BY-LAW NUMBER 144-2026

A BY-LAW TO REGULATE NUISANCE INDOOR AND OUTDOOR ILLUMINATION IN THE CITY OF WINDSOR

Passed the 28th day of September, 2026.

WHEREAS the Council of The Corporation of the City of Windsor has, pursuant to Section 129 of the *Municipal Act, 2001*, S.O. 2011, c. 25, the authority to pass by-laws to prohibit and regulate with respect to outdoor illumination;

AND WHEREAS, it is in the public interest to regulate nuisance indoor and outdoor illumination in the City of Windsor by adopting a by-law to prohibiting and regulating nuisance lighting;

AND WHEREAS it is deemed expedient to repeal By-law 146-2025 and replace it with a new consolidated By-law

THEREFORE the Council of the Corporation of the City of Windsor enacts as follows:

SECTION 1 TITLE

1.1 This By-law may be referred to as the “Nuisance Indoor and Outdoor Illumination By-law".

SECTION 2 DEFINITIONS

In this By-law:

ARCHITECTURAL LIGHTING means an Outdoor Luminaire, Fixture or light that is attached to the exterior of any building, structure, boathouse, dock, post or any other thing which is used to illuminate any part of a building, structure, boathouse, dock, post or any part of a Property.

BUBBLER LIGHT means an Outdoor Luminaire, or other light that is used to warn people about the location of open water in the winter months, mainly used in conjunction with a dock and/or boathouse.

CITY means The Corporation of the City of Windsor.

CITY CLERK means the person duly appointed as Clerk for the City.

COUNCIL means the Council of the City.

DOCK LIGHT FIXTURE means an Outdoor Luminaire, or light that is used for the purposes of illuminating a dock which are affixed flat to the surface of the dock and are usually powered by using solar power and have a maximum output of 10 Lumens.

DIRECT LIGHT or DIRECT LIGHTING means light emitted directly from the Lamp or off of the reflector or Luminaire.

FESTIVE LIGHTING means strings of holiday lights, or internally lit inflatable or plastic decorations, or other lighting of holiday or seasonal decorations.

FIXTURE means the assembly that houses the Lamp or Lamps and can include all or some of the following parts: a housing, a mounting bracket or pole socket.

FLOOD LIGHT or SPOTLIGHT means any Fixture or Lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction.

FULL CUT OFF LIGHTING means a Fixture constructed in such a manner that all light emitted by the Fixture, either directly from the Lamp or a diffusing element, or indirectly by reflection or refraction from any part of the Luminaire, is projected below the horizontal.

GLARE means light emitting from any Outdoor Luminaire or other light, or reflection with an intensity great enough to reduce a viewer's ability to see, and in extreme cases causing momentary blindness.

INDIRECT LIGHTING means light that has been reflected or has scattered off other surfaces.

INDOOR LUMINAIRE means a complete lighting system, including a Lamp or Lamps and a Fixture placed within any building or any other structure which shall include Laser Source Light.

INSTALL or INSTALLING means the wiring, connecting, plugging in, turning on, placing, mounting or attaching any Fixture or Outdoor Luminaire on a Property.

LANDSCAPE LIGHTING means an Outdoor Luminaire which illuminates trees, shrubs, rocks or other landscape features, of which the output is not more than 350 Lumens and does not include a Pathway Light Fixture.

LAMP or LIGHTBULB means the component of an Outdoor Luminaire, Indoor Luminaire or any other type of Luminaire that produces the actual light.

LASER SOURCE LIGHT means light amplification by stimulated emission of radiation which produces a high intensity narrow beam of light.

LED LIGHTING means an electrical current that passes through a microchip, which illuminates a tiny light source and produces a visible light.

LIGHT TRESPASS means the shining of light produced by an Outdoor Luminaire that shines beyond the boundaries of the Property on which it is located which shall include Reflected Light.

LIGHT POLLUTION means the shining of light upwards into the sky above the horizontal plane of the Fixture caused by any of the following: Light Trespass, Glare, Direct Light, Reflected Light, or light from Fixtures that are not a full cut off Fixture.

LIGHTING INTENSITY STANDARDS STUDY means the City's Lighting Intensity Standards Study approved by CR228/2005, as amended.

LUMEN is the photometric unit of light output and the unit of measure used to quantify the amount of light produced by a Lamp or emitted from any Luminaire (as distinct from 'Watt,' a measure of power consumption).

LUMINAIRE means a complete lighting system, including a Lamp or Lamps enclosed in a housing complete with reflectors or refractors, etc.

LUX means a unit of illumination equal to the direct illumination on a surface that is everywhere one meter from a uniform point source of one candle intensity or equal to one Lumen per square meter.

MOTION-SENSOR ACTIVATED LIGHTING means lighting products equipped with a sensor that upon detecting activity will switch on the Luminaire and then switch it off again after an interval of no activity detection.

NUISANCE means any condition that is injurious to health, offensive to the senses, or an obstruction to the free use of Property, so as to interfere with the comfortable enjoyment of life or Property.

OFFICER means a provincial offences officer as defined in the *Provincial Offences Act*, R.S.O. 1990, c. P.33 or any successor legislation.

ORDER means a written direction issued pursuant to this by-law requiring compliance with the standards prescribed by this By-law, and "Orders" shall have a corresponding meaning.

OUTDOOR LUMINAIRE means an outdoor illuminating device, outdoor lighting, reflective surface, Lamp or similar device, permanently installed or portable, used for illumination, decoration or advertisement. Such devices shall include, but not limited to, lights used for:

(a) Architectural Lighting;
(b) Recreational areas;
(c) Parking lot lighting;
(d) Landscape Lighting;
(e) Signs (advertising or other);
(f) Product display area lighting; and
(g) Security lighting.

OWNER includes the registered owner, the Person for the time being managing or receiving the rent of the land or premises in connection with which the word is used, whether on the Person's own account or as agent or trustee of any other Person, or who would receive the rent if such land and premises were let, or a lessee or occupant of the Property who, under the terms of a lease, is required to repair and maintain the Property in accordance with the standards of this By-law.

PATHWAY LIGHT FIXTURE means a full cut off Fixture that is usually powered by solar power, battery power or wired, of which the output of each Fixture is not more than 20 Lumens and is no higher than 0.91 m (3 ft.) from current grade and for which the sole purpose is to illuminate an exterior pathway, walkway or stairway.

PERSON includes an individual, an Owner, occupant, agent, contractor, tenant, firm, proprietorship, partnership, association, syndicate, trustee, corporation, department, bureau or mortgagee.

PROPERTY means a building or structure or part of a building or structure and includes the lands and premises appurtenant thereto and all mobile homes, mobile buildings, mobile structures, outbuildings, retaining walls, fences and erections thereon, whether heretofore or hereafter erected, and includes vacant land.

REFLECTED LIGHT means light redirected back into the sky off of surfaces that are being illuminated and does not include surfaces covered by non-man-made materials such as snow, ice, and water.

SPECIAL EVENT includes festivals, carnivals, entertainment or advertising, which includes, but is not limited to that which may require City approval for specific event components.

SPORT COURT means an outdoor area of land or non-roofed structure that is purpose built, intended to be permanent, and is capable of being used for sports or recreational activities, and other similar uses and is located on private property.

STROBE LIGHT or **STROBOSCOPIC LAMP** is a device used to produce regular flashes of light.

WATT or WATTAGE is a derived unit of power. The unit, "W" is defined as joule per second and can be used to express the rate of energy conversion to light with respect to time.

SECTION 3 ENFORCEMENT

3.1 The City Clerk shall administer this By-law as amended.

3.2 This By-law shall be enforced by the City Clerk and any Officer so designated by the City Clerk.

SECTION 4 GENERAL REGULATIONS

4.1 Full Cut Off Lighting requirements approved under a site plan control agreement must be compliant with the Lighting Intensity Standards Study.

4.2 Every Person must remove any lighting that does not comply with the full cut-off clause found in the Lighting Intensity Standards Study and all existing lighting must be maintained;

4.3 Every Person Installing an Outdoor Luminaire and/or an Indoor Luminaire within the boundaries of the City shall comply with the requirements of this By-law. If conflicts arise regarding control and maintenance of outdoor and indoor lighting, this By-law shall be the governing document.

4.4 Every Person Installing an Outdoor Luminaire shall be required to use completely shielded full cut off Fixtures, as identified but not limited to the examples in Schedule "A" attached hereto and forming part of this By-law.

SECTION 5 REGULATIONS

5.1 No Person shall Install or maintain on Property or permit to be Installed or maintained upon a Property, an Outdoor Luminaire that is not a full cut off Fixture.

5.2 No Person shall Install or maintain on Property or permit to be Installed or maintained upon a Property, an Outdoor Luminaire that creates Light Pollution.

5.3 No Person shall Install or maintain on Property or permit to be Installed or maintained upon a Property, an Outdoor Luminaire that creates Light Trespass.

5.4 No Person shall Install or maintain on Property or permit to be Installed or maintained upon a Property, a Laser Source Light or any similar high intensity light outside.

5.5 No Person shall Install or maintain on Property or permit to be Installed or maintained upon a Property, a Strobe Light or Stroboscopic Lamp outside.

5.6 No Person shall Install or maintain on Property or permit to be Installed or maintained upon a Property, an Indoor Luminaire in a manner that, in the opinion of the Officer, could be a Nuisance to any Person or is positioned in a way that would purposefully impact adjoining properties.

5.7 No Person shall leave Architectural Lighting or Landscape Lighting on between 11:00 p.m. to sunrise of the next day with the exception of the following:

(a) Dock Light Fixtures and Pathway Light Fixtures;

(b) a maximum of three (3) Outdoor Luminaires attached to the exterior of a boathouse; and

(c) any other Outdoor Luminaires necessary for the purposes of traversing the Property and which all such Luminaires are only on for a maximum period of one (1) hour.

5.8 No Person shall install or maintain on lands or permit to be installed or maintained upon a Property, an Outdoor Luminaire that creates Reflected Light.

5.9 No Person shall install or maintain on lands or permit to be installed or maintained upon a Property, any Festive Lighting in contravention of the requirements of this By-law;

5.10 No Person shall install or maintain on lands or permit to be installed or maintained upon a Property, any Bubbler Light in contravention of the requirements of this By-law;

5.11 No Person shall install or maintain on lands or permit to be installed or maintained upon a Property, an Outdoor Luminaire used for a Sport Court or outdoor recreational area that is not in compliance with the requirements of this By-law.

SECTION 6 NUISANCE

6.1 No Person shall cause a light Nuisance within the City without limiting the generality of the foregoing:

(a) The use of Laser Source Light, signal beacons, Flood Light, Spotlights, flashing lights any other similar high intensity Luminaire that projects light onto adjacent private Property is prohibited; notwithstanding the exemptions set out in Section 7.

(b) The use of strobe, twinkling, static or chasing lights for private purposes and for advertising or entertainment purposes on private Property is prohibited notwithstanding the exemptions set out in Section 7.

(c) No Direct Lighting or Indirect Lighting shall be used so that an unusual quantity or type of light creates a Glare or Light Trespass upon the land of others so as to be or to cause a Nuisance to the public generally or to others residing or carrying on a business or trade in the vicinity.

SECTION 7 EXEMPTIONS

7.1 The City is exempt from the requirements of this By-law.

7.2 Every Person who installs Festive Lighting shall be exempt from sections 5.1, 5.2, 5.3 and 5.4 and shall comply with the following conditions:

(a) all Lightbulbs shall be a maximum of either 10 Watts or 70 Lumens;

(b) all Festive Lighting is permitted to be operational between November 15 and January 15. Any other festive lighting will be at the discretion of the City Clerk; and

(c) Festive Lighting shall also be exempt from section 5.4 provided that all Laser Source Lighting is pointed directly onto a building of the Property in which the lights are located.

7.3 Every Person who installs or owns a Bubbler Light shall be exempt from sections 5.1, 5.2, 5.3 and 5.8 and shall comply with the following conditions:

(a) the light shall be blue in colour;

(b) the light shall be a solid colour;

(c) the light shall not flash or be intermittent at any time;

(d) if using a fluorescent light, the maximum Wattage shall be 13 Watts;

(e) if using an incandescent light, the maximum Wattage shall be 60 Watts;

(f) if using a LED Lighting, the maximum Wattage shall be 10 Watts; and

(g) all Bubbler Lights that existed prior to the passing of this By-law and were either a solid red or amber in colour, shall be exempt from section 7.3 until such time that the Lightbulb requires maintenance or needs to be replaced.

7.4 Vehicular lights and all temporary emergency lighting needed by the Fire and Police departments, or other emergency services shall be exempt from the requirements of this By-law.

7.5 South West Detention Centre.

7.6 Nothing in this by-law shall apply to navigational lighting systems at lighthouses and airports, or to airport lighting systems marking runways or taxiways. All radio, communications and navigation towers that require lights shall have dual lighting capabilities. For daytime, white Strobe Lights may be used, and for night-time, only red lights shall be used.

7.7 Lighting required through by-law enforcement or emergency services personnel.

7.8 Traffic control signals and devices.

7.9 Lighting in-compliance with the City of Windsor's Lighting Intensity Standards Study.

7.10 Dock Light Fixtures shall be exempt from section 5.1 of this By-law.

7.11 Motion-Sensor Activated Lighting may be left unshielded provided it is located in such a manner as to prevent Direct Lighting and Glare onto the properties of others, or into a public right of way, and provided the light is set to only go on when activated and to go off within two (2) minutes after activation has ceased, and the light shall not be triggered by activity off the Property.

7.12 The provisions of this By-law do not apply to any theatrical, film or television production approved by the City.

7.13 A contractor's identification light, provided it is located on the Property where the work is being performed and only during the period of such work, is exempt from the requirements of this By-law.

7.14 The provisions of this By-law do not apply to any of the Special Events, Sports Fields or other activities approved by Council.

SECTION 8 LIGHTING OF OUTDOOR SIGNS

8.1 No Person shall Install or maintain an Outdoor Luminaire on an outdoor sign that is not in compliance with the requirements of this By-law and the City of Windsor's Sign By-law, as amended.

SECTION 9 SPORT COURTS AND OUTDOOR RECREATIONAL AREAS

9.1 All Outdoor Luminaires permitted by this By-law may be used for lighting Sport Courts and other similar outdoor recreational areas, provided all of the following conditions are met:

(a) all Outdoor Luminaires used for a Sport Court or outdoor recreational areas on private Property shall be a full cut off Fixture;

(b) all Outdoor Luminaires and any other artificial lighting shall be turned off when the facility or area is not in use;

(c) all Outdoor Luminaires shall be a maximum of 8 metres in height from grade; and

(d) the maximum brightness for a Sport Court or outdoor recreational area shall be no more than 250 Lux.

SECTION 10 ORDERS

10.1 An Officer who finds a contravention of this By-law or an unsafe condition may make an Order directing compliance with this By-law and may require the Order to be carried out within such time as is specified in the Order.

10.2 The Order may be served on the Person whom the Officer believes is contravening the By-law, by:

(a) personal service;

(b) prepaid mail to the Person's address shown on the last revised assessment roll and may also be sent to the last address known to the City of the Owner if it differs from that on the assessment roll. In which case the Order shall be deemed to have been served on the fifth day after mailing;

(c) posting a copy of the Order on the Property; or

(d) any combination of the above as the Officer deems necessary.

10.3 Every Order delivered, sent or posted shall identify the Property by street number and name, and/or legal description.

10.4 Power of Entry re: Inspections

Pursuant to section 436 of the *Municipal Act, 2001*, the City Clerk or an Officer may enter on Property at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:

a) this By-law; and

b) an Order made under this By-law.

10.5 Inspection Powers

For the purposes of an inspection under this section, an Officer may:

a) require information from any Person concerning a matter related to the inspection; and

b) alone or in conjunction with a Person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

10.6 Inclusion

Every Order delivered, sent, posted or published shall specify that if the Owner defaults in doing the thing(s) required to be done under this By-law by the date specified in the Order, the City Clerk may take action to cause the City to do the thing(s) required to be done as specified in the Order and that the City may recover the costs of doing the thing(s) required to be done from the Owner and that the City may recover the costs by action or by adding the costs to the tax roll and collect them in the same manner as taxes.

10.7 Entry onto Property

Where the City proceeds with action under section 1112.1 of this By-law, the City Clerk or designate, or an agent appointed by the City may enter onto the Property accompanied by any Person(s) under his or her direction and with the appropriate equipment as required to bring the Property into compliance with this By-law.

SECTION 11 OFFENCES

11.1 Offence

Every Person who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction is liable to a fine and any other penalties as provided for in the *Municipal Act, 2001*, as amended.

11.2 Where a Person has been convicted of an offence, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty imposed by this By-law, make an order prohibiting the continuation or repetition of the offence by the Person convicted.

SECTION 12 NON-COMPLIANCE WITH ORDER

12.1 If an Owner or Person, as the case may be, fails to comply with an Order issued under section 10.1, the City Clerk may take action to do the thing(s) required to be done as specified in the Order at the expense of the Owner or Person directed or required to comply with the Order.

12.2 Recovery of Expense

If the City takes action to do the thing(s) required to be done as specified in the Order, the costs of such action may be added to the tax roll and collected in the same manner as property taxes.

12.3 No Person shall hinder or obstruct, or attempt to hinder or obstruct;

(a) any Officer in the performance of a duty under this By-law; or

(b) employees or agents authorized to take action to do the thing(s) required to be done as specified in the Order.

SECTION 13 ADMINISTRATION FEES

13.1 Where an Order to Repair is issued pursuant to this by-law, a fee will be assessed to the Owners in accordance with the City of Windsor User Fee Schedule, as approved by Council.

SECTION 14 LIABILITY

14.1 Any Person installing or maintaining any Luminaire or illumination device on whose Property a Luminaire or illumination device is located, shall be liable for such light device. The City is hereby indemnified against all losses, damages, claims, actions, demands, suits, costs, and interest arising directly or indirectly from the erection, maintenance, removal or falling of such light device or part thereof and anything done in connection with the performance of, outside of, or contrary to this By-law and whether or not in accordance with the City's standards, inclusive of anything done on the public highway or other City or public Property.

SECTION 15 VALIDITY AND SEVERABILITY

15.1 In the event that any portion of this By-law shall be deemed to be invalid, illegal or unenforceable, it shall not affect the validity, legality or enforceability of any other portion of this by-law.

SECTION 16 REPEAL AND TRANSITION

16.1 Except as provided by Section 16.2 hereof, By-law Number 146-2025, is hereby repealed.

16.2 Notwithstanding Section 16.1 hereof, the provisions of By-law Number 146-2025, shall continue to apply to any properties in respect of which an Order has been issued under the said by-law until such Order has been concluded.

SECTION 17 EFFECTIVE DATE

17.1 This By-law shall come into force and take effect on the day of the final passing thereof.

DREW DILKENS, MAYOR

CITY CLERK

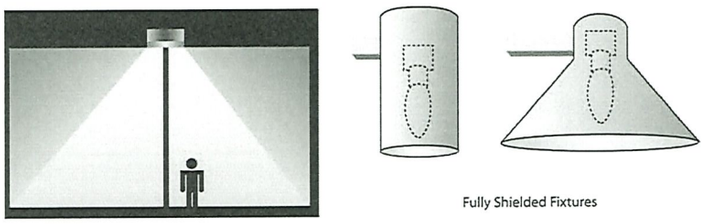
By signing this by-law on September 28, 2026, Mayor Drew Dilkens will not exercise the power to veto this by-law, and this by-law is deemed passed as of this date.

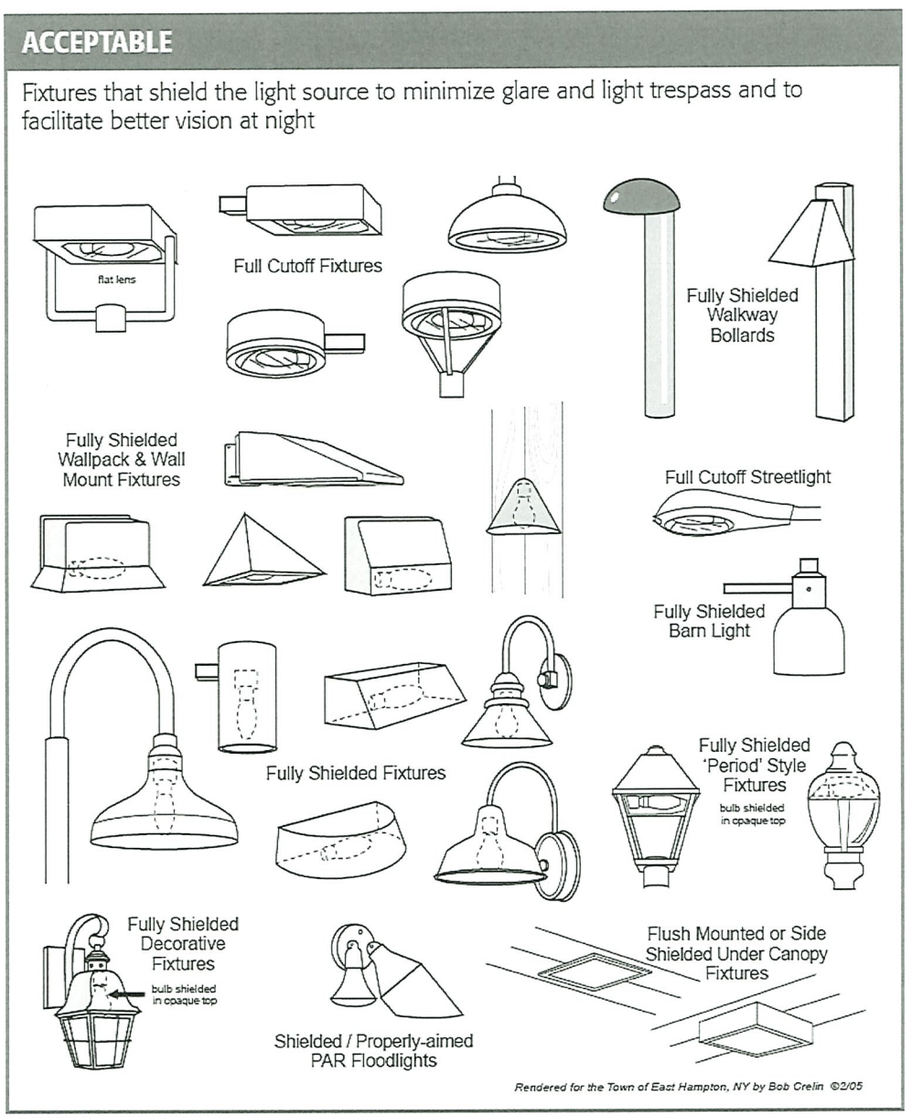
First Reading – September 28, 2026
Second Reading – September 28, 2026
Third Reading – September 28, 2026

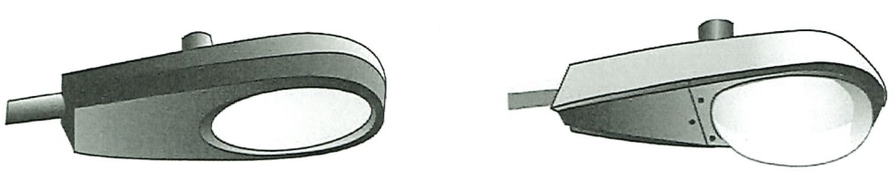
Schedule "A"

TO BY-LAW 144-2026

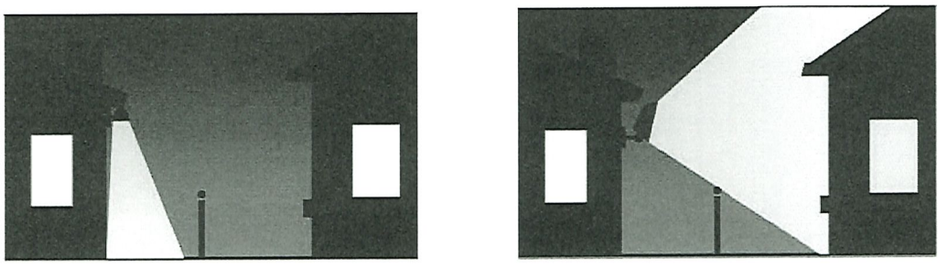
Examples of Full-Cut Off Fixtures







Flat lens cobra head Fixture (permitted) vs. Drop lens cobra head Fixture (prohibited)



Full Cut Off Fixture (permitted) vs. Outdoor Luminaire that creates Light Trespass (prohibited)

