

# Brighton Township, Lorain County, Ohio

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## ARTICLE X, SIGNS

### 1001 INTENT

It is the intent of the Township, in setting forth requirements contained in this article to promote and protect the public health, safety, and welfare of the citizens of the Township through the establishment of a comprehensive code regulating signs of all types within the Township. The general objectives of this are as follows:

- A. to provide for the reasonable and appropriate conditions for the identification and advertising of goods and services rendered in the community, and to regulate such identification and advertising so that lives, property values, and environmental, social and cultural amenities within the Township will be preserved and protected;
- B. to encourage a coordinated system of public and private informational and directional signs of effective design which aid orientation, identify activities and points of interest, express local character and history, and which serve other educational purposes as provided for by these regulations;
- C. to promote clarity, and thus effectiveness, in sign communications by encouraging signs of high quality graphic design that are visible, legible, and readable as provided for by these regulations;
- D. to preserve local community identity and enhance civic pride in the natural beauty, environmental character, and visual quality of the landscape;
- E. to encourage signs that are compatible with the design and materials of the building on which the sign is to be located or to which it is related;
- F. to assure among businesses an equitable distribution on the right to identify a place or activity with a visible on-premise sign by preventing signs which block other signs and cause confusing visual clutter;
- G. to encourage signs of high quality graphic design that are both expressive of the individual business and in accord with the general environmental character of the zoning district and neighborhood within which they are located;
- H. to protect the individual privacy through the control of light intensity and glare emitted from illuminated signs;
- I. to eliminate hazards caused by signs projecting over public rights-of-way

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- J. to eliminate the distracting conflicts between private signs and public information and traffic control signs and lights;
- K. to provide for periodic maintenance of all signs and removal of illegal and abandoned signs.

### 1002 APPLICABILITY

- A. Within the limits of the Township, no sign shall hereafter be erected, altered, or moved unless it conforms with the provisions of this Article.
- B. Signs that are lawfully in existence and in use prior to and at the time of adoption of this Article and do not conform to the provisions stated herein may remain in use for a limited period of time as defined herein in accordance with section 1004 of this Article, "Nonconforming Signs". Any lawfully existing sign, however, shall not be rebuilt, reconstructed, or altered, with the exception of copy change or maintenance, as provided in Section 1004, unless it conforms to the provisions of this Article.

### 1003 EXEMPTIONS

- A. Flags of emblems of a government or of political, civic, philanthropic, educational or religious organizations.
- B. Public notices and other governmental signs erected and maintained pursuant to and in discharge of any governmental function or required by any law, ordinance or governmental regulation, including legal notice, traffic control signs and lights, or similar regulatory devices, are exempted from the requirements of this ordinance; although such signs should conform to the general intent of the requirements of this ordinance. Public Informational Signs shall also be exempt, with approval by the Trustees.
- C. Christmas display lighting, decorations, and displays clearly in the nature of decorations customarily associated with any national, local, or religious holiday, shall be exempted from the requirements of this zoning ordinance. Such displays shall not interfere with the public safety, safe visibility of any traffic control sign, light or device, or obstruct vision at a street intersection or railroad crossing.
- D. Memorial plaques, historic markers and graphic murals, monuments, tablets, and corner stones displayed on private property to include names of buildings, date of erections, monumental citations, historic notations, and commemorative tablets, when attached or applied to or made a permanent and integral part of the structure.
- E. Street numerals and nameplate signs, denoting the name and address of the occupants normally part of the mailbox which would allow close proximity to the road

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### 1004 NONCONFORMING SIGNS

Any sign lawfully in existence within the Township prior to the effective date of this Article, that would be prohibited or regulated and does not meet the provisions of this Article in considered to be nonconforming. It is the intent of this resolution to permit these lawfully placed nonconforming signs to continue in their nonconforming status for a limited period of time as defined herein, provided the sign was issued a valid Zoning permit as stipulated in Section 1012 of this zoning resolution, "Administration; Enforcement"; or, where no permit was required under Article X the sign in question must comply in all respects with all applicable laws in existence on the date of erection of the sign. It is not the intent of this Article to encourage the continued use and survival of nonconforming signs; but rather, to provide for the amortization and removal by the owner of such signs or replacement of these signs with new signs which conform with the provisions herein.

To prevent unjust economic hardship while bringing all signs within the Township into compliance with the new sign regulations contained herein, nonconforming signs shall be allowed to continue in use for a limited period of time as follows subject to the provisions herein:

All off premise or on premise signs determined by the Zoning Inspector to be traffic hazards or which conflict with traffic control and public information signs or light signals so as to jeopardize the public health, safety or welfare shall be removed or brought into compliance with the regulations of this Article within ninety (90) days after written notice from the Zoning Inspector.

All nonconforming on-premise signs in the Township shall be removed or otherwise brought into full compliance with the applicable regulations herein within five (5) years of the effective date of this ordinance.

A nonconforming sign shall not be structurally relocated or replaced unless it is brought into compliance with the provisions of this Article. Should any replacement or relocation take place without being brought into compliance, the sign shall be existing illegally.

A nonconforming sign shall be maintained or repaired in accordance with the following provisions:

The size and structural shape shall not be changed or altered unless brought into compliance with the applicable regulations herein.

The copy may be changed provided that the change applies to the original intended use associated with the sign and that the change is made by the owner of the sign at the time the sign became nonconforming; the copy area shall not be enlarged. Any subsequent owner or user shall bring the sign into compliance with this Article.

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In the case where damage occurs to the sign to the extent of fifty (50%) percent or more of either the structure or the replacement value of the sign, the sign shall be removed or brought into compliance. Where the damage to the sign is less than fifty (50%) of the structure or its replacement value, the sign shall be repaired within sixty (60) days.

Whenever the boundaries of a district shall be changed so as to transfer an area from one district to another of a different classification, the foregoing provisions shall also apply to any nonconforming signs existing therein.

### 1005 ABANDONED SIGNS

If any sign shall become abandoned, in a manner defined herein, such a sign is declared to be a public nuisance by reason that continued lack of use results in lack of reasonable and adequate maintenance, thereby causing deterioration and blighting influence on nearby properties. An abandoned sign is defined as any sign that meet any one of the following criteria:

- A. Any sign associated with an abandoned nonconforming use or an abandoned service station.
- B. Any sign that remains after the termination of a business. A business has ceased operations if it is closed to the public for at least one hundred and eighty (180) consecutive days. Seasonal businesses are exempted from this determination.
- C. Any sign that is not maintained in accordance with Section 1007, "General Sign Requirements for all Districts".

All abandoned signs shall be removed within thirty (30) days. Whenever the Zoning Inspector or his authorized representative finds upon investigation a sign which has been abandoned as defined herein, and has not been removed within thirty (30) days of abandonment, he shall hold a hearing on the question of abandonment. a notice of the date of such hearing shall be sent to the owner of the property or sign in question or his agent stating that the sign in question is believed to be abandoned and has not been removed within the allotted thirty (30) day period, and is in violation of the Zoning Resolution sign regulations. It shall be the duty of the Zoning Inspector to maintain a photograph and file of said sign together with a written report of the findings of the aforesaid hearing. The Zoning Inspector shall serve a written notice on said owner or lessee stating the findings of the hearing with respect to the determination if the sign in fact has been abandoned. If it has been determined by the Zoning Inspector at the hearing that the sign in question has been abandoned, said notice shall state the unless the owner or lessee thereof shall cause the removal of the abandoned sign within thirty (30) days after service of said notice, the same will be removed by the Township at the expense of the owner or lessee. If the Township is not reimbursed within thirty (30) days for such costs, the amount thereof shall be certified to the County Treasurer and levied as a special assessment against said property on which the sign

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is located and shall be collected in the manner provided for special assessments.

### 1006 ILLEGAL SIGNS

Any sign that does not conform with the provisions of this Article and cannot be categorized as nonconforming under Section 4 above shall be existing illegally. Whenever the Zoning Inspector or is authorized representative find upon investigation a sign which is existing illegally as defined herein, he shall hold a hearing on the question of illegality in the same manner as that for abandoned signs set forth in Section 1005.

### 1007 GENERAL SIGN REQUIREMENTS

Unless otherwise specifically stated, the general sign regulations contained in this section shall apply for all Zoning in the Township, except as exempted in Section 1002.

#### A. The area of a sign shall be determined as follows:

1. For a sign, either free-standing or attached, the area shall be considered to include all lettering, wording, and accompanying designs and symbols, together with the background, whether open or enclosed, on which they are displayed, but not including any supporting framework and bracing which are incidental to the display itself. The supporting framework and bracing shall not contain any lettering, wording, or accompanying designs and symbols. The area of any sign containing two parallel surfaces which are separated not more than one (1) foot shall be construed to be the area of one side only.
2. For a sign painted upon or applied to a building, the area shall be considered to include all lettering, working, and accompanying designs or symbols together with any background of a different color than the natural color of the building.
3. Where the sign consists of individual letters or symbols attached to or painted on a surface, building, canopy, awning, wall or surface of a window, the area shall be considered to be that of the smallest rectangle or other geometric shape which encompasses all of the letters or symbols.

- B. Signs shall not be traffic hazards. No sign shall be constructed, located, positioned, or illuminated so as to block from view, imitate, or interfere with the effectiveness of any official traffic sign, signal, or light; obstruct the view of a street, intersection, curve, or railroad crossing; or otherwise promote a demonstrable traffic hazard.

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- C. Freestanding signs (ground signs or pole signs),.
1. No freestanding sign shall be located within or project over a public right-of-way or any public property, provided that no portion of such sign shall be within 20 feet of any public right of way or any public property. Signs of a historic design are conditionally permitted.
  2. Signs shall have no more than (2) faces.
  3. There may only be (1) freestanding sign for each building regardless of the number of activities conducted in said building.
  4. The height of freestanding signs shall not exceed the height for any building or structure eaves within the lot or parcel.
- D. No sign shall be placed on the roof or extend above the roof eaves, parapet wall, or an extended façade of any building; roof signs are not permitted in any district.
- E. All signs and portions thereof shall be stationary. There shall be no moving parts and no moving, spinning, or fluttering accessory devices.
- F. All signs shall be safely and securely built and installed. Signs must be maintained in good repair at all times by the owner or person in charge thereof. It is their responsibility to keep-up any periodic maintenance required and have the sign removed if it becomes obsolete no longer displaying valid information otherwise it will be subject to a zoning inspection.
- G. Bulletin boards (signs with changeable lettering) and signs for a church, school, community or other public or semipublic institutional building shall be permitted
- H. A sign for a conditional use shall be constructed and maintained as approved at the time the conditional use is approved.
- I. No sign of any classification shall be installed, erected or attached in any form, shape, or manner to a fire escape or any door or window that would restrict any emergency egress.
- J. Trash containers, telephone booths, benches, planters, and other street furniture located in public rights-of-way or on other public properties shall not be used to post signs.
- K. Utility poles, distribution boxes, vent pipes, RR gates, and other such utility owned equipment are not the direct property of the Township or the individual property owner. They should not be used to post signs except for caution, warning, or identification information posted by the utility
- L. No sign shall be placed in or extended over any public rights-of-way or other public property except publicly owned signs such as traffic control signs and public informational signs

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- M. Signs directing and guiding traffic and parking for public safety and convenience on private property by bearing no advertising matter may be permitted within a public right-of-way as a conditional accessory.
- N. Fascia (wall) signs shall not extend beyond the ends or top of the building wall to which it is attached nor shall the face of the sign be set out more than one (1) foot from the face of the building to which it is attached. In addition, the edges of fascia signs shall be no closer than one (1) foot to the ends of the wall to which it is attached.
- O. A sign shall not be placed in a manner which obstructs the view of neighboring signs or public informational and traffic control signs.
- P. A sign shall not obscure a scenic landscape vista or obscure the views of other significant amenities from public rights-of-way and other public property.
- Q. Occupants (business, office or residences) of a building which are located in premises above the ground floor in a multistory building or which jointly occupy a ground floor space with a single common exterior entrance and which have access from the interior of the building shall be identified only by the name of the building on the exterior and a single permitted exterior sign listing all tenants of the building, or interior signs. If such occupants' premises above the ground floor level have access via a private exterior entranceway, an individual identification sign may be permitted on the exterior of the building adjacent to the entranceway on the ground floor level.
- R. Signs shall be lighted only by any continuous light, and no sign shall be illuminated by or contain flashing, intermittent, rotating, blinking, or moving light or lights; except for a safety warning sign or a sign illuminated to show time and temperature may have intermittent illumination. Illumination shall not be of excessive brightness or cause glare of reflection hazardous to pedestrians or vehicular traffic, or be an objectionable nuisance to adjacent properties. No colored lights shall be used at any location or in any manner so as to be confused with or construed as traffic control devices; otherwise, colored lights of stationary nature may be used.
- S. The total cumulative area of all signs located on a property and the buildings on the property shall not exceed the amount allowed for that property by the regulations contained within this ordinance.
- T. Signs which contain statements, words or pictures of an obscene, indecent or immoral character, such as will offend public morals or decency are not permitted.
- U. A permanent sign on the inside of a glass window is permitted with its size limited to thirty (30%) percent of the total glass area.
- V. The registered trademark of a specific commodity may occupy no more than twenty-five (25%) percent of the area of a sign.

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### 1008 PERMITTED SIGNS

Signs shall not be erected, placed, painted, repainted or hung in a any district except as hereinafter provided. Signs that are not specifically permitted in this ordinance are hereby prohibited. Every person shall, before erecting, placing, rebuilding, reconstructing, altering, or moving any sign, obtain from the Zoning Inspector a Zoning Permit to do so as provided in this Zoning Resolution.

### 1009 SIGNS NOT REQUIRING A PERMIT

- A. The following signs are permitted in the Township and do not require a building permit, but will still meet the “General Sign Requirements” of this Article.
- a. Signs under 1 sq. ft. such as “Beware of Dog”, “Farm Bureau Member”, “ADT Security”, etc.
  - b. An identification sign painted or attached to an awning.
- B. TEMPORARY SIGNS are those not of durable construction and intended for only a limited period of display. However, the public safety will not be jeopardized with their placement or use as noted throughout this Article.
1. Real Estate signs advertising the sale, lease, rental of the premises upon which the sign is located. Upon the sale lease, or rental of the premises upon which the sign is located, such real estate sign shall be removed immediately. No real estate signs announcing that the premises upon which such signs are located have already been sold, rented, or leased shall be erected or maintained within the Township.
  2. Event signs announcing any educational, charitable, civic, religious, or like campaign or event may be erected or used for a limited period of time
  3. Construction or Production signs identifying parties involved in construction on the premises may be displayed and removed after completion of construction.
  4. Garage, yard, and rummage sale signs shall be posted on premises only, and removed thereafter.
  5. Political signs advocating the election of a candidate of candidates or the passage of disapproval of an issue shall be governed by the following provisions of this Article.

No such political signs shall be posted in any place or in any manner that is destructive to public property upon posting or removal or any public

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utility pole, tree, or other existing structure within public rights-of-way, or on any existing sign, highway overpass, or bridge abutment.

No political sign shall obstruct the view of a street intersection, railroad crossing or any traffic control sign, light, or device, or otherwise promote a demonstrable traffic hazard.

All candidates for public office, their campaign committees, or other persons responsible for the posting of campaign material shall remove such material after the election day involved. Failure to remove such signs as required herein shall be deemed a violation of this ordinance.

6. Portable signs for use announcing a new business or events, built on a wheeled frame (often rented) or a simple stand not permanently anchored to the ground.

### 1010 ZONING PERMIT APPLICATION PROCEDURE FOR SIGNS

- A. Application for a zoning permit to rebuild, reconstruct, alter, or move any sign, as required herein, shall be made upon forms provided by the Zoning Inspector and shall contain or have attached thereto the following information:
  1. The name, address and telephone number of the applicant;
  2. The location of the building, structure or lot to which or upon which the sign is to be attached or erected;
  3. The position of the sign on relation to nearby buildings or structures and neighboring signs;
  4. Two (2) scale drawings, blueprints or ink, of the plans and specifications and the method of construction and attachment to the building or the method of installation in the ground;
  5. The name of the person erecting the sign;
  6. Written consent of the owner of the building, structure or land to which or on which the sign is to be erected.
  7. Such other information as the Zoning Inspector shall require to show full compliance with this and all other resolutions of the Township.

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### B. Issuance of Permit

It is the duty of the zoning Inspector, upon the filing of an application for a sign zoning permit, to examine such plans and specifications and other data and the premises upon which it is proposed to erect the sign. If it appears that the proposed structure is in compliance with all the requirements of this resolution and all other resolutions of the Township the sign zoning permit shall be issued. If the work authorized under a sign zoning permit has not been completed within six (6) months after the date of issuance, the permit shall become null and void.

### C. Authority to Revoke

The Zoning Inspector is hereby authorized to revoke any Zoning permit issued for a sign upon failure of the holder thereof to comply with any provisions of this chapter.

## 1011 PENALTY FOR VIOLATION

- A. In case any sign shall be installed, erected, constructed, or maintained in violation of any of the terms of this article, or upon complaint and investigation, the Zoning Inspector should notify in writing the owner, lessee thereof to alter such sign so as to comply with this article. Failure to comply with any of the provisions of this article shall be deemed a violation.
- B. In case the violation or findings of the Zoning Inspector can not be resolved, an official "Warning Letter" in writing will be issued and it will be the obligation of the sign owner or lessee to request a hearing by the Township Board of Zoning Appeals within thirty (30) days. In the case no resolution is reached, the issue may be brought to the Township Trustees for a final decision.
- C. Any person, firm, or corporation violating any provisions of this sign article shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined according to the penalty laws of Section 519 of the Ohio Revised Code. Each day's continuation of a violation of this resolution shall be deemed a separate offense.

**Article X, Table 1**

Type of Sign	Max. No. of Signs	Max. Size / Height		Min. Distance from Road / from Side Lot		Duration (Days) Before / After
<i>Exempted Signs</i>						
Flags						
Government / Public Notices	N/A					
Holiday Displays	N/A					
Memorial / Historic Plaques		12 Sq Ft				
Street Numerals, Nameplates		12 Sq Ft				
<i>Permitted Signs</i>						
Fascia or Side of Building	N/A	Limits of Structure		N/A		
Free Standing (1 or 2 Post)	1 Sign 2 Sides	40 Sq Ft	10 Ft Max or Height of Building **	20 Ft	10 Ft	
Bulletin Boards		16 Sq Ft		20 Ft	10 Ft	
Professional Activities Home Business		6 Sq Ft		20 Ft	10 Ft	
Traffic / Directions		6 Sq Ft				
Multi-Occupants		6 Sq Ft				
Window (permanent)	N/A	30 % Window Area		N/A		
<i>No Permit Required</i>						
Property Information (under 1 Sq Ft)	5	1 Sq Ft				N/A
Awning		8" Lettering / Roof Line		Located on Building		N/A
Real Estate		6 Sq Ft				5 Days After
Event Signs						30 Days / 5 Days
Construction / Production		9 Sq Ft				5 Days After
Garage / Rummage Sale		9 Sq Ft				5 Days / 5 Days
Political Signs						30 Days / 5 Days
Portable Signs						60 Day Limit

\*\* See Section 1007, C, which contains additional information and restrictions.

Revision: November 15, 2012, Accepted by Lorain County Planning Commission, Case ZC-2012-15  
Revision: June 10, 2013, Approved by Brighton Township Trustees