

THE TOWN OF BARRINGTON SIGN LAW

Local Law #1 of 2010

Be it enacted by the Town of Barrington as follows:

Intent and purpose.

The purpose of this law is to regulate the construction, maintenance and placement of signage in the Town of Barrington to protect the health, safety and welfare of the general public while maintaining and preserving the rural character of the town in keeping with the Town of Barrington's Comprehensive Plan.

Definitions:

Billboard:

Any sign related to a business or profession conducted, or to a commodity or service sold or offered, upon premises other than where such a sign is located.

Political Sign:

A sign which by its content promotes or supports or opposes a candidate or candidates for any public office or which advocates a position on upcoming ballot proposition(s).

Sign:

Any material, structure or device, or any part thereof, composed of lettered or pictorial matter, or upon which lettered or pictorial matter is placed, when used or located out of doors for display of advertisement, announcement, notice, directional matter or name, and includes sign frames, billboards, signboards, painted wall signs, hanging signs, illuminated signs, projecting signs or ground signs, mobile signs and shall also include any announcement, declaration, demonstration, display, illustration, logo, monogram or insignia used to advertise or promote the interests of any person or business when the same is placed in view of the general public. The sign area shall also include any background of a different color or material.

Temporary Sign:

A sign related to a single activity or event having a duration of no more than 30 days. No sign shall be hereafter constructed, erected or otherwise established, moved, altered or maintained within the limits of the Town of Barrington unless specifically herein permitted or unless a permit has been obtained in compliance with the provisions of this law.

Regulations applicable to all districts:

1. Maintenance: Signs must be constructed of durable materials and maintained in good

condition. If allowed to become dilapidated, they shall be repaired or removed within 30 days, by direction of the Code Enforcement Officer. The Code Enforcement Officer may remove a sign immediately and without written notice if, in his/her opinion, the condition of the sign is such as to present an immediate threat to the safety of the public.

2. Height of signs:

- a. No sign located on the roof of any building shall be higher than the height limit for such building.
- b. No freestanding sign shall be higher than 20 feet above the ground.

3. Sign Location:

Signs and lighting devices must be arranged so that they do not interfere with traffic control devices or shine onto or into neighboring residences. All signs must be located so that they do not constitute a traffic hazard, and shall not interfere with visibility along roads. They must comply with state and county regulations when located along state or county roads.

No sign shall be so located as to obstruct the vision of motor vehicles or horse and buggies or wagons entering or leaving any highway, driveway or right-of-way or within traffic lanes of any parking area.

No signs will be allowed within any highway right-of-way (except state approved signs where New York State Department of Transportation regulations are in effect).

NYS Department of Health has control over signage at public beaches, swimming areas and docks.

Freestanding signs or signs attached to fences at approximately eye level, no larger than 2 square feet, warning the public against hunting, fishing, trespassing, dangerous animals, swimming or the like are permitted.

4. Lighting:

- a. Lighting shall be focused directly on the sign which it is intended to illuminate, and shall be shielded so that the direct light beams from the light source shall not cast light on or into neighboring properties or result in light pollution..

- b. An illuminated sign, using the word "open", may be operational only when a commercial business is open for business, provided it has no more than two colors, is no greater in size than three (3) square feet, faces the public right-of-way. Only one such sign per premises is permitted.

- c. No sign shall be illuminated by or contain flashing, intermittent, rotating or moving light or lights.
- d. Signs illuminated from within may be turned on only during the hours the business is open.
- e. Neon or LED signs are only permitted inside the building.

5. Content:

Signs shall be informative, enhance the character of the community, and shall be consistent with the Comprehensive Plan and promote only one business or event.

A. Signs permitted in all Districts:

1. Nameplates and Identification Signs:

- a. One (1) non-illuminated nameplate sign, situated within the property lines and bearing only the name of the principal occupant and/or the street number if a private dwelling and not larger than two (2) square feet in area on each side, or four (4) square feet total area on two (2) sides.
- b. One (1) non-flashing sign identifying a property name, a farm, church or synagogue, residential subdivision or housing complex, public building, park or playground, or other such permitted use on such property, not exceeding 20 square feet area on one side, with no more than 2 sides, and located not less than ten (10) feet from any street, road, right-of-way or property line.
- c. When a property has frontage on Keuka Lake, one house number sign, no larger than two (2) square feet in area on one side, is encourage and permitted to be attached to the waterside of a dock that meets the Dock and Moorings Law standards so that the property can easily be found from the water in the case of an emergency.
- d. Such signs may be located in any front or side yard.

2. Real Estate Sales, Lease or Rental or Open House Signs:

- a. A temporary non-flashing sign pertaining to the rental, lease, sale, construction, or open house in regard to sale of the lot or building on which it is placed. Such a sign shall be located within property lines and shall not exceed four (4) square feet area on one side or eight (8) square feet total area of both sides, and shall be removed within fourteen (14) days after rental, lease, sale or construction is completed.

b. Not more than two (2) such signs shall be placed upon any property unless such property fronts upon more than one street or road, in which event, two (2) more signs may be erected on each additional frontage.

c. Such signs may be located in any front or side yard. If the property has lake frontage one additional sign may be placed along the lakeshore.

d. Off premises signs advertising an Open House or giving directions from a public road right-of-way to a property offered for sale are permitted subject to the size standards established in a. above, and as follows:

1) No more than two off premise signs shall be allowed per property that is for sale unless the property has lake frontage in which case one additional sign is permitted as long as it is placed along the lakeshore.

2) No more than one directional sign per realty company shall exist at any public road intersection directing traffic in a single direction. In other words, if there are two properties for sale on a given road by a single realty company, only one sign directing traffic down that road is permitted. Such directional signs shall be no larger than six (6) square feet in size.

Such directional signs shall be located outside the limits of a public road right-of-way. If located on private property, written permission of the landowner is required.

3) A freestanding sandwich sign or open for inspection sign shall be permitted only for the period commencing 48 hours prior to and during those hours which said property is actually available for public inspection, and located on said property. Sign must be removed immediately at the end of the open house.

B. Commercial Signs (Permit required) :

1. Location: A free-standing advertising sign directing attention to a business or profession located on the same lot as the sign shall not be located within the highway or road right-of-way.

2. Size: Such sign shall not exceed fifty (50) square feet on one side, or 100 square feet total area on two (2) sides including any sign roof or decorative trim.

3. Quantity: In addition to the free-standing advertising sign, one non-flashing sign may be erected which relates to the building use on the same premises. Such

sign shall not exceed 20 square feet in area on one side or a total of 40 square feet in area if free standing.

4. Off premise signs directing potential customers to a business shall be no larger than 50 square feet. No more than two such signs are permitted.

5. Directional signs indicating entry and exit drive access to a property or business shall be no more than three (3) feet in height and with each face measuring no more than 12 inches in height and 2 feet in length with no more than 6 inch high lettering of either the word 'ENTER' or 'EXIT' and a short arrow indicating direction of vehicular travel. Signs shall be located outside the road right-of-way.

6. A sign denoting the architect, engineer, contractor or financing institution placed on the premises where construction, repair or renovation is in progress, shall not exceed 16 square feet in area with printing on both sides. It shall be removed within 7 days following the completion of construction. Such sign shall be confined to the site of the construction.

7. Billboard signs shall require a special use permit. They shall only be permitted on Route 14A and shall be permitted only for businesses located within the Town of Barrington.

8. Sign should promote no more than one (1) business or event.

C. Temporary Signs:

Temporary signs erected for any purpose (agricultural produce sales, garage sales, real estate sales etc.) shall comply with all the requirements listed above and, in addition, shall not be erected more than seven (7) days prior to the event, sale etc. and shall be removed within seven (7) days after the termination of such event, sale, transaction, etc.

D. Preexisting Signs:

Preexisting signs that do not comply with this regulation shall be brought into conformity herewith upon any:

1. Change of ownership of the premises;
2. Change of activity advertised except multi tenants;

3. Failure to maintain such sign as required herein;
4. If there is destruction or damage of said sign it may be rebuilt or restored within six months time as a nonconforming sign if restored with no larger than the same area and height, design and location and with an improved general layout as that of the original sign. Planning Board approval will be required to the extent of nonconformity is increased and the Board may impose conditions on such approval if such conditions would improve an otherwise bad situation and bring the nonconforming sign into greater compliance with these regulations.
5. Creation of a hazard or disturbance to the health and welfare of the general public as determined by the Code Enforcement Officer.

No nonconforming sign shall be enlarged, reconstructed, structurally altered or changed in any manner, nor shall it be worded so as to advertise or identify any use other than that in effect at the time it became a nonconforming sign.

E. Application for Permit:

Application for permit shall be made in writing to the Code Enforcement Officer upon forms prescribed and provided by the Code Enforcement Officer. It shall include any fee such as may be prescribed by the Town Board of the Town of Barrington and shall contain the following information:

1. The name, address and telephone number of the applicant.
2. The location of the building, structure or land to which the sign is to be erected.
3. A detailed drawing or blueprint showing a description of the construction, mounting and electrical details of the sign and showing the letter and/or pictorial matter composing the sign; the position of lighting or other extraneous devices; a location plan showing the position and colored rendering of the sign on any building or land, and its position in relation to nearby buildings or structures and its interrelationship with the surrounding area.
4. Written consent of the owner of the building, structure or land to which or on which the sign is to be erected, in the event that the applicant is not the owner.
5. A copy of any required or necessary electrical permit issued for said sign or a copy of the application therefore.
6. A copy of any required state approvals or permits if applicable.

7. The estimated net cost of sign, including the cost of installation.
8. Eight copies of the application and one of which must be a colored rendering shall be submitted to the Code Enforcement Officer at least 14 days prior to the meeting of the Planning Board at which it is to be considered.

F. Review and Appeal:

Any person aggrieved by any decision of the Code Enforcement Officer relative to the provisions of this ordinance may appeal such decision to the Zoning Board of Appeals, as provided in the Zoning Law of the Town of Barrington and shall comply with all procedural requirements prescribed by such Zoning Board of Appeals.

G. Penalties for Offenses:

If, after notice of a violation of this law by the Code Enforcement Officer, any person shall continue to willfully violate or cause to be violated or assist in the violation of any provision of this law, shall be subject to conviction of a violation as defined in the Penal Law of the State of New York and shall be subject to a fine of not less than \$100 nor more than \$250 or by a sentence of imprisonment not exceeding 15 days, or by both such fine and imprisonment. Each week that such violation continues shall constitute a separate offense.

The term “person,” as used in this section shall include any owner, occupant, mortgagee, tenant, vendee in possession, assignee of rents, receiver, executor, trustee, lessee, agents or any other person, firm or corporation directly or indirectly in control of a building, property or part thereof.