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# Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

STATE OF NEW YORK  
DEPARTMENT OF STATE  
**FILED**  
FEB 07 2003

MISCELLANEOUS  
& STATE RECORDS

~~COUNTY~~  
~~CITY~~ of Dryden  
~~TOWN~~  
Village

Local Law No. 001 of the year 2003

A local law Signs  
(Insert Title)

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Be it enacted by the Board of Trustees of the  
(Name of Legislative Body)

~~COUNTY~~  
~~CITY~~ of Dryden as follows:  
~~TOWN~~  
Village

See attached

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 001 of 20 03 of the ~~(County)(City)(Town)~~ (Village) of Dryden was duly passed by the Village of Dryden Board of Trustees on Jan. 16, 2003, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20 \_\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)  
Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special)(annual) election held on \_\_\_\_\_ 20 \_\_\_\_\_, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20 \_\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)  
(Elective Chief Executive Officer\*)

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_, above.

*Debra S. Marotta*

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 01/23/03

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK  
COUNTY OF Tioga

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

*John A. White*

Signature

Village Attorney

Title

~~County~~

~~City of~~ Dryden

~~Town~~

Village

Date: 1/28/03

**Section 320. Signs**

**Purpose**

The legislative intent of this law is to promote and protect the public health, welfare and safety of the inhabitants of the village by regulating existing and proposed advertising, advertising signs, and signs of all types which are intended to be viewed from outdoors, and to thereby protect property values, create a more attractive economic and business climate, enhance and protect the physical appearance of the community, preserve the scenic and natural beauty of designated areas and provide a more enjoyable and pleasing community. It is further intended 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, provide more open space, and curb the deterioration of natural beauty and community environment. It also intends to permit businesses and professions to make use of signage that is important to their individual and collective success.

**Subsection 32010 Definitions**

**(a) Sign:** Any material, structure or part thereof, or any device attached to a structure or painted or represented thereon, composed of or upon which is placed lettered, or pictorial or other matter for visual communication, when used or located out-of-doors or on the exterior of any building or indoors as a window sign, for the display of any advertisement, notice, directional matter or name. The term "sign" does not include signs erected and maintained pursuant to and in discharge of any governmental function, or required by any law, ordinance or governmental regulation, or the flag or insignia of the United States of America, the State of New York or of any governmental agency thereof, or architectural cornerstone.

**(b) Freestanding Sign:** Any sign not attached to or part of any building. Included are pole signs and pylon signs, and signs located on vehicles or equipment for the purpose of advertisement of the business.

**(c) Size of sign:**

(1) The square footage of the smallest rectangle which will fully enclose all elements which form the sign and any integral backing material to which they are attached, including any irregular shapes and open spaces. Supporting structures will not be considered

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as part of the sign surface area unless internally lit or lit by their own specific external light source.

(2) If a sign is painted or applied without backing to the face of the building, the area of the sign shall be taken as the area of the smallest rectangle enclosing all letters and devices.

(3) Two-sided signs: only one side of a two-sided sign having identical material on each side shall be used to calculate the area of such signs.

(d) **Building Façade**: That portion of a building facing a public right-of-way, street, or road.

### **Subsection 32020 General Regulations**

(a) **General**: No sign shall be erected established or altered in any district in the village except in conformity with the provisions of this local law. Normal maintenance accepted.

(1) **Illuminated Signs**: 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 flashing, intermittent, rotating or moving light or lights. In no event shall an illuminated sign or lighting device be so placed or directed so as to permit the beams and illumination therefrom to be directed or beamed upon a public street, highway, sidewalk or adjacent premises so as to cause glare that may constitute a traffic hazard or nuisance.

(2) **Maintenance of Signs**: All signs must be kept clean, neatly painted and free from all hazards (including, but not limited to, faulty wiring and loose fastenings) and must be maintained and located at all times in such safe condition so as not to be detrimental to the public health or safety.

(3) **Signs Painted or Without Backing**: If a sign is painted or applied without backing to the face of the building, the area of the sign, (determined per subsection 32010(c)(2),); shall not exceed the lesser of three-quarters (3/4) square foot per lineal foot of business frontage or 50 square feet; which ever is less.

(4) **Window/Door Signs**: A sign identifying the on-premise business or profession, occupying two (2) square feet or less of glass surface will not be considered part of the total sign area allowed.

(b) Prohibitions:

(1) **Portable Signs:** No portable, "daily use" or mobile signs, including sandwich board style signs for commercial or business advertising, except those included in the definitions of "Temporary Signs" as set forth in subsection 32040, are permitted.

(2) **Roof Signs:** No signs or sign supports on or projecting above the upper roof or parapet of any building are permitted.

(3) **Off-Premise Signs:** Any sign related to a business or profession or commodity or service offered may only be located on the premises where such business or profession is conducted or commodity or service offered, except as provided under "Temporary Signs", subsection 32040.

(4) **Signs with Motion:** No sign or part thereof shall contain or consist of pennants, flags, ribbons, balloons, streamers, spinners, or other moving, animated, fluttering or revolving devices.

(5) **Hazardous Signs:** No sign, permanent or temporary, shall be located so as to impair traffic or driver visibility or in any manner so as to create a hazard to the health, safety and welfare of the general public.

(6) **Location of Signs:** No sign shall be attached to a fence, public light standard, utility pole, or tree.

(7) **Highway Banners:** No banners crossing any street are permitted.

**Subsection 32030 Signs Permitted in All Districts without a Sign Permit**

The following are permitted in any district without a sign permit:

(a) **For Sale, Lease or Rental Signs:** One (1) on-premise sign advertising that the premise upon which the sign is located is for sale, lease or rental. One (1) sign is permitted per each building face on a public highway. The sign shall not exceed five (5) square feet in area. The sign shall not be illuminated

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or located between the sidewalk and the street, or nearer than three (3) feet from the nearest boundary of the street or any lot line. All such signs shall be removed five (5) days after the sale, lease or rental of the premises. *No signs advertising the sale, lease or rental of a property shall be located on premises other than the property which is proposed to be sold, leased and/or rented.*

**(b) Residential Building With Professional office or Home occupation signs:** one (1) on-premise sign, either free-standing or attached, on a lot improved for residential purposes, advertising a permitted professional office or home occupation on such lot not exceeding six (6) square feet in area, and not illuminated with colored lights. Such sign shall not be located between the sidewalk and the street, nor nearer than three (3) feet from the nearest boundary of any street right of way or lot line.

**(c) Occupant Signs:** One (1) on-premise sign not exceeding two (2) square feet denoting the name and address of the occupant(s) of the premises.

**(d) Warning, Private Drive, Posted or No-Trespassing Signs:**

Non-illuminated warning, private drive, posted or no trespassing signs not exceeding two (2) square feet.

**(e) Construction Signs:** One (1) on-premise sign, not exceeding twelve sq. ft., listing the architect, engineer and/or contractor on premises where construction, repair or renovation is in progress, such sign shall be removed within ten (10) days after completion of such construction, repair or renovation.

**(f) Institutional Signs/Bulletin Boards:** One (1) on-premise sign or bulletin board customarily incident to places of worship, libraries, museums, educational facilities, social clubs or societies, which sign or bulletin board shall not exceed twenty (20) square feet in area.

**(g) Temporary signs** as provided in subsection 32040 below.

**Subsection 32040 Temporary Signs:**

Only temporary signs as set forth below are permitted. All signs (except sandwich signs) must be dated either with the date of the actual function or opening or the date of installation. If use of a temporary sign exceeds the specified time period, or otherwise is not in compliance, the Village may cause undated signs to be removed. All applicable costs incurred with the removal of such signs shall be assessed against the

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owner of the land or building on which such sign is placed.

- (a) **Event Signs:** Any promotional, identifying or directional sign not exceeding nine (9) square feet which relates to any community, civic, commemorative, charitable, social, educational, religious or athletic function or assembly or any event authorized by municipal authorities may be in place for up to ten (10) days before and five (5) days after the actual activity unless otherwise authorized by the Board of Trustees.

(1) Consideration shall be given by the Board of Trustees to the number of signs and vehicular and pedestrian traffic

- (b) **Private Owner Household merchandise signs:** Signs advertising sales and auctions, including yard/garage sales, not exceeding four (4) square feet in area for a period not exceeding seven (7) days prior to the date of sale and including the day(s) of such sale or auction.

- (c) **Window Signs:** Non-illuminated promotional window signs and posters not exceeding twenty-five (25) percent of the window area. Such signs shall be dated and removed within thirty (30) days after installation.

- (d) **New Business signs:** Signs announcing the opening of a new business shall not exceed twenty-four (24) square feet. Such signs shall be dated and located on premises. In the case of window signs, the size shall not exceed twenty-five (25) percent of the window area. Placement shall not exceed a period of sixty (60) days.

- (e) **Sandwich board Signs:** Any unlighted device 4X3X3 on private property during normal business hours.

**Subsection 32050 Signs Permitted with a Sign Permit**

The following signs are permitted, but require a sign permit as provided in this section.

- (a) **Development or Sub-Division:** One (1) on-premise sign advertising a real estate development or sub-division not exceeding thirty-two (32) square feet in area.

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**(b) Directional, Informational or Safety Signs:** For a business or public utility, on-premises signs or notices for the direction, information or safety of the public to identify public parking areas, fire zones, entrances and exits and similar signs. They may be illuminated or non-illuminated, not exceeding four (4) square feet in area. If free-standing, all parts of such sign shall either be less than four (4) feet above the ground level or more than eight (8) feet but less than ten (10) feet above the ground level. Business names, symbols and personal names shall be allowed, but advertising messages are prohibited.

**(c) Parking Lot Signs:** One (1) sign not exceeding four (4) square feet in area and, if free-standing, no part of which shall exceed six (6) feet above ground level, may be placed in a private off-street parking area only to limit the use of such parking area to customers and/or business invitees of the owner and/or occupant.

**Subsection 32060 Signs Permitted in Industrial and Commercial Districts with a Sign Permit**

The following signs are permitted in the non-residential districts, but require a sign permit:

**(a) Business Signs for Properties with One Business:** only one of the following two options, (A) or (B), may be implemented in this category.

**(1) OPTIONS:**

**(A)** A sign or signs attached or applied to a building or portion thereof, identifying any legally established business or service, its owner, trade names, trademark, products sold or the activity conducted on the premises whereon the sign is located and which total area shall not exceed one and one-half (1-1/2) square feet per one (1) lineal foot of the building facade. The total area of all letters, symbols, signs shall not exceed 60% of the total area of the building facade or 50 sq. ft., whichever is less.

In no case shall the total area of the sign exceed fifty (50) square feet.

**(B)** A free-standing sign with an area not exceeding twelve (12) square feet and not more than ten (10)

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feet above ground level, identifying any legally established business or service, its owner, trade names, trademark, products sold, or the business or activity conducted on the premises whereon such sign is located; and which shall be set back at least four (4) feet from any public highway or street.

Any business maintaining a free-standing sign as permitted under this section may, in addition, obtain a permit for a sign to be applied or attached to the building face(s), not to exceed one (1) square foot in area per lineal foot of building façade. The total area of the freestanding sign and building face sign(s) shall not exceed fifty (50) square feet.

**(2) West Main Street/Central Municipal Parking Lot**

**Properties:** A building which has an entrance open to the public from both West Main Street and a Central Municipal parking lot is permitted to have one (1) business sign as described in subsection 32060-(a)(1)(A) on the face of each of such entrances.

**(3) Signs for Properties with Multiple Businesses:**

Two or more businesses occupying a common building property may elect one of the following options:

- (A) 24 square foot of signage per business, or
- (B) 50 square feet per property

**Subsection 32070 Sign Permits**

**(a) General:** Except as otherwise provided in this local law, no person shall erect any sign without first obtaining a sign permit from the Code Enforcement Officer.

**(b) Application for Sign Permits:** Application for a sign permit shall be made in writing, upon forms prescribed and provided by the Code Enforcement Officer, to the Code Enforcement Officer, and shall contain:

- (1) Name, address and telephone number of the applicant.
- (2) Name, address and telephone number of the owner, if not the applicant.
- (3) Location of building, structure or land to which or upon which the sign is to be erected.

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- (4) A detailed drawing or blueprint showing a description of the construction details of the sign including a front elevation drawing if such sign is proposed to be affixed to the face of the building and showing the lettering and pictorial matter composing the sign, and the position and method of lighting and other extraneous devices; and a location plan showing the position of the sign on any building or land, and its position in relation to lot lines, adjoining buildings or structures and to any private or public street or highway (full dimension must be included).
- (5) Written consent of the owner of the building, structure or land to which or on which the sign is to be erected, if the applicant is not the owner thereof.
- (6) A copy of any required or necessary electrical permit issued for said sign or a copy of a submitted application.

**(c) Fees to Accompany Application:** No application for a sign permit shall be valid or accepted unless accompanied by a non-refundable fee in the amount set by the Board of Trustees.

**(d) Issuance of Sign Permit:** It shall be the duty of the Code Enforcement Officer upon the filing of an application for a sign permit to examine such plans, specifications and other data submitted to him with the application and, if necessary, the building or premises upon which it is proposed to erect the sign or other advertising structure. If it shall appear that the proposed sign is in compliance with all the requirements of this local law and other laws and ordinances of the Village he shall issue a sign permit for the erection of the proposed sign.

**(d) 1** If the sign authorized under any such permit has not been completed within six (6) months from the date of the issuance of such permit, the permit shall become null and void, but may be renewed once for good cause shown upon payment of an additional fee set by the Board of Trustees. **(d) 2** Permits issued relate solely to the property for which the application is made. **(d) 3** Permits may not be assigned to others and may not be transferred to a property other than that identified in the permit.

**(e) Appeals:** If the proposed sign does not comply with regulations or provisions of this local law, the Code Enforcement Officer shall reject the application. A decision of the Code Enforcement Officer may be appealed to the Zoning Board of Appeals following procedure outlined in subsection 31112.B.3 - Appeals, Variances and Interpretations.

**(f) Revocation of Sign Permit:** In the event of a violation of any of the provisions of this local law, the Code Enforcement Officer shall give written notice, specifying the violation, to the named owner of the sign and the named owner of the land upon which the sign is erected, sent to the addresses as stated in the application for the sign permit, directing such owners to conform or remove such sign. In the event such sign shall not be brought into compliance or removed within thirty (30) days of the notice, the Code Enforcement Officer shall thereupon revoke the sign permit, and such sign shall be removed by the named owner of the sign, or the named owner of the land.

#### **Subsection 32080 Removal of Signs**

**a) Obsolete Signs:** Any sign existing on or after the effective date of this law, which no longer advertises an existing business conducted or product sold on the premises, shall be removed by the owner of the premises upon which such sign is located after written notice as provided herein. The Code Enforcement Officer, upon determining that any such sign exists, shall notify the owner of the premises in writing to remove the said sign within thirty (30) days from the date of such notice.

**b) Unsafe Signs:** If the Codes Enforcement Officer shall find that any sign regulated by this local law is unsafe or insecure, or is a menace to the public, he shall give written notice to the named owner of the sign and the named owner of the land upon which the sign is erected, who shall remove or repair said sign within thirty (30) days from the date of said notice. If the said sign is not removed or repaired, the Code Enforcement Officer shall revoke the sign permit issued for such sign, as herein provided, and may cause said sign to be removed or repaired, all costs and expenses thereof to be assessed against the land or building on which such sign was located. The Code Enforcement Officer may cause any sign which is a source of immediate peril to persons or property to be removed and charge the costs thereof against the owner or land on which the sign is located.

#### **Subsection 32090 Non-conforming Signs**

**(a) Replacement:** A nonconforming sign which is destroyed or which is damaged to an extent in excess of fifty (50) per cent shall not be replaced except by a sign which conforms to the regulations of this Local Law.

(b) **Alteration:** Any sign existing on the effective date of this local law shall not be enlarged, modified, altered or relocated, except in accordance with the provisions of this local law.

(c) Nothing in this section shall relieve the owner or user of a legal nonconforming sign or owner of the property upon which the sign is located from complying with the provisions of this section regarding safety, maintenance and repair of signs provided that any repainting, cleaning or other routine maintenance or repair of the sign or sign structure shall not be deemed to modify the sign in any way.

(d) **Penalties and Fines:** Penalties and fines will be set by the Board of Trustees for non-compliance with this law.