

§ 250-31 Signs.

A. Purpose and Intent

1. Purpose. As a prominent part of the visual environment, signs attract or repel the viewing public. As identification devices, signs must not subject the viewing public to excessive competition for their visual attention. The purpose of this section is to promote the public health, safety and welfare through a comprehensive system of reasonable, effective, consistent, content-neutral, and nondiscriminatory sign standards and requirements, as more particularly set forth below:
  - i. To promote the use of signs which are aesthetically pleasing, of appropriate scale, and integrated with surrounding buildings and landscape;
  - ii. To balance public and private objectives by allowing adequate signage for business identification;
  - iii. To promote attractive signs which clearly present a visual message in a manner that is compatible with their surroundings. The appearance, character and quality of the community are affected by the location, size, construction and graphic designs. Therefore, such signs should convey their messages clearly and simply, to the enhancement of their surroundings;
  - iv. To prevent property damage and personal injury from signs which are improperly constructed or poorly maintained;
  - v. To protect property values, the local economy, and the quality of life by preserving and enhancing the appearance of the streetscape, which affects the image of the Village of Port Jefferson;
  - vi. To provide for a reasonable amortization period for all preexisting noncompliant signage which do not possess a valid permit from the Village of Port Jefferson;
  - vii. To promote the free flow of traffic and to protect pedestrians and motorists from injury and property damage resulting from cluttered, distracting, and/or illegible signage.
  - viii. To establish specific signage standards for scenic corridors to ensure that the number, height, material, lighting, and size of the signage is not detrimental to the visual quality of such corridors.

B. Definitions

The following terms, as used in this section of Article VIII, shall have the following meanings:

**AWNING**

Any retractable or fixed shade-producing device made of fabric covering a rigid skeleton structure attached to a building.

**BANNER or PENNANT**

A sign that is painted or displayed on a sheet composed of fabric, pliable plastic, paper or other non-rigid material, fastened to the exterior of a building, exterior structure, or in a free standing stand or apparatus which allows the pole to remain upright including; wave, tear drop, bow, feather, kite, wing, sail or other outdoor banners, but excluding any flag representing any federal, state, other governmental entity, or not for profit.

**BARREL ROLL AWNING**

Awnings that are rounded from the top to the bottom of the awning as the awning falls away from the building wall.

**BILLBOARD**

A sign relating, in whole or in part, to a business, commodity, service, entertainment or attraction sold, offered or existing at a location other than the location where such sign is displayed.

**BOX SIGN**

A sign which is capable of being internally lit, which is formed in any shape whether regular or irregular, including channel lettering.

**CANOPY**

An architectural projection comprised of a rigid structure over which a fabric covering is attached that provides weather protection, identity or decoration and is supported at one end by the building to which it is attached and at the outer end by not less than one stanchion.

**DIRECTIONAL SIGN**

Signs giving only direction to the viewer and containing no advertising message.

**DIRECTORY SIGN**

A free standing or wall sign, which lists multiple establishments located at a single property or located within a single building.

**EMBELLISHMENT**

Structural or decorative elements or enhancements of a sign, but excluding any symbols, logos or lettering thereon.

**ESTABLISHMENT**

A non-residential entity encompassing a portion of, or the entirety of, a structure.

**FREESTANDING SIGN**

A sign detached from any supporting element of a building and consisting of a double- or single-sided sign face attached to a double-pole structure embedded in the ground or mounted on its own self-supporting permanent structure or base. Freestanding signs include monument signs.

**HISTORIC NEON SIGN**

A neon sign in existence prior to the date of incorporation of the Village of Port Jefferson.

**MANSARD ROOF**

For the purposes of sign placement, mansard roof refers to the lower, more steeply sloped portion of the roof having a pitch of a twelve-inch or greater vertical projection for each six-inch horizontal projection.

**MARQUEE**

A structure over the entrance to a theatre, which incorporates removable letters that can be reconfigured to inform the viewing public of programming. May contain a cache of light bulbs, which must remain stationary and unblinking.

**MENU BOX**

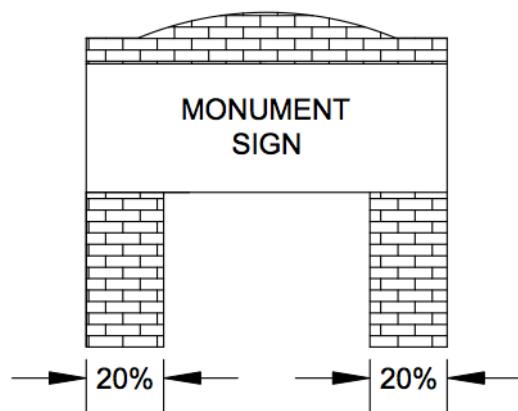
An enclosed structure intended to or, used to, display a menu.

**MODIFICATION or ALTERATION**

The changing of language, structure, wording, layout, configuration, size or material. Not to include changing of color.

**MONUMENT SIGN**

A freestanding sign where the aggregate width of its supports is equal to or greater than 40% of the width of the sign itself, as illustrated below.



**NATURAL GRADE**

The highest point of the natural grade of the ground, as it naturally exists, at the base of a freestanding sign or, in the case of signs affixed to a structure, at the base of the building to which such sign is affixed.

**NEON SIGN**

A sign capable of being illuminated consisting, in part, of a glass tube filled with neon, argon, mercury or other gasses caused to emit light by the passage of an electric current and commonly bent into various forms, or equivalent lighting method or fixture which has the same appearance or effect as traditional neon.

**NON-OPAQUE or TRANSLUCENT**

A window sign is non-opaque or translucent when it allows the viewing public to see through the signage. This may be accomplished by, but not limited to, affixing individual lettering to the glass allowing the remainder of the glass to be unobstructed, using clear window decals or frosting a portion of the glass. The end result must allow the public to be able to visually determine what is on the other side of the glass while their view is partially, but not significantly, obstructed.

**OBSOLETE SIGN**

A sign that no longer directs, advertises or identifies a legal use, product or activity on the premises where such sign is displayed.

**OCCUPANCY FRONTAGE**

A single lineal dimension measured horizontally along a wall of a building which defines the limits of a particular establishment at that location and which may contain pedestrian access.

**OPAQUE**

A window sign is opaque when it significantly or completely blocks the viewing public's ability to determine what is behind the glass. This can be accomplished by, but not limited to, affixing a poster or solid decal to the window or the frosting of glass, leaving only lettering or images clear.

**PARKING ENFORCEMENT SIGN**

Signage located within or at the entrance of a parking lot that sets forth the rules and regulations relating to the parking of a vehicle in said lot.

**PEDESTRIAN ACCESS**

A doorway which has been designed primarily for the use of the patrons or customers of a permitted use located within a given structure.

**PITCHED ROOF SIGN**

A sign located on a roof of a building or structure whereby the sign is mounted parallel to the façade of a building or structure with the bottom portion of the sign directly attached to the roof and the top of the sign attached to the roof via a strut, bracket or similar device.

**POLE SIGN**

A freestanding sign wholly supported by a single vertical pole or similar structure embedded in the ground.

**PROJECTING OR BLADE SIGN**

A sign attached perpendicularly to a building or structure that projects from and is supported by a wall of such building or structure.

**PUBLIC STREET FRONTAGE**

A pedestrian walkway fronting a public street or a pedestrian walkway within a private shopping mall whose establishments are served by said walkway.

**REAL ESTATE SIGN**

A sign advertising the sale, exchange, lease or rental of the real property on which said sign is located.

**REAL PROPERTY DEVELOPMENT IDENTIFICATION SIGN**

A freestanding sign that directs attention to a residential subdivision or multiunit residential development.

**ROOF SIGN**

A sign erected upon a flat roof or parapet of a building or structure.

**SANDWICH BOARD OR PORTABLE SIGN**

A movable sign capable of standing without support or attachment, or located leaning against but not permanently affixed to a structure.

**SIGN**

Any material, device or structure displaying, or intending to display, one or more messages visually and used for the purpose of bringing such messages to the attention of the public, but excluding any lawful display of merchandise for sale. The term "sign" shall also mean and include any display of one or more of the following:

- a. Any letter, numeral, figure, emblem, picture, outline, character, spectacle, delineation, announcement, trademark, picture, image, cartoon, graphic, three dimensional depiction or logo excluding the above listed utilized for strictly decorative purposes; and
- b. Colored bands, stripes, patterns, outlines or delineations displayed for the purpose of commercial identification.

**SOFFIT SIGN**

A sign affixed to the underside of a roof overhang adjacent to an establishment.

**TEMPORARY BUSINESS SIGN**

A sign constructed out of canvas, vinyl, soft plastic or other flexible material, for the purpose of identifying an establishment during the process of applying for and receiving a sign permit for a permanent sign.

**THEATRE**

A building in which plays and other dramatic performances are presented, containing a stage, seating affixed to the floor and a box office.

**WALL SIGN**

Any sign mounted on, attached to, incorporated into or painted on the wall of a building or structure.

### WATERFALL AWNING

Awnings that project straight out from the building wall at the top of the awning and then roll down away from the wall to the bottom of the awning.

### WINDOW

A structurally framed opening constructed in a wall or roof that functions to admit light or air. May also include spandrel sections on multistory buildings.

### WINDOW SIGN

Any sign painted on or affixed to a window or glass door of a building or placed in the interior of such building within four feet from the inside surface of such window or door and visible from the exterior of such building. Window signs include both signage which is opaque or partially transparent. This definition is not intended to include signage displayed in the window of an establishment and which is available for purchase.

## C. Amortization of Preexisting Sign

1. New Signs. No sign shall be installed or erected within the Village of Port Jefferson on or after the effective date of this section, unless such sign, and any subsequent modifications or alterations thereto, comply with the provisions of this section, including the permit requirements set forth in section 250-31I below.
2. Pre-existing signs, amortization.
  - i. A sign maintaining a valid permit from the Village of Port Jefferson may continue to exist, despite its nonconforming nature, until that time when any modification or alteration to said sign occurs or after one year from the effective date of this section, whichever is earlier.
  - ii. The application fee for a sign permit shall be waived for applicants modifying, altering, or replacing a pre-existing, non-conforming sign within one year from the effective date of this section.

## D. Exempt and prohibited signs

1. Exempt Signs. The following signs, whether existing prior to the effective date or thereafter installed or erected, shall be exempt from the provisions of section 250-31I, related to permits and fees. Any sign not meeting the criteria of section 250-31D(1), shall require a permit.
  - i. Residence nameplate or street number sign.
  - ii. Non-illuminated "open", "closed", "vacancy", "no-vacancy", "warning", "private drive", "posted", or "no trespassing" signs not exceeding two square feet in area;
  - iii. Flags of the United States;
  - iv. Flags of any other political, civic, philanthropic, educational, religious organization or not-for-profit entity.
  - v. Historical Markers, memorial signs and plaques, names of buildings and dates of erection, and emblems installed by governmental agencies.
  - vi. On-premises directional signs and parking enforcement signs for the convenience of the general public identifying parking areas, fire zones,

- entrances and exits not exceeding five square feet in area and six feet in height;
- vii. Temporary signs in residential districts not exceeding four square feet and displayed for no more than 30 consecutive days in a 60 day period;
  - viii. Gasoline and service station integral graphics or attached price signs on gasoline pumps and auxiliary service signs (e.g., air, water, restrooms, state inspections) not exceeding two square feet and any other signs required to be posted pursuant to federal or state or local law;
  - ix. Interior signs, whether illuminated or not, intended solely for internal display and not visible from the exterior of the building within which they are displayed.
  - x. Historic exterior neon signs, provided no modifications or alterations are made thereto after the effective date of this section.
  - xi. Any real estate sign meeting the requirements set forth in section 250-31F(2)(i);
  - xii. Window signs meeting the requirements set forth in section 250-31F(1)(vi);
  - xiii. Secondary wall signs meeting the requirements set forth in section 250-31F(1)(vii);
  - xiv. Secondary soffit signs meeting the requirements set forth in section 250-31F(1)(x);
  - xv. All signs regulated under the following Code sections
    1. Tank & Vessel Operation §139-77.
    2. Street Signs §250-35-35.
    3. Vehicle & Traffic §240-11, 12, 56 & 57.
    4. Wireless Communication Towers §249-4.
  - xvi. Directional signs placed adjacent to public roadways by federal, state or local governmental entities.
  - xvii. Fire Prevention and Emergency egress signs.
2. Prohibited Signs. The following signs shall not be permitted within the Village of Port Jefferson:
- i. Roof signs and pitched roof signs except as otherwise permitted under section 250-31F(1)(i)(3);
  - ii. Neon signs or their functional equivalent, except for those signs meeting the Historic Neon definition;
  - iii. Box signs, whether or not internally lit;
  - iv. Internally lit signs except as permitted under section 250-31G(3)(iii);
  - v. Billboards or any other off-premises signs, including off-premises real estate or other directional signs;
  - vi. Outside banners, pennants, ribbons, flags (except as otherwise permitted in section 250-31D(1) above), streamers, spinners, pennants, whirligigs, inflatables or other similar devices, including those in the shape of products offered for sale, except those items that are actually for sale by the establishment and meet the outdoor display requirements.
  - vii. Flashing, blinking or moving signs;

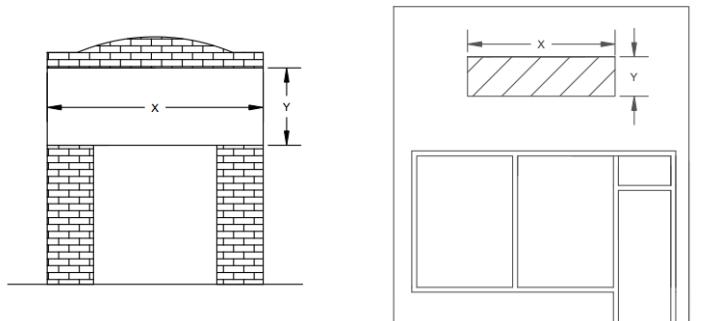
- viii. Signs that compete for attention with or may be mistaken for a traffic signal;
- ix. Exterior signs made of cardboard, paper, plywood, soft plastic or similar materials, except as permitted under section 250-31F(2)(ii) for temporary signs;
- x. Signs located on waterfall or barrel roll awnings;

#### E. Sign Measurement

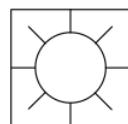
For the purposes of determining compliance with the area and height requirements throughout this section the following shall apply:

##### 1. Area.

- i. The area of a sign having copy mounted, affixed, or painted on a panel or area distinctively painted, textured, or constructed as a background for the sign copy shall mean that area contained within the smallest geometric shape that will enclose both the sign copy and such background, as illustrated below.



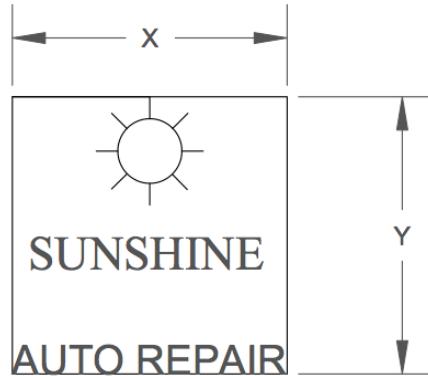
- ii. The area of a sign having copy mounted as individual letters or graphics against a wall or fascia of a building or surface of another structure that has not been painted, textured, or otherwise altered to provide a distinctive background for the sign copy shall mean the sum of the areas of the smallest geometric shape(s) that will enclose each word and each graphic in the total sign, as illustrated below.



**SUNSHINE**

**AUTO REPAIR**

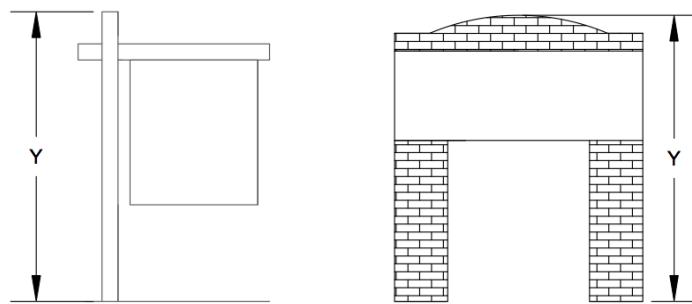
- iii. The area of a sign having copy mounted as individual letters or graphics on a window or door, that has not been painted, textured, or otherwise altered to provide a distinctive background for the sign copy shall mean the total area of the sign including the clear glass areas between the lettering and graphics.



- iv. The area of a sign having two faces shall mean the area of the largest face if the interior angle between them is 30° or less, or the sum of the area of the two faces if such angle is greater than 30°, as illustrated below.



2. Height. The height of a freestanding sign shall mean the distance from the natural grade to the topmost portion of the higher of the pole or sign, excluding any embellishments permitted in § 250-31F(1)(ii) and 250-31F(2)(iii) as illustrated below.



#### F. General Provisions

The general provisions set forth below shall apply to all signs within the Village of Port Jefferson.

1. Permitted Signs:

i. Primary Wall Sign.

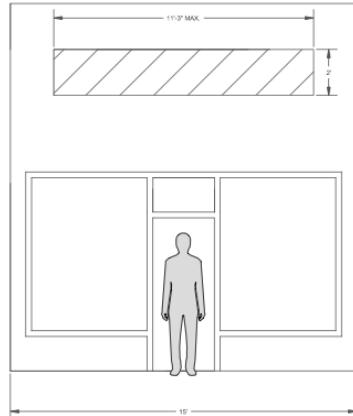
1. One primary wall sign per occupancy frontage is permitted affixed to the wall directly adjacent to a public street frontage of a structure.
  - a. If the structure is adjacent to a parking lot and a wall faces said parking lot, one additional primary wall sign, is permitted on the wall facing the parking lot.
  - b. In cases where more than one establishment is located within a structure, only those establishments which adjoin the subject wall may install such a sign. Successive or interior establishments, are prohibited from placing a sign on a wall which does not adjoin their establishment.



- c. If the site is adjacent to a public alley or pedestrian right of way, one additional primary wall sign is permitted for the wall that faces onto the alley or right of way. In cases where more than one establishment is located within a structure, only those establishments which adjoin the subject wall may install such a sign. Successive or interior establishments, are prohibited from placing a wall sign on walls which do not adjoin their establishment. (See graphic above in Section 250-31F(1)(i)(1)(b)).

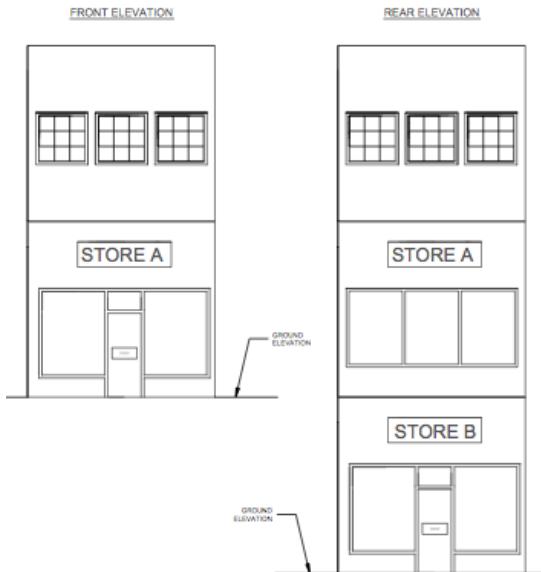
2. Wall sign requirements:

- a. The total area of any one primary wall sign shall not exceed 1.5 square feet for each horizontal foot of an occupancy frontage, and shall not exceed 75% of the width of such occupancy frontage.

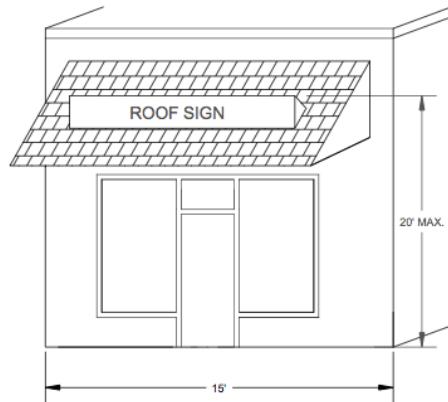


(E.g. 15 feet of Occupancy Frontage equates to 22.5 square foot maximum.)

- b. Wall signs shall not project more than six inches from the walls on which they are mounted.
- c. Wall signs shall not extend in any manner above the façade or roofline of the building or structure containing such wall, unless expressly permitted in this section.
- d. The top of said wall sign may not encroach into the second floor of a structure. In those instances where the topography of a parcel results in an establishment maintaining a first floor location on one side of a building, and a second floor location on another side of the building, a sign may encroach into the second floor, if it is otherwise permitted by this section. A wall sign may not encroach into the third floor of a building regardless of topography.

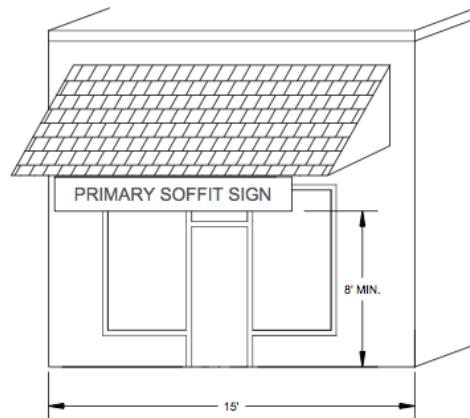


3. Permitted roof signs. Where no wall of a building facing a public street frontage exists to reasonably accommodate a wall sign, a primary wall sign affixed to a mansard roof, parapet, railing, or pitched roof located over a porch or deck of such building shall be permitted. In no event shall a sign be affixed to a flat or pitched roof of the building or structure itself.
- a. No more than one such sign is permitted per occupancy frontage.
  - b. The vertical midpoint of the sign shall be no higher than the vertical midpoint of the mansard roof, pitched roof over a porch or deck, or parapet so that the sign does not project above the roof peak or break the silhouette of the building.
  - c. The top of the sign shall be no higher than 20 feet above the natural grade.
  - d. The total area of any one permitted roof sign shall not exceed 1.5 square feet for each horizontal foot of an occupancy frontage, and shall not exceed 75% of the width of such occupancy frontage.
  - e. No part of the sign shall project from such mansard roof, pitched roof over a porch or deck or parapet a distance greater than 24 inches, and all structural supports, including any angle irons, guy wires or braces, shall appear to be an integral part of the roof or roof sign and enclosed or otherwise hidden from view.



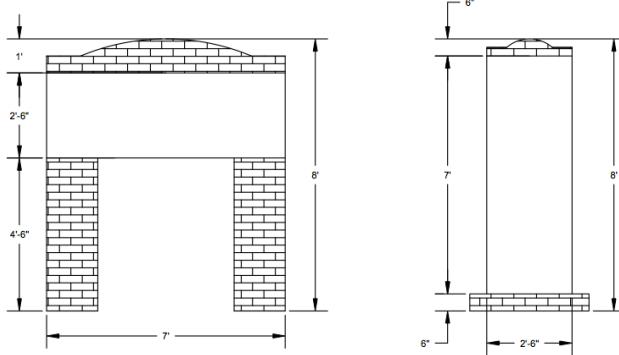
4. Primary Soffit Sign. Where no wall of a building, facing a public street frontage, exists to reasonably accommodate a wall sign, and where no permitted roof sign as defined by section 250-31F(1)(3) can be reasonably accommodated, a sign may be hung from the underside of a roof overhang (the soffit) adjacent to the exterior wall of the building facing the public street frontage.
- a. One such sign is permitted per occupancy frontage, adjacent to a pedestrian access to a structure.

- b. Such soffit sign may not be located above the first floor of the building.
- c. Such soffit sign must be hung parallel to the front façade of the building.
- d. The vertical clearance from the public right-of-way, or above grade, whichever is less, to the lowest part of the soffit sign shall be a minimum of 8 feet.
- e. The total area of any one primary soffit sign shall not exceed 1.5 square feet for each horizontal foot of an occupancy frontage, and shall not exceed 75% of the width of such occupancy frontage.
- f. In no case shall said soffit sign extend beyond the width of the soffit to which it is affixed.



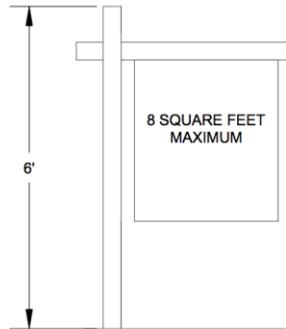
- ii. Freestanding Signs and Monument Signs, including Directory Signs.
  - 1. Only one freestanding sign shall be allowed on a given lot.
  - 2. No freestanding sign shall be permitted in the Village of Port Jefferson unless the entire building to which it relates is set back from its front property line a minimum distance of 25 feet.
  - 3. Said sign may measure  $\frac{1}{2}$  the frontage of the subject parcel in square footage, but in no case shall it exceed 20 square feet in size, excluding embellishments. (E.g., the subject parcel measures 35 feet in width, the proposed sign may measure a total of 17.5 square feet.)
  - 4. Such freestanding sign shall not be erected nearer than six feet to any building nor encroach on any required side yard and shall be set back not less than 5 feet from all property lines.
  - 5. Such freestanding sign shall maintain a maximum height of eight feet from the natural grade to the top of the sign, including embellishments.

- No free-standing sign may be erected in a location, or in such a manner, which obstructs adequate visibility of oncoming vehicular or pedestrian traffic.



- Pole Sign, excluding real estate signs.

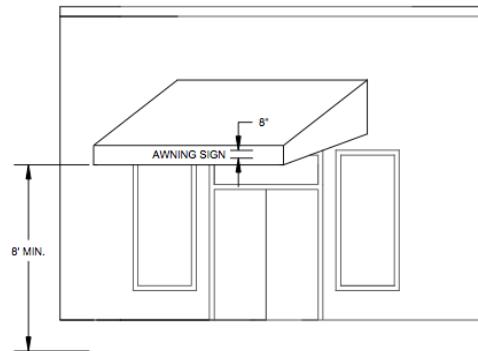
- No pole sign shall be permitted in the Village of Port Jefferson unless the entire building to which it relates is set back a minimum of 5 feet from the front property line of the subject lot.
- The sign must be suspended from a horizontal support and may not exceed a maximum area of 8 square feet and must maintain a minimum of two feet of clear space, except for any necessary supports, between the bottom of the sign and ground level.
- The sign may maintain a maximum height of six feet from the natural grade to the top of the pole.
- The sign must be set back a minimum of 2 feet from all property lines, must be located in the front yard and adjacent to the main entrance of the establishment to which it relates.
- No pole sign may be erected in a location or in such a manner which obstructs adequate visibility of oncoming vehicular or pedestrian traffic.
- Only one pole sign shall be allowed per lot.



- Awning/Canopy. Signs painted on or in the form of an awning or canopy shall be permitted for non residential use only, provided they are, in the case of awnings, not located above the first floor of the building to which they are attached and located adjacent to the primary pedestrian entrance of the establishment. Nothing in this section shall prohibit the installation

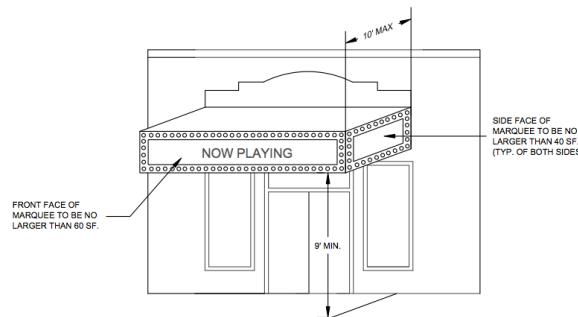
of awnings or canopies, subject to §250-32 of the Code, which do not display lettering or in any other way meets the definition of a sign.

1. Any identification and lettering on such awnings or canopies shall be limited to the edge of the awning or canopy bib and shall be no more than eight inches in height.
2. Vertical clearance from grade to the lowest part of the awning or canopy, including the valance, shall be a minimum of 8 feet.



v. Marquee Sign.

1. Only one Marquee Sign shall be allowed for each theatre and must be located adjacent to the main entrance of said theatre.
2. The front face of the Marquee may not exceed sixty square feet in area.
3. The side faces of the Marquee may not exceed forty square feet in area each.
4. No Marquee may project more than ten feet from the front façade of the theatre.
5. The vertical clearance from the public right of way, or above grade, whichever is less, to the lowest part of the Marquee must be a minimum of 9 feet.
6. All lettering and lighting must remain stationary and unblinking.
7. Marquee signs may be backlit, but in no case may it incorporate neon or neon equivalent lighting.

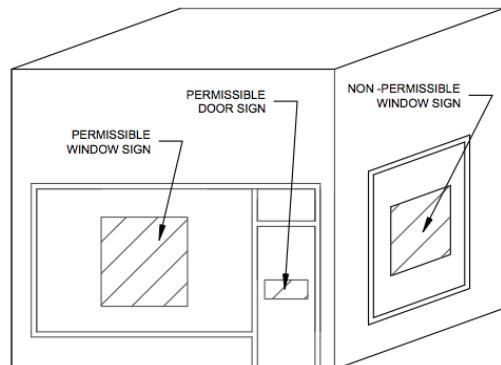


vi. Window Sign.

1. No more than one sign per window or door per occupancy frontage shall be permitted, provided that if there are more than two

windows and/or doors on any wall, no more than two such signs shall be permitted on any such wall. (E.g., where an establishment has two windows and two doors, no more than one window sign and one door sign may be present.)

2. Poster or opaque signage: The total area of signage, whether temporary or permanent in nature, shall not exceed 15% of the area of the window in which it appears, or 10% of the glass coverage area of the door to which it is painted or affixed.
3. No window or door sign shall ever exceed 10 square feet.
4. Non-opaque, clear window decals, etched glass or individual lettering: The total area of signage, whether temporary or permanent in nature, shall not exceed 35% of the area of the window in which it appears, or 10% of the glass coverage area of the door to which it is painted or affixed.
5. Window signs exceeding the permitted dimensions shall be considered primary wall signs and shall comply with the standards for such signs in section 250-31F(i)(3) above.
6. Window signs shall not be illuminated either directly or indirectly.
7. Window signs shall only be allowed in windows that are located directly adjacent to the primary pedestrian entrance of the subject establishment. In the event that multiple establishments share a single primary pedestrian access, no more than one sign per window or door shall be permitted regardless of the number of establishments present therein.



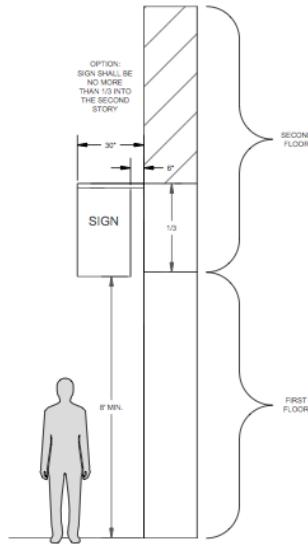
vii. Secondary Wall Sign.

1. No more than one secondary wall sign shall be allowed per occupancy frontage, provided said sign does not exceed 4 square feet in total area.
2. Secondary wall signs shall only be affixed to a building adjacent to the primary pedestrian entrance of the establishment.
3. In no instance shall the secondary wall sign encroach into the second story of a building or structure, nor above the roofline.
4. Menu boxes are secondary wall signs.

viii. Directory Wall Sign

1. In the case of multiple units are located in a single building and are accessed by a single pedestrian entrance, a sign may be affixed to the wall of such a building, adjacent to the shared entrance, identifying the establishments located therein.
  2. The sign shall not exceed 6 square feet in area, however, if such building contains five or more separate units, such sign may exceed the area limitations above, but in no event shall it exceed 10 square feet.
  3. A directory wall sign shall count as the one secondary wall sign permitted for the building.
  4. No more than one directory wall sign shall be allowed per building.
- ix. Sandwich Board Signs and Portable Signs
  1. The placing of portable signs and sandwich board signs on the public sidewalk is prohibited. For the purpose of this section the terms "Sandwich Board Signs" and "Portable Signs" shall be used interchangeably.
    - a. Portable signs may be placed on private property, directly adjacent to the store-front or public street frontage of the establishment to which they refer.
    - b. One portable sign is authorized per occupancy frontage.
    - c. Said sign may only be located outside the establishment when it is open for business and must be removed when the establishment is closed.
    - d. The portable sign shall not exceed forty inches in height, thirty inches in width and twenty-four inches in depth.
    - e. The portable sign shall be placed directly adjacent to, and abutting the front façade of the establishment, shall not extend beyond the width of the front façade, and shall not block or otherwise obstruct safe access to that establishment or to any adjoining property.
    - f. The portable sign shall not extend more than twenty-four inches from the front façade of the building.
    - g. The portable sign must be placed in such a manner as to preserve sixty-six inches of the sidewalk, whether public, private or a combination of both, free and clear of any obstruction to pedestrian traffic. In areas where existing sidewalk obstructions such as utility poles, trees, lamp posts, trash cans or other obstructions exist, sixty-six inches of unobstructed sidewalk must be preserved between the existing sidewalk obstruction and the portable sign.
    - h. Whenever the health, safety, welfare or convenience of the public or any other governmental purpose require, the Mayor is authorized to temporarily suspend the placement of portable signs.

- i. Sandwich board or portable signs may not be placed upon or encroach into public property.
- x. Secondary Soffit Sign, excluding Blade or Perpendicular Signs.
  - 1. No more than one secondary soffit sign shall be allowed per occupancy frontage.
  - 2. Such soffit sign may not be located above the first floor of the building to which they are attached.
  - 3. Such soffit sign must be hung parallel to the front façade of the building.
  - 4. The vertical clearance from the public right-of-way, or above grade, whichever is less, to the lowest part of the soffit sign shall be a minimum of 8 feet.
  - 5. Such soffit sign may only be affixed to the soffit adjacent to the primary pedestrian entrance of an establishment.
  - 6. The area of such sign shall not exceed four (4) square feet.
- xi. Projecting or Blade Sign. For the purpose of this section the terms "Projecting Sign" and "Blade Sign" shall be used interchangeably.
  - 1. No more than one blade sign shall be permitted per occupancy frontage.
  - 2. Such blade sign shall project no more than 30 inches from the building, this measurement shall include the horizontal arm on which the blade sign is hung.
  - 3. Such blade sign must be located within a minimum of 6 inches of the façade of the building.
  - 4. Such blade sign shall not exceed 5 square feet in area.
  - 5. Such blade sign shall not encroach more than 1/3 of the way into the second story of a given structure.
  - 6. Such blade sign may only be affixed to the façade of a building adjacent to the primary pedestrian entrance of the establishment to which it refers.
  - 7. The vertical clearance from the public right-of-way, or above grade, whichever is less, to the lowest part of the blade sign shall be a minimum of 8 feet.



2. Miscellaneous Signs. Signs described in this section are permitted in all zoning districts.

i. Real Estate Signs.

1. Any property owner may display anywhere on his property no more than one real estate sign, provided that such sign shall not be illuminated, shall not exceed four square feet in area, shall not be greater than four feet in height above grade, shall not be placed in or interfere with any public or street right-of-way or lines of sight, and shall not be placed on any other property than the one to which it refers.
2. Any non-residential property owner may display anywhere on his property no more than one real estate sign, provided that such sign shall not be illuminated, shall not exceed sixteen square feet in area, shall not be placed in or interfere with any public or street right-of-way or lines of sight, and shall not be placed on any other property than the one to which it refers.
3. All such signs shall be removed within 15 days after the property to which they relate is no longer for sale, lease, rent or exchange.

ii. Temporary Business Signs

1. No more than one temporary business sign may be located on a parcel for each establishment legally permitted and for which a sign permit has been applied. A temporary business sign must be removed immediately upon the erection of a permanent business sign permitted under an approved sign permit, or 90 days from the date the temporary business sign was erected, whichever occurs first.
  - a. Each temporary business sign shall prominently display on the lower right-hand corner of the face of such sign the sign permit application number, which shall be  $\frac{3}{4}$  inch in height and shall be legible and clearly visible.

- b. The temporary sign shall be no higher than four feet above grade unless affixed to a legally existing sign. Temporary business signs shall not be illuminated unless the sign is mounted to a legally existing sign with conforming illumination.
  - c. A temporary business sign shall be limited to four square feet in area and consist of a white non-reflective background with black block lettering.
- iii. Real Property Development Identification Signs
    - 1. No more than two such signs may be located outside the entrance of any development.
    - 2. Each sign shall not exceed 20 square feet in area, excluding any supports, supporting structures or embellishments.

## G. Zoning Districts

All signage not expressly permitted in a zoning district is prohibited.

- 1. Residential Districts R-A, R-A1, R-B1, R-B2, R-B3, R-M.
  - i. Professional office or studio, which maintains approval from the Planning Board.
    - 1. No more than one free standing sign or pole shall be permitted per lot, provided said sign does not exceed two square feet in size.
  - ii. Bed and Breakfast, which maintains a special use permit from the Board of Trustees.
    - 1. No more than one free standing or pole sign shall be permitted per lot, provided said sign does not exceed three square feet.
  - iii. Private country clubs
    - 1. No more than one free standing or pole sign shall be permitted facing each street on which the club is located, provided said sign does not exceed six square feet.
  - iv. Public facility and utility installations.
    - 1. No more than one free standing sign or pole shall be permitted per lot, provided said sign does not exceed three square feet in size.
  - v. Nursery schools or day nurseries.
    - 1. No more than one free standing or pole sign shall be permitted per lot, provided said sign does not exceed three square feet.
  - vi. Municipal and special district buildings.
    - 1. No more than one free standing sign or pole shall be permitted per lot, provided said sign does not exceed three square feet in size.
  - vii. Museums and libraries.
    - 1. No more than one free standing sign or pole shall be permitted per lot, provided said sign does not exceed three square feet in size.
    - 2. One wall sign, not exceeding ten square feet in area is permitted facing each street on which the establishment is situated.
- 2. Residence-Office District: R-O
  - i. Establishments located within the R-O District may maintain or install one of the following signs:

1. Pole Sign;
  2. Freestanding Sign; or
  3. Freestanding Directory Sign.
- ii. In addition to the signs listed in section 250-31G(2)(i) above, the establishment may maintain or install one of the following signs:
  1. Wall sign; or
  2. Directory wall sign.
3. Professional Office: P-O
  - i. Establishments located within the P-O District may maintain or install one of the following signs:
    1. Pole Sign;
    2. Freestanding Sign; or
    3. Freestanding Directory Sign.
  - ii. In addition to the signs listed in section 250-31G3(i) above, the establishment may maintain or install one of the flowing signs:
    1. Wall Sign; or
    2. Directory Wall Sign.
  - iii. Hospital exceptions: Signage notifying the viewing public of the entrance to, and giving direction to, an emergency department entrance may be internally lit.
4. Commercial Districts: C-1 & C-2
  - i. Establishments located within C-1 District may maintain or install four of the following sign types: (Note: No more than one of each kind of sign shall be permitted; e.g., never more than one secondary wall sign shall be permitted for a single establishment).
    1. Primary Wall Sign;
    2. Freestanding Sign;
    3. Pole Sign;
    4. Awning/Canopy Sign;
    5. Marquee Sign;
    6. Window Sign;
    7. Secondary Wall Sign;
    8. Directory Wall Sign;
    9. Sandwich Board Sign;
    10. Secondary Soffit Sign; or
    11. Blade Sign.
5. Waterfront-Public Utility: W-P
  - i. Establishments located within the W-P District may maintain or install one of the following signs:
    1. Pole Sign;
    2. Freestanding Sign; or
    3. Freestanding Directory Sign.
  - ii. In addition to the signs listed in section 250-31G(5)(i) above the establishment may maintain or install one of the following signs:
    1. Wall Sign; or
    2. Directory Wall Sign.

6. Light Industrial I-2
    - i. Establishments located within I-2 District may maintain or install two of the following sign types: (Note: No more than one of each kind of sign shall be permitted; e.g., never more than one secondary wall sign shall be permitted for a single establishment).
      1. Primary Wall Sign;
      2. Freestanding Sign;
      3. Pole Sign;
      4. Awning/Canopy Sign;
      5. Window Sign;
      6. Secondary Wall Sign;
      7. Directory Wall Sign;
      8. Sandwich Board Sign;
      9. Secondary Soffit Sign; or
      10. Blade Sign.
  7. Marina-Waterfront Districts:
    - i. Establishments located within MW-1 District may maintain or install two of the following sign types: (Note: No more than one of each kind of sign shall be permitted; e.g., never more than one blade sign shall be permitted for a single establishment).
      1. Primary Wall Sign;
      2. Freestanding Sign;
      3. Pole Sign;
      4. Awning/Canopy Sign;
      5. Marquee Sign;
      6. Window Sign;
      7. Secondary Wall Sign;
      8. Directory Wall Sign;
      9. Sandwich Board Sign;
      10. Secondary Soffit Sign; or
      11. Blade Sign.
    - ii. Establishments located within MW-2 District may maintain or install four of the following sign types: (Note: No more than one of each kind of sign shall be permitted; e.g., never more than one blade sign shall be permitted for a single establishment).
      1. Primary Wall Sign;
      2. Freestanding Sign;
      3. Pole Sign;
      4. Awning/Canopy Sign;
      5. Marquee Sign;
      6. Window Sign;
      7. Secondary Wall Sign;
      8. Directory Wall Sign;
      9. Sandwich Board Sign;
      10. Secondary Soffit Sign; or
      11. Blade Sign.

iii. MW-3.

1. Signage is prohibited.

H. Illumination

1. Lighting of signs shall be limited to direct illumination from a shielded low-intensity light source. Internally lit signs are prohibited unless expressly permitted in section 250-31G(3)(iii).

I. Permits.

Except for signs expressly exempt in section 250-31D(1) above, permits shall be required for all signs in the Village of Port Jefferson.

1. Applications for sign permits shall be made to, and upon forms provided by, the Building Department and shall include plans, specifications, drawings and other such information as the Department may require.
  - i. The Building Inspector shall determine whether such proposed sign complies with all the requirements of this section and all other applicable laws and regulations of the Village of Port Jefferson before authorizing issuance of a sign permit.
  - ii. Signs existing prior to the enactment of this section and maintaining a proper sign permit, shall be issued a badge which shall be affixed to the sign by, or in the presence of, a member of the Building Department. Said badge shall be prominently and permanently displayed on the lower right-hand corner on the face of such sign. If said badge does not remain affixed to the sign, it is the responsibility of the applicant to request a replacement badge. All costs for the replacement badge will be paid by the applicant.
  - iii. Signs which are issued sign permits after the enactment of this section shall be issued a permit number which must be permanently incorporated into the design of the sign on the lower right-corner of the face of such sign.
  - iv. Any sign which does not have a permit or permit number displayed on its face, or which has had its permit revoked, shall be in violation of this section.
2. Permit requirements for all signage within the Village of Port Jefferson, unless otherwise specified above.
  - i. Notwithstanding the dimensional and locational requirements set forth above, all signs which require permitting in the Village must comply with the following design standards:
    1. Signs must be in scale with and relate to the architecture of building to which it is affixed. A sign may not cover any architectural details, such as arches, transom windows, moldings, columns, capitals, sills, cornices and the like.
    2. Signs may consist of wood, sign foam, aluminum, metal, concrete, stone or canvas stretched over a wood or metal frame. All other materials are prohibited.
    3. Signs must maintain a dimensional appearance. Dimension may be created by, but not limited to, carving, sandblasting,

embellishing or layering of materials, painting or through the employment of a combination of techniques. It is the purpose of this standard to eliminate flat or one-dimensional signage and encourage greater visual interest. Marquee, window and awning signs are exempt from this requirement.

4. Layout should be orderly and graphics concise.
  5. Groups of related signs should express uniformity and create a sense of harmonious appearance.
  6. The Building Inspector may refer any sign application to the Architectural Review Committee for review and comment. The Architectural Review Committee has two weeks from the referral date to forward its comment to the Building Inspector for consideration.
- ii. Upon the building inspectors determination that the proposed sign does not meet the provisions set forth in this section 250-31, applicant may either amend the application and proposed sign to conform to the Code, or apply to the Board of Zoning Appeals for relief.
    1. Upon application to the Board of Zoning Appeals for relief, the application may be forwarded to the Architectural Review Committee for comment. The Architectural Review Committee has two weeks from the referral date to forward its comment to the Board of Zoning Appeals for consideration.
3. Permit Fee: See 250 Attachment 1
    - i. An application for a sign permit will not be considered by the Building department until all fees set forth in 250 Attachment 1 have been paid to the Village.

#### J. Penalties for Violations

1. Any violation of this section, or of any condition or requirement of the Building Department or the Zoning Board of Appeals may be restrained, corrected or abated, as the case may be, by injunction or other appropriate proceedings pursuant to state law and/or the Village of Port Jefferson Code. Furthermore, the remedies of the Village shall include, but not limited to:
  - i. Issuing a stop-work order for any and all work on any sign;
  - ii. Issuing an order to remedy;
  - iii. Seeking an injunction or other order of restraint or abatement requiring the removal of the sign or the correction or repair of the nonconformity or hazard;
  - iv. Any person who violates this article or fails to comply with any of its requirements shall, upon conviction thereof, be subject to the penalties provided in § 1-2 of the Code of the Village of Port Jefferson;
  - v. Seeking, in court, the imposition of any penalties that may be imposed under the Zoning Code; and
  - vi. In the case of a sign that poses an immediate danger to the public health or safety, taking such immediate measures as are available to the Village under the applicable provisions of the Zoning Code and /or Building Code.

2. In non-emergency matters, the Building Inspector, Fire Marshal, Code Enforcement Officers or Ordinance Inspectors, as appropriate, shall cause a notice of such violation to be served on the owner of the building, structure, or lot where said sign is located or the lessee or tenant thereof, requiring such owner, lessee or tenant to remove such illegal sign or take other appropriate action within 30 days of receipt of such notice. Such notice may be served personally, or by certified mail, return receipt requested, to either the property address where the sign is located or a known address of any such individual.

K. Sign maintenance, inspection and restoration.

1. Maintenance. All signs within the Village of Port Jefferson shall be properly maintained. Such maintenance shall include periodic cleaning, replacement of flickering, burned out or broken light bulbs or fixtures, repair or replacement of any faded, peeled, cracked or otherwise damaged or broken parts, and any other activity needed to conform a sign to the provisions of this section and to the provisions of any permit relating thereto. Likewise, the areas surrounding all freestanding signs shall be properly maintained, including the removal of all rubbish, debris and graffiti, and, if landscaped, free of weeds and otherwise properly maintained.
2. Inspections. Every sign existing within the Village of Port Jefferson, including those signs for which a sign permit has been issued, may be inspected for compliance with the provisions of this section, proper maintenance, freedom from any hazardous condition's and structural soundness. If any sign is found to be noncompliant, inadequately maintained, hazardous or unsafe, the Building Inspector shall revoke the sign permit and subject to violation pursuant to section 250-31J above.
3. Restoration. Upon replacement or removal of any sign and structure, the area of the sign, structure of all adjoining areas shall be restored to match the existing surrounding conditions.

L. Miscellaneous provisions

1. Non-commercial signs are allowed in all districts and may be substituted for any sign expressly allowed under this ordinance subject to all regulations referring to time, place and manner setforth herein.
2. Rights-of-way. No sign, other than a sign erected by a governmental agency, shall be erected or placed within the right-of way lines of a public street or walkway. Any such sign may be removed by the Village without notice to the owner.
3. Sign supports. No lettering shall be permitted on any sign supports.
4. Wind loads. All signs, associated supports, fasteners, appurtenances and the supporting structure and/or assembly shall meet the standards of the latest version of § 1609 of the Building Code of the State of New York, entitled "Wind Loads."
5. Village Signs. Nothing contained in this section shall be construed to prohibit, limit or restrict the Village of Port Jefferson from erecting and maintaining any signs deemed by it to be in the public interest.

6. Obsolete signs. Obsolete signs and their supporting structures shall be removed within 60 days after the use or activity they identify has ceased or the property on which they are located has become vacant.
- M. Severability. If any clause, sentence, paragraph, section, Article, chapter or part of this local law or of any local law, ordinance or resolution included in this Code now or through supplementation shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section, Article, chapter or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Effective Date:

This Local Law shall take effect immediately.