

# Village of Alden

## SIGN REGULATIONS

### ARTICLE V

#### Signs

[Amended 5-18-2006 by L.L. No. 15-2006]

#### **§ 210-32. Purpose**

The intent of these regulations is to promote and protect public health, welfare and safety by regulating and restricting the location, construction, repair, removal, alteration and maintenance of signs and other advertising devices in the village. It is intended to promote public safety, to protect property values, to create a more attractive economic climate and to enhance the scenic and natural beauty of the village.

#### **§ 210-33. General conditions and regulations. [Amended 6-23-2011 by L.L. No. 5-2011]**

The following requirements will apply to any signs not otherwise provided for in the Article:

- A. Except for those signs specifically identified in § 210-37, §210-38 and §210-39, no sign shall be erected in the Village of Alden without a permit issued by the Code Enforcement Officer.
- B. The provisions and regulations specified herein apply only to exterior signs which are visible from the public right-of-way.
- C. All signs shall be securely attached to a building or a structurally sound support, and their display surfaces shall be kept neatly painted and in good repair at all times.
- D. No illuminated signs or outdoor illumination shall direct light in a way which would create a traffic hazard or nuisance or be unreasonably detrimental to adjoining or neighboring properties.
- E. Except for time and temperature signs, no sign shall be illuminated by or contain a flashing, intermittent, rotating or moving light or lights. Lighting devices shall employ only lights emitting light of constant intensity.
- F. No sign shall project over a public right-of-way or sidewalk.

- G. A flush-mounted building sign shall not project more than twelve (12) inches from the face of the building to which it is attached.
- H. No sign or part thereof shall contain or consist of banners, posters, pennants, ribbons, streamers, spinners or similar fluttering devices.
- I. No sign shall consist of animated or moving parts.
- J. No movable or portable signs shall be permitted to be placed on any premises in the village. Temporary signs approved under § 210-39 are exempt from this provision.
- K. No signs shall be attached to trees.
- L. No signs shall be attached to fences or utility poles for a period of more than seventy-two (72) hours.
- M. No sign shall be erected or maintained upon the roof of any building or structure.
- N. No motor vehicle, mobile home or trailer on which is placed or painted any sign shall be parked or stationed in a manner primarily intended to display the sign.
- O. No sign shall be erected or maintained within the public right-of-way of any street, nor within fifteen (15) feet of the pavement of any public street or within ten (10) feet of any property line unless flush-mounted to a building.
- P. Except when otherwise provided for in this chapter, not more than one (1) sign shall be permitted which advertises a business use or service other than that which exists on the premises on which said sign is located. The primary function of the sign must be to advertise the principal use of the business on the property on which the sign is located.
- Q. The regulations specified herein shall not apply to any sign or directional device erected by any governmental agency, nonadvertising signs identifying underground utility lines or posted or preserve signs erected pursuant to the Environmental Conservation Law of the State of New York.
- R. No sign shall be erected in such a manner as to confuse or obstruct the view of any traffic sign, signal or device.
- S. No sound amplifiers, public address systems or other sound devices shall be used as a means of advertising or to attract attention to a sign.
- T. Awnings, as defined by this chapter, may be permitted, provided that they comply with the following standards and regulations:

- (1) No awning shall extend out more than six (6) feet from the building surface from which it is attached.
  - (2) No awning shall be less than seven (7) feet above the sidewalk or entranceway over which it is attached.
- U. Flower boxes, which extend over or rest on a public right-of-way, shall not extend more than nine (9) inches from the façade of the building to which they are accessory. Flower boxes shall not contain any lettering, logos, or pictorial matter and may not be illuminated, except indirectly.

**§ 210-34. Business uses in R-C, B-1, C-1, C-2 and I-1 Districts. [Amended 6-23-2011 by L.L. No. 5-2011]**

- A. The total area of all signs erected on a single property to advertise a specific business activity of that property, including freestanding and building signs, shall not exceed an area of two (2) square feet for each linear foot of building frontage of the principal structure, measured along the street or off-street parking area, whichever is greater, that provides the principal access for the use.
- B. Directional signs that do not exceed four (4) square feet in sign area and are limited to such texts as “Office,” “Entrance,” “Exit,” “Parking” and “No Parking” shall be excluded from the limitation on the total area of signs permitted.
- C. No freestanding sign shall be more than twenty-five (25) feet in height, measured from the highest level of natural ground immediately beneath the sign to the highest point of the sign or the supporting structure thereof. The Planning Board shall establish the setback for freestanding signs to ensure that such signs do not obstruct the view of motorists or create a nuisance to adjacent properties.

**§ 210-35. Conduct of more than one principal activity.**

- A. Notwithstanding the standard governing the total area of signs permitted to be erected or maintained on any parcel of real property set forth in § 210-34 above, the following standards shall guide the regulation of all signs associated with projects when more than one (1) principal building or business use or activity is proposed to be conducted upon a single parcel of real property, such as in the case of a shopping center, plaza or mall or other multiple commercial use facility or industrial park.
  - (1) A single freestanding sign of up to thirty-two (32) square feet in area and not more than twenty-five (25) feet in height may be erected which identifies the name of the center or facility as a whole and does not advertise any individual business activity.

- (2) One (1) sign identifying individual businesses or uses may be erected for each separate principal activity. Individual business signs may be attached to the face of the building. Such signs shall not exceed the lesser of two (2) square feet of area for each linear foot of store frontage or twenty percent (20%) of the surface area of the building face on which the sign is to be attached.
- (3) In a multiple commercial use facility or industrial park, there may be one (1) directory sign at any location therein which shall not exceed five (5) square feet for each acre of land in such commercial area or industrial park, provided that no such sign shall exceed twenty (20) square feet in area. In addition, at each point of entrance and exit for vehicular traffic into such multiple commercial use facility or industrial park, one (1) other directory sign shall be permitted which does not exceed four (4) square feet for each acre of land in such multiple commercial use facility or industrial park. Such signs shall not exceed a total area of twelve (12) square feet.
- (4) An overall sign design plan for any such center or facility shall be submitted with the application for site plan approval. The sign design plan shall include plans for each principal activity therein and shall reflect a reasonable uniformity of design, lettering and material.

**§ 210-36. Non-business uses in R-O, R-1, R-2 and R-C Districts.**

- A. For multiple-family dwellings, churches, libraries, social clubs, public buildings and other similar uses, a single identification sign not exceeding sixteen (16) square feet in area and indicating only the name and address of the building may be displayed. Signs identifying churches, libraries and other similar public buildings may, in addition to the name and address, include the times that services are provided. Such signs shall not be located closer to any lot line than one-half (1/2) of the required setback nor project more than four (4) feet in height above grade. Illuminated signs shall comply with § 210-31, Artificial Illumination.
- B. No more than two (2) signs advertising the sale, lease or rental of a property may be placed on the site which is available. Said signs shall be removed from the premises within seven (7) days after the property has been leased or title transferred.
- C. A permanent sign may be erected to indicate a subdivision. Said sign shall be approved by the Planning Board.
- D. A sign advertising the sale of property within an approved subdivision may be permitted, provided that said sign does not exceed an area of thirty-two (32) square feet. Said sign shall be located at the entranceway to the subdivision and

may be placed on the property for a period of three (3) years from the time of subdivision approval or thirty (30) days following the sale of the last lot in the subdivision, whichever is first.

**§ 210-37. Off-premises signs. [Amended 6-23-2011 by L.L. No. 5-2011]**

Off-premises signs that advertise a business use or service located on a property other than that of the advertised business use or service shall comply with the following:

- A. Signs shall only be erected on property located in B-1, C-1, C-2 and I-1 Districts.
- B. No vacant property containing an off-premises sign shall have any structure placed upon it until such time said sign has been removed.
- C. No sign on vacant property shall have more than two (2) sides. The maximum size of any one (1) side of a sign shall be one hundred (100) square feet.
- D. The maximum height of any sign on vacant property shall not exceed thirty (30) feet when measured from the ground at the point of the nearest public right-of-way (for these purposes determined to be the shoulder of the road immediately adjacent to the paved portion of the right-of-way) to the top of the sign or structure containing the sign, whichever is higher.
- E. No sign on vacant property shall be located closer than one hundred fifty (150) feet to any public right-of-way and/or any lot line of an adjoining lot located in a B-1, C-1, C-2 or I-1 Zoning District.
- F. No sign on vacant property shall be located closer than three hundred (300) feet to any lot line of an adjoining lot located in an R-O, R-1, R-2 or R-C Zoning District.
- G. The maximum number of signs permitted on any single property shall be one (1) sign.
- H. In the event an off-premises sign is located on property which is not vacant, same shall only be allowed as a temporary sign pursuant to § 210-39 of this code.

**§ 210-38. Signs permitted in all districts without permit.**

- A. The following signs are permitted in all districts without a permit:

- (1) Signs bearing the name of the principal occupant and/or the street address of a private dwelling which do not exceed three (3) square feet in area.
- (2) Professional nameplates which do not exceed three (3) square foot in area.
- (3) Signs advertising the sale, lease or rental of the premises upon which the sign is located, as regulated in § 210-36B and § 210-36D of this code.

**§ 210-39. Temporary signs. [Amended 2-9-2012 by L.L. No. 6-2012]**

A. Temporary signs advertising any educational, charitable, civic, religious or like event may be erected or displayed without a permit for a consecutive period not to exceed thirty (30) days in any calendar year with Village Board approval. Approved signs shall not exceed thirty-two (32) square feet in area. Temporary signs advertising any business use not on the property owned by that business may be erected with a permit for a consecutive period not to exceed thirty (30) days in any calendar year upon the approval of the Village Board. Such sign must meet the conditions set forth in subdivision B herein.

- (1) The actual location of any such sign shall be approved by the Code Enforcement Officer and Board of Trustees prior to its erection and/or placement.
- (2) The owner of such sign shall provide proof of insurance satisfactory to the Code Enforcement Officer and Board of Trustees prior to the granting of any approvals.
- (3) Upon seeking a permit, the owner of such sign shall pay an annual registration fee<sup>1</sup> as determine by the Board of Trustees

B. One (1) temporary sign advertising a business use may be displayed in front of said business, provided the following conditions are met:

- (1) A permit for each sign must be obtained from the Village of Alden, and shall be valid for one (1) year from the date of issuance. An application for a temporary business sign, on forms obtained from the Village of Alden, must be submitted to the Village Board of Trustees with the following information:
  - (a) The name and address of the applicant.
  - (b) The address of the location of the proposed sign.

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<sup>1</sup> Editor's Note: See Ch. A220, Fees.

- (c) A plat plan of the premises showing all buildings, right-of-ways, easements, sidewalks, and the proposed location of the sign with distances to the above items indicated on the plan.
  - (d) Dimensions of the sign and all of its components.
  - (e) The graphic design of the sign, including symbols, letters, materials and colors.
  - (f) The visual message, copy, text or content of the sign.
  - (g) Additional information as necessary to show compliance with this Section.
- (2) Signs shall not have more than two (2) sides. The maximum size of any one side of a sign shall be eight (8) square feet.
  - (3) All signs must be maintained in good repair at all times.
  - (4) Signs shall not be illuminated in any fashion.
  - (5) No sign shall be placed upon or project over a public right-of-way or sidewalk unless formal plans and specifications for same have been prepared by a professional engineer, contractor, architect, or similar profession which adequately depict the size, location, and configuration of such sign. Such plans, drawings, photographs and/or renditions, shall be clearly certified to the effect that the placement, configuration, and size of the sign shall not impede the public thoroughfare and/or sidewalk nor pose any danger and/or potential risk to any user of the sidewalk and/or public thoroughfare.
  - (6) No sign shall consist of banners, vinyl signs, posters, penants, ribbons, streamers, spinners or similar fluttering devices.
  - (7) No sign shall consist of animated or moving parts.
  - (8) No sign shall be attached to trees.
  - (9) No signs shall be attached to fences or utility poles.
  - (10) No sign shall be placed in such a manner so as to confuse or obstruct the view of a traffic sign, signal or device.
  - (11) No sign shall be placed in such a manner so as to obstruct the view of any motor vehicle operator.

(12) No sound amplifiers, public address systems or other sound devices shall be used as part of a sign.

C. Notwithstanding the above, political signs may be displayed without Village Board approval for a period not to exceed thirty (30) days prior to the date of election, special election and/or primary election. Said signs shall be removed within seven (7) calendar days after the election.

(1) The removal of such signs shall be the responsibility of the particular candidate and it shall not be a defense to any alleged violation that such sign was not specifically placed on the property by the candidate.

D. Temporary signs advertising a special event, promotion, opening, or similar limited business event may be authorized for a period not to exceed fourteen (14) calendar days within a calendar year, when prior approval is granted by the Village of Alden Board of Trustees based on the following requirements:

- (1) An application for a special event sign approval, on forms obtained from the Village of Alden, must be submitted to the Village Board of Trustees with the following information:
- (a) The name and address of the applicant.
  - (b) The address of the location of the proposed sign(s).
  - (c) A plat plan of the premises showing all buildings, right-of-ways, easements, sidewalks, and the proposed location of the sign(s) with distances to the above items indicated on the plan.
  - (d) Dimensions of the sign(s) and all of its components.
  - (e) The graphic design of the sign(s), including symbols, letters, materials and colors. If any sign is proposed to be illuminated, whether directly or indirectly, details on the lighting and intensity must also be provided. If any sign is proposed with movable parts, details on the movement and type must also be provided.
  - (f) The visual message, copy, text or content of the sign(s).

**§ 210-40. Permit required.**

A. Except as otherwise provided, no person shall erect, alter or relocate any sign without first obtaining a permit from the Code Enforcement Officer. No permit shall be required for the general repair or maintenance of any permitted sign.

**§ 210-41. Application procedure.**

- A. Applications shall be made in writing to the Code Enforcement Officer on forms obtained from the Village of Alden and shall contain the following information:
- (1) The name, address and telephone number of the applicant.
  - (2) The name, address and telephone number of the property owner.
  - (3) The location of the building, structure and/or land upon which the sign now exists or is to be erected.
  - (4) A plan, drawn to scale, as well as a description of the sign, sign structure and placement and should include the following:
    - (a) Its location on the premises, specifically its position in relation to existing buildings, structures, property lines, roadways, driveways, parking lots and any other existing or proposed signage, and indicating such distances.
    - (b) Dimensions of the building or buildings on the property where the sign is proposed.
    - (c) The method of illumination, if any, and the position of lighting or other extraneous devices.
    - (d) Graphic design, including symbols, letters, materials and colors.
    - (e) The visual message, copy, text or content of the sign.
    - (f) Any other information the Code Enforcement Officer may deem necessary to confirm compliance with all applicable laws and codes.

**§ 210-42. Issuance of permit.**

- A. It shall be the duty of the Code Enforcement Officer, upon the filing of the application for said permit, to examine all of the data submitted to him with the application and, if necessary, the building or premises upon which it is proposed to erect the sign or other advertising structure. If it shall appear that the proposed sign is in compliance with all of the requirements of this chapter and other rules and regulations of the Village of Alden, the Village Board of Trustees has reviewed the sign for compliance with the comprehensive plan, and all other approvals have been granted, a permit for the erection of the proposed sign shall be issued upon payment of all applicable fees<sup>2</sup> as set from time to time by the

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<sup>2</sup> Editor's Note: See Ch. A220, Fees.

Village Board of Trustees. If the sign authorized under any such permit has not been completed within one (1) year from the date of issuance of such permit, the permit shall become null and void.

**§ 210-43. Removal of signs.**

- A. The Code Enforcement Officer shall notify the owner of any sign which no longer serves the purpose for which a permit was granted or is unsafe, insecure, in a state of disrepair, or is a menace to the public or has been erected or installed in violation of this chapter, in writing, to remove or correct the unsatisfactory condition of said sign within five (5) days from the date of such notice.
  
- B. The Code Enforcement Officer may cause any sign which is a source of immediate peril to persons or property to be removed summarily upon written notice to that effect. Failure to comply within twenty-four (24) hours of such notice shall serve as an authorization to the Code Enforcement Officer to remove or cause the removal of such sign, with all costs and expenses charged as provided for above.