

LOCAL LAW NO.: _____-2016

LOCAL LAW AMENDING THE TOWN OF DEWITT TOWN CODE CHAPTER 192-106
(I) TEMPORARY SIGNS BY ADDING A NEW SUB-SECTION "9" TO ALLOW THE
USE OF TEMPORARY SANDWICH BOARD SIGNS IN THE HAMLET OF
JAMESVILLE

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF DEWITT AS FOLLOWS:

Section I: The Town of Dewitt Town Code, being Local Law No.1 of 1991, as has previously been amended, is hereby further amended by adding to §192-106 (I) Temporary Signs a new sub-section "9" to allow the use of temporary sandwich board signs in the Hamlet of Jamesville as follows:

9. SANDWICH BOARD SIGNS –HAMLET OF JAMESVILLE

a. POLICY OBJECTIVES:

This Code Section is intended to nominate, subject to the provisions set forth below, the criteria where a single A-frame (referred to herein as "sandwich board") sign will be permitted for each shop or commercial premises within the Hamlet of Jamesville; being defined as in Article IXA: Hamlet District.

This Code Section is intended to enhance the appearance and safety of the shopping areas or similar locations within the Hamlet of Jamesville through a consistent approach to the size, presentation and placement of sandwich board signs with a degree of flexibility as may be appropriate; to provide that sandwich board signs will not be permitted in areas outside the hamlet shopping area or similar location; and to ensure that the sandwich board signs that do not meet the criteria outlined in this policy may be subject to removal by the code enforcement office.

b. Mandate:

The sandwich board sign regulations reflect a mandate for quality urban design and the creation of "pedestrian friendly" activity centers. The regulations also recognize the commercial signage is indispensable to the hamlet economy. Good signage presents a positive image and promotes that economy. The sandwich board sign regulations provide business establishments with an adequate amount of signage that may be utilized through a variety of creative and effective signing techniques.

c. Applicability:

The sandwich board sign rules and standards will apply only to all nonresidential properties and home-based businesses within the boundaries of the hamlet of Jamesville. The use of sandwich board signs in any other district/geographic location is prohibited.

d. Definitions:

Sandwich Board Signs: A sandwich board sign is a free standing temporary sign, with no moving parts or lights, no larger than seven square feet total sign size (as limited by subsection e.2., below); displayed outside a business, during business hours, to advertise the business, hours of operation, to advertise an event, a promotion or offerings, etc., (excluding real estate signage). It is not intended as permanent business signage.

e. Hamlet of Jamesville:

Notwithstanding any other provision of this code that would otherwise prohibit the use of sandwich board signs, in the Hamlet of Jamesville there shall be allowed one sandwich board sign, per street frontage, as follows:

1. Location:

Signs may be placed on a sidewalk directly in front of associated establishment or placed on that part of the private property or sidewalk associated with vehicular and pedestrian traffic without interfering or obstructing pedestrian or vehicular traffic and shall be in compliance with the standards of this subsection and with the Town code. However in any event, a minimum of twelve (12) feet of passage must be maintained on the sidewalk between the street and the sign. Signs may not be anchored to the sidewalk, or attached or chained to poles, newspaper vending boxes, or other structures or appurtenances.

- A.** Sign placement. All signs and sign structures must be erected totally within the site except when allowed to extend into the right-of-way by this Title.
- B.** Signs extending into the right-of-way. The standards of this subsection apply to portable signs that are in the right-of-way.
 - 1.** Portable signs. Portable signs may be placed in the right-of-way if they meet the following standards:
 - a.** The sign is entirely outside the roadway;
 - b.** The sign is entirely outside of the area of a right-of-way corner that is between the curb and the lines created by extending the property line to the curb face. See Figure 1a;
 - c.** The sign is entirely outside the area of a sidewalk that is between the lines created by extending the edges of any curb ramp across the sidewalk to the property line;
 - e.** The sign does not obstruct a continuous through pedestrian zone of at least six feet in width; and is a minimum of 12ft from the edge of pavement See Figure 1b; and
 - f.** The sign does not obstruct pedestrian and wheelchair access from the sidewalk to any of the following:

- (1) transit stop areas;
 - (2) designated ADA parking spaces;
 - (3) ADA access ramps; or
 - (4) building exits including fire escapes.
- i. Additional placement standards for temporary portable signs. Temporary portable signs placed in the right-of-way must meet the following additional standards:
- (1) Where no curb exists, the sign must be placed outside the roadway at least twelve feet from the edge of the shoulder. Temporary portable signs may not be placed in medians, traffic islands, or other areas within the roadway.
 - (2) Temporary portable signs must not be placed in parking spaces, pedestrian pathways, or bicycle paths.

Figure 1a: Portable sign placement at an intersection

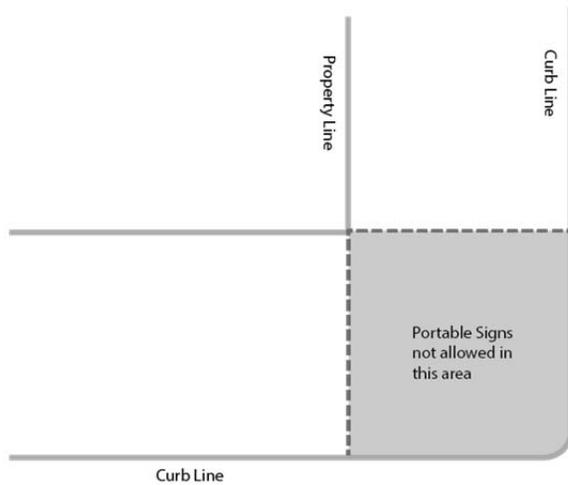
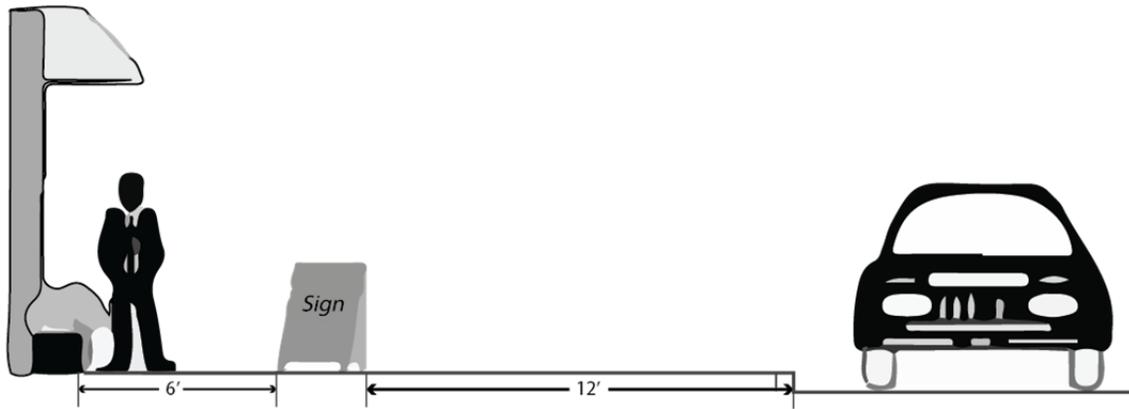


Figure 1b: Sign placement and the pedestrian zone, and distance from the edge of pavement.



2. Size.

Any sandwich board sign shall not exceed two linear feet in width, with a maximum height of 42 inches. Within these specified maximum dimensions, creative shapes, that reflect the theme of the business, are encouraged (i.e. ice cream shops may display a sign in the shape of an ice cream cone).

3. Appearance:

The sign must be constructed of materials that present a finished appearance. Rough-cut plywood is not acceptable. The sign frame shall be painted or stained wood or anodized aluminum or metal. Plastic framed signs are prohibited. Stenciled or spray painted signs are prohibited. Windblown devices, including balloons, may not be attached or otherwise made part of the sign (special "one day" displays maybe approved by the town code department). The sign lettering should be professionally painted or applied; a "yard sale" or "graffiti" look with hand or paint stenciled letters is not acceptable; however, chalkboard signs shall be permitted. The written message of the sign should be kept to the minimum necessary to communicate the name of the business and/or a special message of the business (what the business offers).

4. Lighting and Display Hours:

Signs may not be illuminated. The sign shall only be displayed during regular business hours and shall be removed at the end of the business day. Sandwich boards must be weighed down or removed if winds gust to 20 m.p.h.

5. Prohibited Signs and Devices:

Signs made wholly or partially of highly reflective material or high visibility colors (i.e. neon color on black background), so as to generate a contrast between the sign and adjacent surfaces or the surrounding area.

6. Grandfathering: The use of sandwich board signs was prohibited by the Town Code prior to the adoption of this amendment to §192-106(I). Thus, all sandwich boards must comply with the regulations set forth herein at the effective time of this Local Law. No "Grandfathering" is authorized or permitted.

7. Hold Harmless: Any person erecting a sandwich board sign shall, by erecting such sign, agree to indemnify and hold harmless the Town of DeWitt and its officers, agents, and employees from any claim arising out of the presence of the sign on the Hamlet property or right-of-way.

8. Permit: Prior to erecting a sandwich board sign, a permit must be obtained from the Town of DeWitt. The permit application shall be made upon such forms and accompanied by such information as the Town of DeWitt Department of Planning and Zoning may promulgate and/or require. A copy of the sandwich board permit must be attached to the board or readily available for inspection.

f. Violations/Removal:

Any sandwich board sign erected in any area other than that authorized by this subdivision or which does not comply with the rules set forth above, shall constitute a violation of the Town Code and shall, in addition to any other penalty or procedures provided for in the Town Code, be subject to removal by Town Code Enforcement Officers.

Section 2: Local law No.: 1 of 1991, as amended, remains in full force and effect except as hereinabove amended.

Section 3: This local law shall take effect immediately upon posting and publication as required by law and filing with the Secretary of State.