

SIGN USE PERMIT APPLICATION

TYPE OF SIGNAGE: PERMANENT TEMPORARY

SBL# _____

PERMIT # _____

OWNER OF PROPERTY:

APPLICANT:

NAME _____

NAME _____

ADDRESS _____

ADDRESS _____

TOWN/CITY _____

TOWN/CITY _____

ZIP _____

ZIP _____

PHONE # _____

PHONE # _____

CELL # _____

CELL # _____

FAX # _____

FAX # _____

*General application "SHALL" be accompanied by a Site Plan showing all structures & existing signage on premises. Dimensions of existing signage "SHALL" be included. Proposed signage "SHALL" be shown in dimensional & location detail.

DATE OF APPLICATION:

FIVE (5) YEAR RENEWAL DATE:

MO ___ DAY ___ YR ___

MO ___ DAY ___ YR ___

Mandatory five (5) year renewal application required for all signs. Any signs not renewed "SHALL" be removed after the expiration date.

No sign "SHALL" be permitted, new, altered or existing unless it conforms to the requirements of this law & a new up-to-date use permit.

Sign permits "SHALL" be a separate permit & required in addition to building permits.

Sign Regulation – All sign regulations are included in order to insure compliance to this regulation. Review the regulations which pertain to your proposal. Please sign & date below to verify that the owners, applicant or designer has reviewed the necessary information.

SIGNATURE: _____

DATE: _____

REVIEWED: Y ___ N ___

CALCULATIONS FOR BUILDING PERMITS

Zoning Classification: – Check (1) one:

Agricultural () Agricultural Residential () Residential-1 () Residential-2 ()
Business-1 () Business-2 () Residential Manufactured Home () Industrial ()
Industrial Park ()

New Sign Proposal:

Building Wall Sign(s) Number of _____ Total Sq. Ft. _____

Free-Standing Remote Sign(s) Number of _____ Total Sq. Ft. _____

Existing Sign(s):

Building Wall Sign(s) Number of _____ Total Sq. Ft. _____

Free-Standing Remote Sign(s) Number of _____ Total Sq. Ft. _____

****NOTE:** - Excluding allowed sign(s) in Section 261-111 (D)

Does total signage square footage exceed the allowable limits:

Yes - Total Sq. Ft. over _____
 Total Percent of Sq. Ft. over _____

No

Estimate of Cost: _____

**CODE OF THE TOWN OF LOCKPORT, NEW YORK, v3 Updated: 03-15-2008 /
PART II GENERAL LEGISLATION / Chapter 200, ZONING / ARTICLE XXIV, Signs**

ARTICLE XXIV, Signs

**CODE OF THE TOWN OF LOCKPORT, NEW YORK, v3 Updated: 03-15-2008 /
PART II GENERAL LEGISLATION / Chapter 200, ZONING / ARTICLE XXIV, Signs /
§ 200-168. Findings and purpose.**

§ 200-168. Findings and purpose.

It is the finding of the Town Board of the Town of Lockport that the continued proliferation of signs in the Town has caused a deterioration of the natural beauty, and the developed aesthetic beauty of the Town; that the number and size of signs exceeds that which is appropriate and necessary; that billboards are especially detrimental to the aesthetic appearance of the Town; that many alternative means of advertising are economically available so that billboards need not be used in the Town to advertise, including on-premises signs, radio and television, advertising, cable television advertising, internet advertising, fliers, newspaper advertising, direct mailing, among other forms of advertising; that billboard advertising constitutes visual pollution, causes dangerous traffic conditions, and increases the likelihood of accidents, inhibits tourism by causing the Town to be a less attractive place to visit, and is harmful to the general welfare of the residents of the Town; that overuse of temporary signs has further diminished the aesthetic appearance of the Town, and temporary signs have been overused to increase total signage on properties; that signs of all types need to be regulated in the Town; and that the regulation of signs in the Town is necessary for the following purposes:

- A. To improve and preserve the scenery and the natural beauty of the Town, and its various areas;
- B. To prevent cluttering of excessive signs;
- C. To protect the Town and its citizens from dangers caused by distractions and obstructions associated with signs, causing traffic safety concerns, including accidents;
- D. To enhance the appearance of the various neighborhoods of the Town, including commercial, residential and industrial neighborhoods;
- E. To protect property values, create a more attractive, economic and business climate and protect the physical appearance of the community from the effects of inharmonious and

out-of-scale signs;

- F. To enhance the quality of life of residents of the Town and to protect the general welfare;
- G. To control signs so that their appearance will be aesthetically harmonious with the overall design of the Town and its areas;
- H. To curb and reverse deterioration of the natural and developed beauty of the community;
- I. To prevent proliferation of the number of signs, the movement of signs, the flashing of signs, the undue illumination of signs, and other sight gimmick compilation amongst businesses for competitive edge, at the expense of the overall aesthetic attractiveness of the Town and its neighborhoods.

**CODE OF THE TOWN OF LOCKPORT, NEW YORK, v3 Updated: 03-15-2008 /
PART II GENERAL LEGISLATION / Chapter 200, ZONING / ARTICLE XXIV, Signs /
§ 200-169. Definitions.**

§ 200-169. Definitions.

If any definition in the section shall conflict with any other definition, use or meaning in this chapter, the definition set forth herein shall control for this article. As used in this article, the following terms shall have the meanings indicated:

SIGN -- A name, identification, description, display or illustration which is affixed to, or painted, or represented in any fashion directly or indirectly upon a building, structure, premises, or piece of land which directs attention to an object, product, service, place, activity, person, institution, organization or business and which is visible outside of a building or structure.

SIGN, BILLBOARD or BILLBOARD -- Any sign that attracts attention to an object, product, service, place, activity, institution, organization or business not available or located on the lot where the sign is located.

SIGN, CANOPY -- A sign attached to the soffit or under the fascia of a structure, canopy, covered entrance or walkway, awning or marquee.

SIGN, COMMERCIAL -- Any sign used for the purpose of advertising or identifying a product, business or commercial service.

SIGN FACE AREA -- The entire area within the single, continuous perimeter enclosing the extreme limits of writing, representation, emblems or any figure or similar character, together with any material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed. The supports, uprights, or structures on which any sign

is supported shall not be included in determining the sign (face) area unless such supports, uprights, or structures are designed in such a manner as to form an integral part of the display. Where a sign has two faces, the area of one side shall be the face area of the sign, where such faces are parallel, evenly back to back, and within two feet of each other. In all other cases, the combined area of all faces shall be the face area of the sign.

SIGN, FASCIA -- A sign attached flat against the fascia.

SIGN, FREESTANDING -- A sign resting upon or attached to the ground by means of an integral base or one or more poles or standards. Freestanding signs include both pole signs and ground signs.

SIGN, NONCOMMERCIAL -- Any sign which is not a commercial sign.

SIGN, TEMPORARY -- Any portable sign or any sign capable of or intended for movement from place to place or any sign mounted on wheels or any frame not permanently affixed, or menu or sandwich board signs or balloons or banners used as signs or signs displayed on a vehicle which is not used in the ordinary course of a business other than for sign display, except that signs authorized without a permit are not temporary signs for purposes of this chapter.

SIGN, WALL -- A sign integral with or attached to and supported by the exterior wall of a building.

**CODE OF THE TOWN OF LOCKPORT, NEW YORK, v3 Updated: 03-15-2008 /
PART II GENERAL LEGISLATION / Chapter 200, ZONING / ARTICLE XXIV, Signs /
§ 200-170. General regulations.**

§ 200-170. General regulations.

The regulations contained in this section shall apply to all signs and use districts.

- A. No sign shall be constructed, placed, erected or maintained in the Town of Lockport, unless allowed and in conformance with this article.
- B. Illumination. Any illuminated sign or lighting device shall employ only lights emitting a light of constant intensity, and no sign shall be illuminated by or contain a flashing, intermittent, rotating or moving light or lights. No illuminated sign or lighting device shall be placed so as to cause the beams and illumination therefrom to be directed upon a public street, highway, sidewalk or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance. The full number of illuminating elements of a sign shall be kept in working condition. Overhead wire or exposed wires on a sign are prohibited. Any sign which is capable

of changing the format or message may not change any more than once every 10 minutes.

- C. No fluorescent or luminescent materials may be utilized.
- D. Signs on public property. No sign shall be placed in any street right-of-way or on other public property, unless erected by the public entity having control of the property.
- E. Roof signs. No signs, except such directional devices as may be required by the Federal Aviation Agency, shall be placed, inscribed or supported upon or above the highest part of the roofline.
- F. Banners. No banners, posters, pennants, ribbons, streamers, spinners, or other similar moving, fluttering or revolving signs or strings of lights shall be permitted, except that banners and posters may be permitted as set forth in § 200-173E.
- G. Obstructions. No sign shall create a traffic hazard by obstructing the view at any street intersection or by design resemblance through color, shape or other characteristics common to traffic control devices. No freestanding sign having the lowest member, excluding the pole, less than eight feet above the finished grade shall be allowed on corner lots in a triangle formed between points on the front and side lot lines 35 feet from the intersection.
- H. Setbacks. All signs must be set back so that every part of the sign and any supporting structure is no closer than 10 feet to the road or street right-of-way or property lines.
- I. Maintenance of signs. All signs and sign structures shall be constructed and maintained in good repair and condition and in conformance with applicable laws and building codes. Signs and their supporting structures which no longer serve the purpose for which they were intended or which have been abandoned or are not maintained in accordance with this chapter and other applicable regulations of the Town shall be removed by the owner, lessee or user thereof, the permit holder or owner, lessee or user of the premises upon which they are located.
- J. Protection of First Amendment rights. Any sign allowed under this chapter may contain, in lieu of any other copy, any otherwise lawful noncommercial message.

**CODE OF THE TOWN OF LOCKPORT, NEW YORK, v3 Updated: 03-15-2008 /
PART II GENERAL LEGISLATION / Chapter 200, ZONING / ARTICLE XXIV, Signs /
§ 200-171. Signs authorized without permit.**

§ 200-171. Signs authorized without permit.

The following signs are permitted in all districts as accessory uses or structures, without a use

permit:

- A. Sale, lease, or rental. One sign for each building or lot advertising the sale, rental or lease of the premises or part thereof on which the sign is displayed, not exceeding six square feet in residential districts and 24 square feet in business and industrial districts. Illumination shall not be permitted.
- B. Address. One sign indicating the name and address of the occupants of a dwelling, not exceeding two square feet in area.
- C. Project name. One sign indicating "project name" and the names of the architect, engineer, contractor and participating public and governmental agencies and officials, placed on premises where construction, repair or renovation is in progress, not exceeding 20 square feet in face area, 15 feet in height or located not less than 25 feet from the lot line and 75 feet from any dwelling not within the project. Such sign shall be permitted for a period not to exceed six months.
- D. Signs erected and maintained pursuant to and in discharge of any governmental function.
- E. Signs less than three square feet prohibiting trespassing.
- F. Integral, decorative or architectural features of buildings, except letters or trademarks.
- G. Signs not exceeding four feet per face directing and guiding traffic and parking on private property and bearing no advertising.
- H. Signs not exceeding one square foot per face advertising the cost of gasoline when attached to a gasoline pump or service island canopy.
- I. Signs inside buildings in business, industrial, and commercial buildings, visible through windows, as window signs, not exceeding 30% of window area.
- J. American and state flags.

**CODE OF THE TOWN OF LOCKPORT, NEW YORK, v3 Updated: 03-15-2008 /
PART II GENERAL LEGISLATION / Chapter 200, ZONING / ARTICLE XXIV, Signs /
§ 200-172. Signs requiring permits.**

§ 200-172. Signs requiring permits.

- A. Residential districts. The following signs shall be permitted in residential districts (AG, AR, R-1, R-2, R-3 and MHP Districts).

- (1) One permanent nonilluminated subdivision or complex sign not exceeding 24 square feet in area and four feet in height, indicating the name of the subdivision or residential development.
 - (2) One sign or bulletin board, which may be illuminated, not exceeding 20 square feet in face area, located on the premises of a public, charitable or religious institution, located at least 25 feet from any lot line, and not more than six feet in height.
- B. Business and industrial districts. Signs, which may be illuminated, shall be permitted in business and industrial districts subject to the following regulations:
- (1) The total maximum face area of all signs other than temporary or portable signs permitted shall be two square feet for each one foot of street frontage of the lot. Where the lot fronts on two streets, the total maximum face area shall be two square feet for the frontage on one street and one square foot for frontage on the second street.
 - (2) The area of a pictorial design, illustration, and forms of humans, animals, products and trademarks shall be charged against the maximum sign face area permitted.
 - (3) Types and numbers of signs permitted within total maximum face area; design requirements:
 - (a) Wall signs. Wall signs shall be permitted for each separate establishment or enterprise occupying a building or unit thereof, but shall not project beyond the ends of the building or its parapet or the highest point of the roof, whichever is higher.
 - (b) Freestanding. One freestanding sign for each individual building not a part of a multiple development as hereinafter defined and regulated shall be permitted.
 - [1] Such signs shall not exceed 25 feet in height nor shall the lowest member, excluding the pole, be less than eight feet from the finished grade of a paved walk, drive or parking area.
 - [2] Such signs shall be located not less than 50 feet from an adjacent residential lot.
 - [3] The maximum total face area shall be determined by the street frontage of the lot as indicated in the following table. Where the lot fronts on more than one street, the frontage shall be the length of the longest side. Total freestanding sign area shall be charged against the maximum face area indicated in Subsection B(1) above.

Street Frontage (feet)	Under 200	200 to 500	Over 500
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Street Frontage (feet)	Under 200	200 to 500	Over 500
Maximum Sign Surface Area (square feet)	64	96	160

(c) Under-canopy/fascia signs. Not more than two signs for each establishment or enterprise shall be permitted. However, a fascia sign and an under-canopy sign suspended from and parallel to the fascia shall not be permitted. Such signs:

- [1] Shall identify only the name and/or type of establishment and/or address.
- [2] Shall have a vertical dimension not exceeding 18 inches.
- [3] Shall not have a member less than eight feet above the finished grade, nor more than 25 feet above the finished grade.
- [4] Shall not exceed nine square feet in face area for a single face.

(d) Multiple development.

- [1] For the purposes of this subsection, a "multiple development" shall be defined as two or more offices or commercial or industrial establishments or enterprises, or combinations thereof, which are located in a single building or in two or more buildings developed as part of a single integrated development.
- [2] Signs in multiple developments; total square footage.
 - [a] Each individual establishment or enterprise shall be permitted to have wall, under-canopy or fascia signs. The total square footage of all individual enterprises may exceed that allowed by Subsection B(1), provided that the total square footage, exclusive of the freestanding sign, shall not exceed two square feet per lineal foot of the longest facade of the unit in which the enterprise is located.
 - [b] One freestanding sign per multiple development advertising the name of the development and any establishment in the development. The face area of the freestanding sign may be at a maximum of 96 square feet up to 400 feet of street frontage, and is 150 square feet over 400 feet of street frontage, and shall be in addition to the maximum face area otherwise allowed.
- [3] Comprehensive design program.

- [a] In multiple developments, a sign plan shall be presented as part of the Planning Board's site plan review showing specifications to which all signs within the development area shall conform, including but not limited to the following: sign type, lettering or graphic style, size, shape, scale, colors, lighting, materials, installation, and position on the site plan. This includes directional and identification signage. Future tenants or owners in the development shall conform to the approved sign plan.
- [b] In reviewing a comprehensive design program during the site plan review process, the Planning Board shall require that the signs will meet the following general design criteria to the maximum extent practicable:
 - [i] Be in scale with the building or group of buildings and the overall site;
 - [ii] When part of a shopping center or plaza, promote a unified look for the development that is coordinated with other design elements such as lighting;
 - [iii] Be harmonious with the architectural character of the building on which they are placed and its immediate surroundings;
 - [iv] Minimize coverage of any notable architectural features on the building(s);
 - [v] Groups of related signs (e.g., signs on the same building) should express uniformity and create a sense of harmonious appearance;
 - [vi] Landscaping. The Planning Board may require that landscaping be used at the base of a freestanding sign if such landscaping will make the sign more compatible with the surrounding area. Required landscaping may include one or more of the following types of vegetation: ivies, grasses, flowers, bushes, and small trees;
 - [vii] Supporting framework. The supporting framework of all projecting, awning, or freestanding signs shall be in proportion to the size of such sign. Materials shall be compatible with the sign itself and other design elements such as lighting, fences, etc.

**CODE OF THE TOWN OF LOCKPORT, NEW YORK, v3 Updated: 03-15-2008 /
PART II GENERAL LEGISLATION / Chapter 200, ZONING / ARTICLE XXIV, Signs /
§ 200-173. Temporary signs.**

§ 200-173. Temporary signs.

Temporary signs shall not be erected, used or maintained without a permit issued by the Building Inspector, and shall not exceed 32 square feet. Temporary signs shall be permitted only for the following purposes and durations:

- A. New business enterprises, for a period not exceeding 30 days from opening.
- B. Business enterprises which have lost the use of an existing sign by reason of fire or other catastrophe, for a period not exceeding 30 days.
- C. Special activities in connection with the principal uses or activity on the premises, for a period not exceeding 15 days per permit. No more than three permits shall be given in any calendar year for any business on the premises. Except in multiple developments, permits may run consecutively.
- D. No more than one temporary sign shall be permitted in a multiple development at any one time.
- E. Posters and banners may be erected as temporary signs, if they are attached to buildings at all corners.
- F. All temporary signs shall be removed by the expiration of the permit.

**CODE OF THE TOWN OF LOCKPORT, NEW YORK, v3 Updated: 03-15-2008 /
PART II GENERAL LEGISLATION / Chapter 200, ZONING / ARTICLE XXIV, Signs /
§ 200-174. Billboards.**

§ 200-174. Billboards.

Billboards are not permitted in any district in the Town of Lockport. Any billboard existing as of the date of enactment of this chapter shall be removed on or before October 14, 2009. Until such removal date, billboards shall be nonconforming signs.

**CODE OF THE TOWN OF LOCKPORT, NEW YORK, v3 Updated: 03-15-2008 /
PART II GENERAL LEGISLATION / Chapter 200, ZONING / ARTICLE XXIV, Signs /
§ 200-175. Application for use permits.**

§ 200-175. Application for use permits.

No sign for which a permit is required shall be erected or maintained until a permit has been issued therefor by the Building Inspector. The permit application shall, in addition to such other required, be accompanied by a site plan showing all structures and existing signage on the premises and the proposed signage. Sufficient detail shall be submitted to demonstrate compliance with the provisions of this chapter.

- A. Except as otherwise provided herein, a use permit required by and issued pursuant to the provisions herein shall be valid for a period of five years from the date thereof. Prior to the expiration of the five-year period, the owner of such sign shall apply to the Building Inspector for renewal of the use permit. If the Building Inspector, after inspection, finds that the sign is in good repair and conforms to the original permit, he shall issue a renewal permit, which shall be valid for a further period of five years. Application for further renewals shall be made every five years in accordance with these provisions. Any sign for which a use permit has expired shall be removed.
- B. No sign erected and permitted pursuant to a use permit as required or any sign erected and existing prior thereto shall be altered, rebuilt or modified unless it conforms to the requirements of this chapter and a new use permit therefor is issued.
- C. Any violation of this article shall constitute a violation of this chapter. Any person or entity having an interest in a premises in violation, either as a tenant or owner, shall be subject to the provisions of this article, and any person or entity owning, allowing, erecting, or otherwise controlling signs shall be subject to the provisions of this chapter shall be subject to the penalty provisions of this chapter.
- D. Sign permits shall be a separate permit and shall be required in addition to building permits.
- E. Upon application for a sign permit or renewal thereof, a fee shall be paid in addition to all fees required under the Building Code, established and changed from time to time by the Town Board by resolution.

**CODE OF THE TOWN OF LOCKPORT, NEW YORK, v3 Updated: 03-15-2008 /
PART II GENERAL LEGISLATION / Chapter 200, ZONING / ARTICLE XXIV, Signs /
§ 200-176. Nonconforming signs.**

§ 200-176. Nonconforming signs.

Signs, conforming to the regulations prevailing prior to the effective date of this amendment, but which do not conform with the regulations herein or subsequent amendments, shall be nonconforming signs. Any sign or part thereof which has been blown down, destroyed, damaged in excess of 50% of the value of the sign, or otherwise taken down for any purpose other than

repair, shall not be rebuilt, re-erected or relocated unless it complies with the provisions of this article and other applicable regulations.

**CODE OF THE TOWN OF LOCKPORT, NEW YORK, v3 Updated: 03-15-2008 /
PART II GENERAL LEGISLATION / Chapter 200, ZONING / ARTICLE XXIV, Signs /
§ 200-177. Severability, conflict and interpretation.**

§ 200-177. Severability, conflict and interpretation.

- A. Severability. This article, and its various parts, are hereby declared to be severable. If any section, clause, provision or portion of this article is declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this article as a whole. All parts not declared invalid or unconstitutional shall remain in full force and effect.
- B. Conflict. If any part of this article is found to be in conflict with any other law or any other part of this chapter, the most restrictive or highest standard shall prevail. If any part of this article is more stringent or in conflict with any federal or state law, this article shall prevail unless the federal or state law explicitly preempts local regulation.
- C. This article shall not be interpreted to regulate the display of United States or New York State flags, unless such interpretation is held to be necessary to cause this article to be upheld pursuant to the provisions of the United States or New York State Constitution.
- D. This article shall be interpreted so as to comply with constitutional protections.