

ORDINANCE NO. 27A

AN ORDINANCE OF THE TOWN OF SAN ANSELMO
RELATING TO RESTRICTED LIGHTING

The City Council of the Town of San Anselmo does ordain as follows:

SECTION 1: It is hereby found that 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 Public Proclamation No. 10, dated August 5, 1942, and effective August 20, 1942, and has amended the same by his Public Proclamation No. 12, dated October 10, 1942, and issued by virtue of the same authority, and that such proclamation as amended reads in part:

"HEADQUARTERS WESTERN DEFENSE COMMAND
AND FOURTH ARMY

Presidio of San Francisco, California

PUBLIC PROCLAMATION NO. 10
August 5, 1942

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

x x x

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 descrip-

tion 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 the Proclamation.

3. x x x

4. Any person violating any of the provisions of this Proclamation, or 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. 503, 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.

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

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

SECTION 2: It is hereby found and declared that the City of San Anselmo is within the Zone of Restricted Lighting, designated and established by SECTION 2 of said Public Proclamation No. 10 as amended as aforesaid.

SECTION 3: Whoever on or after October 25, 1942, shall commit any act in the City of San Anselmo contrary to the provisions 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 in the County Jail of Marin County for not to exceed three months, or by both such fine and imprisonment.

SECTION 4: This ordinance is required for the immediate preservation of the public peace, health and safety, and shall take effect immediately. The following is the statement of facts constituting such urgency: The United States is at war and this city by the provisions of Public Proclamation No. 10 as amended by Public Proclamation No. 12 is located in a military zone of restricted lighting established as a matter of military necessity in order to minimize the danger of enemy attack and to provide maximum protection for war utilities, war materials and war premises. By reason of the immediate threat of enemy attack compliance with the provisions of Public Proclamation No. 10 as

amended by Public Proclamation No. 12 is essential for the protection of the lives and property of the people of the City of San Anselmo.

SECTION 5: The City Clerk shall certify to the adoption of this ordinance and cause it to be published once in the "San Anselmo Herald", a newspaper of general circulation printed and published in this city.

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The foregoing ordinance was duly and regularly introduced at an adjourned regular meeting of the City Council of the Town of San Anselmo, held in said town on the 27 day of October, 1942, and was thereafter at a regular _____ meeting of the City Council of the Town of San Anselmo, held in said Town on the 10th day of November, 1942, duly passed and adopted by the following vote:

AYES: COUNCILMEN: Witz, Mason, Von Ritz, Carroll Litch
NOES: COUNCILMEN: none
ABSENT: COUNCILMEN: none

Gaw Litch
Mayor of the Town of San Anselmo

ATTEST: F. L. Brown
Clerk of the Town of San Anselmo