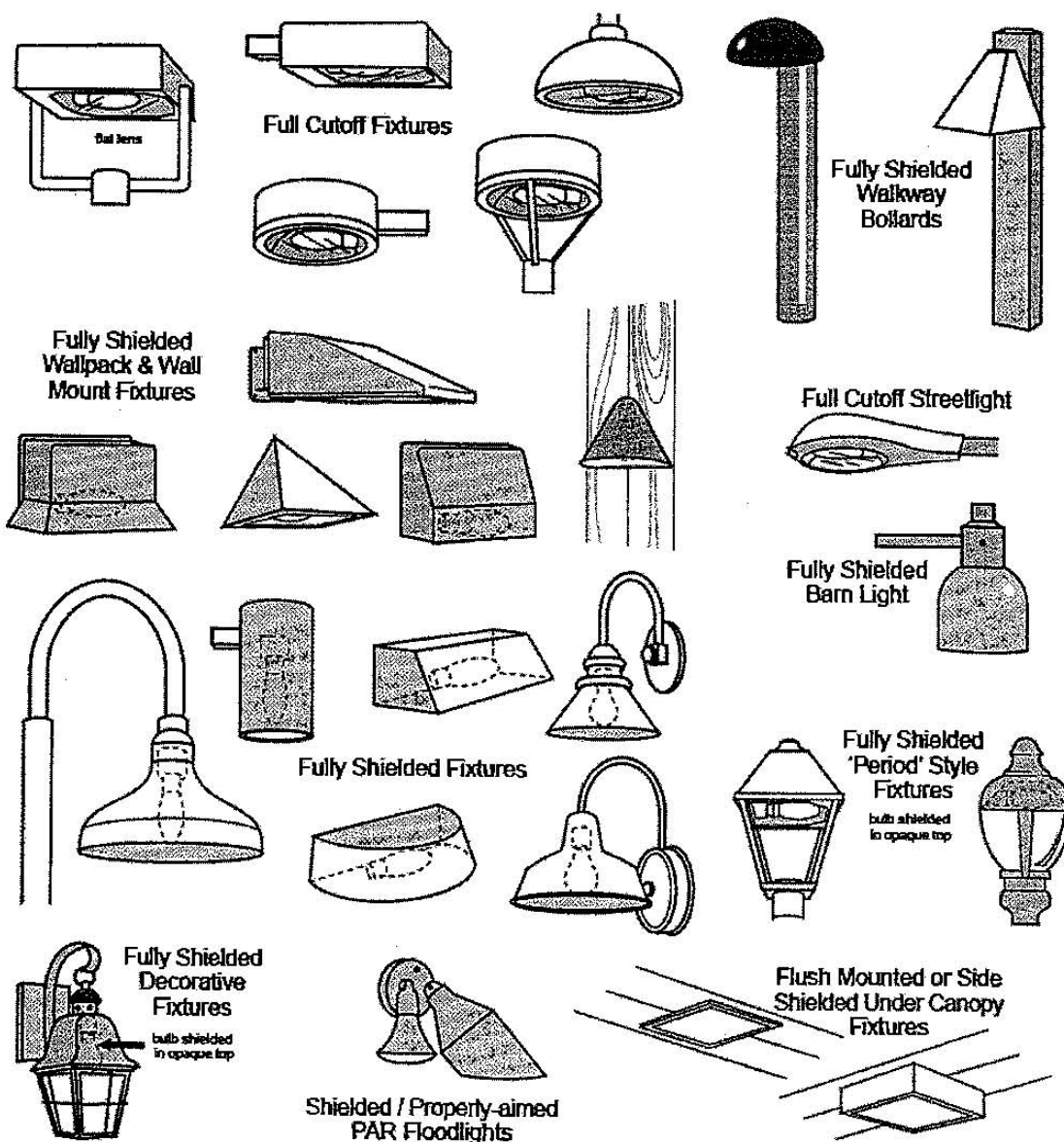
-THE CORPORATION OF THE TOWN OF HUNTSVILLE

By-law 20XX-XX: Outdoor Lighting By-law Schedule “A” Light Fixture Examples

~~Schedule “I”~~

ACCEPTABLE

Fixtures that shield the light source to minimize glare and light trespass and to facilitate better vision at night



<u>ITEM</u>	<u>COLUMN 1</u> <u>Short Form Wording</u>	<u>COLUMN 2</u> <u>Provision creating or defining</u> <u>offence</u>	<u>COLUMN 3</u> <u>Set Fine</u>
<u>1</u>	<u>Install or maintain outdoor luminaire- not a full-cut-off fixture</u>	<u>3.1</u>	<u>\$500.00</u>
<u>2</u>	<u>Install or maintain outdoor luminaire that creates light pollution</u>	<u>3.2</u>	<u>\$500.00</u>
<u>3</u>	<u>Install or maintain outdoor luminaire that creates light trespass</u>	<u>3.3</u>	<u>\$500.00</u>
<u>4</u>	<u>Install or maintain laser source light or any similar high intensity light outside</u>	<u>3.4</u>	<u>\$500.00</u>
<u>5</u>	<u>Install or maintain strobe light or stroboscopic lamp outside</u>	<u>3.5</u>	<u>\$500.00</u>
<u>6</u>	<u>Install or maintain indoor luminaire that causes a nuisance or impacts the night sky</u>	<u>3.6</u>	<u>\$500.00</u>
<u>7</u>	<u>Have architectural light or landscape light on between 11:00pm to sunrise of next day</u>	<u>3.7</u>	<u>\$500.00</u>
<u>8</u>	<u>Install or maintain outdoor luminaire that creates reflected light</u>	<u>3.8</u>	<u>\$500.00</u>
<u>9</u>	<u>Install or maintain festive lighting not in compliance with By-law</u>	<u>3.9</u>	<u>\$500.00</u>
<u>10</u>	<u>Install or maintain bubbler light not in compliance with By-law</u>	<u>3.10</u>	<u>\$500.00</u>
<u>11</u>	<u>Install or maintain outdoor luminaire for sport court or outdoor recreational area not in compliance with By-law</u>	<u>3.11</u>	<u>\$500.00</u>
<u>12</u>	<u>Install or maintain outdoor luminaire on outdoor sign not in compliance with By-law</u>	<u>5.1</u>	<u>\$500.00</u>
<u>13</u>	<u>Fail to comply with conditions April 1st-September 30th- Enhanced Preservation Area</u>	<u>6.1(a)</u>	<u>\$500.00</u>

<u>14</u>	<u>Fail to comply with conditions October 1st- March 31st- Enhanced Preservation Area</u>	<u>6.1(b)</u>	<u>\$500.00</u>
<u>15</u>	<u>Fail to comply with an Order</u>	<u>8.3</u>	<u>\$500.00</u>
<u>16</u>	<u>Hinder or obstruct an Officer</u>	<u>10.1</u>	<u>\$500.00</u>

NOTE: The penalty provision for the offences indicated above is section 10.2 of By-law-~~2023-009~~, a certified copy of which has been filed.