

LOCAL LAW No. 3 of 2012

**A LOCAL LAW
AMENDING THE TOWN OF LAKE GEORGE ZONING LAW
TO ADD PROVISIONS RELATING TO SMALL TEMPORARY SIGNS**

BE IT ENACTED BY THE LAKE GEORGE TOWN BOARD AS FOLLOWS:

Section 1. Purpose and Intent; Authority – It is the intent of this Local Law to allow small temporary business and directional signs for certain purposes without a permit. It is adopted pursuant to New York Municipal Home Rule Law.

Section 2. Amendment – Section 175-32. of the Town of Lake George Zoning Law is hereby amended to read as follows:

§ 175-32. Signs.

- A. For purposes of this Section, the following terms shall have the meanings indicated:
- (1) Small On-Premise Business Sign – A sign having not more than four (4) square feet in sign area which directs attention to a business, commercial use, industry, profession, commodity or service which is temporarily located or offered for sale or lease on the same premise where the sign is located, such as construction project signs, realtor signs and real property for sale or lease signs.
 - (2) Small Off-Premise Directional Sign – A sign having not more than four (4) square feet in sign area which serves solely to indicate the direction or location of any place or area where construction is taking place or real estate is being offered for sale or lease for the purpose of enabling delivery truck drivers, sub-contractors or real estate customers to locate the real property.

- (3) Off-Premise Advertising Sign – Except as provided in paragraph A(2) above, a sign which calls attention to a business, commercial use, industry, profession, commodity, service or entertainment neither sold nor offered on the same premises where the sign is located.
- B. Except as provided in this section, no person shall apply, place, erect, own, operate or maintain a sign without a permit issued by the Zoning Officer.
- C. All signs within the Town, whether they are within or outside of the Lake George Park as defined in Article 43 of the Environmental Conservation Law, shall comply with the standards set forth in the regulations adopted by the Lake George Park Commission pursuant to Article 43 of the Environmental Conservation Law at 6 NYCRR 646-7.
- D. Applications for sign permits shall be made to the Zoning Officer, who shall review the application pursuant to the criteria set forth in 6 NYCRR 646-7. The exemptions to the permitting requirements contained at 6 NYCRR 646-7.2 shall also apply.
- E. For Class A or B regional projects, signs shall also be reviewed pursuant to the standards for regional projects and Appendix Q of the APA regulations.
- F. In addition to the requirements described above, signs shall comply with the following regulations:
 - (1) Small On-Premise Business Signs shall be allowed without a permit provided that they are maintained only for the duration of the temporary construction project, real estate offering or offer for lease or other activity which temporary period shall not exceed thirty (30) days without approval by the Zoning Officer.

- (2) Small Off-Premise Directional Signs shall be allowed without a permit provided that they are maintained only for a short period of time not to exceed forty-eight (48) hours. Such Directional Signs may not include business addresses or telephone numbers and may not be located within the public right-of-way. For purposes of this provision, the public right-of-way is considered to be 50 feet wide measured 25 feet in each direction perpendicular to the center line of the road.
- (3) No sign may be applied to, placed, affixed, erected or maintained:
 - (a) on a utility pole, (b) on State, County or Town property such as street signs, fire hydrants or traffic control devices, (c) on trees, rocks or other natural features or (d) in any location which blocks or interferes with pedestrian or vehicular highway sight distances.
- (4) Off-Premise Advertising Signs are prohibited.
- (5)
 - (a) When a Small Off-Premise Directional Sign which has been in place more than forty-eight (48) hours or is otherwise in violation of this provision, or a prohibited Off-Premise Advertising Sign, is identified by the Zoning Officer, he/she shall attempt to contact the owner of the sign to request that the sign be removed.
 - (b) If the owner of the offending sign fails to voluntarily remove the sign after having been requested to do so and the sign is located within the public right-of-way or is applied to, placed, affixed, erected or maintained on a utility pole, State, County or Town property such as a street sign, fire hydrant or traffic control device, or a tree, rock or other natural feature located on public property, it may be removed by the Zoning Officer or his/her designee. After notice to the sign owner, any sign removed pursuant to this provision shall be retained in the Planning Office for fifteen (15) days. Any sign not retrieved by the owner upon a

required payment of Five Dollars (\$5.00) per sign within such time period may be disposed of by the Town.

(c) If the owner of the offending sign fails to voluntarily remove the sign after having been requested to do so and the sign is located on private property, the Town Board may take appropriate action to compel the removal of the sign including, but not limited to, actions specified in Town Code Section 175-97.

Section 3. Severability – The invalidity of any clause, sentence, paragraph or provision of this Local Law shall not invalidate any other clause, sentence, paragraph or part hereof.

Section 4. Repealer – Any Local Laws or Ordinances or parts of Local Laws or Ordinances in conflict with any part of this Local Law are hereby repealed.

Section 5. Effective Date – This Local Law shall take effect upon filing in the office of the New York State Secretary of State, or as otherwise provided by law.

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