

PURPOSE: The purpose of this sign law is to promote and protect the public health, welfare and safety by regulating existing and proposed outdoor advertising signs and outdoor signs of all types. It is intended to protect property values, create a more attractive economic and business climate, enhance and protect the physical appearance of the community, preserve the historical, scenic and natural beauty and provide a more enjoyable and pleasing community. It is further intended thereby to reduce sign or advertising distractions and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way.

DEFINITIONS: As used in this chapter, unless the context or subject matter otherwise requires, the following terms shall have the following meaning:

AWNING SIGN

Any visual message incorporated into an awning attached to a building.

BANNER

A temporary advertisement displayed for the occasion of a special event.

BILLBOARD

Any sign which directs attention to a business, commodity, service, entertainment, or attraction, sold, offered, or existing elsewhere than upon the same lot where such sign is displayed, or only incidentally upon such a lot.

COPY CHANGE SIGN

A sign on which the visual message may be periodically changed.

DIRECTIONAL SIGN

A sign limited to providing information on the location of an activity, public facility or event.

FACE

One side of any sign or signs, which face the same direction, are mounted as a freestanding sign and relate to the same business.

FREESTANDING SIGN

Any sign not attached or part of any building but separate and permanently affixed by any other means in or upon the ground. Included are pole signs, pylon signs and masonry wall type signs.

FOOTCANDLE

A unit for measuring illumination. It is equal to the amount of direct light thrown by one candle on a square foot of surface every part of which is one-foot away.

ILLUMINATED SIGN

Any sign illuminated by electricity, gas or other artificial light either from the interior or exterior of the sign, and which includes reflective and phosphorescent light.

PORTABLE SIGN

A sign, whether on it's own trailer, wheels or otherwise, designed to be movable and not structurally attached to the ground, building, structure or other sign.

PROJECTING SIGN

A sign which is attached to the building wall or structure and which extends horizontally more than fifteen (15) inches from the plane of such wall, or a sign which is perpendicular to the face of such wall or structure.

REPRESENTATIONAL SIGN

A three-dimensional sign built to physically represent the object advertised.

ROOF SIGN

A sign which is erected, constructed or maintained on, above or as part of the roof of any building.

SIGN

Any material, structure or device, or part thereof, composed of lettered or pictorial matter which is located out-of-doors, or on the exterior of any building displaying an advertisement, announcement, notice or name, and shall include any declaration, demonstration, display, representation, illustration or insignia used to advertise or promote the interests of any person or business or cause when such is placed in view of the general public. The word "sign" includes the word "billboard," but does not include the flag, pennant or insignia of any municipal unit or of any political, educational, charitable, philanthropic, civic, professional, Religious or like campaign, drive movement or event.

SIGN DIRECTORY

A listing of two or more business enterprises, consisting of a matrix and sign components.

SIGN STRUCTURE

The supports, uprights, bracing and framework for the sign. In cases of a sign structure consisting of two or more sides where the angle formed between any two of the sides or the projections thereof exceeds 30°, each side shall be considered a separate sign structure.

SIGN SURFACE AREA

The entire area within a single, continuous perimeter enclosing all elements which form an integral part of the sign. The structure supporting a sign shall be excluded unless the structure is designed in a way to form an integral background for the display. Said sign area may be either single or double-sided.

TEMPORARY SIGN

A sign related to a single activity or event having a duration of no more than thirty (30) days.

WALL SIGN

A sign which is painted on or attached to the outside wall of a building with the face of the sign in the plane parallel to such wall, and not extending more than fifteen (15) inches from the face of such wall.

WINDOW SIGNS

A sign, picture, symbol or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service, that is placed upon a window pane or glass and is visible from the exterior of the window.

GENERAL REGULATIONS (*Safety Requirements*):

This local law shall apply to all Commercial, Industrial, Business, and Non-Conforming zoned business properties.

- (a) All signs not specifically permitted by this chapter shall be specifically prohibited.
- (b) Except as otherwise provided, no person shall erect, alter or relocate any sign without first obtaining a permit from the Building Inspector.
- (c) All signs installed after the effective date of these regulations shall have affixed to the sign the sign permit number.
- (d) Any sign which exists on the effective date of these regulations shall be exempt from these regulations except as follows:
 - (1) Said signs shall not be enlarged, structurally altered or relocated except in accordance with the provisions of these regulations.
 - (2) Repairs of said signs shall be limited to those necessary to maintain that sign has a safe and attractive appearance.
 - (3) Any sign that is enlarged, structurally altered, moved or changed or any change in its name or text shall require a new permit and must conform with these regulations.
- (e) All internally illuminated signs shall be constructed in conformance with the "Standards for Electric Signs (U.L. 48) of the Underwriters Laboratories, Inc." and bear the seal of the Underwriters Laboratories, Inc. If such sign does not bear the Underwriters Laboratories Label, the sign shall be inspected and certified by the New York Board of Fire Underwriters or other electrical inspection agency authorized by the Board of Trustees. All transformers, wires and similar items shall be concealed. All wiring to freestanding signs shall be underground.
- (f) All freestanding signs shall be designed to withstand a wind pressure of not less than thirty (30) pounds per square foot surface area.
- (g) All signs, including wall-mounted and projecting signs, shall be securely anchored.
- (h) All signs, sign finishes, supports and electrical work shall be kept clean, neatly painted, and free from all hazards, such as, but not limited to, faulty wiring, and loose supports, braces, guys and anchors.
- (i) Banners. Banners will be hung with all four corners securely fastened to prevent the banner from twisting. Such banners or pennants will be displayed for no longer than a four-week period. Over-the-road special event banner size shall not exceed three feet high by the width of the road. Business banners shall not exceed thirty (30) square feet in area.

SIGN RESTRICTIONS; GENERAL (*Prohibited Signs*):

- (a) No sign shall impair or cause confusion of vehicular or pedestrian traffic, in its design, color, lighting or placement. No sign shall impair visibility for the motorist at a street corner or intersection by placement and location within Twenty-five (25) feet of the intersection of the street or highway right-of-way boundary.
- (b) No sign shall be illuminated by or contain flashing, intermittent, rotating or moving lights except to show time and temperature. Except barber poles and "open" signs.
- (c) Exposed luminous tubing or similar fixtures shall be prohibited, except in windows, specified in that section.
- (d) Strings of lights can be used for advertising, outlining buildings and windows. Said lights should not be flashing, intermittent, rotating or moving. Nothing in this article shall be construed as a restriction of the placing of Christmas decorations and/or Christmas lights from November 15 through January 15.
- (e) No sign shall produce illumination in excess of five (5) foot candles at a distance of seven (7) feet.
- (f) No signs shall be affixed to or painted upon public utility poles, lamp posts, water or fire hydrants, bridges, trees, rocks or other such structures, whether situated on public or private land.
- (g) No sign shall obstruct any fire escape, window, door or opening that may be used as a means of ingress or egress, ventilation or for fire-fighting purposes.
- (h) No sign shall project into a vehicular driveway at an elevation less than fourteen (14) feet above grade.
- (i) No sign shall project into an area designed as a pedestrian way at an elevation less than 8 feet above grade.
- (j) All new billboards are prohibited.
- (k) All signs shall be set back 3 feet from the curb line or in the absence of a curb, three (3) feet from the shoulder of the road. No signs are permitted on sidewalks or roadways.
- (l) All signs shall be contained within the property boundary lines of the subject property.
- (m) No freestanding sign shall be more than fifteen (15) feet in height above finished grade. Such height shall be measured vertically from the established average grade directly below the sign.
- (n) Only one freestanding sign as permitted by this chapter shall be permitted on any parcel, whether a single parcel with more than one building, more than one business or a mall type of business.

SPECIFIC SIGN RESTRICTIONS:

Freestanding Signs

- (a) Freestanding signs shall not have more than two (2) faces.
- (b) The maximum height of a freestanding sign and support shall be fifteen (15) feet.
- (c) No part of a freestanding sign shall extend into vehicular traffic areas, and any part extending over pedestrian traffic shall have a maximum clearance of eight (8) feet.
- (d) Freestanding signs shall be placed in business fronts only and shall not be closer than six (6) feet to a building, and no part shall extend over a public street or sidewalk.

Portable Signs

- (a) All portable signs must conform with all applicable sign regulations.
- (b) Any portable sign that is electrified, and its connections must be inspected by the village codes officer.
- (c) Portable signs will include A-frame signs and/or sandwich board signs. These signs must stand no higher than four feet off the ground and must have a surface area no greater than twelve (12) square feet per face (or side). Signs must be removed from the street after business hours. These signs shall not extend onto a public street or sidewalk.

Window Signs

- (a) Window signs are permitted on second-floor windows, provided that it is in the space occupied by the business.
- (b) There shall be no more than one permanent window sign per window.
- (c) The sign advertises the occupants business.
- (d) Forty percent of the window has to be transparent.
- (e) Exposed luminous tubing or neon tubing or similar self-illuminated signs, are restricted to one per window and may not exceed two (2) square feet.

Banners

- (a) Banners, posters, pennants, ribbons, streamers and spinners shall be displayed only in connection with a specific, temporary, commercial promotion, shall be confined to the site of the promotion and shall be removed within ten (10) days after such promotion has been concluded.
- (b) Exceptions:
 - (1) Event banners. Permits are not required for a banner that relates to any local community, civic, charitable, social, educational, religious, athletic or commemorative function or assembly or any authorized by municipal authorities. Such banners:
 - (i) Shall not exceed one hundred (100) square feet.
 - (ii) May be displayed up to forty-five (45) days before the event is promoted.
 - (iii) Removed within five (5) days after the event was promoted.
 - (iv) May be installed on a building with permission from the owner of the building.
 - (v) Shall not be installed to any municipal building, structure or equipment or facility without authorization from the Mayor and the Village Board.
 - (vi) Installation, maintenance and removal is the sole responsibility of the owner of said banner.

Wall Signs

- (a) The maximum area of wall sign graphics shall be for each linear foot of building frontage occupied by the business on which the sign is placed two (2) square feet.
- (b) Wall signs may not extend beyond the ends or over the top of the wall to which they are attached.
- (c) Any part of the sign extended over pedestrian traffic areas shall have a minimum clearance of seven (7) feet six (6) inches.
- (d) Electronic wall signs are prohibited.

Projecting Signs

- (a) Projecting sign panels shall not have more than two (2) faces and the maximum area of the panel shall be fifteen (15) square feet.
- (b) Projecting sign panels shall be at ninety (90) degrees to the building face.

- (c) All projecting sign panels may extend five (5) feet from the building face or $\frac{1}{3}$ width of the sidewalk, whichever is less.
- (d) No part of the projecting sign shall extend into vehicular traffic areas and any part over pedestrian traffic areas shall have a minimum clearance of seven (7) feet six (6) inches.
- (e) Projecting signs shall not be the electronic kind but can have lights projected onto the sign.

Gasoline Stations

- (a) One permanent freestanding sign shall be allowed for identification of the gas station by trade name. The freestanding sign may be illuminated by indirect lighting but may not contain any flashing or rotating lights. The freestanding sign may not be a rotating sign and may identify only the gas station trade name and the price of gasoline. Such sign shall not exceed (sixteen) 16 square feet area per face. Height of such sign shall not exceed (fifteen) 15 feet.
- (b) One proprietor identification sign not exceeding two square feet shall be allowed.
- (c) Pump area. Price signs will be allowed, one per gasoline pump, as prescribed by state law and such logo signs as are inscribed on the base of the pumps by the manufacturer of the pump shall be allowed. (Article 16 of the Agriculture and Markets Law - Weights and Measures.) If a dispenser wrap (the area above the pumps) is used, it will only contain the gasoline brand, logo or proprietor name.

EXEMPT SIGNS:

The following signs are exempt and may be erected and maintained without a permit, provided such signs comply with the general requirements of this section and other conditions specifically imposed by the regulations:

- (a) Temporary Signs - The following signs are exempt and may be erected and maintained in all zoning districts without permits, provided they comply with this section and all other conditions imposed by this chapter.
 - (1) No temporary sign shall obstruct or impair access to a public sidewalk, public or private street or driveway, traffic control sign,

fire hydrant, or any other type of street furniture, or otherwise create a hazard, including a tripping hazard.

- (2) Temporary signs shall be designed to be stable under all weather conditions, including high winds.
 - (3) All signs of a temporary nature, including advertising banners, pennants, ribbons, streamers, spinners or similar moving, fluttering, or revolving devices shall be allowed, (except as otherwise provided by this section), and shall be permitted for a period not exceeding 6 weeks prior to the activity or event, no exceeding four days after the activity or event. Such signs shall not exceed 16 square feet and shall not be placed in a position that will obstruct or impair traffic or in any manner create a hazard or disturbance to the health, safety and welfare to the general public.
 - (4) Both on-premises and off-premises directional signs for the convenience of the general public, identifying public sales, public parking areas, fire zones, service entrances and exits and similar signs, not exceeding 4 square feet per face and six feet in height. (these signs must be removed during non-business/event hours).
 - (5) Temporary non illuminated "for sale", "for lease", "for rent" real estate signs concerning the premise upon which the sign is located.
 - (6) Temporary non-illuminated window signs and posters not exceeding twenty-five (25) percent of the window surface.
- (b) Historical Markers, tablets and statues, memorial signs and plaques; names of buildings and dates of erection, emblems installed by government agencies, religious or nonprofit organizations not exceeding 6 square feet.
- (c) Flags and insignia of any government, except when displayed in connection with commercial promotion.
- (d) Posted "no trespassing" signs, not exceeding 2 square feet.
- (e) Open and Closed signs.
- (f) Political Signs. Political signs shall be limited in size to a maximum of 16 square feet with a total maximum of thirty-two (32) square feet of all signs on a single parcel. Political signs shall not be erected or maintained prior to six weeks before the election to which said sign pertains. Political signs shall be removed within 16 days after the election to which said sign pertains. Failure to remove any political sign in a timely manner shall subject the responsible person to the cost of having said signs removed by the Inspector.

- (g) Private Information Signs, such as garage sales, ect.
Garage sale, etc, signs may be erected one week in advance of the sale and must be removed within one day of the end of the sale.
- (h) Residential, real estate signs. Such signs shall not exceed four square feet in area. All such signs shall be contained within the boundary lines of the subject property. All residential real estate signs shall be removed from the subject property within two weeks of passing of title to a new owner or withdrawal from the market for any other purpose.
- (i) Church Signs
- (j) Civic Signs
- (k) Public Safety and road signs
- (l) Nonprofit organizational signs
- (m) School signs

APPLICATIONS FOR SIGN PERMITS:

- (a) Application procedure. Application for permit shall be made upon forms prescribed and provided by the Village Clerk to the Building Inspector and shall contain the following information:
 - (1) Name, address, and telephone number of the applicant.
 - (2) Location of building, structure, or land to which or upon which, the sign is to be erected.
 - (3) If a new sign is to be erected, installed or painted on a structure, elevation and plan drawings to scale should be included. In addition, a full description of the placement and appearance should cover the following:
 - (i) Location on the premises, specifically, its position in relation to adjacent buildings, structures, sidewalks and property lines.
 - (ii) The method of illumination, if any, and the position of lighting or other extraneous devices, and a copy of the electrical permit related to the electrical connections.
 - (iii) Graphic designs including symbols, letters, materials and colors.
 - (iv) The visual message, text, copy or content of the sign.
 - (4) Written consent of the owner of the building, structure or land to which or upon which the sign is to be erected, in the event the applicant is not the owner thereof.

- (b) Issuance of permit. It shall be the duty of the Building Inspector upon the filing of any application for a permit to erect a sign to examine such plans, specifications and other data submitted to him or her with the application, and if necessary, the building or premises upon which it is proposed to erect the sign or other advertising structure. In cases where approval of the Village Board is necessary, the Building Inspector shall submit all pertinent plans, drawings and applications together with his or her recommendation to the Village Board. Upon approval of the Village Board and compliance with these regulations and other provisions of the Village of Waterville Code, and any rules or regulations adopted pursuant thereto, he or she shall then, within ten (10) days, issue a permit for the erection of the proposed sign.
- (c) If the sign authorized under such permit has not been completed within six (6) months from the date of issuance of such permit, the permit shall become null and void, but may be renewed within then (10) days from the expiration thereof, for good cause upon payment of an additional fee in accordance with a schedule of permit fees adopted by the Board of Trustees and on file in the Village Clerk's office.
- (d) Revocation of permit. Any abandoned sign which no longer identifies a bona-fide use shall be removed within thirty (30) days after written notice by the Building Inspector. If the property owner fails to comply, the Village may remove said sign and supporting structure and assess the actual costs, together with additional 50% to cover the administrative expenses, against said property.
- (e) Should any sign be or become unsafe, defaced, in danger of falling or a danger to members of the public, the owner thereof or the person maintaining the same shall, upon receipt of written notice from the Building Inspector, proceed at once to put such sign in a safe and secure condition or renovate or remove the sign; provided, however, that if such situation is not corrected within seventy-two (72) hours after notice, the Building Inspector shall correct the situation
or have it corrected, with the costs assessed and collected in the same manner as provided in Subsection D(4) above.
- (f) Appeals procedures. Appeal of any decision of the Building Inspector shall be made to the Village Board.
- (g) Interpretation; conflict with other laws. In their interpretation and application, the provisions of these regulations shall be held to be minimum requirements, adopted for the promotion of the public health, morals, safety or the general welfare. It is not intended to interfere with, abrogate or annul other rules, regulations or enactments; provided that whenever the requirements of these

regulations are at variance with the requirements of any other lawfully adopted regulations, rules, or enactments, the most restrictive, or those which impose the highest standards shall govern.

- (h) Schedule of permit fees. The Board of Trustees shall establish and make available at the Village Clerk's office a schedule of fees for sign permits.