

**AN ORDINANCE TO AMEND THE  
LEXINGTON TOWNSHIP ZONING ORDINANCE**

**LEXINGTON TOWNSHIP  
SANILAC COUNTY, MICHIGAN**

**ORDINANCE #: 21-05 Z**

**ADOPTED:** October 21st 2021

**EFFECTIVE:** November 6th 2021

Lexington Township desires to regulate electronic message center signs through zoning provisions that address both signs and exterior lighting. This ordinance amendment defines electronic message center signs, regulates permissible electronic message sign locations, and establishes safe illumination levels and message change frequency to protect the health, safety, and general welfare of Lexington Township.

**LEXINGTON TOWNSHIP, SANILAC COUNTY, MICHIGAN ORDAINS:**

**SECTION 1**  
**AMENDMENT TO SECTION 2.2.0, DEFINITIONS**

Section 2.2.0 Definitions of the Lexington Township Zoning Ordinance is amended to add the following definition:

**ADD -**

Sign, Electronic Messaging Center (EMC): A sign that utilizes computer-generated messages or some other electronic means of changing the message. These signs include displays using incandescent lamps, LEDs, LCDs or a flip-disc display, in which a computer flips the discs on an electronic sign to produce a display. See Section 3.38.0 – Outdoor Lighting, Including Signs

**SECTION 2**  
**AMENDMENT TO SECTION 3.38.0 EXTERIOR LIGHTING**

Article XII, General Provisions of the Lexington Township Zoning Ordinance is amended with the following changes:

**CHANGE (NEW TEXT UNDERLINED) -**

Section 3.38.0 - Exterior Outdoor Lighting, Including Signs:

**CHANGE (NEW TEXT UNDERLINED) -**

Section 3.38.05

There shall be no flashing, oscillating, scrolling or intermittent type of illuminated sign or display in any zoning residential district, except as described in Section 3.38.06 for Electronic Messaging Signs. Electronic Messaging signs are prohibited or within one hundred (100') feet of any residential district, street intersection or railroad intersection with a street.

**CHANGE (NEW TEXT UNDERLINED) -**

Section 3.38.06

Electronic Messaging Center (EMC) signs:

- A. Shall not operate at a light intensity level of more than 0.3 foot-candles over ambient light as measured at a distance as stated in the following Table "Sign Area Versus Measurement Distance";
- B. Shall have their light intensity level measured by the Township using an illuminance meter and the following method:
  - 1. Determine the square footage of the sign;
  - 2. Determine the measurement distance perpendicular to the sign by using the following Table "Sign Area Versus Measurement Distance";
  - 3. Ensure that that the EMC is programmed to alternate between the lightest solid color of the display or on (white, if available) and a blank message or off and then testing the difference between the on and off sign displays using the illuminance meter; or
  - 4. If programming the EMC for on and off is not an option, an alternate method of measuring the foot-candle difference between the EMC's on and off can be used as recommended by the International Sign Association.
- C. Shall be equipped with a light sensor that automatically adjusts the intensity of the EMC according to the amount of ambient light;
- D. Shall be designed to either freeze the display in one static position, display a full black screen, or turn off in the event of a malfunction;
- E. The image or message on the electronic bulletin board shall not change more frequently than once every twenty-four hours;
- F. Shall have lights that activate simultaneously, remain constantly activated and deactivate simultaneously;
- G. Shall have any voids or burned-out bulbs in the electronic display replaced within seven (7) business days.
- H. Shall be turned off between the hours of 11:00pm to 5:00am or a half-hour after the close of business at the place where the sign is located, whichever is later. Businesses and other facilities open twenty-four (24) hours do not have to turn off their signs.

<u>Sign Area Versus Measurement Distance</u>	
<u>Sign Area (in square feet)</u>	<u>Measurement Distance (in feet)</u>
<u>30</u>	<u>500</u>
<u>35</u>	<u>59</u>
<u>40</u>	<u>63</u>
<u>45</u>	<u>67</u>
<u>50</u>	<u>71</u>
<u>55</u>	<u>74</u>
<u>60</u>	<u>77</u>
<u>65</u>	<u>81</u>
<u>70</u>	<u>84</u>
<u>75</u>	<u>87</u>
<u>80</u>	<u>89</u>
<u>85</u>	<u>92</u>
<u>90</u>	<u>95</u>
<u>95</u>	<u>97</u>
<u>100</u>	<u>100</u>

For signs with an area in square feet other than those specifically listed in the table (i.e., 12 square feet, under 30 square feet, over 100 square feet, etc.), the measurement distance may be calculated with the following formula: Measurement Distance =  $\sqrt{(\text{sign area in square feet} \times 100)}$

**CHANGE (NEW TEXT UNDERLINED) -**

Section 3.38.10

Artificial lighting illuminating contiguous residential or agricultural/residential zoned properties shall not exceed .5 foot-candles at the common property line in order to prevent light spilling over into adjacent properties, otherwise known as light trespass.

**SECTION 3**  
**SEVERABILITY**

Should any portion of this Ordinance be invalidated for any reason it does not affect the validity of the remaining portions of this Ordinance.

**SECTION 4**  
**REPEAL**

Any ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

**SECTION 5**  
**PUBLICATION**

A summary of this ordinance must be published in a general circulation newspaper in Lexington Township 15 days after adoption.

**SECTION 6**  
**EFFECTIVE DATE**

This Ordinance takes effect 30 days after publication according to Section 5.

**ARTICLE 17**  
**ADOPTION**

Made and passed by the Township Board of Lexington Township, Sanilac County, Michigan, on this 21st day of October, 2021, A.D.

Date of Public Hearing: July 21, 2021  
Date of Adoption by Township Board: October 21st 2021  
Date of Publication: November 5th 2021  
Date and Time Ordinance Shall Take Effect: November 6th at 12 noon.  
2021

Certification

I, Doriann Rice, Clerk of the Township of Lexington, do hereby certify that Ordinance No. 21-05 Z was adopted by the Township Board at a regular meeting of the Township Board held at the Township Hall on the 21<sup>st</sup> day of October 2021.

Vote on this Ordinance, 3 members being present, was as follows:

AYES: JAHU, MILLETICS, Partaka

NAYS: NONE

I further certify that said Ordinance No. 21-05 Z, adopted by the Township Board on the 21<sup>st</sup> day of October, 2021 was published once in The Jeffersonian, a newspaper published and circulated in the Township of Lexington, County of Sanilac, on the 5<sup>th</sup> day of November is being the first and final day of publication of this ordinance.

Doriann Rice, Clerk  
Lexington Township  
Sanilac County, Michigan