

Village of Point Venture

ORDINANCE NO. 2025-05-21A

AN ORDINANCE OF THE VILLAGE OF POINT VENTURE, TEXAS, AMENDING CHAPTER 4 OF THE VILLAGE OF POINT VENTURE CODE OF ORDINANCES; AMENDING REGULATIONS FOR OUTDOOR/EXTERIOR LIGHTING; PROVIDING FINDINGS OF FACT; PROVIDING FOR REPEAL, SEVERABILITY, SAVINGS, PUBLICATION AND CODIFICATION; DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Village Council of the Village of Point Venture ("Village Council") seeks to provide for the public health, safety and welfare of its citizens; and

WHEREAS, pursuant to Section 51.001 of the Texas Local Government Code, the Village of Point Venture may adopt and amend ordinances for the good government, peace and order of the Village, as necessary or proper for carrying out a power granted by law to the Village; and

WHEREAS, pursuant to Section 51.002 of the Texas Local Government Code, the Village of Point Venture may adopt ordinances provided such are not inconsistent with state law; and

WHEREAS, pursuant to Village of Point Venture Ordinance 2021-02-17, the Village Council adopted outdoor/exterior lighting regulations;

WHEREAS, the Village Council desires to amend the outdoor/exterior lighting regulations in order to protect the security of residential property and the safety of Village residents and visitors of the Village; and

WHEREAS, the Village Council finds the amendment of regulations governing outdoor/exterior lighting of single family structures is necessary and proper for the good government, peace and order of the Village; and

WHEREAS, the Village Council finds that the removal of regulations governing outdoor/exterior lighting to single family structures is not inconsistent with state law.

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF POINT VENTURE, TEXAS:

SECTION 1. Findings of Fact. All of the above recitals and premises are hereby found to be true and correct legislative and factual findings of the Village Council of the Village of

Point Venture, Texas and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. Ordinance Amendment. The Code of Ordinances of the Village of Point Venture, Texas is hereby amended by deleting the definition of “Initial lamp lumen” in Subsection 4.08.002 of Article 4.08 of Chapter 4 and substituting therefor a new definition of “Initial lamp lumen” in Subsection 4.08.002 of Article 4.08 of Chapter 4 to provide as follows:

“CHAPTER 4 BUILDING REGULATIONS

. . .

ARTICLE 4.08 OUTDOOR/EXTERIOR LIGHTING

. . .

4.08.002 Definitions

. . .

Initial lamp lumen means the product of the initial number of lumens produced by the light emitting elements of an individual luminaire, multiplied by the luminaire efficiency. If the efficiency is not known, assume 100 percent for a multifamily or commercial luminaire.”

SECTION 3. Ordinance Amendment. The Code of Ordinances of the Village of Point Venture, Texas is hereby amended by deleting the definition of “Outdoor or Exterior lighting” in Subsection 4.08.002 of Article 4.08 of Chapter 4 and substituting therefor a new definition of “Outdoor or Exterior lighting” in Subsection 4.08.002 of Article 4.08 of Chapter 4 to provide as follows:

“CHAPTER 4 BUILDING REGULATIONS

. . .

ARTICLE 4.08 OUTDOOR/EXTERIOR LIGHTING

. . .

4.08.002 Definitions

. . .

Outdoor or Exterior lighting means temporary or permanent lighting that is installed, located or used in such a manner to cause light to be cast outdoors. Any multifamily or commercial fixture that is installed indoors but causes light to shine outside is considered outdoor lighting for the purpose of administering these regulations (See figure A).”

SECTION 4. Ordinance Amendment. The Code of Ordinances of the Village of Point Venture, Texas is hereby amended by deleting the introductory paragraph in Subsection

4.08.003 of Article 4.08 of Chapter 4 and substituting therefor a new introductory paragraph in Subsection 4.08.003 of Article 4.08 of Chapter 4 to provide as follows:

“CHAPTER 4 BUILDING REGULATIONS

. . .

ARTICLE 4.08 OUTDOOR/EXTERIOR LIGHTING

. . .

4.08.003 Scope And Applicability

All outdoor or exterior lighting for multifamily and commercial structures shall be installed in conformance with the provisions of this article, applicable electrical codes, energy codes, and building codes, except as provided herein.”

SECTION 5. Ordinance Amendment. The Code of Ordinances of the Village of Point Venture, Texas is hereby amended by deleting Subsections 4.08.003(a) and 4.08.003(b) of Article 4.08 of Chapter 4 and substituting therefor new Subsections 4.08.003(a) and 4.08.003(b) of Article 4.08 of Chapter 4 to provide as follows:

“CHAPTER 4 BUILDING REGULATIONS

. . .

ARTICLE 4.08 OUTDOOR/EXTERIOR LIGHTING

. . .

4.08.003 Scope And Applicability

. . .

- (a) New Construction. All outdoor or exterior lighting associated with newly constructed multifamily and commercial structures permitted after the effective date of this article shall comply with these requirements and other applicable regulations unless otherwise exempted.
- (b) Renovations and Repairs. All multifamily and commercial renovations or repairs requiring a permit after the effective date of this article shall comply with these requirements and other applicable regulations unless otherwise exempted. All renovations or repairs that include installation or replacement of exterior or outdoor lighting in excess of 6,200 lumens within any 90-day period shall require a permit.”

SECTION 6. Ordinance Amendment. The Code of Ordinances of the Village of Point Venture, Texas is hereby amended by deleting Subsection 4.08.003(d)(5) of Article 4.08 of Chapter 4 and substituting therefor a new Subsection 4.08.003(d)(5) of Article 4.08 of Chapter 4 to provide as follows:

“CHAPTER 4 BUILDING REGULATIONS

...

ARTICLE 4.08 OUTDOOR/EXTERIOR LIGHTING

...

4.08.003 Scope And Applicability

...

(d) Exemptions and Exceptions.

...

- (5) Holiday lights from November 15th to January 15th between 6:00 a.m. and midnight, except that flashing holiday lights are prohibited on commercial properties and discouraged on multifamily properties.”

SECTION 7. Ordinance Amendment. The Code of Ordinances of the Village of Point Venture, Texas is hereby amended by deleting Subsection 4.08.004(a) of Article 4.08 of Chapter 4 and substituting therefore a new Subsection 4.08.004(a) of Article 4.08 of Chapter 4 to provide as follows:

“CHAPTER 4 BUILDING REGULATIONS

...

ARTICLE 4.08 OUTDOOR/EXTERIOR LIGHTING

...

4.08.004 Procedures And Compliance

- (a) Multifamily and Commercial Outdoor Lighting. All applications for multifamily and commercial building permits or land use planning review, including subdivision construction plans, which include installation of outdoor lighting fixtures shall include lighting plans conforming to the provisions of these regulations. Submittals shall include the following information as applicable to each specific project:”

SECTION 8. Ordinance Amendment. The Code of Ordinances of the Village of Point Venture, Texas is hereby amended by re-lettering Subsections 4.08.004(c), (d), (e) of Article 4.08 of Chapter 4 as new Subsections 4.08.004(b), (c), (d) of Article 4.08 of Chapter 4 respectively.

SECTION 9. Ordinance Amendment. The Code of Ordinances of the Village of Point Venture, Texas is hereby amended by deleting Subsection 4.08.005(c) of Article 4.08 of Chapter 4 and substituting therefor a new Subsection 4.08.005(c) of Article 4.08 of Chapter 4 to provide as follows:

“CHAPTER 4 BUILDING REGULATIONS

. . .

ARTICLE 4.08 OUTDOOR/EXTERIOR LIGHTING

. . .

4.08.005 Lamps, Fixtures, Shielding And Output Limits

. . .

(c) Output Limits.

- (1) Total outdoor light output (excluding governmental owned street lights used for illumination of public rights-of-way and outdoor recreation facilities) of any commercial property shall not exceed 100,000 lumens per acre in any contiguous illuminated area.”
- (2) Total outdoor light output (excluding governmental owned street lights used for illumination of public rights-of-way and outdoor recreation facilities) of any multifamily property shall not exceed 25,000 lumens per acre in any contiguous illuminated area.”

SECTION 10. Ordinance Amendment. The Code of Ordinances of the Village of Point Venture, Texas is hereby amended by deleting Subsection 4.08.008(a) of Article 4.08 of Chapter 4 and substituting therefor a new Subsection 4.08.008(a) Article 4.08 of Chapter 4 to provide as follows:

“CHAPTER 4 BUILDING REGULATIONS

. . .

ARTICLE 4.08 OUTDOOR/EXTERIOR LIGHTING

. . .

4.08.008 Lighting Curfews

- (a) Commercial outdoor or exterior lighting shall not be energized more than 30 minutes after closing or the completion of activities, unless reduced to 25% or less of the total light output allowed.”

SECTION 11. Repeal. All resolutions, ordinances, or parts thereof conflicting or inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such conflict. In the event of a conflict or inconsistency between this Ordinance and any other resolution, code or ordinance of the Village, or parts thereof, the terms and provisions of this Ordinance shall govern.

SECTION 12. Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The Village Council hereby declares that it would have passed all remaining portions of this Ordinance without the inclusion of the portion or portions declared unconstitutional or invalid.

SECTION 13. Savings. All rights and remedies of the Village of Point Venture are expressly saved as to any and all violations of the provisions of any ordinances which have accrued at the time of the effective date of this Ordinance; and such accrued violations and litigation, both civil and criminal, whether pending in court or not, under such ordinances, shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 14. Publication and Codification. The Village Secretary of the Village of Point Venture is hereby directed to publish the Caption, Penalty and Effective Date of this Ordinance as required by Section 52.011 of the Texas Local Government Code. The Village Secretary is further directed to have this Ordinance codified at the next available codification update.

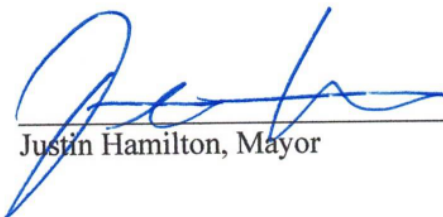
SECTION 15. Open Meeting. The Village Council of the Village of Point Venture finds that the meeting at which this Ordinance passed was conducted in compliance with the Texas Open Meetings Act.

SECTION 16. Penalty. It shall be unlawful for any person to violate any provision of this Ordinance, and any person violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount not less than One Dollar (\$1.00) nor more than Five Hundred Dollars (\$500.00), in accordance with the enforcement and penalty provisions, and a separate offense shall be deemed committed each day or part of a day during or on which a violation occurs or continues. Further, if the Village Council of the Village of Point Venture determines that a violation of this Ordinance creates a threat to the public safety, the Village may bring suit in the District Court to enjoin such violation and may exercise all available remedies as allowed by law.

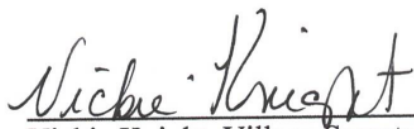
SECTION 17. Effective Date. This Ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

GIVEN FIRST READING AND CONSIDERATION by the Village Council of the Village of Point Venture, Texas on the 16th day of April, 2025.


PASSED, APPROVED AND ADOPTED by the Village Council of the Village of Point Venture, Texas, on the 21st day of May, 2025.


Justin Hamilton, Mayor

ATTEST:


Vickie Knight, Village Secretary

APPROVED AS TO FORM:


Caroline Kelley, Village Attorney