

ORDINANCE NO. _____

AN ORDINANCE TO ADD SECTION 33-2(17) TO PROVIDE THAT DECORATIVE LED LIGHTING ON EXTERIOR OF COMMERCIAL BUILDINGS IS A NUISANCE

WHEREAS, the City Council has determined that it is a public nuisance for there to be decorative LED lighting on the exterior of commercial buildings because the lighting adds to the visual clutter of the City; and

NOW THEREFORE, IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF CANTON as follows:

1. Section 33-2(17) is hereby adopted to read as follows:

Sec. 33-2(17) LED lighting on commercial properties. Any LED light affixed to the exterior of any commercial building or affixed to the interior as a means of outlining any window of a commercial building, where the lighting is visible from the exterior of the building. This section shall not apply to non-decorative lighting that is part of a fixture necessary for security, safety, or illumination of parking areas or entrances to the building.

2. If any portion of this Ordinance be declared invalid or unconstitutional by any court or competent jurisdiction or if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid. It is hereby declared to be the intent of the City Council to provide for separable and divisible parts and does hereby adopt any and all parts hereof as may not be held invalid for any reason.

3. This Ordinance shall become effective on the date the Mayor signs the ordinance indicating approval, ten days after the adoption of the ordinance if the Mayor has not signed nor vetoed, or immediately upon an affirmative vote of the City Council after the Mayor's veto, whichever shall first occur.

Attest:

Susan C. Stanton
CITY CLERK

Gene Hobgood, MAYOR
Date:

Approved as to form:

Robert M. Dyer, City Attorney

ORDINANCE NO. _____

First Reading _____

Adopted by Council _____

Approved by Mayor _____

Veto by Mayor _____

Second Vote by Council _____

Effective Date _____

Susan C. Stanton, City Clerk