

Town of Conklin

1271 Conklin Rd. P.O. Box 182 Conklin, NY 13748
Ph. (607) 775-4114 Fax (607) 775-1434

Office Use Only	
Permit #	_____
Fee	_____
Date	_____

SIGN PERMIT APPLICATION

GENERAL INSTRUCTIONS

Applicant must fill in all information relative to the work. The checklist of requirements for this permit if any must be completed and included with this application submittal. Note: Separate applications may be required for multiple items on same parcel.

*****NOTE: SITE PLANS AND SIGN RENDERING ARE REQUIRED AND MUST ACCOMPANY THIS APPLICATION*****

PROPERTY LOCATION

BCTM# _____ Property Owner of Record _____
Address _____
Zoning District _____

*Total Square Feet of ALL signs CURRENTLY on this property _____

ADDITIONAL SITE LOCATION INFORMATION

APPLICANT YES NO

Name of Business _____
Name of Business Owner _____
Address _____
City _____ State _____ Zip _____
Contact Person _____ Email Address _____
Phone # _____ Fax # _____
Mobile Phone # _____ Alternate # _____

SIGN CONTRACTOR INFORMATION

APPLICANT YES NO

Company _____
Address _____
City _____ State _____ Zip _____
Contact Person _____ Email Address _____
Phone # _____ Fax # _____

SIGN TYPE NEW REPLACEMENT

Ground Roof Wall
 Non-Lighted Lighted / how _____ (Internal/Spots/Halo/Other)

Ground Sign Information:

Front Setback _____ Side Setback _____ Height _____

Further Description: _____

Material _____ (Wood/Plastic/Resin/Metal/Other)

Size of Sign _____ X _____ Square Footage _____

SIGN TYPE NEW REPLACEMENT

Ground Roof Wall
 Non-Lighted Lighted / how _____ (Internal/Spots/Halo/Other)

Ground Sign Information:

Front Setback _____ Side Setback _____ Height _____

Further Description: _____

Material _____ (Wood/Plastic/Resin/Metal/Other)

Size of Sign _____ X _____ Square Footage _____

APPLICATION CERTIFICATION AND ACKNOWLEDGEMENT

Application is hereby made to obtain a permit to do the work and installations as indicated. I certify that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction. I certify that all the foregoing information is accurate. I understand that a separate inspection is required for electrical.

I further acknowledge the following:

- Issuance of a permit may be subject to conditions and is subject to time limitations.
- Issuance of a permit is not authorization to violate public or private restrictions.
- Failure to comply with applicable construction regulations may result in the withholding of Certificate of Compliance or future permits.
- Submission of any false information or misrepresentation is a violation of law and may result in permit revocation.

Signature _____
Owner (or agent if any)

Signature _____

Print Name _____

Code Officer _____

- A. A drainage plan is submitted which has the approval of the County Health Department.
- B. Parking space at the ratio of one space for each one machine is provided.
- C. Any other appropriate regulations by the Zoning Board of Appeals.

ARTICLE XVII

Signs

[Adopted 6-14-1988 by L.L. No. 3-1988]

§ 140-99. Purpose and intent.

The regulation of signs in the Town of Conklin by this article is intended to provide standards for the placement and installation of signs, compatible with the physical environment and aesthetic purposes, to preserve the value of property, to promote the health, safety and public welfare of the community and to reduce the distractions, obstructions and hazards caused by the indiscriminate placement and use of the signs. This article is written with the understanding that properly regulated signs perform a rightful and needed function as mediums of identification and public information. It is further determined that the regulations contained in this article are the minimum amount of regulation necessary to achieve this purpose.

§ 140-100. General sign regulations.

The following regulations shall govern all signs in the Town of Conklin:

- A. No sign shall be permitted which is animated by means of flashing, blinking, scintillating or traveling lights or any means not providing constant illumination. Public service information signs such as time/weather information and other electronic message centers classified as changeable copy signs are permitted.
- B. No sign or any portion thereof shall be permitted which rotates or moves. This section is not meant to prohibit any form of vehicular signage, such as a sign attached to a bus or lettered on a vehicle.
- C. No sign shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window or fire escape.
- D. Back-to-back signs shall be counted as one sign and measured as if there were only one face.
- E. No person shall park any vehicle or trailer or place a sign which is portable or temporary in nature on a street, public property or private property which has attached to it any sign or advertising device for the basic purpose of directing people to a business or activity located on the same or other premises. This section is not meant to prohibit any form of vehicular signage, such as a sign attached to a bus or lettered on a vehicle.
- F. No sign shall be placed on any curb, sidewalk, post, pole, hydrant, tree or other surface located on public property.

- G. No sign shall bear or contain statements, words or pictures of any obscene or pornographic nature.
- H. No signs shall emit sounds or odors.
- I. No business or advertising signs shall be permitted which may be confused with a traffic control sign, signal or device or the light of an emergency or road equipment vehicle or bear the words "stop," "go slow," "caution," "danger," "warning" or other similar words or hide from view any traffic or street sign, signal or device.
- J. Banners, pennants, search lights, sandwich board signs, sidewalk or curb signs and balloons are prohibited. Banners, pennants and sandwich board signs shall be permitted at the opening of a new business in a C-N, C-G or I-L District for a total of 30 days, after which time they shall be removed.
- K. In no event shall an illuminated sign be placed or directed so as to permit the beams and illumination therefrom to be directed upon any adjacent public or private premises, so as to cause glare or reflection that may constitute a nuisance or traffic hazard. No illumination sign located on a lot adjacent to or across the street from any residential district shall be illuminated between the hours of 11:00 p.m. and 7:00 a.m., unless the use to which the sign pertains is open for business during those hours.
- L. The construction and structural components of all signs and their support structure shall be in accordance with the standards and regulations of the New York State Uniform Fire Prevention and Building Code.

§ 140-101. Permitted signs in residential districts and Agricultural-Rural Districts.

- A. The following business signs shall be permitted in residential districts and Agricultural-Rural Districts as hereinafter, provided that:
 - (1) One announcement or professional sign not to exceed two square feet in area may be erected in conjunction with a customary home occupation.
 - (2) One sign, not to exceed six square feet, to announce for sale or rent real property or any part thereof upon which said sign is located.
 - (3) One sign or announcement for each church, institutional, recreational or other public use, provided that said sign shall not exceed 16 square feet in area.
 - (4) One sign, not to exceed six square feet, for each tourist home.
 - (5) One temporary real estate development sign, not to exceed 36 square feet, directing attention to the opening of a new subdivision. Such sign shall require a permit issued by the Code Enforcement Officer, pursuant to § 140-110 of this article. Said permit shall be issued for a period of 12 months and may be renewed only for an additional twelve-month period upon application.
- B. No advertising sign shall be permitted in any residential district or Agricultural-Rural District. Advertising signs may be allowed in Town parks or areas zoned as recreation areas, in locations and sizes specifically designated by the Town Board and subject to the

issuance of a special permit by the Town Board for such signs. [Amended 11-26-1991 by L.L. No. 3-1991]

- C. Directional or information signs shall be permitted in any residential district or Agricultural-Rural District. Such signs shall not exceed two square feet in area. Said signs may be used for the purpose of stating the name or location of a town, hospital, community center, church, school or the name or place of meeting of a public service or civic organization. No advertising matter shall be contained on signs of this type.
- D. No roof signs shall be permitted.
- E. No sign or any part thereof shall be closer than eight feet to any lot line nor exceed a height of eight feet.

§ 140-102. Permitted signs in commercial and industrial districts.

A. Business ground signs.

- (1) Lots with street frontage 60 feet or less.
 - (a) Only one ground sign support structure is permitted on the lot and the total area of ground signs on such support shall not exceed a total of 60 square feet.
- (2) Lots with street frontage more than 60 feet.
 - (a) Only one ground sign support structure is permitted on the lot and the total permitted ground sign area may be increased one square foot for each linear foot by which said street frontage exceeds 60 feet, up to a maximum of 100 square feet.
- (3) Lots with street frontage more than 300 feet.
 - (a) Where a lot has in excess of 300 feet of frontage, one additional ground sign support structure may be erected on the lot separate from any other ground sign or sign support structure. The total permitted ground sign area on each support structure shall not exceed 100 square feet.
- (4) All ground signs shall set back 10 feet from any lot line as measured from the edge of the sign nearest the lot line.
- (5) No ground sign or any part thereof shall be erected to exceed a height of 30 feet above the level of ground upon which its support rests.

B. Business roof signs.

- (1) Location. Roof signs shall be permitted on principal buildings. Roof signs shall not be permitted on accessory buildings.
- (2) Support structure. All signs shall be erected in such a manner so as to minimize the visibility of the main support structure visible from off the lot. Each roof sign shall be secured to the building by steel or other metal anchors, bolts, supports,

rods or braces. Each roof sign, including the upright supports and braces, shall be constructed entirely of nonflammable materials.

- (3) No roof sign shall exceed six feet in height and in no event shall the height of a building and the roof sign exceed the building height limitation set forth for the district in which it is located.
 - (4) Only one roof sign shall be erected for each principal building and the total sign area shall not exceed 60 square feet.
 - (5) Sloping roof signs. Sloping roof signs shall be considered a business roof sign. Such signs can be attached flush to the sloping roof or extended upward perpendicular to the street. The sign shall not be higher than the top of the sloping roof.
- C. Directional or informational signs. These shall be permitted in all districts but shall not exceed two square feet in area. Directional signs may be used for the purpose of stating the name or location of public buildings, community facilities (i.e., schools, church, hospital, civic organizations, others). Informational signs may be used to direct attention to a commercial or industrial property which may not be otherwise readily visible to the general public. Informational signs used for this purpose shall be blue in color with white lettering. An informational sign may have its own support structure, which shall not exceed 10 feet in height. There shall be no more than two support structures per lot for informational sign purposes. More than one informational sign may utilize the same support structure. The square footage of an informational sign and the existence of its support structure shall not be included in the computation of permissible signs and support structures under Subsection A, Business ground signs. Maintenance and repairs of informational signs shall remain the responsibility of the commercial or industrial entity which has been granted the permit for the informational sign. No advertising matter shall be contained on signs of this type. [Amended 4-3-1996 by L.L. No. 1-1996]
- D. Business projecting sign.
- (1) Each projecting sign shall have two surfaces. The area of advertising space shall not exceed a total of 50 square feet for each face or surface.
 - (2) The distance measured between the principal faces of any projecting sign shall not exceed 18 inches.
- E. Business wall signs.
- (1) Location. Wall signs shall only be permitted on two sides of a principal building. Wall signs shall not be permitted on accessory buildings.
 - (2) Number of signs. More than one sign is permitted on a building side, but the total area of the wall signs on each side of the building shall not exceed 25% of the respective wall area or 100 square feet, whichever is smaller. Unused area from one side of a building may not be added to another side of the building.

- (3) Individual lettering. Where individual letters are to be affixed to a building, the sign area shall be determined as the sum of the area, in square feet, of the smallest geometric figures which would enclose the individual letters.
 - (4) Signs painted on walls. Signs painted directly onto a wall shall be measured as the area in square feet of the smallest geometric figure that would enclose the painted words, emblems, logos, illustration and other sign elements on the wall.
 - (5) Wall sign height. The height of the sign(s) shall not exceed 50% of the building height, as measured by the average height of the side of the building on which the sign(s) are located.
 - (6) No wall sign shall cover wholly or partially any wall openings, nor project beyond the ends or top of the wall to which it is attached.
- F. No advertising sign shall be permitted in any commercial district, Neighborhood Commercial District or industrial district.

§ 140-103. V-type signs.

All signs may be single-faced or double-faced. On double-faced and/or V-type signs, the angle at the vertex of the sign shall not exceed 5°.

§ 140-104. Freestanding letters or numerals.

Signs consisting of freestanding letters, numerals or other representation shall be considered wall or roof signs, whichever is applicable. Sign area shall be measured as the area in square feet of the smallest geometric figure that would enclose the freestanding letters, numerals or other representation and any intervening spaces.

§ 140-105. Wind pressure and load requirements.

All signs and other advertising structures shall be designed and constructed to withstand a wind pressure of not less than 30 pounds per square foot.

§ 140-106. Sign maintenance.

- A. Maintenance and repair. Every sign shall be maintained in a safe, presentable and good structural condition at all times by the replacement of defective parts, painting, repainting and other acts required for the maintenance of the sign.
- B. Abandoned signs. Any sign which is located on a property which becomes vacant for a period of three months or more shall be deemed to have been abandoned. Permanent signs applicable to a business temporarily suspended because of a change in ownership or management of the business shall not be deemed abandoned unless the property remains vacant for a period of one year. An abandoned sign is prohibited and the sign shall be removed by the owner of the premises upon which the sign is located.

- C. Dangerous or defective sign. No person shall maintain or permit to be maintained on any premises one owns any sign which is dangerous or in defective condition. Any such sign shall be removed or repaired by the owner of the premises.

§ 140-107. Violations and removal of signs.

- A. The Code Enforcement Officer shall cause to be removed any sign that endangers the public safety, such as abandoned or dangerous signs, defective signs, signs for which no permit has been issued and is required or a sign posted on the public right-of-way or on public property. The Code Enforcement Officer shall prepare a notice which shall describe the sign and specify the violation(s) involved and which will state that if the sign is not removed or the violation not corrected within a minimum of 10 days, the owner of the sign shall be in violation of this article and subject to the fines and penalties set forth in Article XXVII of the Zoning Ordinance of the Town of Conklin and, in addition, the sign may be removed by the Town of Conklin. All notices shall be either personally served or mailed by certified mail.
- B. Notwithstanding the above, in cases of emergency, the Code Enforcement Officer may cause the immediate removal of a dangerous sign without notice. For any sign removed by the Code Enforcement Officer, the cost of the sign removal by the Town of Conklin shall be considered a debt owed to the Town by the owner of the property and may be recovered by an assessment against the property.

§ 140-108. Nonconforming signs.

- A. Any sign, with the exception of the provisions set forth in this section, erected prior to adoption of this article which does not conform with the provisions of this article is permitted to remain as a nonconforming sign, provided that it meets the following requirements:
- (1) The sign was erected under a sign permit or variance prior to the adoption of this chapter.
 - (2) If no sign permit was required for the sign, the sign was in all respects in compliance with the applicable law at the time of erection.
- B. Loss of nonconforming status.
- (1) A nonconforming sign shall immediately lose its nonconforming status if:
 - (a) The sign is altered in any way which tends to make the sign less in compliance with the requirements of this article.
 - (b) The sign is replaced or relocated.
 - (c) The lot or business upon which the nonconforming sign is located is sold, transferred or in any other way conveyed to a new owner.

- (2) On the happening of Subsection B(1)(a), (b) or (c), the sign shall be either immediately brought into compliance with this article and a new permit secured or shall be removed.
- (3) Nothing contained in this article shall relieve the owner of the premises upon which the sign is located from keeping the sign maintained. Any repainting, cleaning or other normal maintenance or repair shall not modify the sign to make it less in compliance with the requirements of this article or it shall lose its nonconforming status.

C. Amortization of nonconforming advertising signs.

- (1) Any advertising sign lawfully existing and erected before the adoption of this article which becomes nonconforming by virtue of the prohibitions against advertising signs contained herein must be removed within five years from the effective date of this article.
- (2) Extension of amortization period. The owner of any advertising sign subject to the provisions of Subsection C(1) above may, upon the running of the five-year period, petition the Zoning Board of Appeals for an extension of time in order to allow substantial recoupment of his investment. The petition must be received by the Zoning Board of Appeals within 10 days from receipt of notification by the owner to remove the sign(s). The petitioner must demonstrate by credible evidence to the satisfaction of the Board that the five-year period is unreasonable as applied to his situation. The petition must contain information showing initial capital investment, amount realized to date, life expectancy of investment, amount depreciated and other pertinent information requested by the Board. Upon good cause shown, the Board may grant an extension of time necessary to allow petitioner to substantially recoup his investment.

§ 140-109. Computation of permissible sign area.

- A. When determining total permissible sign area for any lot, the area of any existing sign and/or signs shall be included in the computation. The total area of existing and/or new signs shall not exceed the requirement as set forth in this article.
- B. When determining the total permissible display area for double-faced or V-type signs, only the dimension of one face or surface shall be used in computing area. The dimension of the larger surface shall be used for said purpose.

§ 140-110. Issuance of a sign permit.

No sign, except as set forth in §§ 140-101A(1), (2) and (3) and 140-111 of this article, in any district shall be erected or altered in physical structure until a sign permit has been approved and issued by the Code Enforcement Officer. All applicants for sign permits shall submit the following:

- A. Name, address and telephone number of applicant.
- B. Location of building, structure or lot to which or upon which the sign is to be attached or erected.
- C. The type, size and location of the proposed sign and the type, size and location of existing signs on the subject lot.
- D. Two blueprints of the plans and specifications and method of construction and attachment to the building or in the ground.
- E. Copy of stress sheets and calculations showing the structure is designed for live and dead load and wind pressure in any direction in the amount required by this article or any ordinance of the Town for signs as requested by the Code Enforcement Officer and for all signs 100 square feet or more.
- F. Name of person, firm, corporation or association erecting structure.
- G. Any electrical permit required and issued for said sign.
- H. Such other information as the Code Enforcement Officer shall require to show full compliance with this article or any other local law of the town.

§ 140-111. Permit exceptions.

- A. The following operations shall not be considered as creating a sign insofar as requiring the issuance of a permit, but the signs shall be in conformance with all other local laws and regulations of the town:
 - (1) Changing the advertising copy or message of an existing approved painted or printed sign, changeable-copy sign or similar approved sign, whether electrical, illuminated, electronic changing-message center or non-illuminated painted message, which are all specifically designed for the use of replaceable copy.
 - (2) Painting, repainting, cleaning or other normal maintenance and repair of a sign not involving structural changes. Replacement of the plastic face will be included as an exempt operation, provided that it is due to a change caused by breakage and/or deterioration of the face, but not for the substitution of a new different advertiser.
- B. Signs permitted in any district without sign permit.
 - (1) Flags and emblems. Flags and emblems of a governmental, civic, philanthropic, educational or religious organization.
 - (2) Governmental signs. Signs erected by a governmental agency or which contain public service announcements of a noncommercial nature.
 - (3) Historical or architectural designation signs. Limited to not more than one wall or ground sign per structure, building or site. Such sign may not be more than two square feet in area.

- (4) Political signs, provided that such signs are not more than 32 square feet in area if located on advertising signs in a commercial or industrial district or eight square feet in area in any district; are limited to not more than one per lot; are located entirely on private property pursuant to the owner's consent; are clearly marked with the name, address and telephone number of the person responsible for the removal of such sign; are erected not more than 60 days prior to any general, special or primary election and are removed within 10 days following such election; and are erected only in the district in which the candidate is running for office.
- (5) Private event signs. Temporary signs advertising private events, such as bingo games, fairs and the like, provided that such signs are no more than 15 square feet in area.
- (6) Private sale signs, provided that such signs are no more than five square feet in area; are located entirely on the premises where such sale is to be conducted or on other private property pursuant to the owner's consent; are clearly marked with the name, address and telephone number of the person responsible for the removal of such sign; are erected not more than 24 hours in advance of such sale; and are removed on the day following the conclusion of such sale.
- (7) Real estate signs. One real estate sign per lot. The sign shall not exceed eight square feet in area per residential lot, 32 square feet in area per commercial lot or 50 square feet in area per industrial lot. Real estate signs shall be removed within two weeks following the sale or rental of the property.

§ 140-112. Fees for permits. [Amended 11-9-1999 by L.L. No. 2-1999]

There shall be a fee charged as provided by resolution of the Town Board for a permit for the erection of a sign.

§ 140-113. Variance procedure.

Where a sign permit is denied by the Code Enforcement Officer, the applicant is entitled to petition the Zoning Board of Appeals for a variance.

**ARTICLE XVIII
Performance Standards**

§ 140-114. Noise.

- A. At no point where the boundary of any industrial district adjoins any residential or commercial district shall the sound pressure level of any individual operation or plant located within any industrial district exceed the decibel levels in the designated octave bands shown below: