

**Municipal Regulation of
Outdoor Lighting**

**BOJORQUEZ
LAW FIRM, PLLC**
TexasMunicipalLawyers.com

TCAA Fall Conference - TML
October 2, 2014


Policy

1. Problem Identification

- a. What's the problem?
- b. Why do we care?

2. Expert Statements

- a. Studies?
- b. Literature?




3. Comp Plan

Authority

1. Depends on Type of City

2. Enabling Acts

- a. Zoning
- b. Building Codes
- c. Signs
- d. Historic Preservation
- e. Development Agreements
- f. Nuisance



Nuisance



Field of Dreams? Build it and they will sue?

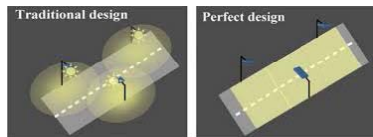
Procedures

1. Council Subcommittee?
2. Demonstrations?
3. Workshops? Hearings? Town Hall?



Science & Technology

1. Terminology
2. Market
3. Affects?
4. Consultant?



Standards

1. Districts

2. Areas Illuminated



3. Model Ordinance

4. Arbitrary & Capricious



5. Vagueness

Pre-Existing

1. Nonconforming

2. Amortization

3. Modification & Destruction

4. Abandonment

5. Grandfathered



Administration & Enforcement

1. Staffing & Equipment

2. Process

- a. Inspections?
- b. Permitting?

3. Civil District Court

4. Municipal Court

5. Public Education

