

ORDINANCE NO. 221 A

Introduced by Commissioner F. M. Wilson

An Ordinance of the City of Warrenton
Relating to Restricted Lighting

THE CITY OF WARRENTON DOES ORDAIN AS FOLLOWS:

Section 1. J. L. DeWitt, Lieutenant General, U. S. Army, Commanding Western Defense Command and Fourth Army, by virtue of the authority vested in him by the President of the United States and Executive Order No. 9066, dated February 19, 1942, and pursuant to Public Law 503--77th Congress, approved March 21, 1942, and by virtue of his powers and prerogatives as Commanding General of the Western Defense Command, has issued Proclamation No. 10, dated August 5, 1942, and effective August 20, 1942, which, as amended by Public Proclamation No. 12, dated October 10, 1942, and issued by virtue of the same authority, reads, except for Exhibits A and B, as follows:

PUBLIC PROCLAMATION NO. 10

TO: The people within the States of Washington, Oregon, and California, and to the Public Generally:

WHEREAS, by Public Proclamation No. 1, dated March 2, 1942, this Headquarters, there were designated and established Military Areas Nos. 1 and 2; and

WHEREAS, the armed forces of the enemy have made attacks upon vessels of the United States traveling along the Pacific Coastal waters and upon land installations within said Military Areas, and it is expected that such attacks will continue; and

WHEREAS, it is necessary to provide maximum protection for war utilities, war materials and war premises located within the States of Washington, Oregon, and California against enemy attacks by sea and by air;

NOW, THEREFORE, I, J. L. DeWitt, Lieutenant General, U. S. Army, by virtue of the authority vested in me by the President of the United States and by the Secretary of War and my powers and prerogatives as Commanding General of the Western Defense Command, do hereby declare that:

- 1: The present situation requires as a matter of military necessity that a Zone of Restricted Lighting be established within Military Areas Nos. 1 and 2, and that illumination within said Zone of Restricted Lighting be extinguished or controlled in such manner and to such extent as may be necessary to prevent such illumination from aiding the operations of the enemy.
2. Pursuant to the determination and statement of military necessity in Paragraph 1 hereof, a Zone of Restricted Lighting, as particularly described in Exhibit A hereof, and as generally shown on the map made a part hereof and marked Exhibit B, is hereby designated and

established. Illumination within the entire area of said Zone of Restricted Lighting shall be extinguished or controlled at all times at night from sunset to sunrise, as follows:

(a) Signs, Floodlighting, Display and Interior Lighting. Illuminated signs and ornamental lighting of every description which are located out-of-doors, and floodlighting which illuminates buildings or signs (including but not limited to all exterior advertising signs, billboards, display lighting, theatre marquee signs, illuminated poster panels, and building outline lighting), and all interior light sources (as hereinafter defined) which emit direct rays above the horizontal out-of-doors, shall be extinguished. The words, "light sources," as used herein are intended and shall be construed to mean and include any light generating elements and the bright portion of any reflector, lens, luminaire, transparency, or other equipment associated herewith for the control or diffusion of light. This Section 2 (a) shall not apply to illumination for industrial or protective purposes except to the extent provided for in Section 2 (b) hereof.

(b) Illumination of Outdoor Areas; Street and Highway Lights. Illumination of outdoor areas and industrial and protective illumination, shall be controlled as follows:

(1) Except as provided in Section 2 (b) (2) hereof, illumination on all outdoor areas (including but not limited to automobile service station yards, outdoor parking areas, recreation areas and outdoor structures and roofs) shall not exceed one foot candle at any point when measured on a horizontal plane at any level of such outdoor areas, and all outdoor light sources shall be shielded so that no direct rays from the light source are emitted above the horizontal. All interior lighting of every description shall be reduced or controlled so that it does not contribute more than one foot candle of illumination upon any outdoor area. All street and highway lights shall also be shielded so that each light source emits no more than ten per cent of its total lamp lumens at angles above the horizontal. Provided the foregoing requirements are met, any further reduction or extinguishment of street or highway illumination which would unnecessarily aggravate traffic hazards is not required.

(2) Variations from the foregoing requirements shall be permitted in the case of illumination for industrial and protective purposes, and from industrial processes, whether interior or exterior, but not including street or highway lights, only when and to the extent that it is necessary to vary from such requirements in order to achieve and maintain maximum efficiency; but only with the written approval of the Ninth Regional Civilian Defense Board, obtained in advance.

(c) Traffic Signs and Signals. Illuminated signs and signals which are authorized or maintained by governmental authority for the purpose of controlling or directing street or highway traffic shall be shielded so that no direct rays from the light source are emitted above the horizontal in respect to lights mounted ten feet or more above the ground, or above an angle of more than six degrees above the horizontal in respect to lights mounted less

than ten but more than three feet above the ground, or above an angle of more than twelve degrees above the horizontal in respect to lights mounted less than three feet above the ground. Relative variations in the upward limit of light are permissible to compensate for grades.

(d) Navigation and Railroad Lights. Authorized lights necessary to facilitate air or water navigation, authorized railroad signal lights, and headlights of railroad locomotives when in motion, are hereby excepted from all the provisions of this Proclamation.

3. In addition to the restrictions hereinbefore imposed, illumination within that part of the Zone of Restricted Lighting which is visible from the sea, as hereinafter defined, shall be further diminished or obscured at all times at night from sunset to sunrise, as follows:

(a) Street, Highway and Traffic Lights. Street and highway lights, and illuminated signs (but not signals) which are authorized or maintained by governmental authority for the purpose of controlling or directing street or highway traffic and which are visible from the sea, shall be so shielded that they are not visible from the sea at night and so that no direct rays from the light source are emitted above the horizontal.

(b) Residential, Commercial and Industrial Windows. No lighting shall be permitted behind windows or glazed doors visible from the sea unless they are covered by drapes or shades.

(c) Street and Highway Traffic. Within areas visible from the sea, but subject to the exceptions hereinafter stated, vehicles shall operate at night with no more than two lighted driving lamps, regardless of the direction of travel, and each such lamp shall provide a maximum of not more than 250 beam candlepower. Normal rear lights, license plate lights and clearance lights (where required by law) are permitted. Vehicles which are classified as authorized emergency vehicles under the applicable Federal, State or local law, when operated by authorized personnel, and when displaying an illuminated red spotlight, and when responding to a fire alarm, or when in the immediate pursuit of an actual or suspected violator of the law, or when going to or transporting a person who is in apparent need of immediate emergency medical or surgical care, or when responding to some other emergency involving the protection of life or property, shall be excepted from the foregoing provision.

(d) Industrial and Protective Illumination. Light sources for industrial purposes and light from industrial processes within areas visible from the sea, shall comply with the requirements of Section 2 (b) hereof, and shall also be shielded so that they are not visible from the sea at night; provided, that variations from these requirements may be permitted in the case of illumination for industrial and protective purposes, and from industrial processes, whether interior or exterior (but not including street or highway lights), only when and to the extent that it is necessary to vary from such requirements in order to achieve and maintain maximum efficiency; but only with the written approval of the Ninth Regional Civilian Defense Board, obtained in advance.

- (e) Other illumination. Except as hereinabove provided in this Section 3, all other lights visible from the sea are prohibited at night, including but not limited to light from fires, bonfires, parked cars, flashlights and lanterns.
- (f) Definition of "Visible From the Sea". The phrase "visible from the sea", as used herein, is intended and shall be construed to mean and include the following:
- Visible at any time from the waters of the Pacific Ocean, * * * and solely for the purposes of Section 3 (c) hereof, concerning street and highway traffic, the phrase, "areas visible from the sea," is also intended and shall be construed to mean and include that portion of streets or highways which may not in fact be visible from the sea but which is within areas generally visible from the sea.

4. Any person violating any of the provisions of this Proclamation, orders issued pursuant thereto, is subject to immediate exclusion from the territory of the Western Defense Command, and to the criminal penalties provided in Public Law No. 508, 77th Congress, approved March 21, 1942, entitled "An Act to provide a penalty for the violation of restrictions or orders with respect to persons entering, remaining in, leaving, or committing any act in military areas or zones."
5. The Ninth Regional Civilian Defense Board is hereby designated as the primary agency to aid in the enforcement of the foregoing provisions. It is requested that the civil law enforcement agencies and State and local governmental bodies within the areas affected by this Proclamation assist the Ninth Regional Civilian Defense Board in the enforcement hereof.

6. This Proclamation shall become effective August 20, 1942.

J. L. DeWitt
Lieutenant General, U. S. Army
Commanding

Section 2. Said Public Proclamation No. 12, in addition to amending Public Proclamation No. 10 as hereinabove set forth, contains the following paragraphs:

"B. This proclamation shall become effective October 25, 1942, except those provisions of Subsection 2(b) (1) hereof, concerning street and highway lights, which shall become effective November 12, 1942.

"C. The recitals set forth in the first three paragraphs of said Public Proclamation No. 10 are hereby reaffirmed. Except as hereinbefore expressly amended, all the provisions and determinations expressed in said Public Proclamation No. 10 shall remain in full force and effect."

Section 3. The City of Warrenton hereby recognizes the civil and military necessity for the concurrent enforcement of the provisions of Public

Proclamation No. 10, as amended as aforesaid, by the City of Warrenton and the federal government.

Section 4. The City of Warrenton is within the Zone of Restricted Lighting, designated and established by Section 2 of said Public Proclamation No. 10 as amended as aforesaid.

Section 5. Whoever on or after October 25, 1942, shall commit any act in the City of Warrenton contrary to the provisions of Sections 2 or 3 of Public Proclamation No. 10 as amended as aforesaid, which amended proclamation is hereinabove set forth in full, shall be guilty of a violation of this ordinance which violation shall constitute a misdemeanor and upon conviction thereof shall be punishable by a fine of not to exceed \$300.00 or by imprisonment for not to exceed three months, or by both such fine and imprisonment.

2nd day of November, 1942. Passed by the Commissioners of the City of Warrenton this

of November, 1942. Approved by the Mayor of the City of Warrenton this 2nd day

George W. Kelly

Mayor

Attest:

Clifford Barlow

Auditor and Police Judge