

1 **ARTICLE IV. - BEACH LIGHTING**

2
3 **Sec. 10-78. - Definitions.**

4 The following words, terms and phrases, when used in this article, shall have the
5 meanings ascribed to them in this section, except where the context clearly indicates a
6 different meaning:

7 **Artificial Light or Artificial Lighting** means the light emanating from any
8 manufactured device.

9 **Beach** means the zone of sand from the low water mark of the ocean to the landward
10 toe of the frontal dune. In cases with no identifiable frontal dune, *beach* means the zone
11 of sand from the low-water mark of the ocean to the landward extent of sparsely vegetated
12 sand.

13 **Beachfront** means the area of land facing the beach.

14 **Cumulatively Illuminated** means illuminated by more than one artificial light sources
15 that collectively illuminate any portion of the beach.

16 **Directly Illuminated** means an area illuminated as a result of glowing elements,
17 lamps, globes or reflectors of an artificial light source, which is visible to an observer on
18 the beach.

19 **DNR** means the Georgia Department of Natural Resources – Wildlife Resources
20 Division which is responsible for conserving and protecting wildlife species, including Sea
21 Turtles.

22 **Dune** means a natural or manmade mound or bluff of sand deposited along a
23 coastline by wind action, which mounds are often covered with sparse, pioneer vegetation
24 and are located landward of the ordinary high-water mark and may extend to the tree line.

25 **Frontal Dune** means the seaward-most dune on the nesting beach and which has
26 sufficient vegetation, height, continuity, and configuration to offer significant protective
27 value of landward areas.

28 **Ground-level Barrier** means any vegetation, natural feature or artificial structure
29 rising from the ground, which obstructs beachfront lighting from illuminating the beach-
30 dune system.

31 **Hatchling** means any species of marine turtle, within or outside of a nest, that has
32 recently hatched from an egg.

33 **Indirectly illuminated** means an area illuminated as a result of the glowing elements,
34 lamps, globes or reflectors of an artificial light source, which is not visible to an observer
35 on the beach.

36 **Landward Toe** means the lowest elevation of the landward side of the frontal dune.

37 **Nest** means an area where sea turtle eggs have been naturally deposited or
38 subsequently relocated.

39 **Nesting Beach** means any beach capable of supporting sea turtle nests as
40 determined by available data or any beach location where natural changes or engineered
41 and permitted activities have created the potential for sea turtle nesting as determined by
42 DNR. The authority may post a map of each year's nesting beaches on its website in
43 advance of nesting season to identify the location of nesting beaches for that year's
44 nesting season in consultation with DNR.

45 **Nesting Season** means the period of time between May 1st and October 31st of
46 each year. The authority, in consultation with DNR, may declare an end to the period of
47 local regulation prior to October 31st of each year after the last remaining nest on Jekyll
48 Island has been inventoried pursuant to DNR's nesting protocols. Such a declaration
49 would only apply to the beaches of Jekyll Island and pertain to this ordinance specifically.

50 **Nighttime** means the locally effective time period between sunset and sunrise.

51 **Nonnesting Beach** means any beach that is not a nesting beach.

52 **Person** means any individual, firm, association, joint venture, partnership, estate,
53 trust, syndicate, fiduciary, corporation, or other legal entity, and all other groups or
54 combinations thereof.

55 **Private Balcony** means a balcony or porch that is not considered a point of ingress
56 and egress in local building code.

57 **Sea (Marine) Turtle** means any marine-dwelling reptile of the families Cheloniidae
58 or Dermochelyidae found in state waters or using the beach as a nesting habitat, including
59 the following species: *Caretta caretta* (loggerhead), *Chelonia mydas* (green),
60 *Dermochelys coriacea* (leatherback), *Eretmochelys imbricata* (hawksbill), and

61 *Lepidochelys kempii* (Kemp's Ridley). For purposes of this ordinance, sea turtle is
62 synonymous with marine turtle.

63 **Tinted Glass** means any glass treated to achieve an industry-specified, inside-to-
64 outside light transmittance value of 45 percent or less. Such transmittance is limited to
65 the visible spectrum (400 to 700 nanometers) and is measured as the percentage of light
66 that is transmitted through the glass.

67
68 **Sec. 10-79. - Purpose and intent.**

69 This article is intended to protect sea turtles on nesting beaches by averting adverse
70 effects of artificial lighting during nesting season. Furthermore, this article is intended to
71 avoid degradation in sea turtle nesting habitat due to light pollution and promote
72 successful nesting activity and production of hatchlings.

73
74 **Sec. 10-80. - Prohibition of beachfront artificial lighting.**

75 It shall be unlawful for a person to allow artificial light to directly, indirectly, or
76 cumulatively illuminate the nesting beaches of Jekyll Island, including frontal dunes,
77 during nighttime throughout the sea turtle nesting season, unless such lighting
78 complies with the standards set forth in sections 10-81 and 10-82.

79
80 **Sec. 10-81. - Standards for permitted beachfront artificial lighting on nesting**
81 **beaches.**

82 Beachfront artificial lighting is permitted on nesting beaches during the sea turtle
83 nesting season at nighttime only under the following conditions:

- 84 (1) All artificial light fixtures, whether exterior or interior, shall be designed and
85 positioned so that:
- 86 a. The point source of light, such as the bulb, fluorescent tube, or diode, or any
87 mirrored reflective surface of the light fixture is not directly visible from the
88 beach;
 - 89 b. The beach is not directly or indirectly illuminated; and
 - 90 c. The beach is not cumulatively illuminated.

- 91 (2) One or more of the following measures could be used as necessary to eliminate
92 direct, indirect and cumulative beach illumination resulting from the interior light
93 emanating from doors and windows that can be seen by an observer on the
94 beach:
- 95 a. Rearrange lamps and other moveable light fixtures away from windows;
 - 96 b. Use window treatments to shield interior lights from the beach and, during
97 the nesting season, draw operable coverings each night; or
 - 98 c. Turn off unnecessary lights.
- 99 (3) Exterior artificial light fixtures that can be seen by an observer on the beach shall
100 be designed and oriented such that:
- 101 a. The point source of light or any mirrored reflective surface of the light fixture
102 is not directly visible from the beach;
 - 103 b. Fixtures are completely shielded by an opaque material blocking direct view
104 of bulbs or diodes from the beach;
 - 105 c. Fixtures project light in a downward direction only.
- 106 (4) Exterior artificial light fixtures which are prohibited from producing light that can
107 be seen by an observer on the beach include the following:
- 108 a. Lighting that is decorative in purpose and intent.
 - 109 b. Any light fixture that projects light in an upward direction.
 - 110 c. Any light fixture that directly illuminates vegetation, buildings, trees, or other
111 objects that can be seen by an observer on the beach.
 - 112 d. Dune crossover lights.
 - 113 e. Tree mounted lights placed higher than fifteen (15) feet above the ground
114 surface.
- 115 (5) The only lamps/tubes/bulbs/diodes or other light sources that may be used in
116 exterior light fixtures producing light that can be seen by an observer on the beach
117 include:
- 118 a. Low-pressure sodium (LPS, 18 watts, 35 watts).
 - 119 b. Amber or red LEDs producing light wavelengths not less than 560
120 nanometers).
 - 121 c. Any lamp/bulb authorized by the DNR.

- 122 d. True red neon.
- 123 e. Other lighting sources that produce light wavelengths not less than 560nm.
- 124 (6) Exterior lights used expressly for safety or security purposes shall be limited to
- 125 the minimum number and configuration required to achieve their functional roles
- 126 and must comply with conditions set forth in this section. Motion detector
- 127 switches, that keep lights off except when approached and that switch lights on
- 128 for the minimum duration necessary for security and safety, are desirable.
- 129 (7) Private balcony lights may only be low-mounted, not to exceed the height of the
- 130 railing around the balcony, fully-shielded from view from the beach, and produce
- 131 light that does not directly or indirectly illuminate any surfaces, other than the
- 132 associated balcony, that can be seen by an observer on the beach. Private
- 133 balcony lights must comply with the conditions set forth in this section.
- 134 (8) Lamps, bulbs, tubes, or diodes used to illuminate parking areas and roadways
- 135 must comply with conditions set forth in this section when producing light that can
- 136 be seen by an observer on the beach.
- 137 (9) Parking area and roadways, including any paved or unpaved areas upon which
- 138 motorized vehicles will park or operate, shall be designed and located to
- 139 minimize vehicular headlights from directly or indirectly illuminating the beach.
- 140 (10) Vehicular lighting, parking area lighting, and roadway lighting shall be shielded
- 141 from the beach through the use of ground-level barriers. Ground-level barriers
- 142 must not interfere with marine turtle nesting or hatchling emergence.
- 143 (11) Swimming pool and pool deck lights shall be turned off when the pool is closed
- 144 unless required for safety and security. Swimming pool deck lights must comply
- 145 with conditions set forth in this section. Underwater swimming pool lights shall be
- 146 designed and installed so as to avoid illuminating any buildings, trees, or other
- 147 objects that can be seen by an observer on the beach. If avoidance of such
- 148 illumination is not possible, then the wavelengths emitted by the underwater pool
- 149 lights shall not be less than 560nm. Swimming pool owners are encouraged to
- 150 seek a variance from the Glynn County Department of Public Health in order to
- 151 conform to these standards.

152 (12) Tinted glass shall be installed on all windows and glass doors of single or
153 multistory structures constructed within line-of-sight of the beach.

154 (13) Temporary lighting of construction sites that can be seen by an observer on the
155 beach during the sea turtle nesting season must comply with conditions set forth
156 in this section.

157 (14) Prior to beachfront construction or renovation of any beachfront structure or
158 facility, the lighting plan for the subject parcel, including during the construction
159 phase, must be approved by the authority and the DNR Sea Turtle Biologist
160 (primary), State Herpetologist (secondary), or other staff as assigned by DNR.

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162 **Sec. 10-82. - Standards for permitted beachfront lighting on nonnesting beaches.**

163 Beachfront artificial lighting is permitted on nonnesting beaches during the sea turtle
164 nesting season at nighttime, except such lighting is prohibited when it can be seen by an
165 observer on any nesting beach. When artificial lighting can be seen by an observer on a
166 nesting beach, all such artificial lighting must comply with conditions in subsections (1)
167 through (11) of the standards set forth in section 10-81 concerning nesting beaches.

168

169 **Sec. 10-83. - Prohibition of certain beach activities utilizing artificial lights and**
170 **lighting affecting sea turtles.**

171 The following activities involving direct illumination of the beach are prohibited on
172 nesting beaches, dunes, and frontal dunes at nighttime during the sea turtle nesting
173 season for protection of nesting female sea turtles, nests, and hatchlings:

174 (a) The operation of all motorized vehicles or motorized machines, except for those
175 vehicles that are necessary for authorized public safety, law enforcement, or
176 protected-wildlife related activities. Authorized vehicles operating on the beach
177 on a routine, non-emergency, basis must be equipped with forward facing lights,
178 sufficiently bright for safe operation, producing light wavelengths not less than
179 560nm.

180 (b) Any source of open flame except handheld lighters.

181 (c) The use of lanterns, flashlights, or any other portable light source except those
182 producing light wavelengths not less than 560nm.

183 (d) The use of fireworks unless approved by the authority and properly permitted
184 under state and local law.

185

186 **Sec. 10-84. - Variances.**

187 (a) Requests for variances to this article must be presented in writing to the authority.
188 Such requests must state the rationale and must show how failure to receive a
189 variance will cause an undue hardship on the requestor.

190 (b) The authority will confer with the DNR regarding any variance requested and
191 shall respond in writing to each request subsequent to said consultation within
192 ten days, unless DNR or the authority requests additional time for study, in which
193 case the requestor shall be notified.

194

195 **Sec. 10-85. - Noncompliance and enforcement.**

196 (a) The authority shall have the power to enforce the provisions of this article by all
197 legal or administrative means.

198 (b) Each violation of any provision of this Article shall subject the person committing
199 the violation to a fine up to \$500 plus costs and any or all penalties to be imposed
200 at the discretion of the judge. Each day of any such violation shall constitute a
201 separate and distinct offense.

202 (c) No permit may be issued by the Authority to improve or expand any facility that
203 is in violation of this ordinance unless such violation has been corrected.

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