

Notice is hereby given that the following ordinance was duly adopted at a regular meeting held on November 21, 1983

SIGN ORDINANCE

83 - 1

Pursuant to Article 20 of the Village Law of the State of New York, the Village Board of the Village of Tannersville, County of Greene does hereby repeal Sign Ordinance 79-1 and does hereby adopt the following Sign Ordinance.

Section 1. Legislative Intent:

The Village of Tannersville recognizes that unregulated construction of signs within the Village of Tannersville are a detriment to the general welfare of the citizens of the Village. In order to preserve the nature and character of the Village and the rural, natural setting it is necessary to regulate the construction of signs.

Section 2. Definitions:

1. "Village" shall mean the Village of Tannersville.
2. "Sign" shall mean any sign, poster, painting, leaflet, flyer or advertising papers constructed, erected, affixed or placed upon any building, pole or any land within the Village of Tannersville.
3. "Lights or lighting" shall mean any lights which are part of any sign or any lights used to illuminate any sign.

Section 3. Permit Required:

No sign may be constructed, erected, affixed or placed within the Village without a permit for the construction, erection, affixing or placing of said sign to be used by the Village Clerk prior thereto.

Section 4. Applications for Sign Permit:

1. The Village of Tannersville will, at the Village Office have available applications for sign permits. Said application is to be filled out by the landowner and/or tenant occupying the premises upon which said sign is to be constructed or placed.
The application shall contain the following:
 - a. Name and address of landowners and tenant (if applicable)
 - b. A complete description of the business being conducted on the premises.
 - c. A sketch, to scale, indicating
 1. The location of the sign on the property,
 2. Distances from all property lines,
 3. Distances from any street or road,
 4. The height and dimensions of the sign,
 5. Any words, pictures or messages to be included within said sign.
 - d. Whether said sign shall be lighted or unlighted.
2. An application fee of \$25.00 will be paid upon submitting said application. If the permit is not issued, \$15.00 shall be refunded to the applicant.
3. The Village Board at its next regular meeting (provided said application is received by the Village Clerk at least seven (7) days prior thereto, shall act upon the issuance of a permit.

All sign permits are subject to the approval of the State of New York Dept. of Transportation

Section 5. Certain Signs Prohibited:

The construction, erection, affixing and placing of certain signs or type of signs is prohibited. These signs include but are not limited to the following:

1. Signs with moving, revolving, flashing or intermittent lights or lights of varying intensity.

2. Signs with reflecting or reflective devices.
3. Portable signs.
4. Signs which are not permanently and immovably affixed to real property so as to constitute a fixture.
5. Signs or lights which are so placed with respect to roadways as to be capable of causing a hazard to motor vehicle and pedestrian traffic.
6. Signs advertising any business, endeavor, product, event which is not the principal business conducted upon said real property.

Section 6. Size, Location and Aesthetics of Signs and Lights:

1. Signs which are constructed or placed on any building, pole or real property so as to extend out from said building or pole and being perpendicular thereto shall not be greater 4 feet by 8 feet.
2. Signs which are affixed to buildings or real property which are parallel thereto and do not protrude or extend from said building and are flush against said building shall not be greater than 10 feet by 10 feet.
3. Signs and lights shall not be placed in such a manner so that they may cause undue distractions to drivers, pedestrians or adjoining landowners.
4. Signs shall be constructed so as to reasonably conform to the nature and character of the rural area of the proposed location of the sign.

Section 7. Violations:

1. Whenever a sign or light has been erected or is being maintained in violation of this Ordinance, the Village Board shall cause notice of such violation, specifying, as nearly as possible, location of the sign or light and the nature of the violation to be served upon the owner of said real property and the operator of any business thereon. In addition a copy of such notice shall be served upon the owner of such sign if his name and address is clearly thereon. Said notice shall specify a time within which said sign shall be removed or brought into compliance with the Village Ordinance which time shall not be longer than seven (7) days from the date of said notice.
2. If the property owner or owner of said sign shall not remove said sign or bring it into compliance with this ordinance, the Village Board may cause its agent or employee to enter upon the property where such sign or light is and remove the same. No action for trespass or damages shall lie (i.e. based on the entry upon private property) against the Village or an authorized agent or employee of the Village of Tannersville engaged in carrying out any provisions of this law. The costs of removal of said sign shall be borne solely by the property owner, tenant and/or sign owner. The Village may seek the repayment of any and all expenses including attorneys' fees through any civil remedy now available to the Village or the Village may add the cost of removal and any other reasonable costs associated therewith to the real property assessment as a special assessment to be collected together with annual real property taxes.

Section 8. Additional Penalties:

Any person, partnership or corporation constructing, erecting, affixing or placing any sign or lighting device prohibited hereby shall be guilty of an offense, conviction of which shall be punishable by a fine of \$50.00 for each and every day such sign or lighted device is maintained in violation of this ordinance.

Section 9. Variances:

The Village Board in its sole discretion and for good cause may grant a variance to any provision herein. Variances may also be granted for signs placed in conformance with New York State Department of Environmental Conservation and Department of Transportation requirements for signs along state highways and within the Catskill Park.

Section 10. Severability:

In the event that any part of this law shall be deemed unconstitutional pursuant to the Constitution of the United States or the State of New York, only that section or portion thereof shall be invalid and the remaining sections shall be unaffected thereby.

Section 11. Village Sign Ordinance 79-1 is hereby superseded and repealed.

Section 12. Effective Date; This ordinance shall take effect immediately.

Nov. 21, 1983

Adeline Merwin
Club Treasurer

NOTICE IS HEREBY GIVEN THAT AN AMENDMENT OF THE SIGN ORDINANCE WAS ADOPTED AT A REGULAR MEETING HELD ON JULY 23, 1985 TO READ AS FOLLOWS:

1. Section 3 is amended by adding the following sub-section:
 1. The alteration of any sign whether now existing or hereafter erected except for painting shall require a permit pursuant to the terms of this Ordinance. Furthermore, from the effective date of this Ordinance, all signs, as defined herein then being maintained, situated, erected or located in the Village shall require a permit pursuant to the terms of this Ordinance.
2. Section 5 is amended by adding the following sub-section:
 7. Signs containing moveable letters capable of casual manipulation.

Adeline Merwin
Club Treas.

dated:

7/23/85

NOTICE IS HEREBY GIVEN, that after a Public Hearing was duly held on the following proposed ordinance on December 3, 1979.

AND WHEREAS no objections were raised, the following ordinance becomes law of the Village of Tannersville:

SIGN ORDINANCE

79 - 1

Pursuant to Article 20 of the Village Law of the State of New York, the Village Board of the Village of Tannersville, Greene County, New York.

Section 1. Legislative Intent. The Village of Tannersville recognizes that the use of moving or lighted signs or lighting devices which flash or are the source of intermittent or moving lights, signs that are portable, and signs that employ movable letters accessible to unauthorized persons, or alternatively, elements of the weather, are a detriment to the public. Such signs or lighting devices are capable of distracting motorists and are often unsightly and degrade the natural beauty of the Village. Portable, towable signs are easily moved by pranksters or by the operation of the natural elements and may thereby constitute an obstruction to traffic and a danger to motorists. Signs which employ movable letters which are accessible to unauthorized persons, or may be altered by the natural elements, also are unsightly and distracting to motorists and are frequently the objects of vulgar and obscene writing by pranksters.

Section 2. Prohibition of certain signs and lighting devices. No outdoor signs or lighting devices shall be erected or maintained within the Village of Tannersville which contain or consist of one or more of the following:

- a. Any moving lights or light reflecting devices.
- b. Any flashing or intermittent lights or lights of varying intensity.
- c. Any letters, numerals, or symbols which are accessible to casual manipulation by unauthorized persons.
- d. Any moving or revolving part.
- e. Any sign or lighting device which is so placed or situated with respect to any public highway or road that any light emanating therefrom causes or is capable of causing any glare, reflection, or distraction so as to constitute a nuisance or hazzard to traffic.
- f. Any sign which is not permanently and immovable affixed to realty so as to constitute a fixture.

Section 3. Penalties. Any person, partnership or corporation erecting or maintaining any sign or lighting device prohibited hereby shall be guilty of an offense, conviction whereof shall be punishable by a fine of twenty-five dollars (\$25.00). Each day any such sign or lighting device is maintained in violation of this ordinance shall be deemed a separate offense.

Section 4. Nonconforming signs and lighting devices. Nonconforming signs or lighting devices in use in the Village of Tannersville on the effective date of this ordinance must be altered so as to conform with the provisions of this ordinance or be removed from the Village of Tannersville prior to February 11, 1980.

Section 5. Effective date. This ordinance shall take effect immediately.

By Order Of The Village Board,


Adeline Merwin, Clerk

Amended 7/23/85