

NYS Appellate Court Upholds Town Illegal Sign Code

posted on 12/22/2014 10:30:51 AM

December 22, 2014

Farmingville, NY - On December 16, Supervisor Ed Romaine announced that the New York State Appellate Court handed down a decision upholding the constitutionality of the Town's illegal sign code (57-11). The decision stems from a lawsuit filed against the Town in 2011 by On Site Mobile Opticians after the company was issued five violations for placing advertising signs on public property. On Site sought a determination that the law was unconstitutional which was rejected in District Court and after being found guilty, the company appealed the decision. The Appellate Division Second Department reversed the judgments of conviction and dismissed the violations. The NYS Court of Appeals granted certiorari and reversed the Appellate Division and found the section of the Code that bans signs on the Town right-of-way is constitutional.

"This decision is a victory for the residents of Brookhaven Town who are tired of sign pollution along our roadsides," said Supervisor Romaine. "Placing any kind of sign on the public right-of-way is in violation of our Town code and we will continue to crack down on those who do not follow the letter of the law."

In his 2014 State of the Town address, Supervisor Romaine proposed strengthening the Town code to ban all signs on our public right-of-ways and on utility poles. That legislation was adopted on March 25, 2014 and since that time the Town has removed thousands of signs from public property all across Brookhaven.

Division of Public Information * Office of the Supervisor

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