

**Architectural Review Board  
Sign and Banner Permit Informational Packet**

**No exterior or interior sign, advertising display or structure, poster or device shall be erected, moved to another portion of the building, enlarged or reconstructed or re-lettered or redesigned without the owner first having obtained and paid for and having in force a permit therefore from the Architectural Review Board.**

**Fee Information**

Sign Permit Fee	\$100. (Per Sign)
Banner Permit Fee	\$225. (Per Banner)
Banner Relocation Fee	\$100. (Per Move)

**Required Legal Notice Posting Fee\***      \$125. (Regardless of number of signs)

**§360-4.11. Signs**

A. Purpose. The purpose of this section is to control outdoor and window signs of all types and in all zoning districts by regulating size, location, quantity, quality, content and design to:

- (1) Enhance and protect the Village's physical appearance and environment, so as to protect the Village's scenic and natural beauty and to create an attractive economic, business and tourist climate. All signs must therefore be placed so as not to obliterate, conceal or destroy architectural and decorative trim.
- (2) Provide an environment which will support the existing business and increase their profitability by encouraging residents and visitors to patronize Village businesses.
- (3) Encourage excellence in sign design and materials and to provide uniform design standards.
- (4) Reduce sign or advertising distractions and obstructions that may contribute to traffic accidents or driver confusion.
- (5) Replace or remove nonconforming signs that do not meet the requirements of this section.
- (6) Promote the health, safety and welfare of the residents of the Village of Nyack.

**B. Permit required.**

- (1) No exterior or interior sign, advertising display or structure, poster or device shall be erected, moved to another portion of the building, enlarged or reconstructed or relettered or redesigned without the owner first having obtained and paid for and having in force a permit therefore from the Architectural Review Board.
- (2) The following two operations shall not be considered creating a new sign and therefore shall not require a sign permit:

(a) The changing of the advertising or message on an approved sign which is specifically designed for the use of temporary replaceable copy (i.e., a movie marquee or bulletin board).

**\* Carry over submissions will have to pay additional legal notice posting fees**

(b) Painting, cleaning and other normal maintenance and repair of a sign or a sign structure, unless a structural change is made or there is a change in the graphic presentation on the face of a sign.

**C. Restrictions on signs in all districts.** No signs other than signs placed by agencies of the government shall be erected on any public property or public right-of-way unless consent is first obtained from the Village Board of Trustees. No sign shall be placed on any private property without the consent of the owner thereof. No sign shall be placed or painted on any tree or rock. No sign shall be placed on any utility pole except for utility identification or similar purposes. Signs shall be placed so as not to obliterate, conceal or destroy architectural and decorative trim. All signs shall be of good quality materials. The size and content of the sign shall be the minimum essential for legibility and for the provision of information to patrons seeking the particular use described on such sign. Signs must be placed so that they are integrated with design elements of the building(s) on the lot on which they are placed.

**D. Permitted signs in residential districts.** The following signs are permitted in the SFR, TFR and MFR District, provided that they are accessory to a principal use on the premises:

- (1) One nonilluminated nameplate or professional sign with an area of not over two square feet.
- (2) One temporary nonilluminated sign advertising the sale or rental of the premises on which such sign is situated, with an area of not over four square feet. The signs are not permitted to obscure view lines from roads or project on to sidewalks.
- (3) One indirectly illuminated bulletin board or other announcement sign for civic, educational or religious institutions, with an area of not over 12 square feet.

**E. Permitted signs in nonresidential districts.** In the DMU, RMU, OMU and WF Districts, the sign area for all signs on the property, in square feet, shall not be greater than two times  $\frac{2}{3}$  the width, in feet, of the storefront of the front facade of commercial establishment to which the sign refers. In the CC and M Districts, the maximum sign area shall be 10% of the total surface area of the building's front facade upon which it is faced or 80 square feet, whichever is lesser. The total area of signage for all businesses or tenants in a building shall not exceed the area of signage that would be allowed if there were a single tenant. The following signs are permitted in the DMU, RMU, OMU, CC, WF and M Districts, provided that they are accessory to a principal use on the premises:

- (1) Wall signs — flat and projecting. Not more than two identification signs for each tenant on the premises on each wall fronting on a street, provided that:
  - (a) One flat wall sign may be erected parallel to the face of the building.
  - (b) In addition, one projecting wall sign may be erected perpendicular to the building or street. The following limitations shall apply:

[1] The sign may protrude up to 42 inches from the plane of the building but not closer than two feet to the curbline.

[2] The bracket(s) supporting the sign shall be no more than four feet in length on a side.

[3] The bottom of the sign or the protruding portion of the bottom bracket shall be at least 10 above the sidewalk in the CC and M Districts and at least eight feet above the sidewalk or ground in the DMU, RMU, OMU and WF Districts.

[4] The size of the sign shall not exceed 15 square feet per face. Only two faces are permitted.

(c) Signage in the DMU, RMU, OMU and WF Districts shall be designed so that it is visible and informative at the pedestrian scale. The following design standards shall apply:

[1] Street-oriented signs shall be limited to fascia bands above the store window, on the vertical fascia of an awning or on the window of the store.

[2] Signage design shall be carefully integrated with other design elements.

[3] All signs shall be stationary and contain no visible or moving parts.

[4] If a sign is illuminated, the source of illumination must be shielded from streets, walkways and adjoining properties. External illumination such as gooseneck lamps, simple horizontal strip lighting or concealed spotlights shall be utilized. The lighting fixtures shall be placed so as to not negatively impact of the composition of the facade or damage building materials.

[5] Flat wall signs shall not project less than 1/2 inch or more than three inches beyond the rest of the wall. Any illuminating devices shall project no more than 42 inches beyond the rest of the wall or any distance above the building.

[6] Prohibited items shall include product advertisement outside of any retail space, signs mounted above the eave line of any structure and internally illuminated signage.

[7] Sign copy shall be limited to the name of the business, product sold or service provided by and logo of the principal use of the premises. Telephone numbers or website addresses shall only be allowed on permanent interior signs on ground floor level windows and doors and upper floor windows (limited to a sign for a different business than is located on first story). The maximum height of letters for telephone numbers and website addresses shall be five inches on ground floor store windows and doors and three inches on upper floor windows.

(d) Signage in the CC and M Districts shall be designed so that it is visible and informative at both the automobile and the pedestrian scale. The following design standards shall apply:

[1] Internal illumination is allowed.

[2] Flat wall signs excluding external illuminating devices shall not project more than 12 inches. Any external illuminating devices shall project no more than 42 inches beyond the rest of the wall or any distance above the building.

[3] Projecting wall signs shall be at least 10 feet above the sidewalk or pavement immediately beneath the sign.

- (e) Such sign or signs shall be placed so as not to obliterate, conceal or destroy architectural and decorative trim and cornices immediately above first-floor storefronts or on above stories, including at parapets and rooflines, or signs of adjacent buildings or views.
- (f) The mountings and installation hardware must be installed in such a way that it does not damage the materials of the building and all practical measure must be taken to conceal the hardware.
- (g) Signs that do not comply shall be removed no later than 24 months after this chapter is enacted.

**(2) Freestanding signs.**

(a) In the DMU, RMU, OMU and WF Districts, where the building is set back from the front lot line a distance of 25 feet or more, not more than one freestanding sign consisting of either a pole sign or a monument sign, with an area of not more than 20 square feet per face, may be erected not nearer than six feet to any building. No such freestanding signs shall encroach on any required yard, except in a motor vehicle service station, and not more than one standard sign may be erected in a required yard for purposes of identification. The maximum height of a pole sign shall be 15 feet and the maximum height of a monument sign shall be four feet, measured to the topmost portion of the sign above grade. Any building availing itself of a freestanding sign may not erect a perpendicular sign as provided in § 360-4.11E(1)(b).

(b) In the CC District, a maximum of one freestanding sign per property consisting of either a pole sign or a monument sign shall be permitted. The maximum sign area shall be 60 square feet per face. A pole sign shall be set back a minimum of 15 feet from a property line except that it shall be back a minimum of 50 feet from any residential use or zone boundary. A monument sign shall be set back a minimum of five feet from any property line. The maximum height of a pole sign shall be 25 feet and the maximum height of a monument sign shall be six feet, measured to the topmost portion of the sign above grade. Any building availing itself of a freestanding sign may not erect a perpendicular sign as provided in § 360-4.11E(1)(b).

(c) In the M District, a maximum of one monument sign shall be permitted. The maximum sign area shall be 60 square feet per face. The sign shall be set back a minimum of five feet from any property line. The maximum sign height shall be six feet, measured to the topmost portion of the sign above grade. Any building availing itself of a freestanding sign may not erect a perpendicular sign as provided in § 360-4.11E(1)(b).

(d) Sign copy shall be limited to the name of the business, product sold or service provided by and logo of the principal use of the premises.

(3) Directional signs. Directional signs necessary for proper traffic flow and safety. All directional signs shall be subject to approval by the Architectural Review Board, which shall have discretion over the placement and number of signs permitted on the premises, bearing in mind the Village's stated policy favoring reduction in the number of distracting signs. The area of each such sign shall not exceed two square feet. Signs that do not comply shall be removed no later than 24 months after this chapter is enacted.

(4) Marquees. A marquee for a theater or public building shall be permitted.

(5) Gas station signs. Gas stations shall be allowed two signs on a freestanding pole with gas pricing information only allowed on the second sign. The area of signage of the price sign may be 22 square feet per face to accommodate the pricing information. All other requirements of Subsection [E\(2\)](#) shall apply. Signs that do not comply shall be removed no later than 24 months after this chapter is enacted.

**(6) Flag signs.**

(a) Flag sign is an advertising sign printed on a fabric flag of non-shiny material and flown from a pole that has a maximum length of six feet and is attached to a building at a minimum height of six feet if the flag is attached to a pole mounted to a building at an angle from horizontal of 45° or greater or 10 feet if the flag is attached to a pole mounted to a building at an angle from horizontal of less than 45°, where the flag has the maximum size of 15 square feet, and is no higher on the building than 12 feet, and is not closer than three feet to the curblin. The flag sign shall not have product advertising, but can have the name and/or logo of the business or advertise that the business is "Open," "Closed," or "Sale." Only two faces are permitted. One flag sign is permitted for each public entrance of a building, with a maximum of one flag sign per business, and shall only be displayed when the business is open. This does not apply to any official national, state or international flag.

(b) A flag sign is permitted in addition to other signs, provided that no specific product advertising is displayed, its design is integrated with other design elements of the building and its signs and it does not damage or hide significant architectural features.

(c) Signs that do not comply shall be removed no later than 24 months after this chapter is enacted.

(7) Awning signs. A sign may not be suspended from or attached to an awning. Signs may be painted on or made a part of an awning. Such signs painted on an awning shall be computed in the allowable sign area, except for painted signs on awning valances solely identifying the store name with a letter size not exceeding six inches in height.

(8) Permanent interior signs on ground floor level. Permanent interior signs include any sign of any material painted on or placed or hung within 24 inches from the inside window glass or door glass of any building, including all neon, LED, light borders, electronic and similar signs, including words, logos, product signs, border tubing, permanent sculptures or frames.

(a) In no instance may a permanent and temporary interior sign cover more than 15% of the aggregate storefront window area or 36 square feet.

(b) Interior permanent signs that fail to comply with all provisions of this section shall be removed no later than 24 months after this chapter is enacted.

(9) Permanent interior signs on upper floor windows. Permanent interior signs include any sign of any material painted on or placed or hung within 24 inches from the inside window glass or door glass of any building, including all neon, LED, electronic, light borders and similar signs including words, logos, product signs, border tubing, permanent sculptures or frames. Such interior signs on upper floor windows may not cover more than 20% of the window area. The height of letters for telephone numbers and web addresses is limited to three inches. Signs that do not comply shall be removed no later than 24 months after this chapter is enacted.

(10) Temporary signs. The following regulations shall apply to temporary signs, which are paper, cardboard and other similarly impermanent material signs. Temporary interior signs are located within 24 inches of the storefront's glass windows and doors and include open, closed, and sale signs, menus, lists of products and services, are allowed and do not need permits when together they do not exceed four square feet. Temporary and permanent signs together cannot cover more than 15% of the ground floor window area or 36 square feet; or 20% of upper floor window area.

(a) Temporary signs are allowed for up to 30 days without a sign permit. This includes signs for which an application for a permanent sign has been submitted.

(b) A maximum of two temporary interior signs which do not need permits are allowed along with the exceptions below.

(c) Temporary signs shall not overlap, cover or obscure permanent signs.

(d) Contractor signs. One contractor sign per frontage, with a maximum size of four square feet per side, with a maximum of two sides, shall be permitted, provided that such signs are located at ground floor level and shall be erected no more than five days prior to the beginning of construction for which a valid permit has been issued and shall be removed within five days after completion of the project or expiration of the permit, whichever comes first. The sign must include the proper name of the contractor and must list the telephone number of the contractor and of the Building Inspector for complaints.

(e) A temporary sign announcing the anticipated occupancy of a site or building may be permitted for a period not to exceed three months without the Building Inspector's approval. Such sign shall not exceed 24 square feet if it is affixed to a building or wall and not more than 40% of the window area if an interior sign.

(f) Special event, holiday signs and announcement signs may be permitted in DMU, RMU, OMU, CC and WF Districts without the Building Inspector's approval. These signs may be placed in the window only and may not cover more than 15% of the window area together with other signs.

These signs may be put in place four weeks prior to the event and shall be removed within one week of the event.

(g) Real estate sale or rental signs may be permitted as long as the size of such signs does not exceed a maximum of six square feet and no more than one sign per tenancy per frontage at ground level. Such signs shall be subject to permit renewal at six-month intervals.

(h) Temporary signs pertaining to campaigns, drives or events of civic, philanthropic or educational institutions are permitted in DMU, RMU, OMU, CC and WF Districts without the Building Inspector's approval for a period not to exceed 15 days. These signs may be placed in the window only and may not exceed six square feet in area. They should not overlap, cover or obscure permanent signs.

(i) Temporary signs that fail to comply with all provisions of this section shall be removed by the effective date of this chapter.

**F. Unsafe signs.**

(1) The owner of a sign and the owner of the premises on which such sign is located shall be jointly liable to maintain such sign, including its illumination sources, in a neat and orderly condition and good working order at all times and to prevent the corrosion, rotting or other deterioration in the physical appearance or safety of such sign.

(2) If the Building Inspector shall find that any sign regulated herein is unsafe, insecure, damaged, deteriorated or a menace to the public or has been erected in violation of the provisions of this section, he shall give written notice to the sign owner or the owner of the premises on which such sign is located. Said sign and all appurtenances shall be taken down and removed by the owner, agent or person having the beneficial use of the building or structure upon which such sign may be found within 30 days after written notification from the Building Inspector.

(3) If, in the determination of the Building Inspector, a sign is an immediate peril to persons or property, he may cause such sign to be removed summarily and without notice and the expense of said removal, when certified by said Building Inspector to the Village Board, shall be paid by the Village and such amount shall thereupon be and become a lien upon the premises in question and shall be levied and collected in the same manner and under the same penalties as an assessment for a public improvement.

**G. Prohibited signs. The following types of signs or artificial lighting are prohibited:**

(1) Billboards.

(2) Flashing or animated neon, LED, electronic reader board or electronic graphics or other artificial light sign or device. Flashing signs, including any sign or device on which the artificial light is not maintained stationary and constant in intensity and color at all times when in use.

(3) Internally illuminated (including neon) signs located on the exterior of buildings, except in the CC and M zoning districts.

(4) Signs that compete for attention with or may be mistaken for a traffic signal.

(5) Outdoor signs made of impermanent materials, such as paper or cardboard.

(6) Sandwich board signs shall constitute prohibited signs; however, such signs shall be permitted in the DMU, RMU, OMU, CC, WF and M Districts upon the issuance of an administrative permit for same by the Building Inspector. The standards applicable for such permits shall be on file in the Building Department.

**[Amended 2-24-2011 by L.L. No. 4-2011]**

(7) Exterior signs that emit noise, sounds or smoke.

**H. Nonconforming sign.**

(1) A nonconforming permanent sign, except for a freestanding sign in place at the time of enactment of this chapter, must be removed within 24 months of the enactment of this chapter.

(2) All nonconforming temporary signs shall be removed by the effective date of this chapter.

(3) The maintenance of such nonconforming signs may be permitted, but any sign once removed for purposes other than maintenance shall be deemed permanently removed and may be replaced only in accordance with the provisions of this section.

I. Multiple occupancy overall sign plan. When there are two or more occupants of a premises, such as a shopping center or strip mall, an overall plan for signage shall be required prior to installation or replacement of any individual sign. The overall plan shall satisfy all requirements and guidelines of this section. Individual signs shall be the same with regard to materials and color, but letter size and style may vary.

J. Noncommercial copy. Any sign authorized in this chapter is allowed to contain noncommercial copy in lieu of any other copy.