



THE TOWN OF RHINEBECK · NEW YORK

FOUNDED 1686

October 2018 TOWN SIGN LAW

Zoning Update

The purpose of this newsletter is to provide some guidance on the application of the Town Sign Law. Sign content is protected as speech under the 1st Amendment of the U.S. Constitution. Notwithstanding, the Town does maintain the authority to regulate the design, placement and maintenance of signs through a permitting process.

INTENT

The intent of the Town sign law is to support local businesses, improve communication, protect public health and welfare, and protect property values while protecting and enhancing the aesthetic environment of the Town. With some exceptions, all signs must be reviewed by the Planning Board to ensure that their design is compliant with all applicable guidelines.

EXEMPT SIGNS

Certain types of signs are exempt from the permitting process, but must still meet design standards. The following abbreviated list is more fully addressed in Town Code section 125-37 (F):

- Memorial signs denoting names of buildings or dates of erection
- Secondary, non-illuminated window signs providing hours of operation or “in” or “out” signs totaling less than 1 square foot
- Non-illuminated real estate signs used for selling, renting or leasing, displayed only on premises, not to exceed 3 feet in height
- One sign located on a farm or farm market premises, not exceeding 16 square feet
- Political, educational, charitable, philanthropic, civic, religious signs or banners not exceeding 3 square feet in area per side
- The sign, poster, flag or pennant of any governmental agency
- One unlit construction sign not exceeding 12 square feet which shall be removed prior to issuance of a certificate of occupancy

PROHIBITED SIGNS

Certain types of signs are fully prohibited. The following abbreviated list is more fully addressed in Town Code section 125-37 (G):

- Off premise signs, including billboards, or posting to any utility pole, traffic sign post or any location in the right-of-way of any street
- Pylon or roof signs
- Portable signs other than those temporary signs that have been issued a permit
- Signs on vehicles used to identify or advertise a business
- Internally illuminated signs
- Signs with flashing, blinking or moving lights

TEMPORARY SIGNS

All temporary signs may obtain a permit by approval from the Zoning Enforcement Officer. The time period of display shall not exceed 30 days. Businesses that utilize temporary signs are not to exceed a maximum of 4 events per year with a combined total of 40 days per year. The maximum size of temporary signs is 12 square feet. Trailer and wheel mounted signs are prohibited.

GENERAL SIGN STANDARDS

- All signs must be maintained in good repair in accordance with building code, electrical code and property maintenance standards.
- No signs shall attempt to regulate or direct traffic, nor imitate official traffic signals or devices.
- No signs shall project over property lines or be located in the public right-of-way.
- No signs shall contain luminous material, or sequin-studded lettering with fluorescent paint. An exception is allowed for one internally illuminated window sign per business not to exceed two square feet in size.

PERMANENT SIGN STANDARDS

- Sign standards vary depending upon zoning district and sign type. All signs shall be designed in accordance with the standards set forth in Town Code section 125-37 (J-M).

REMOVAL OF SIGNS

- Any sign that no longer identifies and existing business or product sold on the premises shall be removed by the owner. The Zoning Enforcement Officer shall provide notice to the last known owner of record that they have 30 days time to remove an abandoned sign. Should the owner not remove the sign in the allotted time period, the Zoning Enforcement Officer is empowered to have the sign removed, the cost of which shall be added to the owner's real property tax.
- The Zoning Enforcement Officer may remove any sign that is unsafe, insecure or is a source of imminent peril immediately and without notice.
- The Zoning Enforcement Officer may remove any noncomplying portable roadside sign.
- All billboards in districts outside of those zoned for manufacturing are considered nonconforming billboards. The Zoning Enforcement Officer shall give written notice to the owners of the property notifying them of the nonconformance. The billboard will be allowed to remain on the property pursuant to the schedule set forth in General Municipal Law section 74-C.

FURTHER INFORMATION

For further information please refer to Town Code section 125-37. Direct all questions to the Zoning Administrator, Micelle Turck at 845-876-7207 or email to zoningadministrator@rhinebeckny.gov.