

ZONING ORDINANCE  
VILLAGE OF TRUMANSBURG  
Tompkins County, New York 14886

*The Zoning Ordinance of the Village of Trumansburg is hereby amended as follows:*

- (1) *Article IX – SIGNS – Section II – LEGISLATIVE INTENT is amended to correct a grammatical error.*
- (2) *Article IX – SIGNS – Section III DEFINITIONS: The definitions of Person, Temporary Sign, Sign Area, and Used are amended. The definitions of Auxiliary Sign, Backlighted Sign, Building, Copy-change Sign, District, Multi-use Facility, Off-premise Sign, On-premise Sign, Sign Directory, Store Frontage, and Variance are deleted.*
- (3) *Article IX – SIGNS – Section IV EXCEPTIONS is amended.*
- (4) *Article IX – SIGNS – Section V DISTRICT REGULATIONS Subsection B-1 is deleted and subsequent subsections are re-numbered.*
- (5) *Article IX – SIGNS – Section V DISTRICT REGULATIONS is amended.*
- (6) *Article IX – SIGNS – Section VI – SIGN SET BACKS is amended.*
- (7) *Article IX – SIGNS – Section VII – NON-CONFORMING SIGNS is deleted. Each section thereafter is re-numbered.*
- (8) *Article IX – SIGNS – Section VII -PERMITS & FEES is amended.*
- (9) *Article IX – SIGNS – Section IX TEMPORARY SIGN LAW is added.*
- (10) *Article IX – SIGNS – Section X – ADMINISTRATION is amended.*

ARTICLE IX - SIGNS

SECTION I. SHORT TITLE

This law shall hereafter be known and cited as the "Sign Regulations of the Village of Trumansburg".

SECTION II. - LEGISLATIVE INTENT

The purpose of this law is to promote and protect the public health, welfare, and safety by regulating existing and proposed outdoor advertising signs of all types and certain other signs. It is further 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 of designated areas, and provide a more enjoyable and pleasing community. It is further intended hereby to reduce sign or advertising distractions and obstructions that may contribute to traffic accidents, provide more open space, and curb the deterioration of natural beauty and community environment.

SECTION III. - TERMINOLOGY AND DEFINITIONS

A. Terminology  
For the purposes of this Article certain words and terms shall have the meaning given in this Section.

Words used in the present tense include the future tense; words used in the singular include the plural, and the

plural the singular; the word "shall" is mandatory and not permissive.

Certain words imply and include other words as follows:

AFFIX- attach, append, join, suspend.

BUILDING- structure.

ENTERPRISE- business, profession, organization, association.

ERECT- build, construct, alter.

PLACEMENT - location, erection.

POST - to erect, attach or affix in any manner.

STREET- road, highway, lane, alley.

USED - designed, intended or arranged to be used.

B. Definitions

BANNER: A type of flag, not an emblem of a government or institution, with graphics that are purely decorative or that identify, advertise and/or convey commercial information.

BUILDING FRONTAGE: That part of a building or lot facing a public sidewalk, street.

COMMERCIAL SIGN means a sign which identifies, advertises, or directs attention to a business, or is intended to induce the purchase of goods, property, or service, including, without limitation, any sign naming a brand of goods or service and real estate signs, as further defined below.

FREESTANDING SIGN: A sign affixed to the ground independent of any adjacent building or structure.

GRAPHICS: The letters, figures, emblems, devices, and other

representations comprising the visual message of a sign.

ILLUMINATED SIGN: A sign illuminated by artificial light, or which is composed of luminous tubing, or other artificial lighting devices.

LUMINOUS TUBING: Glass tubing with a cold cathode light or similar source such as neon.

MARQUEE: A permanent roofed structure projecting from a building, usually over an entrance, attached to the building or on freestanding supports, or both.

NON-CONFORMING SIGN: A sign lawfully existing on the effective date of this law or subsequent amendment thereto, which does not conform to the regulations applicable in the district in which it is located.

PERSON: A firm, partnership, trust, company, corporation, organization, or institution, as well as an individual, acting as owner, lessee, or agent, or employee.

PORTABLE SIGN: A sign not fastened to a building or structure, or to the ground or pavement, readily movable from one location to another.

PROJECTING SIGN: A sign protruding at an angle from a building or structure.

PUBLIC INFORMATION SIGN: A sign identifying a public facility, such as a public telephone, or providing

information concerning direction, safety, and trespassing.

**PUBLIC PLACE:** Any thoroughfare, square, plaza, public parking lot, or similar area, whether publicly or privately owned.

**REAL ESTATE SIGN** means a sign indicating the availability for sale, rent or lease of the specific lot, building, or portion of a building upon which the sign is posted.

**RIGHT-OF-WAY, PUBLIC:** Land over which the public may travel subject to restrictions by the government with jurisdiction, whether or not said government has control of the land by ownership or easement.

**ROOF SIGN:** A sign placed above the upper edge of a building, wall, or parapet, or placed or painted on or above the roof covering, or on an independent structural frame on a roof, or on the side of roof or roof structures such as marquees, penthouses, elevator housing, and tanks.

**SELF-ILLUMINATED SIGN:** An internally illuminated sign with graphics displayed on a translucent face, or individual letters or symbols with a translucent face, and with translucent or opaque edges.

**SIGN:** A device for visual communication publicly displayed to identify, advertise, and/or convey information.

**SIGN AREA:** Means the surface area of the sign including the frame, plate or structure used to hold up any lettering or pictorial matter. In the event a sign is attached, painted or applied to the front or face of a building or is irregular in shape, the area of the sign must be taken as the area of the smallest rectangle that can be placed over the entire sign, edges, and background, if of a different color than the predominant color surrounding the sign except as otherwise provided herein. In the event that a letter or letters or other pictorial matter are placed as separate units without a background board, the sign area must be calculated as the area of the smallest rectangle that encloses all of the symbols. In the case of a flat or two-sided free standing or projecting sign, the sign area is considered to be the entire surface area of one face of the sign. The sign area of signs having more than two sides is the sum of the surface area of all sides.

**SIGN HEIGHT:** The vertical dimension from average surrounding grade to the uppermost point on the sign panel.

**SIGN SYMBOL:** A sign whose shape represents an object, or a customary identifying device such as a barber pole.

**STRUCTURE:** A combination of materials assembled, constructed or erected at a fixed location including for example, a building, stationary and portable carports, and swimming pools, the use of which requires location on the ground or attachment to something having location on the ground.

TEMPORARY SIGN means a sign that:

1. Is intended for a temporary period of posting for up to one year in one location on public or private property;

2. Is typically constructed from nondurable materials, including paper, cardboard, cloth, plastic, and, or wallboard;

3. Does not constitute a structure subject to the Village's Building Code and Zoning Law provisions.

WALL SIGN: A sign painted on, or affixed to and parallel to an exterior wall of a building or structure, but not on window glass.

WINDOW SIGN: A sign visible from a sidewalk, street, or other public place, that is illuminated, painted or affixed on glass or other window material.

#### SECTION IV. - EXCEPTIONS

For the purposes of this Law, the term "sign" does not include signs erected and maintained by any government agency pursuant to and in discharge of any governmental function, or required by any law, ordinance or governmental regulation, nor does it include flags, emblems, or symbols of a nation, governmental body, or school, nor memorial tablets or historical markers erected by any governmental agency,

Nor does it include interior window signs

not permanently affixed to the interior of the window. Such window signs must not cover more than 40% of the window's area.

Nor does it include public safety signs which are necessary for regulating pedestrian or vehicular traffic.

Nor does it include signs or decorations in celebration of National Holidays, provided they do not contain any name, individual, corporation, or business, trademark or tradename, and do not constitute a public nuisance or hazard.

#### SECTION V.- DISTRICT REGULATIONS

A. All Districts  
The following are specifically prohibited:

1. Signs so located as to create a hazard.
2. Lighting devices so placed or directed as to permit the illumination therefrom to be directed or beamed upon a public street, highway, sidewalk, or nearby premises so as to cause glare or reflection that constitutes a hazard or nuisance.

3. Banners, posters, pennants, flags, ribbons, spinners, balloons, streamers, or other similar moving, fluttering, or revolving devices, whether part of a sign or used for the purpose of advertising or attracting attention when not part of a sign. Exceptions may be granted upon application to the Zoning Officer in Business or Commercial Districts for firms promoting new products or

services for a period not to exceed twenty (20) days and with a frequency not to exceed two times per year. The provisions of this paragraph apply to uses taking place on or about the exterior of the premises only.

4. Signs illuminated by or containing flashing, intermittent, rotating, or moving lights or devices. However, barber shops may display not more than one traditional revolving barber shop sign, illuminated or otherwise.

5. Signs mounted on roofs.

6. The unauthorized use of public property including placing signs on public utility poles, trees, and shrubs, and on other signs directing or guiding traffic.

7. Projecting or suspended signs, awnings, canopies and marquees, less than seven feet six inches (7'6") over pedestrian walkways.

**B. Permitted Signs In All Districts Without A Permit**

The following signs are permitted in any use district without permit provided that if ground mounted, the top must not be over six feet above the ground, and if building mounted, must be flush mounted:

1. One sign denoting the name and location of office or property containing six (6) or more rental residential units, which sign may be located on the premises, and where the property lacks frontage on a public street, one sign may be placed along the access way to such

premises, which sign must not exceed nine (9) square feet in area.

2. One name plate, not self-illuminated, denoting the names and addresses of the occupants of the premises, not exceeding one hundred forty-four (144) square inches per dwelling unit.

3. Directional (entrance/exit) signs on premises, one for each access way, each not exceeding two (2) square feet in area and which must not include any trademarks or names of businesses conducted or products sold, and must include the minimum amount of lettering necessary to direct traffic.

4. One sign or notice, having an area of thirty-two (32) square feet or less, erected by a public utility, necessary for the direction, information or safety of the public.

5. One sign or bulletin board customarily incidental to places of worship, libraries, museums, social clubs or societies, which sign or bulletin board must not exceed thirty-two (32) square feet in area or 6' in height and must be located on the premises of such institutions.

6. Temporary signs as defined and regulated in Section III of this Article.

**C. Permitted Signs In All Districts With A Permit**

The following signs are permitted in any use district but require a permit, and if ground mounted, the top must not be over six (6) feet above the ground, and if

building mounted, must be flush mounted:

1. One sign of a temporary nature advertising real estate developments, or construction projects, (during the period of development, not to exceed one year from the date of permit) is permitted in all districts. This sign must not exceed thirty-two (32) square feet in area and must advertise only the name of the architect, contractor, owner, developer, and other project participants and such sign must not be illuminated in any manner. The permit may be renewed for two additional periods of one year each.

2. One sign identifying a real estate development, subdivision or neighborhood at each entrance. Such sign shall not be self-illuminated in any manner and shall not exceed (5) square feet in area. Such sign shall set forth only the specific name of the real estate development, subdivision or neighborhood and no other information.

#### D. Residential Districts

The following signs are permitted in any use district but require a permit. Only the following signs shall be permitted:

1. Signs identifying Commercial Uses in a residential building as follows:

a. for home occupations carried on or within the premises, not exceeding three (3) square feet in area.

b. for uses other than home occupations, not exceeding six (6) square feet in area.

2. No part of Free Standing Signs in a residential district, as specified above, shall be closer than fifteen (15) feet to the edge of street pavement, nor have a sign height greater than six (6) feet.

#### E. Business, Industrial and Commercial Districts

The following signs are permitted in any use district but require a permit.

1. A maximum of two signs per business are permitted. Only one projecting or freestanding sign is permitted for each business on the premises; provided however that, for premises fronting on more than one Village street, signs may be permitted in accordance with the preceding for each of such frontages. One sign may be illuminated, but not both. The total square feet of signage allowed a business that is fronting on more than one Village street cannot exceed 1 1/2 times the square footage allowed for a business that faces one Village street.

2. Any projecting sign shall be limited to a maximum area of twenty (20) square feet.

3. Any freestanding sign shall be limited to a maximum area of thirty-two (32) square feet. Freestanding signs shall not exceed twenty (20) feet, measured from normal grade to the top of the sign.

4. Wall and/or window signs shall be limited to a maximum area in square

feet equivalent to twice the building front linear footage, not to exceed forty (40) square feet.

5. All non-street level businesses in a building shall be limited to a total sign area of twenty (20) square feet.

6. Projecting signs that are attached to a building shall be permitted only when all parts thereof are at least three (3) feet back from the edge of street pavement.

7. Portable signs shall be permitted in the Business District in accordance with the following conditions:

a. Portable signs must be placed so that they do not obstruct pedestrian traffic.

b.

Portable signs must not be more than thirty six (36) inches wide by forty eight (48) inches high.

c.

Where there is more than one business in a building, only one portable sign will be permitted. The portable sign may be shared.

d. Portable signs may only be displayed when the establishment is open for business and must also be removed for normal sidewalk maintenance during business hours.

8. Marquee, Canopy, and Awning Signs shall be permitted in the Business District, and limited to an area of twenty (20) square feet.

## SECTION VI.- SIGN SET-BACKS

No signs may be erected or maintained, in such a manner so as to project over or above any street, public highway or waterway. No part of a free standing sign shall be closer than fifteen (15) feet measured horizontally from the existing pavement edge of any public highway or street. Directional (entrance/exit) signs may be closer than fifteen (15) feet with the approval of the Zoning Officer.

## SECTION VII.- PERMITS AND FEES

Except as otherwise herein provided, a person must not erect any sign as defined herein without first obtaining a permit therefore from the Zoning Officer. Failure to obtain such a permit will be deemed a violation of this Law. No sign, whether new or existing may hereafter be erected or altered, except in conformity with the provisions of this Law.

1. Application for the permit must be made in writing by the property owner or his/her agent to the Zoning Officer, and upon forms prescribed and provided by the Zoning Officer.

2. Along with an application for a sign permit, the applicant must deliver to the Zoning Officer the following fees:

a.

An application fee of twenty-five dollars (\$25.00).

b.

The additional sum of one dollar (\$1.00)

for each square foot of area of each sign referred to in the subject application for a sign permit. The foregoing fees are exclusive of any fees required elsewhere in the Sign Law for publication of any notice of public hearing or otherwise.

3. It is the duty of the Zoning Officer, upon the filing of an application for a permit, to examine such plans, specifications and other 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 the proposed sign is in compliance with all the requirements of this Law, the Zoning Officer must issue a permit for the erection of the proposed sign.

4. Signs, marquees and awnings must be kept clean, in neat order and repair, and free from all hazards, such as but not limited to, faulty wiring and loose fastenings, and must be maintained at all times in such safe condition so as not to be detrimental to the public health or safety.

If the sign authorized under any permit has not been completed within one year from the date of the issuance of such permit, the permit shall become null and void, but may be renewed, within fifteen (15) calendar days from the expiration thereof, upon payment of an additional fee of ten dollars (\$10.00).

Any sign which advertises a business no longer conducting business on the premises or which does not have a valid permit must be removed within thirty

(30) days by the owner of the premises upon which sign is located.

5. In the event of a violation of any of the provisions of this Law the Zoning Officer must notify the record owner of the premises at the tax billing address and the owner or agent of the business at its Trumansburg address, in writing, served personally or by certified mail, that the sign has been erected in violation of this Law and that such sign must be removed by the owner of the sign or the record owner of the premises within five (5) business days after receipt of such notice. If such sign is not removed within the required period, the Zoning Officer, upon order of the Board of Trustees, may remove the sign and assess all costs and expenses incurred in the removal against the premises or building upon which such sign was located, which billing shall be paid within thirty (30) days of the date it is rendered, addressed to the record owner at the tax billing address of the premises where located. It shall be deemed a lien when rendered and, if not paid, shall be relieved on the Village Tax Bill next issued with interest until such relevy added at 1% per month.

## SECTION VIII - REMOVAL OF CERTAIN SIGNS

Notwithstanding anything hereinbefore contained, if the Zoning Officer determines that any sign is unsafe or is an actual or imminent traffic or other hazard or danger to the public, he may require that such sign be either removed or corrected to remove such hazards or dangers within a shorter period than is

above provided, but not less than two (2) days. If the sign is not removed or repaired within the required period, the Zoning Officer may remove or repair the sign and must assess all costs and expenses incurred in the removal or repair against the land or building on which such sign was located.

SECTION IX - TEMPORARY SIGNS

- A Purpose and Findings
- B Temporary Signs Permitted in All Zones
- C Authorization Required for Posting of Temporary Signs in the Public Rights-of-Way
- D Removal Requirements for Temporary Commercial Signs
- E Removal or Replacement of Signs

A. Purpose and Findings  
The Village Board of the Village of Trumansburg is enacting this Law in order to establish reasonable regulations for the posting of temporary signs on public and private property.

The Board finds that temporary signs provide an important medium through which individuals may convey a variety of noncommercial and commercial messages. However, left completely unregulated, temporary signs can become a threat to public safety as a traffic hazard and detriment to property values and the Village’s overall public welfare as an aesthetic nuisance.

By enacting this Law, the Board intends to:

- (1) balance the rights of individuals to convey their messages through temporary signs and the right of the public to be protected against the unrestricted proliferation of signs;
- (2) further the objectives of the Village’s Comprehensive Plan;
- (3) protect the public health, safety, and welfare;
- (4) reduce traffic and pedestrian hazards
- (5) protect property values by minimizing the possible adverse effects and visual blight caused by temporary signs;
- (6) promote economic development; and
- (7) ensure the fair and consistent enforcement of the temporary sign regulations specified below.

B. Temporary Signs Permitted in All Zones

Temporary signs may be posted on property in all zones of the Village without a permit, subject to the following requirements and those applicable provisions stated elsewhere in the Village’s Sign Law.

- (1) The total square footage for temporary signs posted on a building lot, in the aggregate, shall not exceed sixteen (16) square feet. The

total square footage of a sign is measured to include all of the visible display area of one side of the sign.

(2) No temporary sign shall obstruct or impair access to a public sidewalk, public or private street or driveway, traffic control sign, bus stop, fire hydrant, or any other type of street furniture, or otherwise create a hazard, including a tripping hazard, and shall be kept in good repair.

(3) A temporary sign shall be designed to be stable under all weather conditions, including high winds.

(4) No temporary sign shall be illuminated or painted with light-reflecting paint.

(5) A temporary sign shall only be posted by, or with the consent of, the property owner or occupant.

C. Authorization Required for Posting of Temporary Signs on Village-owned Property

Temporary signs shall not be posted on property owned by the Village without obtaining a permit for such posting from the Village Zoning Officer.

D. Removal Requirements for Temporary Commercial Signs

In addition to the requirements stated above, temporary commercial signs shall comply with the following requirements:

(1) A temporary real estate sign

shall be removed within fourteen (14) days after the closing of title on or occupancy by a tenant on lease of the property.

(2) All other commercial temporary signs, including those announcing yard sales and special events to occur on one or more particular dates, shall be removed within five (5) days of the conclusion of the sale or event that the sign is promoting.

E. Removal or Replacement of Signs

(1) The property owner of the building lot where a sign is posted is responsible for the sign's maintenance, removal or replacement.

(2) The Village Zoning Officer is authorized to remove any temporary signs posted in violation of this Law that are not removed or replaced in accordance with the provisions above. Temporary signs posted on private property in violation of this Law shall be deemed a public nuisance, and the Village Zoning Officer may abate that nuisance in accordance with Sections VIII and X of the Village of the Trumansburg Sign Law.

(3) The Village Zoning Officer may immediately remove any temporary signs posted on public property or rights-of-way that are in violation of this Law or that constitute a hazard.

## SECTION X – ADMINISTRATION

1. Any person aggrieved by any decision of the Zoning Officer relative to the provisions of this Law may appeal such decision to the Board of Zoning Appeals, as provided in the Zoning Ordinance of the Village of Trumansburg, and must also comply with all procedural requirements prescribed by such Board of Zoning Appeals including payment of a fee of fifty dollars (\$50.00) to defray the costs. The required notice of the Public Hearing on such appeal shall be sent to all adjoining property owners within two hundred (200) feet of the boundaries of the parcel upon which the proposed sign is to be located. Variances from the Sign Law will be considered as area variances under State Law. This Law shall be enforced by the Zoning Officer duly appointed by the Trumansburg Village Board of Trustees.

2. Failure to comply with any of the provisions of this Local Law shall be deemed a violation and the violator shall be liable for a fine of not more than two hundred and fifty dollars (\$250.00) for each violation, and in addition such violation shall constitute a violation under the Penal Law of the State of New York.

In addition to other penalties, the Village of Trumansburg may institute any appropriate action or proceeding to prevent the unlawful erection, construction, alteration or use of any sign in violation of the requirements of the Law.

3. If any section, subsection, phrase, sentence, or portion of this Local Law is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

4. This Local Law shall become effective immediately upon filing with the Secretary of State.