

RESOLUTION NO. 2020-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO COUNTY FACILITY OUTDOOR LIGHTING STANDARDS; CREATING SECTION 25.126 OF THE BROWARD COUNTY ADMINISTRATIVE CODE ("ADMINISTRATIVE CODE"); AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

WHEREAS, inappropriate or excessive use of artificial light, known as light pollution, can have serious environmental consequences for humans, wildlife, and our climate;

WHEREAS, Broward County launched a Sky Quality Monitoring Program in 2017 to assess Broward County's night sky quality and to measure progress in reducing light pollution over time;

WHEREAS, the Climate Change Task Force voted unanimously on August 17, 2017, to recommend that Broward County develop and enact a Night Friendly Lighting Ordinance and that cities also consider adoption;

WHEREAS, the Board of County Commissioners of Broward County, Florida ("Board"), unanimously passed Ordinance No. 2019-04 on January 29, 2019, establishing outdoor lighting standards applicable within the unincorporated area for new construction and major lighting retrofit or replacement projects;

WHEREAS, the Broward Green Building Policy was established in Chapter 25, Part XVIII, of the Broward County Administrative Code to provide sustainable and environmentally friendly construction and design practices for facilities owned or operated by Broward County; and

WHEREAS, the Board deems it to be in the best interest of Broward County that the Broward Green Building Policy be amended to provide that facilities owned or operated by Broward County meet the outdoor lighting standards required by Ordinance No. 2019-04 during new construction and major lighting retrofit or replacement projects, and the Board finds that meeting those standards further implements the Broward County Climate Action Plan and the recommendation of the Climate Change Task Force to reduce light pollution and create more night friendly lighting for our communities, NOW, THEREFORE,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA:

Section 1. Section 25.126 of the Broward County Administrative Code is hereby created to read as follows:

25.126. Outdoor Lighting Standards.

All County-owned and operated facilities, except for correctional facilities, shall comply with Section 39-112, "Outdoor Lighting," of the Broward County Code of Ordinances, to the extent not in conflict with state or local law.

Section 2. Severability.

If any portion of this Administrative Code Resolution is determined by any court to be invalid, the invalid portion will be stricken, and such striking will not affect the validity of the remainder of this Administrative Code Resolution. If any court determines that this Administrative Code Resolution, in whole or in part, cannot be legally applied to any individual, group, entity, property, or circumstance, such determination will not affect the

applicability of this Administrative Code Resolution to any other individual, group, entity, property, or circumstance.

Section 3. Inclusion in the Broward County Administrative Code.

It is the intention of the Board of County Commissioners that the provisions of this Administrative Code Resolution become part of the Broward County Administrative Code as of the effective date. The sections of this Administrative Code Resolution may be renumbered or relettered and the word "resolution" may be changed to "section," "article," or such other appropriate word or phrase to the extent necessary in order to accomplish such intention.

Section 4. Effective Date.

This Administrative Code Resolution is effective upon adoption.

ADOPTED this day of , 2020.

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By /s/ Michael C. Owens 12/27/19
Michael C. Owens (date)
Senior Assistant County Attorney

By /s/ Maite Azcoitia 12/27/19
Maite Azcoitia (date)
Deputy County Attorney