



TOWN OF WEST SENECA

ARTICLE IIIA | SIGN REGULATIONS

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120-40.1 PURPOSE AND INTENT

- A. Purpose.** The primary purpose of these sign regulations for the Town of West Seneca is to permit the erection and display of signage within the Town, while protecting public health, safety and general welfare. All signs and sign systems are subject to the regulations that follow in this Article.
- B. Objectives.** These regulations also serve to achieve the following objectives:
1. Ensure right to free speech as protected under the Constitution;
 2. Protect property values, create a more attractive economic and business climate, and protect the physical appearance of the community;
 3. Provide structures and uses with effective means of identification while reducing visual clutter through the prevention of excessive and confusing sign displays;
 4. Reduce traffic conflicts or hazards by minimizing visual distractions or obstacles in or visible from the public rights-of-way;
 5. Minimize the adverse effect of signs on nearby public and private property;
 6. Avoid personal injury and property damage from unsafe or confusing signs; and
 7. Establish a clear and impartial process for those seeking to install signs.
- C. Applicability.** The regulations of this Article shall govern and control the erection, enlargement, expansion, renovation, operation, maintenance, relocation and removal of all signs within the Town visible from any street, sidewalk, public right-of-way, or public space.

120-40.2 SIGN PERMIT REQUIRED

Except as hereinafter provided, no person shall erect, alter, construct, relocate or cause to be erected, altered, constructed or relocated any sign without first having obtained a sign permit from the Code Enforcement Officer.

- A. Application Requirements.** The following information shall be provided to the Code Enforcement Officer for a sign permit application:
1. Name, address, contact information, and signature of the applicant.
 2. Name, address, and signature of the building and/or property owner (if not the applicant).
 3. Dimensions and drawings indicating the size, shape, construct, materials, and layout of the sign(s).
 4. Site plan and elevations indicating the proposed location and size of the sign(s) to scale.
 5. Any additional site and/or sign information as requested by the Code Enforcement Officer.
- B. Situations Not Requiring a Sign Permit.** The following situations shall not require the issuance of a sign permit provided such maintenance, changes, or alterations do not in any way alter the physical size, design, or nature of the sign.
1. The repainting, repairing, changing of parts, and maintenance of signs.
 2. A change in the message of a sign.
 3. Repainting of supports and sign area.

- C. **Planning Board Review.** New developments subject to review and approval by the Planning Board, at the request of the applicant, may have proposed signage reviewed and approved as part of the special permit or site plan review process. In the event of such review, all required sign permit application materials shall be provided to the Planning Board as part of the complete application.
- D. **Alteration.** Any sign for which a permit has been issued shall not be modified, relocated, altered, or replaced, unless an amended or new sign permit is obtained from the Code Enforcement Officer.
- E. **Expiration.** A sign permit shall expire if the sign for which the permit has been issued is not fully constructed within one hundred eighty (180) days from the date of issuance of the sign permit.
- F. **Revocation.** The Code Enforcement Officer or designee may, at any time for a violation of this regulation, issue a notice of violation. A written notice of the violation including all reasons for the violation shall be mailed to the property and/or building owner. Said violation must be corrected within 30 days of the date of notice, otherwise the sign permit shall be revoked and the sign in question shall be required to be removed.

120-40.3 MEASUREMENT

A. Sign Area.



Figure 1: Letters & Sign Boards

The area of signs made up of individual copy shall be measured by the largest shape or combination of shapes that encompass it (above). While signs on sign boards or shall be measured by the entire backdrop or structure (below).

- 1. Single Sign Face. The area of a sign shall be computed by means of the smallest square, circle, rectangle, triangle, or geometric combination thereof that will encompass the extreme limits of the writing, representation, emblem, graphic, and/or other display, together with any material, backdrop, or structure on which it is placed (see Figure 1).
- 2. Multi-Faced Signs. In the case of a multi-faced sign only one side of the sign is considered in determining sign area if the sides of the sign are back-to-back or diverge at an angle of forty-five (45) degrees or less.
- 3. Structural Support Not Included. The supporting structure or bracing of a sign shall not be computed as part of the sign area, unless such supporting structure or bracing is made a part of the message with the inclusion of any text or graphics. If such is the case, a combination of regular geometric shapes which can encompass the area of said text or graphics shall be included as part of the total sign area computation.

B. Sign Height.



- 1. Freestanding Sign. The height of a freestanding sign shall be calculated by measuring the vertical distance between the top part of such sign or its structure, whichever is highest, to the elevation of the ground directly beneath the center of the sign (see Figure 2).
- 2. Other Signs. The height of an awning, projecting, suspended, wall, or window sign shall be determined by measuring the vertical distance between the top part of the sign face or structure, whichever is highest, to the bottommost edge of the sign face (see Figure 1).
- 3. Structural Support Included. Any material whose major function is to provide structural support for a sign shall be considered part of the sign for purposes of determining sign height.

120-40.4 REGULATIONS APPLICABLE TO ALL SIGNS



Figure 2: Freestanding Sign Height
The height of freestanding ground (above) or pedestal (below) sign shall include the distance from the topmost edge of the sign to the elevation of the ground beneath it.

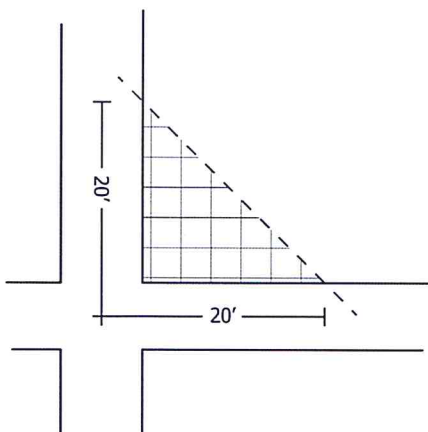


Figure 3: Clear Sight Triangle
No sign higher than three feet shall be placed within the designated clear sight triangle.

A. Safety Provisions. All signs shall be designed, constructed, and located in accordance with the following criteria to protect the general health, safety, and welfare of the public.

1. No sign shall be erected in such a manner as to obstruct free egress from a window, door or fire escape or to become a menace to life, health or property.
2. No sign shall be erected at or near any intersection of streets, alleys, or railways in a manner that obstructs free and clear vision for pedestrians, bicyclists, and motorists.
3. No sign shall be of a shape or color that may be confused with any authorized traffic control device.
4. No rotating beam, beacon, or flashing illumination resembling an emergency light shall be used with any sign display.
5. The erection of any sign and its supports, including any wiring and/or electrical components utilized therein, shall be consistent with the general accepted standards and practices of the NYS Building Code.
6. The erection of any sign, its supports, wiring, or other structural and/or electrical elements may be subject to inspection and approval by the Code Enforcement Officer.

B. Design and Construction. All signs shall be designed and constructed in accordance with the following criteria:

1. All signs shall be constructed of permanent, weather resistant, and durable materials, except for banners, flags, temporary signs, and window signs otherwise in conformance with this Article.
2. Where applicable, signs shall be supported by sign structures that are designed to resist wind pressures, dead loads, and lateral loads in accordance with the appropriate provisions of the NYS Building Code. All sign supports shall be reviewed as part of the sign design.
3. All sign lettering shall be permanently affixed to the sign. Manual changeable copy signs shall be enclosed and locked. Electronic changeable copy signs are subject to the regulations set forth in Section 120-40.9.
4. No permanent sign may be constructed of untreated or unpainted wood, sandblasted metal, or other unfinished material.

C. Location. All signs shall be so located in accordance with the following standards:

1. Signs shall not be erected within nor project into any public right-of-way, unless otherwise specified within this Article. Signs must be located on private property and comply with the dimensional and setback requirements herein.
2. Off-premise signs are prohibited, except for billboards as regulated in Section 120-40.10. All signs, except temporary signs, shall be located on the site being promoted, identified, or advertised.
3. All signs, unless otherwise noted within this Article, are to be setback at least five (5) feet from any property line.

D. Visibility at Intersections. No sign or any part of a sign exceeding three feet in height, other than a supporting pole or brace no greater than 18 inches in width or diameter, shall be located within the designated clear sight triangle of any intersecting streets. The clear sight triangle shall be defined by the triangle formed by the center lines of the intersecting streets measured 20 feet outward from the point of intersection of said center lines along such center lines (see Figure 3).

E. Illumination. All signs shall be illuminated in accordance with the following standards:

1. Light sources for illuminated signs shall not be of such brightness as to constitute a hazard to pedestrians or motorists and shall be shielded so as not to cast an illumination of more than two (2) foot-candles on adjacent nonresidential properties or more than one-tenth (0.1) foot-candle on adjacent residential properties.
2. Uplighting, or the illumination of signs from a light source below that of the sign face, shall be permitted for ground signs only.
3. Intermittent illumination or illumination which involves movement or causes the illusion of movement resulting from the arrangement of lighting, is prohibited, except as regulated for electronic changeable copy signs (Section 120-40.9).

F. Maintenance and Repair. All signs shall be maintained in safe and good structural condition, in compliance with all applicable building and electrical codes, and in conformance with this Article at all times. Such maintenance includes replacement of all defective bulbs, parts, materials, painting, repainting, cleaning, replacement of copy, and other acts required for maintenance of such sign. If any sign does not comply with these standards, the Code Enforcement Officer may require its removal.

G. Public Property. Signs shall not be posted on public property or within a public right-of-way, unless otherwise stated in this Article or approved by the Code Enforcement Officer.

H. Obsolete Signs. Any sign that no longer advertises or identifies the current or permitted use of the property must be removed within thirty (30) days after written notification from the Code Enforcement Officer.

I. Removal of Signs.

1. Where required by this Article, the removal of signs shall be the sole responsibility of the sign owner and/or sign permit holder. If said sign is not removed within 30 days of the date of written notice by the Code Enforcement Officer, the Code Enforcement Officer or their designee is authorized to affect its removal.
2. The Code Enforcement Officer may remove any temporary sign or sign not requiring a permit that is found to be in violation of this Article. The property and/or sign owner shall subsequently be given written notice of such sign removal. If the sign is not claimed within 10 days of the written notice, the Code Enforcement Officer may dispose of said sign.
3. Any costs incurred for the removal of a sign shall be fully reimbursed to the Town of West Seneca by the sign owner and/or sign permit holder. Such costs may be placed on the tax roll for collection by the Town.

120-40.5 SIGNS AUTHORIZED WITHOUT A PERMIT

The following types of signs may be erected in the Town without obtaining a sign permit. Although permits are not required for these signs, they shall conform to all other requirements of this Article or may be subject to removal by the Code Enforcement Officer per Section 120-40.4(I).

- A. Directional Signs.** Signs that provide direction to pedestrians, bicyclists, or motorists shall not require a sign permit provided the following conditions are met. Such signs may include, but are not limited to signs providing direction to parking, restrooms, walkways, entrances, or exits.
1. Directional signs shall be located entirely on the property to which they pertain and shall not contain a commercial message (e.g. business name).
 2. The total of directional signs on any one property shall not exceed an area of six (6) square feet in a residential district, or 16 square feet in a nonresidential district.
 1. Directional signs shall not exceed four (4) feet in height.
 2. Directional signs shall not be illuminated.
 3. Directional signs may not extend above the first floor of any given structure or project beyond property lines.
 4. Directional signs shall be setback at least a five (5) feet from all property lines.
 5. Directional signs shall not impede the traffic or visibility of pedestrians, bicyclists, or motorists.
- B. Signs on Gasoline Pumps.** Signs attached to a gasoline pump shall not require a permit provided they do not exceed six (6) square feet in area.
- C. Governmental Signs.** Any official sign, public notice, or warning sign supported by federal, state or local law, including but not limited to signs erected and maintained pursuant to and in discharge of any government functions. (Example: NYS inspection station or authorized repair shop identification). There are no size requirements or time limits for governmental signs.
- D. Historical Signs.** Signs such as cornerstones, commemorative tablets, and historical markers, provided that said signs are less than six (6) square feet in area and not illuminated.
- E. Home Occupation Signs.** Any home occupation permitted by the Town may have one sign without a permit provided it does not exceed six (6) square feet in area and four (4) feet in height. The sign shall not be illuminated.
- F. Internal Signs.** Signs within a building not legible from the public right-of-way or adjacent lots, or any sign within an enclosed outdoor space, such as an athletic field, where such sign is not legible beyond the property lines.
- G. Lawn Signs.** A single lawn sign shall be allowed on any lot without a permit provided it is in conformance with the regulations below.
1. The sign does not exceed three (3) feet in height and six (6) square feet in area.
 2. The sign is not displayed for more than 30 days in a 90-day period.
 3. The sign is not illuminated.
 4. The sign maintains at least a five (5) foot setback from all property lines.
 5. The sign does not impede the traffic or visibility of pedestrians, bicyclists, or motorists.
- H. Noncommercial Signs on a Residential Property.** Any sign on a residential property that does not contain a commercial message shall not require the issuance of a sign permit, provided such sign is in conformance with the following:
1. There shall be no more than one (1) sign per dwelling unit.
 2. A sign shall not exceed three (3) feet in height and six (6) feet in area.

3. The total square footage of all signs on a single lot shall not exceed 12 square feet.
 4. The sign is not illuminated.
 5. The sign maintains at least a five (5) foot setback from all property lines.
 6. The sign does not impede traffic or visibility of pedestrians, bicyclists, or motorists.
 7. The sign is not attached to any permanent building or structure.
- I. Sandwich Board Signs.** Sandwich board signs shall not require a permit provided the following conditions are met:
1. There is no more than one (1) sign per lot.
 2. The sign is not illuminated.
 3. The sign does not exceed six (6) square feet in area.
 4. The sign does not exceed (6) feet in height.
 5. The sign does not impede pedestrian or motorist traffic or safety.
 6. The sign is brought in each day at the close of business.

120-40.6 PROHIBITED SIGNS

The following signs are prohibited within the Town:

- A. Signs for which no sign permit was issued or for which a sign permit has been revoked.
- B. Signs that are not properly maintained, considered structurally unsound, hazardous, or otherwise unsafe. The Town reserves the right to remove any sign considered to be a danger to the public health, safety, or welfare without notice to be held for a period of ten (10) days. If the sign is not claimed within that time, it shall be discarded.
- C. Signs that contain words or pictures of an obscene or pornographic nature.
- D. Signs that emit audible sounds, odor, or visible matter.
- E. Signs placed on a curb, sidewalk, hydrant, utility pole, trees or other objects located on or over any public street unless otherwise permitted. The Town reserves the right to remove any sign placed on public property without notice to be held for a period of ten (10) days. If the sign is not claimed within that time, it shall be discarded.
- F. Signs that may be confused with a traffic control sign, signal or device or the light of an emergency or road equipment vehicle or hide from view any traffic or street sign, signal, or device.
- G. Signs that flash, blink, rotate, or revolve, or utilize unshielded lighting devices or reflectors to outline or provide the background of a sign.
- H. Signs that are animated or utilize full motion or video technology.
- I. Signs that are mounted on wheels or mounted on any structure on wheels.
- J. Signs with mirrors or any other reflective material.
- K. Portable signs that are permanently displayed.

- L. Banners, pennants, windblown or inflated signs that are permanently displayed.
- M. Roof signs, obsolete signs, and off-premise signs, except for billboards as provided for in Section 120-40.10.
- N. Signs painted directly on an exterior wall.

120-40.7 TEMPORARY SIGN REQUIREMENTS

- A. **Permit Required.** Temporary signs, as defined in Section 120-40.13, shall require the issuance of a sign permit by the Code Enforcement Office. No more than one (1) temporary sign may be permitted per lot or use at any given time. Temporary signs shall be permitted in all zoning districts.
- B. **Requirements.** Any proposed temporary sign shall conform to the following:
 - 1. Such sign shall not exceed four (4) feet in height and 32 square feet in area in any nonresidential district.
 - 2. Such sign shall not exceed four (4) feet in height and 16 square feet in area in any residential district.
 - 3. Such sign shall not be displayed for more than 30 days in a 90-day period.
 - 4. Such sign shall not be illuminated.
 - 5. Such sign shall not extend above the first floor of any given building and do not project beyond property lines.
 - 6. Such sign shall maintain at least five (5) foot setback from all property lines.
 - 7. Such sign shall not impede the traffic or visibility of pedestrians, bicyclists, or motorists.
- C. **Banners or Pennants.** For the purposes of this Article, banners or pennants shall be permitted as temporary signs. No banner shall be displayed over any sidewalk, Town street or highway except upon approval by the Town Board. A public liability bond or policy in the sum of at least \$50,000 shall be furnished for each banner which extends across a sidewalk, street or highway.

120-40.8 SIGN PROVISIONS BY ZONING DISTRICT

- A. **Residential Districts.**
 - 1. No lot or use shall have more than one sign type, as provided for in Section 120-40.12.
 - 2. The illumination of signs in residential districts is prohibited.
 - 3. The use of electronic changeable copy in residential districts is prohibited.
- B. **Nonresidential Districts.**
 - 1. No use or lot shall have more than two sign types, as provided for in Section 120-40.12.
 - 2. Where multiple operations or uses are located on a single lot, such as, but not limited to, industrial centers, business parks, or shopping plazas, each use shall be permitted two signs of any type in addition to one freestanding sign for the lot.
 - 3. Window signs shall not be included in the count of total allotted signage for any lot or use.

120-40.9 ELECTRONIC CHANGEABLE COPY SIGN REGULATIONS



Figure 4: Digital Signs

Electronic changeable copy may only be used for up to 75% of the face of any sign.

The use of electronic changeable copy within a sign, in whole or in part, is permitted in any district other than a residential district. Any use of electronic changeable copy shall be in accordance with the following:

- A. Electronic changeable copy shall not be utilized in any wall sign, suspended sign, awning sign, or window sign.
- B. The area of electronic changeable copy shall not exceed 75% of the area of the face of the sign to which it is attached (see Figure 4), except for digital billboards as provided for in Section 120-40.10.
- C. Signs with electronic changeable copy shall display static messages with no animation, no effects simulating animation, and no video.
- D. Any change in electronic copy shall occur no more than once every 30 seconds. Each transition shall be accomplished immediately with no fade, scroll, travel, flash, spin, revolve, shake or include any other type of movement or motion.
- E. Electronic changeable copy signs shall be shut off at the close of business.
- F. Signs with electronic changeable copy shall be equipped with photosensitive equipment that is programmed to automatically adjust the brightness and contrast of the sign in direct relation to the ambient outdoor illumination. Maximum brightness levels for electronic changeable copy signs shall not exceed a limit of 465 lumens per square foot in the daytime and 26 lumens per square foot after sundown. The brightness levels shall be measured from a distance of no more than five (5) feet from the sign face.
- G. Signs shall be programmed or set in such a manner that the display will turn dark and emit no light in case of malfunction.
- H. No signs with electronic changeable copy shall be located within 500 feet of a residentially zoned property as measured in a straight line from the location of the sign to the nearest residential property line.

120-40.10 BILLBOARDS

A. Size Requirements.

1. No billboard shall exceed a height of 35 feet above ground level as measured from the elevation of the ground at the center of the sign to the topmost edge of the sign face.
2. The maximum sign area for any one billboard shall be 380 square feet inclusive of any border and trim, but excluding the base or pedestal.
3. For the purposes of this Article, a back-to-back billboard shall be considered one sign area.

B. Location.

1. Billboards shall only be permitted within the M-1 and M-2 Zoning Districts of the Town.
2. No billboard shall be erected in the Union Road Corridor as defined by Section 120-70 of this Chapter.

3. No billboard shall be located within 500 feet of a residential district or the property line of any public or private school.
4. No billboard shall be located within 1,250 feet of any other billboard as measured from the center of each sign.
5. Billboards shall observe the same required setback for buildings within the zoning district it is located, or 15 feet, whichever is greatest.
6. Billboards attached to a building shall be only upon the front or face and must be constructed and maintained flat or parallel to the building wall to which they are attached and shall not extend more than 12 inches from such exterior wall.
7. No billboard shall be erected in such a manner as to block the view, from the road or street, of any existing business sign, logo sign, or residential or nonresidential structure.

C. Appearance and Design.

1. The general ground area surrounding any billboard must be kept free and clear of weeds, debris, trash and other refuse.
2. Billboards may utilize electronic changeable copy and/or video technology provided the minimum duration of a message is at least 8 seconds. All transitions of messages and/or graphics shall occur instantaneously with no movement or flashing.
3. No billboard structure or sign face shall move, flash, or emit noise. No display lighting shall cause distraction, confusion, nuisance or hazard to traffic or aircraft.
4. Digital billboards with electronic changeable copy and/or video technology shall be equipped with photosensitive equipment that is programmed to automatically adjust the brightness and contrast of the sign in direct relation to the ambient outdoor illumination. Maximum brightness levels for billboards shall not exceed a limit of 465 lumens per square foot in the daytime and 26 lumens per square foot after sundown as measured from the edge of the nearest public street or roadway.
5. Billboards shall be programmed or set in such a manner that the display will turn dark and emit no light in case of malfunction.
6. No billboard shall be constructed which resembles any official marker erected by any governmental agency or which by reason of position, shape, or color conflicts with or obscures the proper functioning of any traffic sign or signal.

120-40.11 NONCONFORMING SIGNS

- A. Compliance.** All nonconforming signs shall be removed or brought into compliance within three years of the adoption date of this Article.
- B. Discontinuance.** Any nonconforming sign that is removed from its position or siting and not replaced in-kind within 30 days shall be presumed to be abandoned and discontinued and may not be restored or re-erected except in compliance with this Article.
- C. Alteration.** No nonconforming sign may be altered in any way that would increase its nonconformity with the regulations of this Article, including but not limited to area, height, setback, and illumination.

Repair. Nothing herein shall be deemed to prevent maintaining a nonconforming sign in good repair and safe condition.

120-40.12 REGULATIONS BY SIGN TYPE

The following tables outline the requirements for various sign types that may be proposed for installation within the Town. The tables permit each type of sign by the zone in which it is located. For the purposes of this Article, the Union Road Corridor shall be considered a "zone" as defined by Section 120-70 of this Chapter.

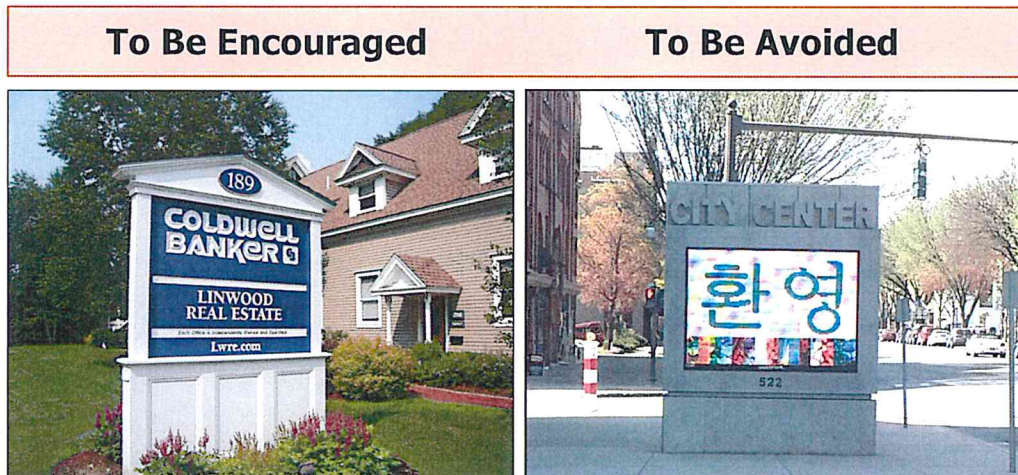
A. Ground Signs.

GROUND SIGN: A sign not attached to any building or structure, which may be supported by one or two columns or posts provided the distance between the ground and bottommost edge of the sign is no greater than three (3) feet.

ZONE	Residential Districts	Commercial Districts	Manufacturing Districts	Union Road Corridor
Maximum #	1 per lot	1 per lot	1 per lot	1 per lot
Maximum Area	8 square feet	32 square feet	32 square feet	32 square feet with 10 foot setback; OR 24 square feet
Maximum Height¹	3 feet	15 feet	15 feet	15 feet
Minimum Setback²	5 feet	10 feet	10 feet	0 feet; 10 feet for larger sign area
Illumination	Not Permitted	Permitted	Permitted	Permitted

NOTES:

- (1) Measured from the elevation of the ground at the center of the sign to the topmost edge of the sign.
- (2) Measured from the nearest edge of the sign to the front or side lot line.



B. Pedestal Signs.

PEDESTAL SIGN: A sign not attached to any building or structure supported by one or two columns or posts with a distance exceeding seven (7) feet from the ground and the bottommost edge of the sign.

ZONE	Residential Districts	Commercial Districts	Manufacturing Districts	Union Road Corridor
Maximum #	Not Permitted	1 per lot	1 per lot	Not Permitted
Maximum Area	-	40 square feet	40 square feet	-
Maximum Height ¹	-	25 feet	25 feet	-
Minimum Setback ²	-	10 feet	10 feet	-
Illumination	-	Permitted	Permitted	-

NOTES:
 (1) Measured from the elevation of the ground at the center of the sign to the topmost edge of the sign.
 (2) Measured from the nearest edge of the sign to the front or side lot line.



C. Wall Signs.

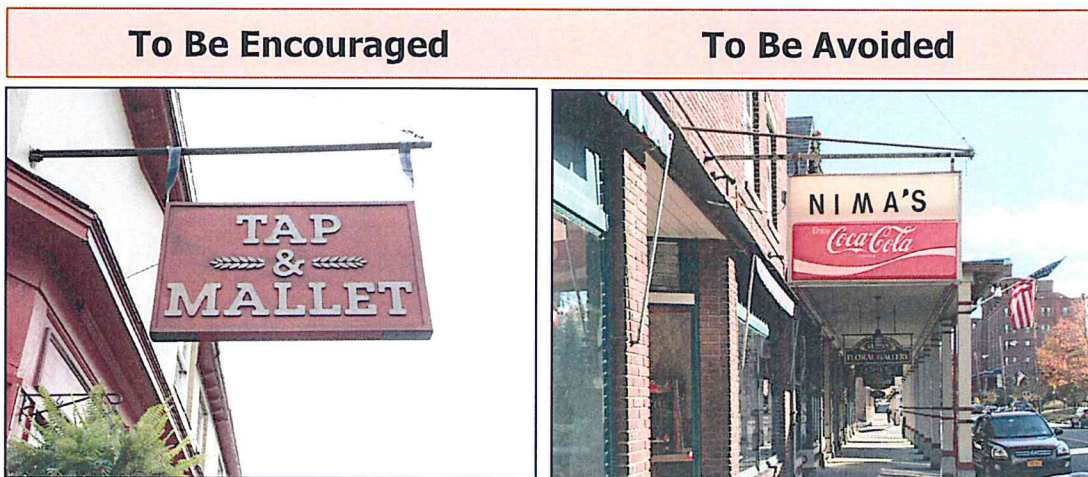
WALL SIGN: Any sign fastened to a building or structure that does not project more than 12 inches from the façade.				
ZONE	Residential Districts	Commercial Districts	Manufacturing Districts	Union Road Corridor
Maximum #	1 per structure	1 per facade	1 per façade	1 per façade
Maximum Area	6 square feet	10% of the façade	10% of the façade	10% of the façade
Maximum Height	2 feet	5 feet	5 feet	5 feet
Illumination	Not Permitted	Permitted	Permitted	Permitted



D. Projecting Signs.

PROJECTING SIGN: A sign wholly or partly dependent upon a building or structure for support which projects more than 12 inches, but less than 40 inches from the façade.				
ZONE	Residential Districts	Commercial Districts	Manufacturing Districts	Union Road Corridor
Maximum #	Not Permitted	1 per use	1 per use	1 per use
Maximum Area	-	8 square feet	8 square feet	8 square feet
Maximum Height	-	3 feet	3 feet	3 feet
Minimum Clearance¹	-	9 feet	9 feet	9 feet
Illumination	-	External Only	External Only	Not Permitted

NOTES:
 (1) Measured from the elevation of the ground directly beneath the center of the sign to the bottommost edge of the sign.



E. Suspended Signs.

SUSPENDED SIGN: A sign attached to and supported by the underside of a horizontal plane.				
ZONE	Residential Districts	Commercial Districts	Manufacturing Districts	Union Road Corridor
Maximum #	Not Permitted	1 per use	1 per use	1 per use
Maximum Area	-	8 square feet	8 square feet	8 square feet
Maximum Height	-	3 feet	3 feet	3 feet
Minimum Clearance¹	-	9 feet	9 feet	9 feet
Illumination	-	External Only	External Only	Not Permitted

NOTES:
 (1) Measured from the elevation of the ground directly beneath the center of the sign to the bottommost edge of the sign.

F. Awning Signs.

AWNING SIGN: A sign that is part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor area.				
ZONE	Residential Districts	Commercial Districts	Manufacturing Districts	Union Road Corridor
Maximum #	Not Permitted	1 per awning	1 per awning	1 per awning
Maximum Height ¹	-	18 inches	18 inches	12 inches
Illumination	-	Backlit Only	Backlit Only	Backlit Only

NOTE:
 (1) As measured by the height of any shape fully encompassing all graphics and/or type. Said sign shall only be permitted on the bottommost edge of the canvas, fabric, or other material to which it is applied.



G. Window Signs.

WINDOW SIGN: A sign which is applied or attached to the exterior or interior of a window or is installed inside of a window within 12 inches of the window through which it can be seen.

ZONE	Residential Districts	Commercial Districts	Manufacturing Districts	Union Road Corridor
Maximum # ¹	-	None	None	None
Maximum Area	-	Up to 100% of the window area	Up to 100% of the window area	Up to 20% of the window area
Illumination	-	Not Permitted	Not Permitted	Not Permitted

NOTE:
 (1) Window signs shall not be included in the count of total allotted signage for any lot or use.



120-40.13 DEFINITIONS

The following terms and definitions shall apply to this Article for the purposes of administration and enforcement. All other terms shall be interpreted as defined by Article IX (Definitions) of this Chapter.

COMMERCIAL MESSAGE — Any message where the primary purpose of which is the commercial advertisement or promotion of a commercial product, event, or service (including content on an Internet website operated for a commercial purpose).

SIGN — Any object, device, display or structure, or part thereof, situated outdoors that is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including but not limited to words, letters, figures, designs, symbols, fixtures, colors, illumination or project images. "Signs" shall also include all sign structures. A sign for the purposes of this Chapter does not include the following:

1. A flag or emblem of any nation, organization of nations, state or city, or any fraternal, religious or civic organization;
2. Merchandise, pictures or models of products or services incorporated in a window display;
3. Official notices issued by any court or public office or officer in the performance of a public or official duty;
4. Traffic control signs as defined in the NYS Vehicle and Traffic Law; and
5. Works of art, including murals, that do not contain any commercial message, logo, graphic, or trademark.

SIGN TYPE — The design and/or structure of a sign as identified below.

1. SANDWICH BOARD SIGN — A freestanding sign that is comprised of two sign faces diverging at a 45 degree angle from their adjoining edge.
2. AWNING SIGN — A sign that is part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor area.
3. BANNER — A temporary sign composed of lightweight canvas-like material, which can be attached to a structure or suspended by attachment at each end.
4. BILLBOARD — An off-premise sign designed to be viewed from streets, roads, and/or highways and meeting industry standards for design and construction.
5. DIRECTIONAL SIGN — Any sign that is designed and erected for the purpose of traffic or pedestrian direction or control. Such a sign shall not carry a commercial message.
6. FREESTANDING SIGN — A sign not attached to, dependent upon, or supported by a building, including ground signs, pedestal signs, and portable signs.
7. GROUND SIGN — A sign not attached to any building or structure, which may be supported by one or two columns or posts provided the distance between the ground and bottommost edge of the sign is no greater than three (3) feet.
8. LAWN SIGN — A sign not exceeding three (3) feet in height and six (6) feet in area constructed of materials not intended for permanent installation that are attached to a single or multiple posts for support and stuck into the ground. The height of a lawn sign shall include any posts or supports. Political campaigns, garage sales, and charitable events, for example, are often advertised with lawn signs.
9. MARQUEE SIGN — A permanent sign that extends from and across part or all of a building edifice and is constructed of durable materials including metal, glass or plastic and upon which a changeable message may be placed.
10. OFF-PREMISE SIGN — A sign that directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than where such sign is located. This shall not include billboards.
11. ROOF SIGN — Any sign erected upon, against or directly above a roof or on top of or above the parapet of a building.
12. PEDESTAL SIGN — A sign not attached to any building or structure and is supported by one or two columns or posts with a distance exceeding seven (7) feet between the ground and the bottommost edge of the sign.
13. PROJECTING SIGN — A sign wholly or partly dependent upon a building or structure for support which projects more than 12 inches, but less than 40 inches from the façade.
14. SUSPENDED SIGN — A sign attached to and supported by the underside of a horizontal plane.
15. TEMPORARY SIGN — A sign which is not intended to be used for a period of time exceeding 30 days and is not attached to a building, structure, or ground in a permanent manner. Such signs usually being constructed of poster board, cardboard, masonite, plywood, or plastic material and mounted to wood, metal, wire or rope frames or supports.
16. WALL SIGN — Any sign fastened to a building or structure that does not project more than 12 inches from the façade.

17. WINDOW SIGN — A sign which is applied or attached to the exterior or interior of a window or is installed inside of a window within 12 inches of the window through which it can be seen.