

VILLAGE OF WOODBURY BUILDING DEPARTMENT

Office Location: 455 ROUTE 32, HIGHLAND MILLS, NY 10930

Mailing Address: P.O. Box 546, Central Valley, NY 10917

Phone: (845) 928-6911 ext. 51 Fax: (845) 928-7263

Email: buildingdepartment@villageofwoodbury.com

COMMERCIAL SIGN

Revised 06/04/21

Permit Requirements:

1. Building Permit Application:

- a) Submit completed building permit application.
- b) Submit two sets of COLOR renderings of sign.
- c) Submit **TWO** complete set of drawings (**HARD COPIES**), signed & sealed, prepared by a Professional Engineer (P.E.) or Licensed Architect (signed sealed plans not required for a sign reface).
- d) Submit insurances from company performing the work (Liability, NYS Workman's Comp and NYS Disability).
- e) **Submit ONE COPY of ALL of the above on a THUMBDRIVE.**

2. Fee:

Check or Money Order payable to: Village of Woodbury

Cost of Construction:

Fee is based on \$15.00 per \$1,000 cost of construction (rounded to the nearest thousand) including labor & material.

Plus \$100.00 for Certificate of Occupancy Inspection.

3. Inspections Required:

- a) Footing Inspection (Freestanding Signs)
- b) Final Inspection - After electrical inspection by approved inspection agency.

ELECTRICAL INSPECTION by an Approved Inspection Agency is **REQUIRED** (SEE ATTACHED LIST).

It is **YOUR** responsibility to call for a **FINAL INSPECTION** by the Building Inspector in order to receive the C of O.

PLEASE NOTE: BUILDING PERMITS **EXPIRE** TWO YEARS FROM DATE OF ISSUE.

VILLAGE OF WOODBURY, BUILDING DEPARTMENT

Office Location: 455 ROUTE 32, HIGHLAND MILLS, NY 10930

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COMMERCIAL SIGN PERMIT APPLICATION

PERMIT # _____

COST OF WORK: \$ _____
Total cost of labor and materials

APPLICATION FEE: \$ _____
Based on \$15 per \$1,000 of total cost of work,
PLUS \$100.00 fee for Certificate of Occupancy
(Rounded to nearest thousand)
Minimum Fee \$ 115.00

CHECK# _____

APPLICATION IS FOR: SIGN

All Construction Shall Conform to Current New York State Building Codes & Village of Woodbury Zoning Codes

Description of Work: (Including Sizes) _____

PROPERTY DESCRIPTION

Street address: _____

TAX MAP: SECTION – BLOCK – LOT _____ ZONED AS: R - _____

Type of Construction: Wood Metal Concrete Other _____

Present use of property _____

Intended use of property _____ No Change

Sewage Service Village/Town Private (Septic)

Source of Water Village/Town Private (Well or Other)

	NAME	ADDRESS	PHONE#
Owner of Premises:	_____	_____	_____

Applicant: _____

Contractor: _____

EMAIL ADDRESS: _____

Applicant Signature: _____ Date: _____

NOTE: IT IS YOUR RESPONSIBILITY TO CALL FOR INSPECTIONS DURING CONSTRUCTION AND FOR FINAL CERTIFICATE OF OCCUPANCY UPON COMPLETION.

Phone: (845) 928 – 6911 Ext. 51 Fax: (845) 928 7263

This application is hereby:	<input type="checkbox"/> APPROVED	OR	<input type="checkbox"/> DENIED
CONDITIONS:	_____		
COMMENTS:	_____		
DATE:	_____	SIGNED:	_____

RESIDENTIAL

REQUIRED INSURANCE

Liability:

___ Homeowner (DIY'er), Check Home Insurance

___ Contractors, Acord certificate holder must be the Village of Woodbury
\$1 M Gen. Aggregate Limit,
\$1 M Products – Completed &
\$ 500,000 – Each Occurrence

Workers' Compensation:

___ Homeowner (DIY'er) Form BP – 1 (Available from Bldg. Dept.)
<http://www.wcb.ny.gov/content/main/forms/bp-1.pdf>

___ Contractors (No employees) get form (CE – 200) from www.wcb.ny.gov

___ Contractors With Employees: Obtain forms from your ins. carrier:

Form # C – 105.2 or U – 26.3 **OR** Self-Insurance GSI – 105.2 or SI – 12

Disability Benefits:

___ Homeowner (DIY'er) Form BP – 1 (Available from Bldg. Dept.)
<http://www.wcb.ny.gov/content/main/forms/bp-1.pdf>

___ Contractors (No Employees) get form (CE – 200) from www.wcb.ny.gov

___ Contractors With Employees: Obtain forms from your ins. carrier:

Form # DB – 120.1 **OR** Self-Insurance form DB - 155

**BUILDING PERMITS SHALL NOT BE ISSUED
WITHOUT PROPER INSURANCE FORMS**

Required under General Municipal Law §125, & WCL §57 & §220 for
Workers' Compensation and Disability Benefits

(845) 928-6911 ext. 51
(Phone)

VILLAGE OF WOODBURY
BUILDING DEPARTMENT

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(Fax)

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APPROVED ELECTRICAL INSPECTION AGENCIES – **Effective 06/09/2021**

***COMMONWEALTH ELECTRICAL INSPECTION SERVICE, INC.**

James Cocks
1209 Route 17A, P.O. Box 1291
Greenwood Lake, NY 10925

Phone - 845-325-0158
Email - jfcloul@yahoo.com

***ELECTRICAL UNDERWRITERS OF NEW YORK**

Ernie Bello
50 HyVue Drive
Newburgh, NY 12550

Phone - 845-569-1759
Email - ernie@eu-ny.com

John Taylor

Phone - 845-597-5072
Email - chelseat84@gmail.com

***INSPECTIONS ON TIME**

Emmanouil Zervakis
809 Highland Lake Rd.
Middletown, NY 10940

Phone - 845-233-6711
Fax - 845-262-0732
Email - manny@inspectionsontime.com

***N.Y. BOARD OF ELECTRICAL INSPECTORS**

Gerald Caliendo
203 Purgatory Road
Campbell Hall, NY 10916

Phone - 845-294-7695
Fax - 845-294-0026
Email - nybeil@live.com

***NY ELECTRICAL INSPECTIONS & CONSULTING**

John W. Wierl
1 Wedgewood Lane
Middletown, NY 10940

Phone - 845-343-6934
Fax - 845-343-4834
Email - jwierlnyeic@gmail.com

Andrew Traverse

Phone - 845-343-6934
Email - andytraverse92@yahoo.com

***SWANSON CONSULTING INC.**

Joe Swanson
P.O. Box 1361
Northville, NY 12134

Phone - 845-496-4443
Email - service@swansonconsulting.biz

John Hamilton
Adam Frank

Phone - 845-549-0708
Phone - 845-494-6255

***SWITCH-ON-ELECTRIC**

Frank X. Schmaus
P.O. Box 191
Bloomingburg, NY 12721

Phone - 845-733-4926
Email - sgsfxs@hotmail.com

***TRI-STATE INSPECTION SERVICES, INC.**

Victor Ambrosio
P.O. Box 1034
Warwick, NY 10990

Phone - 845-544-2180
Fax - 845-544-7257
Email - theoffice@tristateinspec.com

Village of Woodbury, NY
Wednesday, July 29, 2020

Chapter 310. Zoning

Article V. Supplementary Regulations

§ 310-30. Signs; penalty.

A. Legislative purpose and intent.

- (1) The Board of Trustees of the Village of Woodbury finds that signs are a necessary means of communication that can benefit and detract from the community and neighborhood character. The purpose of this section is to promote and protect the public health, welfare and safety by regulating existing and proposed outdoor signs of all types. It is intended to protect property values, create a more attractive economic and business climate, enhance and protect the physical appearance of the community, preserve the scenic and natural beauty, provide a more enjoyable and pleasing community and promote greater consistency in signage. It is further intended to reduce sign or advertising distractions and obstructions that may contribute to traffic accidents; reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way; provide more visual open space and curb the deterioration of the community's appearance and attractiveness.
- (2) This section is intended to promote attractive and functional signs which clearly present a visual message in a manner compatible with its surroundings. The appearance, character and quality of a community are affected by the location, size, construction and graphic design of its signs. Therefore, such signs should convey their messages clearly and simply to enhance their surroundings. At no time should these provisions be interpreted to regulate any aspect of the content of any sign.

B. Definitions. For the purpose of this section, the following definitions shall apply:

ANIMATED SIGN

Any sign that uses action or motion of lighting to depict action or create a special effect or scene.

ARB

The Planning Board shall act as the Architectural Review Board

AWNING

A roof-like covering consisting of any pliable material attached to a rigid frame.

BANNER

Any sign of lightweight fabric or similar material that is permanently or temporarily mounted to a pole or a building by a semi-permanent frame, string or rope at one or more edges. National flags, state or municipal flags shall not be considered banners.

BEACON LIGHT

Any light with one or more beams, capable of being directed in any direction or directions or capable of being revolved automatically.

BILLBOARD

Any freestanding commercial sign located on a plot or parcel other than that where the advertised business is conducted; also known as off-site or nonaccessory billboard.

CANOPY SIGN

Any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.

CHANGEABLE COPY SIGN/MESSAGE BOARD

Sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign for purposes of this chapter. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a "time and temperature" portion of a sign and not a changeable copy sign for purposes of this chapter.

CONSTRUCTION/HOME IMPROVEMENT SIGN

A temporary sign erected on the premises on which construction is taking place, during the period of such construction, indicating the names of the architects, engineers, landscape architects, contractors and similar persons or firms having a role or interest.

ERECT

To build, construct, alter, repair, display, relocate, attach, hang, place, suspend or affix any sign, including the painting of exterior wall signs.

FREESTANDING SIGN

Any sign not affixed to a building and supported in a permanent manner to the ground including multitenant directory signs.

ILLUMINATED SIGN

Any sign which transmits light through, in or on the sign surface by means of exposed tubing, lamps on its surface or by any other means of illumination, or which reflects light from a source intentionally directed upon it.

LOCATION

Any lot, premises, building, structure, wall or any place whatsoever upon which a sign is located.

MARQUEE

Any permanent roof-like structure projecting over the entrance or outer-door of a building.

MARQUEE SIGN

A sign painted on, attached to, or consisting of interchangeable letters on any surface of a marquee.

MOBILE SIGN or PORTABLE SIGN

Any sign not designed or intended to be anchored to the ground, including but not limited to sandwich boards and A-frame signs.

MURAL

A design/sign applied to and made integral to a wall or surface, which shall include a painting, picture, advertisement or logo.

NEON SIGN

A sign created by glass or plastic tubing incorporating ionic or other discharge of gas shaped and utilized to form all or part of a message.

NONCONFORMING

Any sign that was lawfully erected and maintained prior to the effective date of this section and that does not comply with the requirements herein.

POLITICAL SIGN

A temporary outdoor sign, including stickers and posters, announcing or supporting the name of a candidate for national, state, or local election, including the name of a political party.

PROJECTING OR HANGING SIGN

Any sign other than a wall sign affixed to any building, structure or wall that is wholly or partly dependent upon such building, structure or wall for support whose leading edge extends beyond such building, structure or wall more than 12 inches or is constructed perpendicular to said building or wall.

REAL ESTATE SIGN ON PREMISES

Any sign which is used to offer for sale, lease or rent a property or a portion of the property upon which the sign is located.

REAL ESTATE SIGN OFF PREMISES

Any sign which is used to offer for sale, lease or rent a property or a portion of property in which the sign is located off premises

ROOF SIGN

Any sign in which all or any part extends above the wall of any building or structure where said wall does not extend above the roofline, or any sign erected upon, against or directly above a roof or on top of or above the parapet of a building. In no event shall a sign permitted as defined by "wall sign" extend beyond the actual wall surface.

SIGN

Any display of lettering, numbering, logos, designs, colors, lights or illumination visible to the public from outside of a building, which either conveys a message to the public, or intends to advertise, direct, invite, announce or draw attention to, directly or indirectly, a use conducted, events, goods, products, services or facilities available, and includes sign frames, billboards, signboards, painted wall signs, hanging signs, illuminated signs, pennants, fluttering devices, projecting signs or ground signs, and shall also include any announcement, declaration, demonstration, display, illustration 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.

SIGN HEIGHT

The distance upward measured from the ground elevation to the top of the sign.

SNIFE SIGN

Any sign of any material whatsoever that is attached in any way to utility poles, trees, stakes or fences, or to other objects.

SUBDIVISION OR TRACT SIGN

Any freestanding sign placed at the entrance to a residential subdivision identifying the subdivision. Only one sign per entrance is permitted.

WALL SIGN

A sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign, projecting no more than 12 inches from such building or structure and with the face of the sign parallel to such wall. In no event shall a sign permitted as defined by "wall sign" extend beyond the actual wall surface.

WINDOW SIGN

A sign installed and/or painted on the interior or exterior surface of a window for purposes of viewing from the outside of the premises. This term does not include merchandise located in a window. The area of such signage shall be determined by calculations of total window surface.

C. Permits required.

(1) Except as provided herein, it shall be unlawful for any person to erect, move, alter, redesign, enlarge or reconstruct an existing sign by making a structural change or cause to be erected, moved, altered, redesigned, enlarged, relocated or reconstructed any sign, advertising display or structure, poster or device without first having obtained a permit from the Building Department. Any sign that is to be erected or placed on a building or site shall be required to secure a sign permit and be approved by the Code Enforcement Officer. If signs are proposed in connection with a site plan application, such signs shall be reviewed and approved by the Planning Board under the applicable criteria and shall not require a separate sign permit if constructed pursuant to an approved plan. The following two operations shall not be considered creating a new sign and therefore shall not require a new sign permit:

- (a) Replacing copy: the changing of the advertising or message of an approved sign which is specifically designed for the use of temporary replaceable copy.
- (b) Maintenance: painting, cleaning and other normal maintenance and repair of a sign or a sign structure, unless a structural change is made.

(2) Permit application.

(a) Application for a sign permit shall be made on a form provided by the Building Department, which application shall include:

- [1] The name, address and telephone number of applicant.
- [2] The location of the building, structure or land to which or upon which the sign is to be erected.
- [3] A color photo of the building upon which the sign is to be erected or photo of area a freestanding sign is to be placed.
- [4] The size of the sign, and details of its attachment and hanging or method of securing to the ground.
- [5] The method of illumination, if any.
- [6] The graphic design, including symbols, letters, materials and colors.
- [7] The visual message, text, copy or content of the sign.
- [8] Written consent or a copy of the contract made with the owner of the property upon which the sign is to be erected if the applicant is not the owner.
- [9] Any other such information as the Building Department or reviewing board may require to ensure compliance with this section.

(b) The fees for such application are set forth in Chapter **143** of this Code.

(3) Permit procedure.

(a) Upon the filing of a completed application, the Code Enforcement Officer shall examine the plans, specifications and other data submitted, as well as the premises on which the sign is to be erected or exists. If the sign is in compliance with all the requirements

contained in this chapter, the Code Enforcement Officer shall, within 15 days, issue a permit for the erection of the sign. (The issuance of a permit shall not excuse the applicant from conforming to the other laws and ordinances of the municipality.) If the erection of said sign authorized has not commenced within six months from the date of issuance, the permit shall become null and void, but may be renewed within 30 days prior to the expiration, for an additional six months, upon payment of half of the original fee.

- (b) Appeal from permit decision. In accordance with New York Village Law § 7-712-a(4), an appeal may be taken by any person aggrieved by the Code Enforcement Officer's decision to approve or deny a permit, or by an officer department, board or bureau of the Village.

D. General sign regulations.

- (1) Construction and design guidelines. The following design guidelines are provided to promote consistency and to standardize signs, while allowing them to remain attractive and functional. In addition, under the New York State Uniform Fire Prevention and Building Code, certain signs are considered structures and must comply with electrical standards, anchoring and wind load specifications.

- (a) Signs should be designed to be compatible with their surroundings and should be appropriate to the architectural character of the buildings on or around which they are located.
- (b) Sign panels and graphics should accentuate architectural features and details.
- (c) Signs should be appropriate to the type of activity they represent.
- (d) Layouts should be orderly.
- (e) No more than two typefaces, exclusive of logos, should be used on any one sign. The number of colors used should be kept to a minimum, and should be chosen to create a harmonious appearance at a maximum of four colors on any one sign with the exception of a multitenant directory sign, which permits a maximum of three uniform colors.
- (f) Illumination should be appropriate to the character of the sign and its surroundings.

(2) Sign height and dimensions.

- (a) Freestanding signs. Individual freestanding signs shall not exceed 12 feet in height nor 10 feet in width, except in the IB and LIO districts, where a freestanding sign shall not exceed 25 feet in height or 20 feet in width. The bottom edge of a freestanding sign shall be at least seven feet above the ground elevation when located in an area where it would impede pedestrian mobility and/or impair visibility, as determined by the Code Enforcement Officer. Freestanding signs must be a minimum of 12 feet from the edge of street pavement. Only one freestanding sign shall be permitted on a lot, except as otherwise specified by this chapter.
- (b) Projecting, marquee and canopy signs. The bottom edge of a projecting, marquee or canopy sign shall be at least 10 feet high in an area where it would impede pedestrian mobility and/or impair visibility, as determined by the Code Enforcement Officer. A marquee or canopy sign shall not extend beyond the ends of the marquee or canopy. Projecting or hanging signs shall not extend further than eight feet from the face of building and in no case shall such sign be closer than three feet from the edge of the pavement.
- (c) Sign area.

- [1] The area of a sign shall be computed from the geometric area of the actual sign configuration, be it square, rectangle, circle, oval or other polygon shape. The area shall be measured from the outer dimensions of the frame, trim or molding by which the sign is enclosed where they exist, or from the outer edge of the signboard where they do not exist.
 - [2] Back-to-back or two-sided signs under 18 inches in width having identical messages on each side of the sign shall be calculated by the computation of the area on one side under the appropriate geometric formula provided in this section and such sign shall be considered one sign.
 - [3] Where a sign consists of individual letters, symbols or characters, its area shall be computed as the area of the smallest rectangle which encloses all of the letters, symbols and characters.
 - [4] The area of supporting framework, if any, such as brackets or posts, shall not be included in the area if such framework is incidental in the display.
- (d) Properties shall not be permitted more than two of the following types of signage, as listed on the signage table: wall, projecting, freestanding, multitenant, canopy, and outside marquee.
- (3) Illumination.
- (a) The area, brilliance, character, color, degree, density, intensity, location and type of illumination shall be the minimum necessary for the intended purpose of such illumination, consistent with the legislative purpose and intent of this chapter.
 - (b) All sources of illumination shall be shielded or directed in such a manner that the direct rays are not cast upon any property other than the lot on which such illumination is situated.
 - (c) Illumination shall be steady in nature, not flashing, moving or changing in brilliance, color or intensity.
 - (d) The period of time of illumination shall be the minimum necessary for the intended purpose of such illumination, consistent with the legislative purpose and intent of this law. Illuminated signs must be turned off and extinguished at or before 12:00 midnight of each day, except that such signs as are maintained in connection with a business which is normally open past 12:00 midnight may continue to be illuminated or lighted until closing time, provided that the lighting intensity is reduced by 50% after 12:00 midnight and that such sign is extinguished at closing time. All illuminated signs extinguished as above provided shall remain extinguished until the next regular posted opening hour of the business in connection with which such sign is maintained.
 - (e) Signs shall be illuminated externally or internally with white light.
 - (f) Subject to Architectural Review Board approval, neon signs may be permitted along the Rt. 32 corridor within the HB zone, but only for internal window signs at commercial establishments.
 - (g) No illumination shall be located so as to be confused with traffic control signs, either by color, shape or proximity.

E. Exempt signs. The following signs do not require permits; however, the sponsoring agency shall be guided by the requirements of this Code:

- (1) Signs of or required by duly constituted governmental bodies, including traffic or similar regulatory devices and legal notices, provided that they comply with New York Manual of Uniform Traffic Control Devices.
- (2) Flags or emblems of civic, philanthropic or educational nature, except when displayed in connection with commercial promotion.
- (3) Memorial plaques, cornerstones, and historical tablets erected by public or quasi-public agencies or organizations.
- (4) Signs not visible from outside of the parcel or property upon which they are situated.
- (5) Identification signs posted in conjunction with doorbells or mailboxes, not exceeding a total of 30 square inches in the surface area.
- (6) Address signs. No more than one address sign shall be permitted for each street frontage. No address sign shall exceed two square feet in surface area. Address signs shall show only the numerical/alphabetical address designations (in numbers or script) of the premises upon which they are situated, except that residential address signs may include the name of the family resident therein.
- (7) Cautionary signs, which are less than a one-foot square in size, including but not limited to "danger" or "no trespassing."
- (8) Private signs of a noncommercial nature which are in the public interest, including directional, regulatory, warning or informational signs, including but not limited to "exit," "entrance," "parking" or "one-way." Such signs shall not exceed three square feet each.
- (9) Political campaign signs.
- (10) Pricing of fuel or petroleum products placed on dispensing pumps.
- (11) Construction and home improvement signs, as defined in § 310-30B.
- (12) Window signs.
- (13) Grand opening banner for new business for a maximum of 30 days.
- (14) Real estate signs.
- (15) Mobile signs.

F. Real estate signs.

- (1) Only one sign advertising the sale or rental of the premises may be displayed per road frontage. Such sign shall be no greater than the sign area permitted by signage table. Freestanding signs shall be setback a minimum of five feet from the edge of the pavement and at no time shall such signs impair the vision at an intersection or driveway or impede sidewalk use.
- (2) On-premises, one "open house" sign on private property for sale or lease. "Open house" signs advertising the sale or rental of the premises shall only be displayed between the hours of 10:00 a.m. and 6:00 p.m. on each day that there is an open house. Said signs shall be no greater than four square feet, and shall be located at least five feet from the edge of pavement and at no time shall such signs impair the vision at an intersection or driveway or impede sidewalk use. Said signs must be removed at the end of each day they are displayed.

- (3) Off-premises "Open house" signs. A maximum of six signs on property other than the property for sale or lease providing direction to or advertising of the open house. Such signs shall be displayed only between the hours of 10:00 a.m. to 6:00 p.m. on each day that there is an open house. Said signs shall be no greater than four square feet and at no time shall such signs impair the vision at an intersection or driveway or impede sidewalk use. If it is determined that said signs impair vision for motorists or impede sidewalk use, such sign may be removed by an official government agency (Police Department, Highway Department, Building Department). Said signs must be removed at the end of each day they are displayed.
- (4) There shall be no balloons, pennants, ribbons, spinners or other similar moving, fluttering or revolving devices affixed to such signs.

G. Prohibited signs.

- (1) Billboards, including those billboard-type signs affixed to a motor vehicle, are prohibited in all districts, with the exception of those regulated by the New York State Department of Transportation and the New York State Thruway Authority under New York Highway Law § 88.
- (2) Flashing signs and revolving or beacon lights, including any sign or device on which the artificial light is not maintained stationary and constant in intensity and color at all times when in use, are prohibited.
- (3) Signs which compete for attention with or may be mistaken for a traffic signal are prohibited. No sign shall be erected in such a manner as to obstruct free and clear vision for drivers, interfere with, mislead or confuse traffic or be located where, by reason of its position, shape or color, such sign may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device.
- (4) Roof signs are prohibited.
- (5) Signs with visible moving, revolving or rotating parts, including balloons, pennants, ribbons, streamers, spinners or other similar moving, fluttering or revolving devices are prohibited.
- (6) No signs other than those placed by agencies of the government shall be erected on any public property, unless consent is first obtained from the Village Board.
- (7) Snipe signs, except those which have been permitted by § 176-3E of the Town Code.
- (8) Hand-held or carried mobile advertising signs except in accordance with a court ordered bankruptcy or liquidation.

H. Sign maintenance.

- (1) The owner of a sign and the owner of the premises on which such sign is located shall be jointly and severally liable to maintain such sign, including its illumination sources, in a neat and orderly condition, in good working order at all times, and in such manner to prevent the development of any rust, corrosion, rotting or other deterioration in the physical appearance or safety of such sign.
- (2) Unsafe signs or unsightly, damaged, or deteriorated signs, or signs in danger of falling, shall be put in order or removed upon written notice by the Code Enforcement Officer. Immediate compliance is expected for the repair or removal of unsafe signs. If compliance is not achieved within the time period specified in such notice, the sign shall be repaired or removed by the Village and the costs shall become a lien upon the premises and shall be levied and collected in the same manner and under the same penalties as an assessment of a public improvement.

- (3) Signs shall maintain all clearances from electrical conductors in accordance with the National Electrical Code and from all communications equipment or lines located within the Village of Woodbury. Signs and their supporting structures shall maintain appropriate clearance and must not interfere with any surface or underground facilities and conduits for water, sewage, gas, electricity or communications equipment or lines. Furthermore, placement of signs shall not interfere with natural or artificial drainage or surface or underground water.

I. Abandoned signs.

- (1) Except as provided in this chapter, any sign that is located on property or a place of business which becomes vacant and is unoccupied for a period of 30 days or more, or any sign which pertains to a time, event or purpose which no longer applies, shall be deemed to have been abandoned. An abandoned sign is prohibited and shall be removed by the owner of the premises.
- (2) Upon notification by the Building Department to the property owner upon whose property said abandoned sign exists, said owner shall have 30 days to remove the abandoned sign. Upon failure to remove the sign within this time period, the Village may remove the sign. The cost of such removal shall be paid by the Village, and such amount shall become a lien upon the premises and shall be levied and collected in the same manner and under the same penalties as an assessment of a public improvement.

J. Existing signs and nonconforming signs.

- (1) All signs not in compliance with any provision of this chapter upon its effective date shall be deemed nonconforming.
- (2) A nonconforming sign shall be removed or brought into conformity with the requirements of this chapter upon a change in the type of use.
- (3) A nonconforming sign related to an existing use shall be removed or made conforming prior to the issuance of a subsequent sign permit for such use.
- (4) The relettering, repair, painting or decorating of such signs shall be permitted, but any such sign once removed for purposes other than relettering, repairing, painting or decorating shall be deemed permanently removed and may be replaced only in accordance with the provisions of this section, subject to those regulated by the New York State Department of Transportation and the New York State Thruway Authority under New York State Highway Law § 88.
- (5) Upon a multitenant property where approved sign criteria has been established, a sign may be replaced provided that size and colors comply with the previously approved criteria.

K. **Signage Table.** (See table at the end of this chapter.)^[1]

[1] *Editor's Note: The Signage Table is included at the end of this chapter.*

L. Code Enforcement Officer.

- (1) The provisions of this chapter shall be administered and enforced by the Code Enforcement Officer, who shall have the power to make necessary inspections.
- (2) No sign permit shall be approved by the Code Enforcement Officer except in compliance with the provisions of this chapter.

M. Appeals.

- (1) In accordance with New York State Village Law § 7-712-a, any order, requirement, decision, interpretation, or determination of the Code Enforcement Officer may be appealed to the

Zoning Board of Appeals by any person aggrieved, or by an officer, department, board or bureau of the Village.

- (2) Upon an appeal, the Zoning Board of Appeals may grant a variance from the terms of this chapter, following the procedure set forth in § 310-49.
- (3) Any person aggrieved by a decision of the Zoning Board of Appeals may have the decision reviewed by the Supreme Court of the State of New York in the manner provided by law.

N. Penalties for offenses.

- (1) In the event of a breach of any of the provisions of this chapter, the Code Enforcement Officer shall notify the owner of the premises in writing to remove, repair, or bring the sign into conformance, within 30 days of the date of such notice. Upon failure to comply with any notice within the prescribed time, the Code Enforcement Officer shall remove or cause removal, repair, or conformance of a sign, and all costs and expenses shall become a lien upon the premises upon which the sign is or was located and shall be levied and collected in the same manner and under the same penalties as an assessment of a public improvement.
- (2) Any person, firm, or corporation, whether as owner, lessee, agent, or employee, who violates any of the provisions of this chapter, or who fails to comply with any order or regulation made hereunder, or who erects, moves, or alters any sign in violation of any detailed statement or plans submitted by him and approved under the provisions of this chapter, shall be guilty of a violation as the same is defined in the Penal Law and shall be fined \$250 minimum for each violation. Each day that such violation is permitted to exist shall constitute a separate violation. If any sign is erected, altered, or moved in violation of the provisions of this chapter, proper officials may, in addition to other remedies, take the appropriate actions to prevent such unlawful operation.
- (3) All costs and expenses incurred by the Village of Woodbury in causing the removal or repair of any sign as specified in this section and the enforcement of this chapter, including but not limited to attorneys' fees, shall be collected from the owner of the premises on which such sign is located. Payment shall be made in not less than five days after the receipt of a written demand. Upon failure to make such payment, such costs and expenses shall be assessed against said owner and shall be paid and collected as part of the Village and county tax next due and payable. In addition, the Village may commence any other action or proceeding to collect such costs and expenses.

ZONING

310 Attachment 11

Signage Table

	R3A	R2A	R1A	R0.25A	CR	HB	LC	OP	LIO/IB	
Banner	NP	NP	NP	NP	15 days within 12 months, 30 sq. ft. max.; 30 days grand opening					
Canopy sign	NP	NP	NP	NP	10 sq. ft. max. total	10 sq. ft. max. total	10 sq. ft. max. total	10 sq. ft. max. total	20 sq. ft. max. total	
Construction/home improvement sign	10 sq. ft. max.	10 sq. ft. max.	10 sq. ft. max.	10 sq. ft. max.	10 sq. ft. max.	10 sq. ft. max.	20 sq. ft. max.	20 sq. ft. max.	20 sq. ft. max.	
Freestanding sign (single sign)	4 sq. ft. max. for permitted home occupations (nonilluminated); 15 sq. ft. for any special permitted use									
Freestanding multitenant directory sign (3 or more businesses)	NP	NP	NP	NP	20 sq. ft. max.	Mall identification 10 sq. ft. Per tenant 4 sq. ft. Total signage 32 sq. ft. max.			200 sq. ft. max.; ARB approval required	
Marquee sign	NP	NP	NP	NP	NP	20 sq. ft. max. per side (assuming three-sided)			20 sq. ft. max. per side (assuming three-sided)	
Projecting/hanging sign	NP	NP	NP	NP	10 sq. ft.	10 sq. ft.	10 sq. ft.	10 sq. ft.	20 sq. ft.	
Real estate sign	6 sq. ft. max.	6 sq. ft. max.	6 sq. ft. max.	6 sq. ft. max.	6 sq. ft. max.	6 sq. ft. max.	6 sq. ft. max.	6 sq. ft. max.	20 sq. ft. max.	
Subdivision or tract sign*	20 sq. ft. max.	20 sq. ft. max.	20 sq. ft. max.	20 sq. ft. max.	20 sq. ft. max.	NP	NP	NP	NP	
Wall sign	NP 20 sq. ft. for special permitted uses									
Window Sign	NP	NP	NP	NP	10% of window area	20% of window area	20% of window area	10% of window area	20% of window area	
Mobile and portable signs	NP	NP	NP	NP	8 sq. ft. max. nonilluminated on premises only 4 color max. Between 6:00 a.m. and 8:00 p.m.					
Murals	NP	NP	NP	NP	NP	Planning Board ARB approval required				

NOTES:

NP = not permitted

* Only one sign per entrance, located at such entrance, as permitted.