



Incorporated Village

of Massapequa Park

VILLAGE HALL, 151 FRONT STREET, MASSAPEQUA PARK, NEW YORK 11762-2794
WEBSITE: www.masspk.com Tel#516-798-0244 Fax#516-798-6106

**SIGN PERMIT
RESIDENTIAL PROPERTY**

FEE: \$55.00

PERMIT NO.: RS _____

EXPIRATION DATE: _____

Property Owner's Name: _____

Address: _____ Phone No.: _____

Broker's Name: _____ Phone No.: _____

Address: _____

Sub-category: PERMANENT

- () Church
- () place of worship
- () public building
- () public park
- () identification
- () professional
- () other**

TEMPORARY

- () for sale
- () for rent
- () flea market
- () yard sale
- () security system
- () other**

**If "Other", please give description: _____

REQUIREMENTS:

- **DIMENSIONS:**
 - o **15"x15"** maximum for all temporary sign or permanent signs incidental to churches/houses of worship/public buildings/public parks
 - o **6"x18"** maximum for permanent signs which are either identification/professional signs
- **LOCATION:**
 - o **Maximum 3'** from building line
- **HEIGHT:**
 - o **Top of sign shall not exceed 4'** from ground maximum
- **Written consent of the owner or owners of the building or structure or land on which the sign is to be erected is required**
- **The owner authorizes the Building Inspector to enter the premises in the performance of his duties**
- **Schematic of signs must be attached to application**

I have read and understand the conditions of the Sign Law : _____
SIGNATURE DATE

Approved: _____

Date: _____

FOR SALE/RENT

BY

BROKER/OWNER

516-999-9999

*ABOVE INFORMATION IS ALL THAT IS PERMITTED ON THE SIGN, THERE CANNOT BE ANY NAMES.

SIZE OF SIGN 15" X 15"

TOP OF POLE 4' ABOVE GROUND

3' FROM HOUSELINE

Village of Massapequa Park, NY
Tuesday, July 22, 2014

Chapter 286. SIGNS

[HISTORY: Adopted by the Board of Trustees of the Village of Massapequa Park 2-3-1997 by L.L. No. 5-1997.^[1] Amendments noted where applicable.]

GENERAL REFERENCES

Advertising materials — See Ch. 64.

Zoning — See Ch. 345.

Fees — See Ch. A350.

[1]: *Editor's Note: This local law also repealed former Ch. 286, Signs, adopted 1-7-1991 by L.L. No. 1-1991, as amended.*

Article I. General Provisions

§ 286-1. Legislative intent.

The purpose of this chapter is to regulate existing and proposed signs in order to:

- A. Preserve the aesthetic value of the property in the Incorporated Village of Massapequa Park.
- B. Enhance and protect the physical appearance and environment of the Incorporated Village of Massapequa Park.
- C. Preserve the scenic and natural beauty of the Incorporated Village of Massapequa Park.
- D. Provide for a more enjoyable and pleasing community.
- E. Reduce sign and advertising distractions and obstructions that may contribute to traffic, congestion and/or accidents.
- F. Reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way.
- G. Reduce hazards to bicyclists and pedestrians that may be caused from signs being placed on or around sidewalks or streets.

§ 286-2. Definitions.

As used in this chapter, the following terms are defined as set forth:

FRONT OR FACE OF A BUILDING

The outer surface of the building abutting or fronting upon any street or public highway.

OBSCENE

Objectionable or offensive to accepted standards of decency.

PERSON

Includes one or more persons, corporations, partnerships, associations, companies and all other entities of any kind capable of suing or being sued.

PROJECTING SIGN

Any sign which is erected or maintained over any street, sidewalk, alley, highway or vehicle.

SIGN or SIGNS

Any material, including paper, cloth, wood, aluminum, plastic and canvas; structure or device for visual communication composed of lettered or pictorial matter or upon which lettered or pictorial matter is placed, which is used outside of or on the exterior of any building, structure or vehicle for display of an advertisement, announcement, notice, banner, logo, flag, directional matter or name, and includes, but is not limited to, signs, billboards, signboards, illuminated signs, neon tube or ground signs, but does not include signs erected and maintained pursuant to and in the discharge of any governmental function.

§ 286-3. General regulations.

- A. No sign shall be constructed, maintained, placed, erected or located which shall obstruct the visibility with respect to the safety of the motorist or pedestrian proceeding along the public way or entering or leaving a lot or driveway.
- B. There shall be no illuminated signs allowed in residential districts in the Incorporated Village of Massapequa Park.
- C. Any illuminated sign or lighting device for the sign in business districts only shall employ only lights emitting a light of constant intensity and shall contain no lights other than those necessary for the illumination of the script. No sign shall be illuminated by or contain flashing, intermittent, rotating or moving light or lights or moving or movable components. In no event shall an illuminated sign or lighting device, in business districts only, be so

placed or directed so as to permit the beams and illumination therefrom to be directed or beamed upon a public street, highway, sidewalk or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance.

- D. No temporary or permanent signs, except directional or traffic signs placed by the Village of Massapequa Park or any other governmental entity, shall be permitted on public streets, sidewalks or rights-of-way.
- E. Nonilluminated directional signs are permitted on any lot in business districts, provided that such sign or signs shall not exceed 15 inches in length and 15 inches in height and that the number of such signs on the lot shall not exceed the number of approved ingresses and egresses thereon. The top of the sign shall not extend beyond the top of the pole, which pole shall not be any higher than four feet from the ground.
- F. No billboards shall be allowed.
- G. The carrying or placement of commercial advertising signs or sandwich menu signs on the sidewalks, streets and/or vehicles is hereby prohibited.
- H. Any sign authorized in this chapter is allowed to contain noncommercial copy in lieu of any other copy.

§ 286-4. Permit required.

- A. No sign shall be placed or maintained in public view within the residential districts until a permit has been duly issued upon application therefor to the Village of Massapequa Park.
- B. No more than one sign permit shall be in effect at any one time for a single parcel of property unless the property contains an identification sign or professional sign as set forth in Article II of this chapter.
- C. The Building Department shall require that the application for a permit indicate the proposed location of the sign, which shall in no case be further than three feet from the dwelling or building line in residential districts.
- D. (Reserved)^[1]
[1]: *Editor's Note: Former Subsection D, pertaining to real estate signs, was repealed 6-14-1999 by L.L. No. 8-1999.*
- E. Permits shall expire 60 days following the date of issuance but may be renewed upon written application to the Building Department prior to the expiration of said permit. The duration of all sign permits may be changed from time to time by resolution of the Board of Trustees.

§ 286-5. Application for permit.

Any person or persons or legal entity desiring to procure a permit for a sign shall file with the Building Department a written application which shall contain:

- A. The place and position where the sign is to be located on the building or on said real property pursuant to the requirements herein stated.
- B. Written consent of the owner or owners of the building or structure or land on which or to which the sign is to be erected.
- C. A certification by a licensed electrician in the State of New York when required by law in a business district.
- D. A picture or drawing of said sign must be submitted with the application for a permit.

§ 286-6. Fees.

The fee for a permit for the placement of signs upon property within the residential districts within the Incorporated Village of Massapequa Park shall be at a level fixed from time to time by resolution of the Board of Trustees. Said fee shall be submitted by the applicant at the time the application is submitted to the Building Department.

[1]: *Editor's Note: See Ch. A350, Fees.*

§ 286-7. Size of signs.

No sign that is larger than 15 inches in length and 15 inches in height shall be placed in a residential district. The Building Department or authorized village official shall order the immediate removal of any sign in a residential district that exceeds such 15 inches in length and 15 inches in height. The top of the sign shall not extend beyond the top of the pole, which pole shall not be any higher than four feet from the ground.

§ 286-8. Removal of signs.

- A. Signs must be removed from the property within 24 hours of the transfer of the title to the property or the giving of possession of the property, whichever event first occurs.
- B. Any sign which is not in conformity with the village law, as stated in the Village Code, may be removed by the Building Department or authorized village official without notice to the property owner or owner of the sign, and the cost of said removal shall be the

obligation of the property owner and shall be attached to his or her tax rolls if not paid to the village.

§ 286-9. Illumination.

- A. There shall be no illumination of signs in residential districts in the Incorporated Village of Massapequa Park.
- B. The area, brilliance, character, degree, density, intensity, location and type of illumination in business districts shall be the minimum necessary to provide for the security of the property and the safety and welfare of the public.
- C. All sources of illumination on front-lighted signs in business districts shall be indirect and shall be positioned so that the direct rays of such sources are cast upon the sign from in front thereof. Such sources of illumination shall also be shielded so that the direct rays therefrom are not cast upon any property other than the lot on which such illumination is situated.
- D. Illumination on front-lighted signs in business districts shall be steady in nature and not flashing or moving or changing in brilliance, color or intensity.
- E. Back-lighted signs in business districts shall have an opaque face; only the letters and business symbols set forth thereon may consist of translucent material.
- F. Lights and hoods or shields for the lights used to illuminate signs in business districts are permitted, provided that such light hoods or shields do not extend more than 24 inches beyond the face of the building.
- G. Neon tubular signs and neon window framing in residential zones are prohibited.
[Amended 12-13-1999 by L.L. No. 13-1999]

§ 286-10. Unsafe or unlawful signs.

Whenever it shall appear to the Building Inspector or other authorized village official that any sign has been constructed or erected or is being maintained in violation of any of the terms of this chapter or is unsafe and insecure or is in such condition as to be a menace to the safety of the public, the Building Inspector or other authorized village official shall thereupon issue or cause to be issued a notice, in writing, to the owner and/or occupant, informing such person of the violation of this chapter or the dangerous condition of such sign, and directing him/her to make such alteration or repair thereto or to do such things or acts as are necessary or advisable to place such structure in a safe, substantial and secure condition and to make the same comply with the requirements of this chapter within such reasonable time as shall be

stated in such notice. Upon the failure to comply with such notice, the Building Inspector or other authorized village official may cause such sign or such part thereof, as is constructed or maintained in violation of this chapter, to be removed and may charge the expense of such removal to the person so notified; provided, however, that nothing herein contained shall prevent the Building Inspector or other authorized village official from adopting such precautionary measures as may be necessary or advisable in case of imminent danger to place such sign in a safe condition, the expense of which shall be paid by the owner of the property on which the sign is located and, if not paid by said owner, the same shall be added to the tax roll of the premises.

§ 286-11. Illegal or obscene signs.

Illegal or obscene signs are prohibited.

Article II. Residential Property

§ 286-12. Regulation of signs in residential districts.

In residential districts, no signs shall be erected or maintained except as permitted below:

- A. Signs customarily incidental to churches and places of worship, public buildings and structures, parks and playgrounds of the Incorporated Village of Massapequa Park.
- B. Identification signs showing the name and address of the occupants of the premises or professional signs which shall include the signs of doctors, dentists, lawyers, accountants, chiropractors and engineers, duly licensed by the State of New York only, occupying the premises which shall not exceed six inches in height and 18 inches in length on a pole no higher than 48 inches in height. The top of the sign shall not extend beyond the top of the pole, which pole shall not be any higher than four feet from the ground.
- C. In addition to one identification sign or professional sign, one sign is allowed for each parcel of land, provided that such sign shall be attached either to the dwelling or not more than three feet from the building line and shall not exceed 15 inches in length and 15 inches in height. The second sign allowed on residential property shall not be another professional sign or another identification sign.
- D. No off-site commercial advertisements are permitted on residential property.

Article III. Business Districts

§ 286-13. Regulation of signs in business districts.

In business districts, no sign shall be erected or maintained unless and until it complies with the following provisions:

- A. No such sign shall be erected on any roof, eaves or extended above a parapet wall.
- B. Such sign must be constructed and maintained flat or parallel with the building wall to which it is attached and shall not exceed more than 18 inches from such exterior building wall.
- C. At any place of business which maintains off-street parking for the use of its customers, in addition to the signs herein permitted, there may be one sign indicating the availability of off-street parking for such customers. Such signs shall not be more than one square foot in area, with the bottom of the sign no more than five feet above the ground, provided that no letter on such sign shall be more than six inches in height or width; such sign shall lie within the property line of the premises on which the sign is erected; and such sign shall not be so located so as to create a hazardous or dangerous condition with respect to traffic. The placement of such sign in a position that makes it difficult for the drivers of automobiles to read legal signs present on other premises creates a presumption that such sign is so located as to create a hazardous or dangerous condition with respect to traffic and its proper movement at proper speed.

Article IV. Safety and Enforcement

§ 286-14. Safety provisions.

- A. No signs shall be erected so as to obstruct free egress or ingress from any window, door, fire escape or sidewalk or so as to become a menace to life, health or property.
- B. Signs affixed to any wall or building shall be securely fastened thereto.
- C. All wiring, fittings, materials, electrical or other installation of illuminated or lighted signs, which are allowed only in business districts, shall be subject to inspection by and approval of the Building Inspector or other authorized village official, and shall also be subject to the written approval of the Building Inspector or other authorized village official, and shall also be subject to the written approval of a licensed electrician from the State of New York, if required by law.

§ 286-15. Penalties for offenses.

For each and every failure to comply with the provisions of this chapter, the owner of the real property on which a sign not in compliance with this chapter is placed and the person or persons who placed or assisted in the placement of the sign on that property in a manner that is not in compliance with this chapter shall be guilty of a violation against this chapter, which violation shall be punishable by a mandatory minimum fine in the amount of \$250 for a first offense of this chapter; said person shall be subject to a mandatory minimum fine of \$500 for a second offense of this chapter; said person shall be subject to a mandatory minimum fine of \$1,000 for a third offense of this chapter; said person shall be subject to a mandatory minimum fine of \$1,500 for a fourth offense of this chapter. Each day's continued violation shall constitute a separate and distinct additional violation.

§ 286-16. (Reserved)

§ 286-17. Enforcement.

The Building Inspector, or other authorized village official, is hereby given the power and authority to enforce the provisions of this chapter.

§ 286-18. Severability.

If any part or parts of this chapter are for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this chapter. The Board of Trustees hereby declares that it would have passed the local law enacting this chapter and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases might be declared invalid.

§ 286-19. When effective.

This chapter shall take effect immediately, as provided in the Municipal Home Rule Law, upon being filed in the office of the Secretary of State.