

LOCAL LAW #7 OF 2017

AMENDING ARTICLE XXIX (SIGNS AND AWNINGS) OF THE ZONING CODE

Be it enacted by the Board of Trustees of the Village of Irvington that Chapter 224, Zoning, of the Irvington Code is amended as follows:

Section 1: Subsection C of Section 224-188 (Purposes) is hereby amended to read as follows (deleted language ~~stricken~~; new language in *italics*):

C. To protect property values throughout the Village and enhance the ~~B~~ *business* ~~D~~ district as a shopping, business and tourist destination.

Section 2: Section 224-190 (Definitions) is hereby amended by adding the following language to the definition of "SIGN" (new language in *italics*):

SIGN – Any material, structure, or device containing or composed of letters, pictures or symbols, *or upon which letters, pictures or symbols are placed, that is* designed or used for the purpose of attracting, or that does attract the attention of, the public to the subject matter thereof; and located either out of doors, on the exterior of a building, on an awning, or inside a building within four feet of a window, and in a manner to be viewed principally by passersby. *A video or computer screen or digital display designed or used for the purpose of attracting, or that does attract, the attention of the public to the subject matter on the screen shall be considered a sign.* A national, state, or local flag shall not be considered a sign.

Section 3: Section 224-190 (Definitions) is hereby amended by adding the following new definition:

TEMPORARY SIGN – *Any sign, handbill or poster that is placed for a limited period of time, not to exceed 30 days, to advertise or announce a specific event or occurrence. Examples of temporary signs include, but are not limited to, signs, handbills or posters relating to civic or athletic events, concerts, special events, or products or services offered for sale at a reduced price or on special terms.*

Section 4: Section 224-192.A(9) (Signs not requiring permit) is hereby amended to read as follows (deleted language ~~stricken~~):

Temporary signs ~~made of cardboard, paper, canvas or other materials~~, not exceeding 30% of any window or other surface.

Section 5: Section 224-193.B(2) is hereby amended to read as follows (new language in *italics*):

(2) Such signs may be displayed on the building, on an awning or a window, within four feet of a window, and shall project no farther than three inches beyond the face thereof, except as otherwise set forth in this article. *Where, however, the*

building has an eave overhang of more than one foot, the sign may hang from the eave.

Section 6: Section 224-193.B(3) is hereby amended to read as follows (new language in *italics*):

- (3) Not more than 30% of any window *or area within four feet behind a window*, inclusive of any signs in § 224-192, shall be covered by signs.

Section 7: Section 224-193.B(4) is hereby amended to read as follows (new language in *italics*):

- (4) Where a building containing a building establishment is set back more than 10 feet from the street, a sign may be located between the building and the front property line. Such sign, including all sides of a multifaceted sign, shall not exceed 24 square feet in area *and shall not exceed 10 feet in height*.

Section 8: Section 224-193.C is hereby amended to read as follows (new language in *italics*):

Architectural Review Board guidelines for signs on business establishments. The design, color, character, size, scale, and lighting of signs shall be in keeping with and appropriate to the architectural design of the building or structure upon which they are placed, the design of neighboring properties and adjacent signs, and the character of Irvington and its Business, *Railroad and Waterfront* Districts. To the maximum extent practicable, the following guidelines should be followed:

Section 9: Section 224-193.C(8) is hereby amended to read as follows (new language in *italics*):

- (8) Signs should be compatible with the character of Irvington and its Business, *Railroad and Waterfront* Districts.

Section 10: Section 224-193.C(10) (ARB guidelines) is hereby amended to read as follows (new language in *italics*):

Flashing, moving, fluttering, changing or intermittently illuminated signs are generally not permitted, except that the ARB may permit such a sign if it finds that it otherwise meets the purposes of this article and the general standards in this section. *This general prohibition shall not apply to video or computer screens or digital displays*. If permitted, such signs, including video and computer screens and digital displays, may not operate between 9:00 p.m. and 6:00 a.m.

Section 11: Section 224-193.C (ARB guidelines) is hereby amended by adding a new paragraph to read as follows:

- (12) *The brilliance, degree, intensity and type of illumination shall be the minimum*

necessary for the purpose of such illumination, consistent with public safety and welfare.

Section 12: In § 224-193.C, renumber paragraphs (12) through (17) as paragraphs (13) through (18), respectively.

Section 13: Section 224-195.B, subsection (2) (a) and (b)(Permit procedure) are hereby amended to read as follows (new language in *italics*; deleted language ~~stricken~~):

(2) An application for a permit under this article shall include:

(a) A drawing depicting the dimensions of the building front and windows, including an awning if one is used, to a scale of *no less than one-quarter* inch equals one foot, unless the information is already on file in the Building Department *and is adequate for Building Department review.*

(b) A drawing of the sign(s) and/or awning, accurately showing dimensions, with a scale of no less than *one-quarter* inch equals one foot. The size and layout of letterforms and graphics and materials, colors and thickness shall be indicated.

Section 14: All ordinances, local laws, and parts thereof inconsistent with this local law are hereby repealed.

Section 15: This local law shall take effect upon filing with the Secretary of State.