

1 INTERIM STUDY PROPOSAL 2015-018

2 State of Arkansas

*As Engrossed: H2/18/15 H3/6/15*

3 90th General Assembly

# A Bill

4 Regular Session, 2015

HOUSE BILL 1003

5  
6 By: Representative S. Meeks

7 Filed with: House Committee on Public Health, Welfare, and Labor

8 pursuant to A.C.A. §10-3-217.

## For An Act To Be Entitled

9  
10 AN ACT TO CREATE THE ARKANSAS NIGHTTIME ENVIRONMENT  
11 PROTECTION ACT; AND FOR OTHER PURPOSES.

### Subtitle

12  
13  
14 THE ARKANSAS NIGHTTIME ENVIRONMENT  
15 PROTECTION ACT.  
16

17  
18  
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20  
21 SECTION 1. DO NOT CODIFY. Findings.

22 The General Assembly finds that:

23 (1)(A) Energy is wasted when methods of illumination are used  
24 excessively and inefficiently.

25 (B) This wasteful use of energy is not a cost-effective  
26 use of taxpayer money and adds unnecessary pollutants to our environment from  
27 the energy generation;

28 (2)(A) In addition, light pollution has been implicated in  
29 disruption of the human and animal circadian rhythm and strongly suspected as  
30 an etiology of suppressed melatonin production, depressed immune systems, and  
31 increases in certain cancer rates.

32 (B) The findings set out in subdivision (2)(A) of this  
33 section prompted the American Medical Association in June 2009 to adopt a  
34 resolution advocating the reduction of light pollution and glare through the  
35 use of energy efficient and shielded lighting;

1           (3) In addition, light pollution disrupts nocturnal animal  
2 activity, which results in diminished health and survival of various animal  
3 and plant populations;

4           (4) In addition, light pollution reduces the ability for  
5 Arkansans to enjoy recreational or educational astronomical observations of  
6 the starry night sky;

7           (5) In addition, light pollution reduces the ability for  
8 Arkansas scientists to conduct scientific research of the cosmos;

9           (6) In addition, inefficient luminaries may cast unwanted light  
10 outside the intended target area, creating light trespass; and

11           (7) Therefore, it is in the public interest to reduce light  
12 pollution to protect the nighttime environment and create awareness.

13  
14           SECTION 2. Arkansas Code Title 8, Chapter 14, is amended to read as  
15 follows:

16           8-14-101. Title.

17           This chapter shall be known and may be cited as the "~~Shielded Outdoor~~  
18 ~~Lighting Act~~" "Arkansas Nighttime Environment Protection Act".

19  
20           8-14-102. Purpose.

21           ~~The purpose of this chapter is to conserve energy and preserve the~~  
22 ~~environment through the regulation of outdoor lighting fixtures~~ The purpose  
23 of this chapter is to regulate outdoor night lighting fixtures to promote  
24 safety, conserve energy, save tax dollars, and preserve the state's natural  
25 nighttime environment for astronomy and the health and welfare of our  
26 citizens and our wildlife.

27  
28           8-14-103. Definitions.

29           As used in this chapter:

30           ~~(1) "Outdoor lighting fixture" means an automatically~~  
31 ~~controlled, outdoor artificial illuminating device, whether permanent or~~  
32 ~~portable, used for illumination or advertisement, including searchlights,~~  
33 ~~spotlights, and floodlights, whether for architectural lighting, parking lot~~  
34 ~~lighting, landscape lighting, billboards, or street lighting; and~~

35           ~~(2) "Shielded" means a fixture that is covered in a manner that~~  
36 ~~light rays emitted by the fixture, either directly from the lamp or~~

1 ~~indirectly from the fixture, are projected below a horizontal plane running~~  
2 ~~through the lowest point on the fixture where light is emitted.~~

3 (1) "Direct light" means light emitted directly from a lamp, off  
4 a reflector, or through a refractor of a fixture;

5 (2)(A) "Electronic message center" means a self-luminous sign  
6 that emits or projects any kind of light, color, or message that is computer-  
7 or electronically generated.

8 (B) "Electronic message center" includes displays using  
9 incandescent lamps, light-emitting diodes, liquid crystal displays, or a  
10 flipper matrix and any sign that creates an image using an array of picture  
11 elements or pixels;

12 (3) "Excessive cost" means the cost to meet the requirement  
13 under this subchapter that is at least one hundred twenty-five percent (125%)  
14 more expensive than a nonconforming fixture;

15 (4) "Footcandle" means a unit of illuminance equivalent to the  
16 illumination produced by a source of one (1) candle at a distance of one foot  
17 (1') and equal to one (1) lumen incident per square foot;

18 (5) "Fixture" means a complete lighting unit, including without  
19 limitation a lamp or lamps together with the parts designed to distribute the  
20 light, to position and protect the lamps, and to connect the lamps to the  
21 power supply;

22 (6) "Fully shielded" means a fixture that does not allow direct  
23 light emissions, either directly from the lamp or indirectly by reflection or  
24 refraction from any part of the lighting unit, above a horizontal plane  
25 running through the lowest point on the fixture where light is emitted;

26 (7) "Glare" means the sensation produced by illuminance within  
27 the visual field that is sufficiently greater than the luminance to which the  
28 eyes are adapted to cause annoyance, discomfort, or loss of visual  
29 performance and visibility;

30 (8) "Illuminance" means the level of light measured on an  
31 intercepting surface;

32 (9) "Lamp" means the component of a fixture that produces light;

33 (10) "Light pollution" means general sky glow caused by the  
34 scattering of artificial light in the atmosphere;

1           (11) "Light trespass" means excessive or unreasonable light  
2 emitted by a fixture that shines beyond the boundaries of the property on  
3 which the fixture is located;

4           (12) "Lumen" means a unit of luminous flux emitted within a unit  
5 solid angle by a point source with a uniform luminous intensity of one (1)  
6 candela;

7           (13) "Partially shielded" means a fixture that is constructed so  
8 that the bottom edge of the shield is below the plane of the center line of  
9 the lamp, reducing light above the horizontal to less than twenty percent  
10 (20%) of the light emitted from any part of the lighting unit;

11           (14) "Permanent outdoor fixture" means a fixture or system of  
12 fixtures that is outdoors and intended to be used or is used for thirty (30)  
13 days or longer; and

14           (15) "Public funds" means bond revenues or money appropriated or  
15 allocated by the General Assembly or money raised through taxes or fees and  
16 county and municipal funds.

17  
18           8-14-104. ~~Shielding—Prohibitions—Exemptions~~ Regulations for  
19 outdoor illumination.

20           ~~(a) After January 1, 2006:~~

21           ~~(1)(A) No public funds shall be used to install an outdoor~~  
22 ~~lighting fixture unless it is shielded.~~

23           ~~(B) Subdivision (a)(1)(A) of this section shall not apply~~  
24 ~~to any municipality or county if the governing body of the municipality or~~  
25 ~~county determines by ordinance or to a municipally owned utility if the~~  
26 ~~municipal employee responsible for procurement determines that the cost of~~  
27 ~~acquiring a shielded outdoor lighting fixture will be prohibitive after~~  
28 ~~comparing:~~

29                           ~~(i) The cost of the fixtures; and~~

30                           ~~(ii) The projected energy cost of the operation of~~  
31 ~~the fixtures;~~

32           ~~(2) The Arkansas Department of Environmental Quality shall~~  
33 ~~promulgate regulations prohibiting any person or entity from knowingly~~  
34 ~~placing or disposing of the bulb or tube portion of an electric lighting~~  
35 ~~device containing hazardous levels of mercury in a landfill after January 1,~~  
36 ~~2008, if:~~

1                   ~~(A) The device contains more than two tenths milligram per~~  
2 ~~liter (0.2 mg/l) of leachable mercury as measured by the Toxicity~~  
3 ~~Characteristic Leaching Procedure as set out in EPA test Method 1311; and~~

4                   ~~(B) Adequate facilities exist for the public to properly~~  
5 ~~dispose of the device described in subdivision (a)(2)(A) of this section; and~~

6                   ~~(3)(A) Each electric public utility shall offer a shielded~~  
7 ~~lighting service option.~~

8                   ~~(B) Not later than January 1, 2006, each electric public~~  
9 ~~utility shall file an application with the Arkansas Public Service Commission~~  
10 ~~to establish a schedule of rates and charges for the provision of a shielded~~  
11 ~~lighting service option to the utility's customers.~~

12                   ~~(C) The commission shall require each electric public~~  
13 ~~utility to inform its customers of the availability of the shielded lighting~~  
14 ~~service.~~

15           ~~(b) This chapter does not apply to acquisitions of:~~

16                   ~~(1) Incandescent outdoor lighting fixtures of one hundred fifty~~  
17 ~~watts (150W) or less or other light sources of seventy watts (70W) or less;~~

18                   ~~(2) Outdoor lighting fixtures on advertisement signs on~~  
19 ~~interstate or federal primary highways;~~

20                   ~~(3)(A) Outdoor lighting fixtures existing and legally installed~~  
21 ~~before August 12, 2005.~~

22                   ~~(B) However, if an existing outdoor lighting fixture~~  
23 ~~exempted from this chapter under subdivision (b)(3)(A) of this section needs~~  
24 ~~to be replaced, the acquisition of the replacement outdoor lighting fixture~~  
25 ~~shall be subject to the provisions of this chapter;~~

26                   ~~(4) Navigational lighting systems at airports or other lighting~~  
27 ~~necessary for aircraft safety; and~~

28                   ~~(5) Outdoor lighting fixtures that are necessary for worker~~  
29 ~~safety at farms, ranches, dairies, or feedlots or industrial, mining, or oil~~  
30 ~~and gas facilities.~~

31           ~~(c) This chapter does not apply to outdoor lighting fixtures~~  
32 ~~maintained or installed by:~~

33                   ~~(1) A public school district;~~

34                   ~~(2) A correctional facility;~~

35                   ~~(3) A juvenile detention facility;~~

36                   ~~(4) An adult detention facility;~~

1           ~~(5) A mental health facility; or~~

2           ~~(6) A state supported institution of higher education.~~

3           (a) An agency, public corporation, county, or municipal subdivision of  
4 this state shall not use public funds to operate, maintain, install, or cause  
5 to be installed a new or replacement permanent outdoor fixture unless the  
6 following conditions are met:

7           (1) The permanent outdoor fixture is a fully shielded fixture  
8 when the initial rated lumens of the lamp of the permanent outdoor fixture is  
9 greater than one thousand eight hundred lumens (1,800 lm);

10          (2) The permanent outdoor fixture's maximum illuminance does not  
11 exceed what is adequate for that purpose under guidelines recommended for  
12 that purpose by the Illuminating Engineering Society of North America, as the  
13 guidelines existed on January 1, 2013, or the minimum illuminance  
14 recommendation for that purpose by the United States Department of  
15 Transportation, as the recommendation existed on January 1, 2013;

16          (3) For roadway lighting unassociated with intersections of two  
17 (2) or more streets or highways, a determination is made by the Director of  
18 the Arkansas State Highway and Transportation Department or his or her  
19 designee or a body having jurisdiction or its designee that the purpose of  
20 the lighting installation or replacement cannot be achieved by reduction of  
21 the speed limit, installation of reflectorized roadway markers, lines,  
22 warnings, or informational signs, or other passive means; and

23          (4) Full consideration has been given to the use of public funds  
24 for the goals of eliminating glare, light pollution, and light trespass,  
25 reducing energy use, and preserving the natural night environment.

26          (b)(1) Illuminated roadway signage installed or replaced after the  
27 effective date of this subchapter shall be illuminated from within or from  
28 above the roadway signage, except when illumination of the roadway signage  
29 from within or above is not possible, or would create excessive cost or  
30 maintenance issues.

31          (2) If roadway signage is illuminated with external fixtures:

32                 (A) The external fixtures shall be directed and designed  
33 so that a majority of the light falls upon the roadway sign's surface; and

34                 (B) The external fixtures do not create glare, light  
35 trespass, or excessive amounts of light pollution.

1           (c)(1) Commercial and advertising roadway signage and devices,  
 2 including billboards and electronic message centers, installed or replaced  
 3 after the effective date of this subchapter that are within one-half (1/2)  
 4 mile of and visible from a highway system shall not prevent the driver of a  
 5 vehicle from having a clear and unobstructed view of official signs and  
 6 approaching or merging traffic.

7           (2) If a commercial and advertising roadway sign or device is  
 8 illuminated with an external fixture:

9                   (A) The external fixture shall be directed and designed so  
 10 that a majority of the light falls upon the advertisement surface; and

11                   (B) The external fixture does not create glare, light  
 12 trespass, or excessive amounts of light pollution.

13           (3) If a commercial and advertising roadway sign or device is an  
 14 electronic message center:

15                   (A) The commercial and advertising roadway sign or device  
 16 shall:

17                           (i) Be equipped with a sensor or other device that  
 18 automatically determines the ambient light conditions and is programmed to  
 19 automatically dim appropriately;

20                           (ii) Not be of an intensity or brilliance that may  
 21 cause glare or impair the vision of a driver of a motor vehicle, or  
 22 otherwise interfere with a driver's operation of a motor vehicle;

23                           (iii) Not change intensity or expose its message for  
 24 less than four (4) seconds; and

25                           (iv) Not exceed three-tenths (0.3) footcandle over  
 26 the ambient light as measured with a footcandle or illuminance meter that can  
 27 measure to one one-hundredth of a footcandle.

28           (4) A measurement required under this subsection shall:

29                   (A) Not be made within thirty (30) minutes after sunset or  
 30 thirty (30) minutes before sunrise;

31                   (B) Be taken from or as close as is practically possible  
 32 to directly in front of or perpendicular from the center point of the face of  
 33 the sign from a height of five feet (5') or approximately the same height as  
 34 a driver's eye level;

35                   (C) Be taken from or as close as is practically possible  
 36 to a distance from the sign in feet according to the formula: square root of

1 the area of the commercial and advertising roadway sign or device in square  
2 feet times one hundred (100);

3 (D) Be taken with the sign displaying a solid white image  
4 or if monochrome a solid image of the sign's color; and

5 (E) Be taken with the sign on and compared to the ambient  
6 light with the sign off.

7 (5) Under this subsection, a sign is considered visible from the  
8 highway system if it or light emitting from it is plainly visible to a driver  
9 of a vehicle who is proceeding in a legally designated direction and  
10 traveling at the posted speed limit.

11  
12 "(6) Billboards and electronic message centers installed before  
13 the effective date of this subchapter that are within one-half (1/2) mile of  
14 and visible from a highway system shall be brought into compliance within  
15 five (5) years after the effective date of this subchapter.

16 (d)(1) An electric utility shall not operate, maintain, install, or  
17 cause to be installed a fixture for new or replacement residential or  
18 commercial security lighting unless the following conditions are met:

19 (A) The fixture is a fully shielded or partially shielded  
20 fixture when the initial rated lumens of the lamp of the fixture is greater  
21 than one thousand eight hundred lumens (1,800 lm); and

22 (B) The fixture is designed to maximize energy  
23 conservation and to minimize light pollution, glare, and light trespass.

24 (2) If a property owner purchases a fixture that does not  
25 conform to the requirements of subdivision (c)(1) of this section from a  
26 third party, the electric utility, at the electric utility's discretion, may  
27 install, operate, and service the fixture.

28 (e)(1) After taking into account all costs, including long-term costs,  
29 associated with the operation and maintenance of a given fixture, the  
30 Arkansas Public Service Commission shall ensure that the rate schedule for  
31 public, residential, and commercial security and street lighting published by  
32 an electric utility for fixtures that are better shielded, use lower wattage,  
33 and require less maintenance, are properly reflective of the long-term cost  
34 savings of using the fixtures.

35 (f)(1) It is unlawful for a person or entity to commit light trespass.

1           (2) A complaint of light trespass against a person or entity  
2 shall be accepted only from the owner of the property or an agent of the  
3 property owner upon whose property the light trespass is occurring.

4           (3) As used in this section, "light trespass" means that:

5                   (A) The initial rated lumens of a lamp is greater than one  
6 thousand eight hundred lumens (1,800 lm); and

7                   (B) Either:

8                           (i) The lamp is directly visible from and is within  
9 twenty-five feet (25') horizontally of the property owned by the complainant;  
10 or

11                           (ii) The light from the lamp falling onto the  
12 property owned by the complainant is greater than fifty footcandles (50 fc)  
13 over the ambient light as measured with a footcandle or illuminance meter  
14 that can measure to one one-hundredth footcandle (0.01 fc).

15           (4) Before making a finding of light trespass an authority:

16                   (A) May take into account:

17                           (i) The lawful purpose and history of the lamp; and

18                           (ii) The general character and use of the  
19 properties; and

20                   (B) Shall work with the parties, if possible, to find  
21 mutually agreeable voluntary mitigation.

22           (g) A new mercury vapor lamp shall not be installed in the state by a  
23 government agency, public entity, or utility.

24           (h) The Arkansas Department of Environmental Quality shall promulgate  
25 regulations prohibiting any person or entity from knowingly placing or  
26 disposing of the bulb or tube portion of an electric lighting device  
27 containing hazardous levels of mercury in a landfill after January 1, 2008,  
28 if:

29                   (1) The electric lighting device contains more than two-tenths  
30 milligram per liter (0.2 mg/l) of leachable mercury as measured by the  
31 toxicity characteristic leaching procedure set out in Method 1311 of the  
32 United States Environmental Protection Agency; and

33                   (2) Adequate facilities exist for the public to properly dispose  
34 of the electric lighting device described in subdivision (h)(1) of this  
35 section.

1        (i) Any entity that installs new or replacement street or outdoor  
 2 lighting on behalf of an agency, public corporation, county, or municipal  
 3 subdivision of this state or that will become the responsibility of an  
 4 agency, public corporation, county, or municipal subdivision of this state  
 5 shall comply with subsection (a) of this section.

6        (j) Navigation lights on towers built after the effective date of this  
 7 act shall use only red lights after dark.

8  
 9        8-14-105. Penalties Exemptions.

10        ~~Violations of this chapter are punishable by:~~

11            ~~(1) A warning for a first offense; and~~

12            ~~(2) A fine of twenty five dollars (\$25.00) minus the replacement~~  
 13 ~~cost for each offending outdoor lighting fixture for a second or subsequent~~  
 14 ~~offense or for an offense that continues for thirty (30) calendar days from~~  
 15 ~~the date of the warning.~~

16        (a) Section 8-14-104 does not apply if:

17            (1) A federal law, rule, or regulation preempts § 8-14-104;

18            (2) Fire, police, rescue, correctional, or medical personnel  
 19 need outdoor lighting for temporary emergencies not to exceed thirty (30)  
 20 days in duration unless a waiver is granted by the Director of the Arkansas  
 21 Department of Emergency Management;

22            (3) The outdoor lighting fixture is necessary for worker safety  
 23 and is used on a temporary basis for nighttime work, including without  
 24 limitation work performed on:

25                    (A) Projects or improvements relating to the construction,  
 26 reconstruction, improvement, or maintenance of a street, highway, building,  
 27 structure, or facility; and

28                    (B) Farms, ranches, dairies, and feedlots and in  
 29 industrial, drilling, mining, or oil and gas facilities;

30            (4) The lighting is part of a navigational lighting system for  
 31 an airport or on a navigable waterway or provides other lighting necessary  
 32 for aircraft or watercraft safety;

33            (5)(A) In a situation in which there are special lighting  
 34 requirements, such as sports facilities, or historic decorative  
 35 considerations, monuments, or the lighting of the United States flag under  
 36 the Federal Flag Code, 4 U.S.C. §§ 4-10.

1                   (B) However, lighting exempted under subdivision (a)(5)(A)  
2 of this section shall be selected and installed to shield the lamp or lamps  
3 from direct view to the greatest extent possible and to minimize upward  
4 lighting and light trespass;

5                   (6)(A) The lighting is for a public or private state correction  
6 facility, a detention facility, or a mental health facility.

7                   (B) For lighting exempted under subdivision (a)(6)(A) of  
8 this section, § 8-14-104 shall serve only as a guideline and shall not be  
9 binding;

10                   (7)(A) The lighting is for an agency, a public corporation,  
11 county, municipality, public or charter school, or college or university  
12 installed before the effective date of this subchapter.

13                   (B)(i) However, if a governing body determines that  
14 resources are available, lighting exempted under subdivision (a)(7)(A) of  
15 this section may be brought into compliance with § 8-14-104.

16                   (ii)(a) If a fixture exempted under subdivision  
17 (a)(7)(A) of this section is to be replaced, the fixture shall be brought  
18 into compliance with § 8-14-104, unless the governing body determines that  
19 excessive cost, excessive structural modifications, or safety concerns  
20 prevent compliance.

21                   (b) As used in subdivision (a)(7)(A)(ii)(a) of  
22 this section, "governing body" means the agency director, an elected  
23 official, or a body responsible for the fixture.

24                   (iii)(a) The governing body becoming compliant with  
25 this chapter.

26                   (B)(i) However, if a governing body determines that  
27 resources are available, lighting exempted under subdivision (7)(A) of this  
28 section shall be brought into compliance with § 8-14-104.

29                   (ii) If a fixture exempted under subdivision (7)(A)  
30 of this section is to be replaced, the fixture shall be brought into  
31 compliance with § 8-14-104, unless the governing body determines that  
32 excessive cost or safety concerns prevent compliance.

33                   (iii)(a) If a governing body makes a determination  
34 under subdivision (7)(B)(i) or (7)(B)(ii) of this section, the governing body  
35 shall submit an annual report to the Arkansas Pollution Control and Ecology

1 Commission, outlining the current status of exempted fixtures and the efforts  
2 or plans that have been made to bring the exempted fixtures into compliance.

3 (b) The commission shall determine the time  
4 and manner for submission of the annual report required under subdivision  
5 (a)(7)(B)(iii)(a) of this section.

6 (c) If the commission determines that an  
7 agency, a public corporation, county, municipality, public or charter school,  
8 or college or university has brought into compliance with § 8-14-104 all  
9 fixtures that can be brought into compliance, the commission shall no longer  
10 require the an agency, a public corporation, county, municipality, public or  
11 charter school, or college or university to submit the annual report.

12 (C)(i) From time to time, at the discretion and in the manner  
13 determined by the commission, the Commission shall compile the reports  
14 required under subdivision (7)(B) of this section into one (1) comprehensive  
15 report.

16 (ii) The Commission shall:

17 (a) File the comprehensive report required  
18 under subdivision (7)(D)(i) of this section with the cochairs of the  
19 Legislative Council; and

20 (b) Make each comprehensive report required  
21 under subdivision (7)(D)(i) of this section available to the general public  
22 in a manner determined by the commission; and

23 (8)(A) The outdoor lighting fixture existed and was legally  
24 installed before the effective date of this act.

25 (B) However, when an existing lighting fixture becomes  
26 unrepairable, a replacement is subject to § 8-14-104.

27 (b) Upon petition to the Arkansas Pollution Control and Ecology  
28 Commission, in the manner and method established by the commission, the  
29 commission may waive any provision of this chapter on a case-by-case basis if  
30 consideration has been given to reduce light pollution, save taxpayer  
31 dollars, and to protect the nighttime environment.

32 (c)(1) A waiver under subdivision (a)(7)(D) of this section may be  
33 appealed by a citizen of the state to the commission.

34 (2) The commission shall then hold a public hearing to hear all  
35 sides, before making a final determination.

36

1           8-14-106. Enforcement.

2           ~~This chapter may be enforced by a town, city, or county of this state~~  
3 ~~by seeking injunctive relief in a court of competent jurisdiction.~~

4           This chapter shall be enforced by:

5                 (1) The governing body of a political subdivision of the state  
6 within its jurisdiction;

7                 (2) A local or state code enforcement agency within the  
8 governing body's jurisdiction;

9                 (3) The Arkansas State Highway and Transportation Department  
10 over highways, streets, and right-of-way lighting and all signage for and  
11 along streets and highways; and

12                 (4)(A) The Arkansas Department of Environmental Quality within  
13 its jurisdiction.

14                 (B) If appropriate, the Arkansas Department of  
15 Environmental Quality may refer any cases to a local or state code  
16 enforcement agency or to a local governing body.

17  
18           8-14-107. ~~Provisions supplemental~~ Violations.

19           ~~The provisions of this chapter are cumulative and supplemental and~~  
20 ~~shall not apply within a town, city, or county of this state that by~~  
21 ~~ordinance has adopted provisions restricting light pollution that are equal~~  
22 ~~to or more stringent than the provisions of this chapter.~~

23           (a) A person or entity that violates this chapter is subject to:

24                 (1) For a first offense, a warning;

25                 (2) For a second offense or an offense that continues for thirty  
26 (30) days after the date of the warning, a fine of twenty-five dollars  
27 (\$25.00) minus the replacement cost for each offending fixture assessed; and

28                 (3) For an offense continuing for more than sixty (60) days  
29 after the date of the warning, a fine of twenty-five dollars (\$25.00) for  
30 each offending fixture for each calendar month the violation continues.

31           (b) Money raised by fines assessed under subsection (a) of this  
32 section shall be deposited into the general fund of the agency assessing the  
33 *fine.*

34  
35           8-14-108. Chapter cumulative and supplemental.

