

**RESOLUTION NO. 732 -2013, ADOPTING LOCAL LAW NO. 37 -2013, A LOCAL LAW TO AMEND LOCAL LAW NO. 26-2004 TO FURTHER REDUCE LIGHT POLLUTION FROM COUNTY- OWNED FACILITIES**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on June 4, 2013, a proposed local law entitled, "**A LOCAL LAW TO AMEND LOCAL LAW NO. 26-2004 TO FURTHER REDUCE LIGHT POLLUTION FROM COUNTY-OWNED FACILITIES**"; now, therefore be it

**RESOLVED**, that said local law be enacted in form as follows:

**LOCAL LAW NO. 37 -2013, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TO AMEND LOCAL LAW NO. 26-2004 TO FURTHER REDUCE LIGHT POLLUTION FROM COUNTY-OWNED FACILITIES**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK**, as follows:

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that the County of Suffolk enacted Local Law No. 26-2004, codified in Chapter 149 of the SUFFOLK COUNTY CODE, to require the use of fully shielded outdoor lighting fixtures to reduce light pollution at County-owned facilities.

This Legislature also finds and determines that advances in lighting technology over the past decade created high-quality, energy-efficient lighting in several forms, with high brightness LEDs becoming the most popular.

This Legislature finds that most LED white light has a substantial blue component, referred to in the lighting industry as "blue-rich white light".

This Legislature determines that blue-rich white light is linked with a higher incidence of glare, particularly outdoors from dusk to dawn. This type of light is also more difficult for human eyes to process as people age.

This Legislature finds that blue-rich white light also creates higher levels of light pollution in the night sky, introducing a portion of the light spectrum which is not currently contributing substantially to such pollution.

This Legislature further finds that blue-rich white light is also associated with disruption of circadian rhythms and melatonin secretion in humans and animals. Disruption of these functions can change the instinctual habits of wildlife living near such light sources.

This Legislature further determines that the County should commit to utilizing only warmer-colored outdoor lights at its facilities to protect the health and well-being of residents and protect the County's ecological systems.

Therefore, the purpose of this local law is to amend Chapter 149 of the SUFFOLK COUNTY CODE to require all outdoor lighting purchased or replaced by the County to use "warm white" light sources.

**Section 2. Amendments.**

Chapter 149 of the SUFFOLK COUNTY CODE is hereby amended as follows:

**Chapter 149.  
LIGHT POLLUTION**

\* \* \* \*

**§ 149-2. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**Agency**

Any department, division, bureau, board or commission, or agency of Suffolk County government, the expenses of which are paid in whole or in part from Suffolk County funds.

**Correlated Color Temperature**

The perceived color of the light emitted by a lamp, expressed in Kelvin (K) units. The higher the Kelvin rating, the "cooler" or more blue the light will be.

\* \* \* \*

**Fully Shielded Luminaire**

A luminaire constructed and installed in such a manner that all light emitted by it, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal.

**Kelvin**

The unit of measurement used to characterize the color of light emitted by a lamp.

**Lamp**

A light bulb or other component of a luminaire that changes electricity into visible light.

**Luminaire**

A complete lighting unit, including a lamp or lamps together with the parts designed to distribute the light, to position and protect the lamps, and to connect the lamps to the power supply.

\* \* \* \*

**§ 149-3. Requirements.**

- A. When purchasing new or replacement lighting, all County departments shall include a specification in a solicitation for the purchase of any permanent outdoor luminaire that requires the provider to offer for sale to the County of Suffolk only [fully shielded] luminaires that 1) are fully shielded and 2) use lamps with a Correlated Color Temperature no higher than 3500 Kelvin for all lamps purchased through December 31, 2015, with all lamps purchased thereafter having a Correlated Color Temperature no higher than 3000 Kelvin. All outdoor [lighting] luminaires in all County facilities shall be replaced in accordance with this section. All new outdoor [lighting] luminaires shall be installed in accordance with this section.
  
- B. Any replacement lamps for luminaires purchased by a County Department pursuant to subsection (A) of this section shall have a Correlated Color Temperature no higher than 3500 Kelvin for replacement lamps purchased on or before December 31, 2015, with any subsequent replacement lamp having a Correlated Color Temperature no higher than 3000 Kelvin.

\* \* \* \*

**Section 3. Applicability.**

This law shall apply to all actions occurring on or after the effective date of this law. These requirements shall not apply to any project for the installation or replacement of permanent outdoor luminaries which have already received final design approval prior to the effective date of this act.

**Section 4. Severability.**

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**Section 5. SEQRA Determination.**

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

**Section 6. Effective Date.**

This law shall take effect immediately upon filing in the Office of the Secretary of State.

[ ] Brackets denote deletion of existing language  
\_\_\_ Underlining denotes addition of new language

DATED: September 12, 2013

APPROVED BY:

/s/ Steven Bellone  
County Executive of Suffolk County

Date: September 25, 2013

After a public hearing duly held on September 25, 2013  
Filed with the Secretary of State on October 8, 2013