

ARTICLE IX: Signs

§ 155-57. Sign regulations. [Amended 4-3-2006 by L.L. No. 2-2006]

- A. Purpose. The purposes of this section are to regulate and control the location, size, type and design of existing and proposed signs in order to:
- (1) Enhance and protect the Town's physical appearance and provide a more scenic and pleasing presentation that will augment the architectural theme of the community.
 - (2) Encourage the most effective and functional use of signs as directional, informational and advertising devices.
 - (3) Eliminate existing and prevent the erection of new signs that cause distraction or obstructions that create hazards to traffic safety.
 - (4) Prevent dangers to public safety from improperly constructed or located signs.
 - (5) Protect property values and create a more attractive economic and business climate.
- B. Signs requiring a permit. Permitting a sign does not imply that the underlying use is permitted.
- (1) Permanent signs. Except as otherwise provided herein, no permanent 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 permit from the Zoning Administrator's office prior to its erection, construction or alteration in accordance with the procedures and standards of this article.
 - (2) Temporary signs. Temporary nonilluminated signs such as banners, portable signs, promotional signs and other signs of a similar nature are also subject to the permitting requirements of this article, and shall be permitted on the premises for a consecutive period of 30 days, not to exceed a total of 90 days per calendar year.
 - (3) Promotional devices. Devices that are temporarily located on the properties for the purposes of advertising or promotion such as inflatables, barrage balloons, search lights, etc, are not permitted.
- C. Signs and processes not requiring a permit. Provided that such use is otherwise permitted by the zoning ordinances, the following do not require a sign permit, but must conform to the regulations for their district:
- (1) Memorial or historical signs, names of buildings and dates of erection when cut or cast into any masonry, bronze, stainless steel or similar permanent material.
 - (2) Traffic or other municipal signs.
 - (3) Legal notices or such temporary emergency or non-advertising signs as may be authorized by the Town Board.
 - (4) One sign per lot advertising the sale, lease or rental of the premises upon which the sign is located. The sign shall not exceed 6 square feet in area in residential and hamlet zones or 20 square feet in area in commercial zones. A freestanding real estate sign shall not be nearer than 15 feet to any street line.
 - (5) A contractor's, engineer's or architect's sign not exceeding 20 square feet in area when displayed on the premises under construction in any district.

- (6) A farm product sign advertising the sale of farm products, provided that:
 - (a) The size of any such sign is not in excess of 6 square feet in area in any district.
 - (b) Up to four (4) signs may be used, so long as the total area of all signs combined does not exceed 12 square feet.
 - (c) The signs shall be displayed only when the advertised farm products are on sale.
 - (7) Name and number signs identifying the occupants of a lot, when they do not exceed 2 square feet in area.
 - (8) Nonilluminated signs or bulletin boards customarily incidental to places of worship, libraries or museums erected on the premises for the purpose of displaying temporary public information notices, not exceeding 20 square feet in area.
 - (9) Routine repair and maintenance of signs.
 - (10) Signs identifying real estate, multiresidential or residential Subdivision developments not to exceed 20 square feet in area, and which shall advertise only the name of the development where such sign is located.
 - (11) Nonilluminated window and door signs not occupying more than 25% of the window or door that they occupy.
 - (12) Motor vehicle service facility signs displaying price, not exceeding 2 square feet in area and limited to one such sign mounted on each gas pump.
 - (13) Signs directing motorists or pedestrians on a site shall be allowed, provided that each sign shall not exceed 4 square feet in area and shall include only directional information.
 - (14) Garage / Yard sale signs, provided that such events do not take place more than four times annually. Signs must be less than 6 square feet in area, and cannot be erected more than seven days prior to the event and must be removed within 24 hours after the conclusion of the event.
 - (15) Political signs (see § 103-6, Subsection E).
 - (16) Signs advertising events or activities of certified nonprofit local organizations, provided that each sign is less than 4 square feet.
- D. General standards and regulations.
- (1) General standards. No sign, whether new or existing, shall hereafter be erected, altered or changed except in conformity with the provisions of this article. Signs must be maintained in a neat, clean manner and kept free of all hazards, such as but not limited to faulty wiring, loose fastenings and rusted or rotted standards, and must be maintained at all times in such safe conditions so as not to be detrimental to the public health or safety.
 - (2) Regulations for all districts.
 - (a) Illuminated signs.
 - [1] Any illuminated sign or lighting device shall employ only lights emitting a light of constant intensity, and no sign shall be illuminated by or contain a flashing, intermittent or moving light or lights.
 - [2] No exposed neon tubing is permitted.

- [3] Exterior above illumination by cut-off fixtures is preferred over internal illumination.
 - [4] No illuminated sign or lighting device directed on signs shall be so placed or directed as to permit the beams and illumination to be directed upon or beamed upon a public street, highway, sidewalk or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance. Light levels are not to exceed the IESNA Lighting Handbook design criteria.
 - [5] No sign shall be illuminated between the hours of 11:00 p.m. and 6:00 a.m. unless the lot on which the sign is located contains a commercial use and that use is open for business.
- (b) Roof signs are prohibited.
 - (c) Moving and revolving signs are prohibited.
 - (d) Signs containing commercial messages or information or signs intended for the advertisement of goods or services of a commercial establishment shall pertain to a use that is conducted on the same property on which they are located.
 - (e) No sign shall be located so as to obscure any signs displayed by a public agency nor shall any sign be placed in such a way as to obstruct proper sight distance or otherwise interfere with pedestrian or traffic flow.
 - (f) No sign shall overhang onto an adjacent property or right-of-way.
 - (g) The location of freestanding signs and wall signs which require a sign permit shall be determined by the Town Planning Board during the Site Plan review process, when Site Plan review is required, otherwise it shall be determined by the Architectural Review Board (ARB) during the application process.
 - (h) Advertising billboards are prohibited.
 - (i) Wall signs shall not be located above second-story windowsills.
 - (j) No pennants, balloons, ribbons, streamers, spinners or other similar moving, fluttering or revolving devices shall be allowed. Holiday decorations, American flags, patriotic bunting, etc. are not subject to these restrictions.
 - (k) No sign shall be attached to any street/traffic sign, tree or utility pole or be painted upon or otherwise directly affixed to any rock, ledge or other natural feature.
- (3) Standard design criteria.
- (a) Freestanding signs.
 - [1] Internally illuminated freestanding signs are prohibited in all districts.
 - [2] Freestanding signs shall not exceed a height of 7 feet from finished grade and shall be constructed of wood or other materials that simulate a wood-like surface.
 - [3] Freestanding signs shall be set back from any property line a minimum of 10 feet and from any preexisting freestanding sign a minimum of 60 feet. If the building is closer than 20 feet to the road, then the use of a freestanding sign is prohibited.

- [4] The maximum number of items of information on each sign shall be 10. An item of information is defined as a name of occupant or business, word, an abbreviation, a numeral, a symbol, or a geometric shape. In addition, graphics combining several different shapes are assessed one additional item for each noncontinuous plane. In computing items of information, the following are not to be included:
 - [a] Nonilluminated support structures containing no lettering or symbols.
 - [b] 911 information.
 - (b) Wall signs.
 - [1] Wall signs are restricted to one signable area per front facade per occupant.
 - [2] Buildings closer than 20 feet to the road must use a top-lit wall-mounted sign that is perpendicular to the building and road.
 - [3] The use of light boxes is prohibited. Wall signs that are attached flat to the facade of a building may be constructed of individual internally lit or back-lit letters, or be a top-lit quarter-board-style sign.
 - (c) All signs in a complex or building must be uniform in style, color, shape and lettering. The initial design of the signs is to be determined at the time of the Site Plan process or by the first applicant.
 - (d) All signs shall have dark background colors and light letters in order to minimize the apparent size of signs within the streetscape.
 - [1] Suitable color choices can be found amongst the Benjamin Moore Historical Color Collection and are referenced below:
 - [a] Background: Middlebury Brown (HC-68), Hale Navy (HC-154), Yorktowne Green (HC-133), Van Deusen Blue (HC-156), Garrison Red (HC-66), or Lafayette Green (HC-135).
 - [b] Lettering: Philadelphia Cream (HC-30), Bleeker Beige (HC-80), Coventry Gray (HC-169), Hepplewhite Ivory (HC-36), Edgecomb Gray (HC-173), Monroe Bisque (HC-26), Monterey White (HC-27), Revere Pewter (HC-172), Powell Buff (HC-35) or gold leaf.
 - [2] Comparable choices from other manufacturers may be acceptable.
 - [3] With the use of internally or back-lit letters, in wall signs, the lettering is to conform to the above background colors and the area behind the letters should conform to the above lettering choices.
 - (e) No sign attached perpendicular to a building shall project more than 6 feet from the building, nor have less than 8 feet vertical clearance from any walkway or finished grade below.
 - (f) All permanent and temporary signs requiring a permit shall have painted in a conspicuous place thereon, in legible letters and numbers, the permit number and date of issue.
- (4) Sign measurements. All signs will be measured in accordance with the following criteria:

- (a) Sign measurement shall be based on the entire area of the sign, with a single continuous perimeter enclosing the extreme limits of the actual sign surface.
 - (b) For a sign applied to a building, the area shall be considered to include all lettering, wording and accompanying designs or symbols, together with any background of a different color than the natural color or finish material of the building.
 - (c) For a sign consisting of individual letters or symbols attached to or painted on a surface, building, wall or window, the area shall be considered to be that of the smallest rectangle or other shape which encompasses all the letters and symbols.
 - (d) Essential supporting framework (brackets, posts and standards) shall not be included in sign area calculations. However, illuminated embellishments on such essential supporting framework will be counted in area calculations.
 - (e) For signs with two faces or sides, the area shall be taken as the area of either face, provided that the faces are either back-to-back or attached along at least one side and the angle of that attachment does not exceed 30°. When faces are not back-to-back or are attached at an angle exceeding 30°, each face shall be measured individually.
 - (f) No sign shall have more than two faces.
- (5) Temporary signs.
- (a) Temporary signs shall be nonilluminated.
 - (b) No more than two banners or one freestanding sign shall be displayed on one lot at any given time.
 - (c) Temporary signs shall not be attached to street/traffic signs, fences, trees, utility poles, light poles or the like, and such signs shall not be placed in a position that will obstruct or impair vision or traffic or in any manner create a hazard to the health, welfare and safety of the general public.
 - (d) Fluttering devices such as streamers, pennants and balloons are prohibited as temporary signage.
 - (e) Temporary banners shall not exceed 60 square feet in area. Temporary freestanding signs shall not exceed 40 square feet in area.
 - (f) In addition to the above, temporary signs shall be governed by applicable portions of the sign regulations for all districts, as well as the standard design criteria for signs.
- E. Permitted signs by district. Regulations for individual districts shall be considered in addition to the general standards and regulations for all districts as specified above under Subsection D, above.
- (1) Residential districts (R-45, R-90, R-135, R-MHSC and HR).
- (a) Illuminated signs are prohibited, except as may be secondary to exterior lighting of the property.
 - (b) One identification sign stating the name and address of the resident, property or permitted accessory use, not exceeding 2 square feet in area, is allowed.
 - (c) For home occupations with a Special Use Permit, a single identity sign not exceeding 2 square feet in area and identifying the occupation conducted on the premises is allowed.

- (d) A single two-sided sign, identifying a religious or institutional use, not exceeding 25 square feet in area per side, is allowed.
 - (e) Unless attached to the principal structure, no sign shall be located closer than 15 feet to the front property line, nor 20 feet to any other property line. No sign shall exceed a height of 8 feet above finished grade.
- (2) Poughquag Hamlet (PH),
- (a) Internally illuminated signs of any type are prohibited.
 - (b) One freestanding sign is permitted per lot, not to exceed 10 square feet in area, where the building is set back a minimum of 15 feet from the street line.
 - (c) For signs attached to buildings, one wall-mounted sign shall be permitted per business, not to exceed 12 square feet in area. When there is no wall-mounted sign, one hanging sign is permitted per business, not to exceed 12 square feet in area.
 - (d) All signs shall be made of wood and must be stained or painted a dark-colored background with carved light-colored lettering as per acceptable color choices in Subsection D(3)(d) above.
 - (e) All signs will have traditional shapes and fonts.
- (3) Commercial districts (C-1, C-2, TC).
- (a) If two or more businesses have a canopy along the face of a building, each business is permitted one sign not to exceed 2 square feet in area. This sign shall hang under the canopy, perpendicular to the face of the building.
 - (b) Only one freestanding sign, with an area not to exceed 50 square feet, is permitted per lot.
 - (c) For signs attached to buildings, one sign is allowed per business, or occupant, affixed flat against or perpendicular to the face of the building, with an area not greater than 10% (25% for motor vehicle service facilities) of that portion of the building front face attributable to that business, up to a maximum of 50 square feet in area.
 - (d) Iconic signs, such as barber poles, eyeglasses, etc., which are traditional in appearance and size, shall be permitted. These signs shall not protrude more than 4 feet from the building face nor occupy a space greater than 15 square feet in area when viewed from any angle.
- (4) Mixed Commercial – Light Industrial District (C-3).
- (a) One freestanding sign, with an area not to exceed 50 square feet, is permitted per lot.
 - (b) For signs attached to buildings, when there is one business per lot, one sign per lot painted on or affixed flat against the front of any building, which shall not exceed an area of 25% of the face of the building, up to a maximum sign size of 100 square feet (50 square feet for motor vehicle service facilities) in area, is allowed. When there are two or more businesses per lot, each business shall be permitted one wall sign not exceeding 24 square feet, or the lot may have one wall sign not to exceed 100 square feet in area.

F. Permitting process.

(1) Application.

- (a) Application for a permit shall be made in writing upon sign permit forms obtained from the Town Zoning Administrator's office.
- (b) In addition to the application, the applicant shall furnish the following:
 - [1] A detailed drawing or blueprint showing the lettering and other matter on the sign; with sign color, sign height, type and position of any lighting.
 - [2] A location plan showing the position of all signs in relation to buildings and to any street, highway or sidewalk, including the location of any sign on any structure.
- (c) Applications require the written consent of the landowner or an authorized agent or representative.
- (d) A nonrefundable filing and administration fee, as specified in the fee schedule, shall accompany the application.

(2) Review and permit.

- (a) It shall be the responsibility of the Architectural Review Board (ARB) to examine such plans and other data submitted and approve said plans, if they are in compliance with all requirements of this chapter. Applicants are encouraged, but not required, to meet with the ARB to discuss their application.
- (b) Once approved, it shall be the duty of the Zoning Administrator to issue a permit within 10 days of approval.
- (c) If the authorized sign is not erected within six months of the date the sign permit is granted, the permit shall become null and void and a new application must be made.

G. Existing signs. Signs in existence at the time of adoption of this section must be brought into compliance within five years from the date of adoption.

H. Enforcement.

(1) Nonconforming signs.

- (a) This subsection applies to signs that do not conform to the height, area, design criteria, color, lighting or other dimensional requirements of this article. For the purpose of this subsection, signs legally existing prior to the adoption date of this code are deemed nonconforming until reviewed.
- (b) A nonconforming sign shall be changed only to a conforming sign.
- (c) Nonconforming signs shall be made conforming based on Subsection G, above.
- (d) Any sign which denotes a use that has ceased and/or which no longer identifies an existing business conducted or product sold on the premises shall be removed within 30 days.

(2) Noncompliance.

- (a) Temporary signs or signs not requiring a permit. The Zoning Administrator or his designee has the authority to remove noncompliant temporary signs or signs not requiring a permit upon the notification of the existence of said signs or upon personal observation.

- (b) Permanent signs or signs requiring a permit.
- [1] In the event of a violation of any of the provisions of this article, the Code Enforcement Officer shall give written or personal notice, specifying the violation, to the named owner of the sign and the owner of the land, to correct said violation or remove such sign. Correction of said violation by change, repair or removal, etc. must be performed within 15 days from the date of notice.
 - [2] If correction or removal of said violating sign is not completed in the designated time, the Code Enforcement Office shall issue a violation summons requiring the payment of a fine up to \$500. After the court determination, the violator has an additional seven days to correct or remove the sign or be subject to an additional fine of \$100 per day.
 - [3] After 30 days the Code Enforcement Officer has the authority to remove said sign, with any cost for the removal being assessed to the violating party.