

Town of Hyde Park
Zoning Administrator's Office
 4383 Albany Post Road
 Hyde Park NY 12538
Phone: (845) 229-5111 x-2
Fax: (845) 229-0339

APPLICATION FOR SIGN PERMIT

Permit #: _____
 Date of Application: _____
 Date Approved: _____

Fee: \$150.00	Paid: _____
\$50.00 (temporary)	Paid: _____

Grid #: 133200-6063-02-940557, 133200-6063-02-906630
 Address / Location where sign is to be located: 1946 Campus Drive, Hyde Park
 Sign is accessory to what use: Entrance Gates
 Property Owner: Culinary Institute Of America
 Applicant: Michael Sloan, Sloan Architects, P.C. Telephone #: 845-677-5640
 Sign Owner: Culinary Institute Of America Telephone #: 845-451-1297
 Sign owner's address: 1946 Campus Drive, Hyde Park, NY 12538

Type of Sign	Specifications:	(Check) Applicable Items
Free-standing <input type="radio"/>	Single-faced <input checked="" type="checkbox"/>	Wood <input checked="" type="checkbox"/> Spot-lit: Uplit <input checked="" type="checkbox"/> Downlit <input type="radio"/>
Wall <input checked="" type="checkbox"/>	Double-faced <input type="radio"/>	Metal <input checked="" type="checkbox"/> Shielded: Yes <input checked="" type="checkbox"/> No <input type="radio"/>
Easel <input type="radio"/>	Permanent <input checked="" type="checkbox"/>	Plastic <input type="checkbox"/> Neon (interior only) <input type="radio"/>
Stationary <input type="radio"/>	Temporary <input type="radio"/>	Masonry <input type="checkbox"/> Unlighted <input type="radio"/>
Hanging <input type="radio"/>		Painted <input checked="" type="checkbox"/> Printed <input type="radio"/> Vinyl <input type="radio"/> Non-revolving <input type="checkbox"/> Non-flashing <input type="checkbox"/>

No internally lit signs are permitted in the Town of Hyde Park: no channel letters or light boxes.
All electric work should be installed by a licensed electrician.

* See Attached 2 Pages for Data

Measurements

Height above sidewalk: * _____ Distance from paved road or curbing: * _____
 Height: * _____ Width: * _____ Total Area (Sq. Ft.) * _____
 Maximum letter height 7 1/2" _____ Maximum symbol height 7 1/2" _____ width 5 3/4" _____

Dates of display for Temporary Sign: Begin date N/A End Date _____ (max. 60 days)
 Does another sign have to be removed? Yes No Replacement
 Total square footage of existing signs +/- 75 Sq.Ft. (at each entrance) for a total of +/- 150 Sq.Ft.

Drawing or Blueprint

Sketches drawn to scale showing all dimensions and inscriptions of sign and its location on lot or building must accompany the application.

- A drawing or blueprint fully describing the construction of such sign and including:
- The size, coloring and area of all lettering and graphic material.
 - The location, wattage, intensity and lighting distribution of any illuminating devices; and
 - The location and support of such sign with respect to any building, structure, adjoining property, street or highway.

APPLICANT CERTIFIES THAT LIABILITY INSURANCE WILL BE CARRIED COVERING BOTH ERECTION AND MAINTENANCE OF SIGN, AND THAT ALL REQUIREMENTS OF ORDINANCE ARE MET.

The Culinary Institute of America
1946 Campus Drive
Hyde Park, NY

South Gate

Description

Text	The Culinary Institute of America
Location	One on each side of road
Material	painted white aluminum letters mounted on brick wall
Height above Sidewalk	3' - 5 1/2"
Height	7 1/2"
Maximum Letter Height	7 1/2"
Distance from paved road (Route 9)	+/- 35'-8 1/4" (South Side) +/- 40'-1" (North Side)
Total Length of Each Sign	12'-11"
Area of each sign	8.06 SF
Total Area (both signs)	16.12 SF

Motorized Sign

Text	Restaurants
Motorized	Sign will rotate out when restaurants are open
Location	One on North side of entrance
Material	Wood, painted
Height above Sidewalk	14' - 7 1/4"
Height	6' - 8 3/4"
Maximum Letter Height	4 1/2"
Total Area (Sq. Ft.)	+/- 7.5
Maximum Symbol Height	7 1/4"
Maximum Symbol Width	5 3/4"

Restaurant Operations

American Bounty

The Bocuse Restaurant

Ristorante Caterina De' Medici

Open	Tuesday through Saturday
Lunch	11:30 a.m.–1 p.m.
Dinner	6–8:30 p.m.

Post Road Brew House

Open	Tuesday through Saturday
Hours	Tuesday–Saturday, 1–4 p.m.

Apple Pie Bakery Café

Open	Monday through Friday
Hours	8 a.m.–4 p.m.

The Culinary Institute of America
1946 Campus Drive
Hyde Park, NY

North Gate

Description

Text	The Culinary Institute of America
Location	One on each side of road
Material	painted white aluminum letters mounted on brick wall
Height above Sidewalk	3' - 5 1/2"
Height	7 1/2"
Maximum Letter Height	7 1/2"
Distance from paved road (Route 9)	+/-29'-2 1/2" (South side) +/-29'-9 1/2" (North side)
Total Length of Each Sign	12'-11"
Area of each sign	8.06 SF
Total Area (both signs)	16.12 SF

Motorized Sign

Text	Restaurants
Motorized	Sign will rotate out when restaurants are open
Location	One on North side of entrance
Material	Wood, painted
Height above Sidewalk	14' - 7 1/4"
Height	6' - 8 3/4"
Projection	1' - 8 1/2"
Maximum Letter Height	4 1/2"
Total Area (Sq. Ft.)	+/- 7.5
Maximum Symbol Height	7 1/4"
Maximum Symbol Width	5 3/4"

Total Area of Combined Signs	+/-23.62
Allowed per Section 108-24.2, C (3)	no more than two in number 30 square feet in area per sign face

Restaurant Operations

American Bounty	
The Bocuse Restaurant	
Ristorante Caterina De' Medici	
Open	Tuesday through Saturday
Lunch	11:30 a.m.–1 p.m.
Dinner	6–8:30 p.m.
Post Road Brew House	
Open	Tuesday through Saturday
Hours	Tuesday–Saturday, 1–4 p.m.
Apple Pie Bakery Café	
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§ 108-24 ARTICLE 24: SIGNS

[Amended 8-24-2009 by L.L. No. 2-2009]

§ 108-24.1 Purpose.

[Amended 7-16-2018 by L.L. No. 4-2018]

The purpose of this article is to preserve, protect, promote and advance the public health, safety and welfare by regulating and establishing standards for the erection of signs within the Town. The Town Board has concluded that the character, quality and appearance of the Town and quality of life of its residents are directly and substantially affected by the location, height, size, construction and general design of the signs contained therein. The purpose of this article is to avoid to the fullest extent practicable signs which degrade the aesthetic quality of the environment, detract from natural scenic beauty, as well as the character and order of the developed sections of the Town, whether residential or commercial. The purpose of this article also is to ensure that the improper placement of signs does not result in diminution in property values and does not provide visual distractions and obstructions to passing motorists which can cause, or contribute to, traffic accidents.

§ 108-24.2 General sign regulations.

A.

Applicability; permits; content.

(1)

Signs are permitted only as an accessory to a permitted use on a lot.

(2)

Unless exempted under § 108-24.5, all signs are subject to regulation under this chapter.

(3)

Prior to construction, all new regulated signs must obtain a sign permit; provided, however, that if signs are proposed in connection with any special permit or site plan application, such signs shall be reviewed and approved under applicable criteria for the permitted uses and shall not require a separate sign permit or building permit if constructed pursuant to an approved plan.

(4)

The Zoning Administrator is authorized to issue permits for temporary signs where approval for a permanent sign has not been granted to an applicant or property owner.

[Amended 7-16-2018 by L.L. No. 4-2018]

(5)

Each place of business or commercial activity may display signs consisting of the business name, name of the business owner, information lines (excluding any pricing information, except for gas stations) and/or a pictograph of the business activity conducted on the premises.

B.

Location and maintenance.

(1)

No sign shall be erected, constructed, or maintained in a manner that obstructs traffic movement or visibility or causes any hazard to motor vehicle or pedestrian safety.

(2)

No sign shall be placed, painted, or drawn on utility poles, bridges, culverts, or other road or utility structures or signposts, or on trees, rocks, or other natural features, except that signs not

exceeding one square foot posting property boundaries may be placed on trees. No signs shall be placed on municipally owned property without the permission of the Town Board.

(3)

No freestanding sign shall be located so that any part of the sign or its supporting structure is less than: (a) 10 feet from the street curbing; (b) 10 feet from the paved portion of any street or highway if no curbing exists; or (c) 15 feet from the fog line if the road contains a fog line. In addition, no freestanding sign or its supporting structure shall be located less than 20 feet from the point where two or more streets or highways intersect, as measured at the nearest edge of curbing, or, if no curbing exists, the paved portion of the street or highway. In no case shall a freestanding sign be erected within the street or highway right-of-way.

(4)

All signs shall be kept in good repair. Painted surfaces shall be kept neatly painted at all times.

C.

Sign area and height. The area occupied by all of the following signs, including exempt signs, shall be included in the calculation of total sign area allowance:

(1)

Commercial signs not in shopping centers.

(a)

Maximum cumulative sign area per building and per lot. The cumulative sign area of all signs for a business shall not exceed one square foot for each lineal foot of the portion of the front of the building occupied by a business with a separate external entry, provided that the cumulative sign area per lot of all signs per business shall not exceed 100 square feet. Each business shall be allowed at least 20 square feet of sign area.

(b)

Freestanding signs. Each lot may erect a maximum of one individual freestanding sign, except lots which contain shopping centers which may apply for second and third freestanding signs in accordance with § 108-24.2C(2)(a) and (d). Individual freestanding signs shall not exceed 30 square feet in sign area per face and seven feet in height measured from finished grade. Essential supporting framework, such as brackets, posts and standards, shall not be included in sign area calculations. Decorative elements, not including text, may exist above seven feet but shall not exceed eight feet in height. Any illuminated decorative embellishments shall, however, be included in calculating sign area. Except for gas stations, freestanding signs shall not display pricing information.

[Amended 7-16-2018 by L.L. No. 4-2018]

(c)

Projecting signs. Projecting signs shall not exceed 12 square feet in area per face and shall not project more than four feet from the side of the building. When suspended over a pedestrian walkway such as a sidewalk or entranceway, the bottom of such signs shall be no lower than eight feet and no higher than 12 feet above the finished grade.

(d)

Wall-mounted signs. Wall-mounted signs shall not exceed 32 square feet, extend more than one foot from the surface of the wall, cover more than 10% of the front surface of a building, cover a window, obscure architectural detailing, interrupt a roof line, or be placed on the roof of a structure. There shall be no more than two wall signs per business with a separate external entry and no more than one wall sign per exterior wall of such business.

(e)

Window signs. Signs placed in windows shall not cover more than 25% of the window area and shall not exceed six square feet per window.

(f)

Awning or canopy signs. The valance portion of an awning or canopy may be used as a sign, with a maximum of 12 square feet of sign area. The bottom of the awning or canopy shall be at least eight feet above the finished grade.

(g)

Motor vehicle sales signs. Each motor vehicle for sale is permitted one sign, with an area of one square foot. Such motor vehicles shall have no other advertising or devices, including flags and pennants to attract attention. See § 108-24.4E.

(h)

Real estate development signs. Notwithstanding the above, any real estate development, subdivision or apartment complex shall be allowed no more than two identification signs, which shall be no larger than 24 square feet in sign area per face.

(2)

Commercial signs within shopping centers.

(a)

One freestanding sign, not to exceed 60 square feet in sign area per face and seven feet in height measured from finished grade, is permitted per shopping center. Decorative elements, not including text, may exist above seven feet but shall not exceed eight feet in height. Such sign may include panels for individual businesses within the shopping center and shall have no more than two faces. At the discretion of the Planning Board, one additional freestanding sign may be permitted, provided there is an additional entry point and provided that such sign is located at the additional entry point and not less than 150 feet from the other entry. The second sign shall be limited to 40 square feet in sign area per face and seven feet in height. No pricing information shall be displayed on the freestanding sign.

(b)

In addition, each separate business within the center with a separate external entry may erect no more than two wall signs. Such signs shall be restricted to the name and logo of the business, information lines (excluding pricing) and/or pictograph indicating the nature of the business. The size of such signs shall be no more than one square foot for each lineal foot of the individual store front occupied by such business, but in no case shall the total area of such signs exceed 100 square feet for each such business.

(c)

One sign, not exceeding two square feet in area per face, may be hung under the walkway canopy to identify each store entrance. Such sign shall be hung perpendicular to the storefront and shall not be placed on the outer edge of the canopy.

(d)

At the discretion of the Planning Board, one single-faced, free-standing sign for a fueling facility, including gasoline prices, is permitted per shopping center, compatible in all design elements with the directory sign and not exceeding 10 square feet of sign area, five feet in height measured from finished grade, and eight inches in height or width of any letter, graphic, symbol or number.

[Added 12-21-2009 by L.L. No. 8-2009]

(3)

Noncommercial signs.

(a)

Public agencies or educational, charitable or religious establishments signs. Signs customarily incidental to public agencies or educational, charitable or religious establishments shall be no more than two in number and shall not exceed 30 square feet in area per sign face. If located within a shopping center, such signs shall be regulated by the rules applicable to signs within shopping centers.

[Amended 7-16-2018 by L.L. No. 4-2018]

(b)

Safety signs. Signs necessary for the direction or safety of the public shall not exceed two square feet in total area per sign.

(c)

Community service organization signs.

[1]

Community service and national fraternal organizations wishing to display their trademarks or symbols shall cooperate with other such organizations to provide a common display. All such signs shall be on the same sign framework. Each symbol shall not exceed four square feet. The total sign display area shall not exceed 60 square feet.

[2]

Such display signs must receive a permit pursuant to § 108-24.3. Regardless of the location of the sign, a recommendation from the Planning Board shall be required.

[3]

No more than two community service and national fraternal organizational display signs are allowed in the Town. Such signs must be located at a boundary of the Town or at the entrance to any business district.

(4)

Temporary signs. Unless exempt under § 108-24.5B, signs to be erected for short duration require sign permits which indicate the dates during which the signs may be displayed.

(a)

Such signs shall not to exceed 20 square feet in total area.

(b)

Such signs shall not be displayed by an activity or business for more than 60 days total in any one calendar year.

(c)

Portable signs may be allowed with a permit, but are not to exceed placement for longer than 60 days total per year.

(d)

No temporary lighting of temporary signs is permitted.

(e)

No more than one temporary sign permit may be granted to or be in effect for an applicant at any one time.

D.

Illumination.

(1)

No illuminated sign or lighting device shall be placed or directed so that its light is directed or beamed toward a residence, or upon a public street, highway, sidewalk, or adjacent premises in a manner that causes glare or reflection sufficient to constitute a nuisance or a traffic hazard.

(2)

All illuminating devices for signs, displays or display areas shall employ only lights emitting a light of constant intensity and focused down on the sign, display or display areas or be focused on the surface behind the letters to create a backlit, silhouetted effect of a single color. No illuminating device shall include any flashing, intermittent, rotating or moving light, excluding time-and-temperature signs and those advertising gasoline prices. Time-and-temperature and gasoline price signs must have a steady illumination of a constant single color. No illuminating device shall produce a luminance greater than 100 footcandles (100 lumens per square foot) when measured at the face of the sign. At the Planning Board's discretion, in individual cases where it determines a more appropriate scheme of illumination would be ground-lit, the source of the illumination must be completely shielded so that no portion of the light source is visible from a public or private path or roadway, year-round.

(3)

Neon signs, where permitted under this article, shall be located only on the interior side of a window, unless a special permit is authorized under § 108-24.4B. Such signs shall emit a light of constant intensity. Neon signs are prohibited in the Greenbelt and Waterfront Districts.

(4)

The illumination of any sign from all sources shall be no greater than that necessary for legibility by an average person at a distance of 100 feet when walking.

(5)

For additional standards governing lighting, see § 108-4.5H(1).

E.

Sign design manual. The Town Board may adopt a sign design manual, developed specifically for the Town or published for the general public or for another municipality. If such a sign design manual is adopted, it shall be incorporated by reference into this Code and shall be available for inspection and copying in the office of the Town Clerk or the office of the Zoning Administrator.

F.

Aesthetics.

(1)

All signs for a particular site shall be designed in accordance with a comprehensive signage plan in which the size, materials and color are appropriate to the dimensions and architectural details of the structure to which they are affixed or, in the case of freestanding signs, the structure(s) with which they are associated. Signs for any site shall have a design unity. Design unity may be achieved by such elements as coordinated font styles, coordinated colors, coordinated shapes or coordinated materials. Freestanding signs should be integrated with site landscaping where appropriate.

(2)

The size and graphic content of any sign shall be appropriate for its intended audience. Signs that are meant to attract pedestrian interest shall be smaller than those meant to attract the interest of persons traveling in vehicles with local destinations, which in turn shall be smaller than those meant to address persons traveling in vehicles comprising through traffic.

(a)

The maximum size of any symbol or graphic shall be 10 inches in any dimension. The Planning Board may in its discretion grant an additional inch in dimension for every 20 feet a wall sign for a business or structure is set back from its primary access roadway to a maximum of 24 inches, if

it finds that the additional size is necessary or appropriate due to such circumstances as the sign's distance from the road, the design speed of the road or the size of the building on which the sign is placed; or that the symbol or graphic is of special aesthetic merit.

(b)

The maximum height of any letter shall be 10 inches. The Planning Board may in its discretion grant an additional inch in dimension for every 20 feet a wall sign for a business or structure is set back from its primary access roadway to a maximum of 24 inches, if it finds that the additional size is necessary or appropriate due to such circumstances as the sign's distance from the road, the design speed of the road or the size of the building on which the sign is placed.

(3)

Color. The use of fluorescent or iridescent colors is prohibited.

(4)

Setting. The supporting structure and accessory components, such as planters, poles or brackets, shall provide a setting that enhances the purpose of the sign and contributes to the overall aesthetic quality of the surrounding environment. The post-and-panel and low-profile ground forms are the preferred construction of freestanding sign structures; single-post structures are discouraged, except for post-and-single-arm mountings; low-profile, two-post structures are allowed. Lower sign heights are encouraged.

§ 108-24.3 Sign permits.

A.

Procedure.

(1)

Except as otherwise provided herein, no sign or other advertising device shall be erected, constructed, displayed, moved, reconstructed, extended, enlarged or altered except in conformity with this article and, where applicable, without first obtaining a sign permit from the Zoning Administrator in accordance with the procedures and standards herein.

(2)

Application for a sign permit shall be made in writing to the Zoning Administrator in the form and manner prescribed in Article 30. One application may include more than one sign, provided that all signs contained in such application are to be erected at the same time on one lot. Applications for new signs or proposed changes in existing signs shall include plans to scale detailing the dimensions and area of the sign(s), the location of the sign(s) on the building, structure or property where the sign(s) will be erected or attached, and a visual simulation or photo to scale illustrating colors, materials, lettering, artwork, and method of illumination, if any. A permit shall be required for any change in the size, shape, lighting, materials, or location of an existing sign.

(3)

Each application for a sign permit shall be accompanied by the fee as set forth in the current fee schedule adopted by the Town Board.

[Amended 7-16-2018 by L.L. No. 4-2018]

(4)

The Zoning Administrator shall, upon the filing of any application for a sign permit, take the following action:

(a)

Examine such plans, specifications and other data submitted with the application.

(b)

Become familiar with the building or premises upon which it is proposed to erect such sign.

(c)

Review the sign for compliance with all the requirements of this chapter.

(d)

If the sign is visible from the Route 9, Route 9G, or the Hudson River, or if the applicant is seeking an increase in letter or graphic size under § 108-24.2F(2), and the sign complies in all other respects with this chapter, the Zoning Administrator shall forward the completed sign application to the Planning Board for its recommendation. The Planning Board shall act upon this completed application within 45 days after receiving it from the Zoning Administrator. If the Planning Board recommends approval, and grants the requested increases in letter or graphic size, if any, the Zoning Administrator shall issue the sign permit with any conditions recommended by the Planning Board within 10 business days of the determination by the Planning Board. If the Planning Board recommends disapproval, the Zoning Administrator shall so advise the applicant in writing.

(e)

If the Zoning Administrator determines that the sign complies with all requirements of this chapter and is not visible from Route 9, Route 9G, or the Hudson River, and if no increases in letter or graphic size under § 108-24.2F(2) are sought, the Zoning Administrator shall, within 10 business days thereafter, issue a sign permit.

(f)

In the event that the Zoning Administrator determines that the proposed sign is not in compliance with all the requirements of this chapter, such application shall be denied and returned to the applicant. The Zoning Administrator shall advise the applicant in writing of the deficiencies found in the application and the action necessary to correct such deficiencies.

(5)

The Zoning Administrator, under the provisions of Article 30 of this chapter, shall consider any sign that does not fully conform to the requirements of this article to be in violation of the provisions of this chapter.

(6)

If the work authorized under a sign permit has not been completed within six months after the date of issuance, such permit shall become null and void. The applicant may apply to the Zoning Administrator for an extension, up to an additional six months from the date of the original permit.

§ 108-24.4 Prohibited signs.

A.

No off-premises commercial signs shall be allowed in any district.

B.

No illumination shall transmit through or from the face of a sign or through or from its letters and graphics, and no sign shall contain flashing, intermittent, rotating, or moving lights, except that one nonflashing neon, LED or fiber optics sign not exceeding three square feet may be allowed inside the window of a business establishment. Period-style lighting in or on a part of a sign, including neon, may be permitted at the discretion of the Planning Board by special use permit, where it determines that such design elements complement or are essential to the architecture of the building or the theme of the proposed business.

C.

No sign or any part thereof shall contain or consist of any moving, rotating, or revolving device.

D.

No sign shall be allowed on a roof.

E.

No sign, display, display area, or part thereof, or devices to attract attention shall move or contain or consist of pennants, ribbons, streamers, spinners, banners, flags, posters, or other moving lights, fluttering or revolving devices.

F.

No sign shall display pornographic images or offensive sexual material prohibited by § 235.05 and/or § 245.11 or any other section of the New York State Penal Law.

[Amended 7-16-2018 by L.L. No. 4-2018]

G.

No signs or images may be projected onto walls or other surfaces. Televisions and monitors, including flat-screen displays, shall not be used for advertising or information, except so as to not be directly exposed to public view from a store exterior.

H.

No sign placed or erected out-of-doors shall be constructed of paper, cardboard or canvas, except that signs on awnings and canopies may be constructed of or printed on canvas.

§ 108-24.5 Exempt signs.

The following types of signs may be erected and maintained without sign permits, Planning Board review, or fees, provided that such signs comply with the general regulations in § 108-24.2 and with all other requirements of this chapter. As used in this section, the term "residential uses" shall include mixed-use lots on which at least 50% of the floor space is residential.

A.

Permanent signs.

(1)

Property identification signs not exceeding two square feet in area, such as signs bearing only the property name, numbers, postal route box numbers, 911 emergency address numbers, image or logo or names of the occupants of the premises.

[Amended 7-16-2018 by L.L. No. 4-2018]

(2)

One sign, not exceeding 16 square feet in area, designating a farm.

(3)

Flags, insignia or signs of any governmental agency, and such other flags as may be specifically permitted, or required, by New York State, or federal statutes.

[Amended 7-16-2018 by L.L. No. 4-2018]

(4)

Information signs. Signs providing information to the public such as public utility information signs, safety signs, "danger" signs, "no trespassing" signs, local, state and/or national historical markers, traffic control signs on public roads and all signs duly erected by a public officer in the performance of a public duty.

[Amended 7-16-2018 by L.L. No. 4-2018]

(5)

One on-premises sign, either freestanding or attached, in connection with any residential building for permitted home occupations, not exceeding two square feet and set back at least 10 feet from

the street right-of-way. Such signs shall state name and occupation only, and shall not be illuminated.

(6)

A memorial, tablet, plaque or similar device that is less than two square feet in area, and is cut into, or mounted on, the facade of a building in commemoration of a person or event.

(7)

Named bricks and similar memorials and sponsorships as part of any volunteer-assisted improvements.

(8)

Signs erected and maintained by any governmental agency for the protection of the health, safety or general welfare of the public.

(9)

Customary signs identifying the brand, grade, price and tax of fuel on fuel dispensers, but no other unrelated signs, symbols, banners or other devices.

B.

Temporary signs.

(1)

Temporary nonilluminated "For Sale" or "For Rent" real estate signs and signs of similar nature, concerning the premises upon which the sign is located: for residential uses, one sign per lot, not exceeding six square feet per sign face; for business or industrial uses, one sign per lot, not exceeding 12 square feet, and, if freestanding, set back at least 15 feet from all property lines. All such signs shall be removed within three days after closing of the sale, lease, or rental of the premises.

(2)

Temporary nonilluminated window signs and posters not exceeding 25% of each window surface and not exceeding four square feet per window, removed or replaced on a weekly or monthly basis.

[Amended 7-16-2018 by L.L. No. 4-2018]

(3)

One temporary sign for a roadside stand selling agricultural produce grown on the premises in season, provided that such signs do not exceed 32 square feet each, are set back at least 10 feet from the public right-of-way, and are removed at the end of the selling season.

(4)

On-premises signs for garage, porch and yard sales and auctions, not exceeding four square feet for a period not exceeding four days.

(5)

Signs not exceeding six square feet on residential property or 16 square feet on nonresidential property, for primary, special or general elections, or referenda, provided that such signs shall be posted for no more than 60 days prior to the election and shall be removed within seven days following the election.

(6)

One sign not exceeding six square feet on residential uses, or one sign not exceeding a twelve-square-foot double-sided sign on nonresidential uses, listing the architect, engineer, contractor and/or owner, on premises where construction, renovation, or repair is in progress.

(7)

Signs advertising special events or hours of operation for not-for-profit organizations, such as firemen's field days, church bazaars, bake sales and the like. Such signs shall not exceed six square feet in area and shall not be displayed for more than 30 days annually.

(8)

Signs marking areas of highway or utility construction, repair, or maintenance.

(9)

Seasonal displays generally recognized or associated with national, state or religious holidays, except when displayed in connection with commercial promotion.

(10)

Signs erected and maintained by any governmental agency for the protection of the health, safety or general welfare of the public.

(11)

Sandwich board signs, no larger than six square feet per side, with a maximum of two sides, and one banner no larger than six square feet, no more than twice a year, and no more than 30 calendar days per use.

(12)

Other temporary signs. Other temporary signs may be erected on property within any zoning district subject to the following requirements:

[Added 7-16-2018 by L.L. No. 4-2018]

(a)

Such signage shall not consist of a sign prohibited by § 108-24.4;

(b)

Such signs shall not exceed six square feet in total area;

(c)

Such signs shall not be displayed for more than 60 days total in any one calendar year on any one property;

(d)

Portable signs are permitted but the placement of the same shall not be for longer than 60 days total per year;

(e)

No lighting of such temporary signs is permitted;

(f)

No more than one temporary sign may be displayed on a property at any one time. Each unit within a shopping center shall be entitled to one temporary sign.

§ 108-24.6 Removal of signs.

A.

Signs advertising an establishment or institution that has permanently closed shall be removed within one month of such closure.

B.

The Zoning Administrator shall notify in writing the owner of any sign which no longer serves the purpose for which it was erected, or which poses a safety hazard to the public or is otherwise in violation of this article. The Zoning Administrator shall order such owner to remove or correct the unsatisfactory condition of such sign within 30 days from the date of such notice.

C.

Upon failure of the owner to comply with such notice within the prescribed time, and provided the order of the Zoning Administrator has not been stayed or reversed by the Zoning Board of

Appeals pursuant to § 108-33.4 of this chapter, the Zoning Administrator is hereby authorized to secure, repair, remove, or cause the removal of such sign. All costs of securing, repairing, or removing such sign, including related legal fees and expenses, shall be assessed against the land on which the sign is located and shall be levied and collected in the same manner as provided in the Town Law for the levy and collection of a special ad valorem levy. In the alternative, the Zoning Administrator may issue an appearance ticket as authorized in § 108-30 and shall advise the Town Board of all of the facts in the case.

D.

Emergency provisions. Where it reasonably appears that there is imminent danger to life, safety, or health or imminent damage to property unless a sign is immediately repaired, secured, or demolished and removed, the Zoning Administrator is authorized herein to immediately cause the repair, securing, or demolition of such unsafe sign. The expense of such remedial actions shall be a charge against the land on which the sign is located and shall be assessed, levied, and collected as provided in Subsection C above.

§ 108-24.7 Continuation of nonconforming signs; illegal signs; special use permits.

[Amended 3-9-2015 by L.L. No. 1-2015; 7-16-2018 by L.L. No. 4-2018

It is the express intent of this section to supersede General Municipal Law § 74-c pursuant to § 10 of the Municipal Home Rule Law. Signs that do not conform with this chapter and that were legally in existence prior to the effective date of this chapter or any amendment thereof that makes the sign noncompliant shall be permitted to continue as set forth below:

A.

Alteration. Prior nonconforming signs may be altered only if the alterations increase their conformity with this chapter. This provision shall not prohibit routine maintenance and/or repair of such signs.

B.

Upon any change of use or expansion of use, or change of tenancy, all prior nonconforming signs related to such prior use or tenancy shall be removed, changed or altered to conform to the provision of this chapter within a period not to exceed 30 days unless a special permit is granted pursuant to § 108-24.7D.

C.

Illegal signs. Signs that were not in compliance with the sign regulations of the Town existing prior to September 8, 2005, or any amendment thereto, shall not be considered protected prior nonconforming structures and shall be treated as violations.

D.

Special use permit. Applicants with prior nonconforming signs may request a special permit from the Planning Board to continue their use upon a change in use, expansion of use or change of tenancy. In considering such requests, the Planning Board shall determine whether continuation of said signs would negatively impact the historic or scenic character of the community. Once granted, any such special use permit will automatically expire if the use, business or business name changes or ceases for more than six months.