

(Please Use this Form for Filing your 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.

County  
City of Tannersville  
Town  
Village

Local Law No. 1 of the year 19 85

**COPY**

A local law SIGN LAW  
(Insert title)

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

County  
City of Tannersville as follows:  
Town  
Village

Section 1. Legislative Intent:

The Village of Tannersville recognizes that unregulated construct 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:

1. 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.
2. The alteration of any sign now existing except for painting thereof shall require a permit pursuant to the terms of this Local Law and said sign shall comply with all the terms of this Local Law.
3. All signs as defined herein now in existence shall, within two (2) years from the effective date of this Local Law then being maintained, situated or located in the Village must comply with the requirements of this Local Law and obtain a permit as required herein.

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.

(If additional space is needed, please attach sheets of the same size as this and number each)

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 Department of Transportation.

Section 5. Certain Signs Prohibited:

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

1. Signs with moving, revolving, flashing or intermittent light or lights of varying intensity.
2. Signs with reflecting or reflecting 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 roadway 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.
7. Signs containing moveable letters capable of casual manipulation.

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 than 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 Local Law, the Village Board shall cause notice of such violation, specifying, as near 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 the Said notice shall specify a time within which said sign shall be removed or brought into compliance with the Local Law 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 Local Law, 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 Local Law.

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 requirement for signs along state highways and within the Catskill Park.

Section 10. Severability:

In the event that any part of this Local 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. Effective Date:

This Local Law shall take effect immediately upon filing with the Secretary of State of the State of New York.

DATE

10/31/85