

incursion. Furthermore, no vehicles will be parked in this twenty (20) foot green area.

- c) All dumpsters shall be screened from public streets, rights-of-way, and areas where pedestrians frequently travel. Said screening shall consist of a solid row of evergreens, or solid fencing sufficient to hide the dumpster from public view.
- d) The Planning Board during their Site Plan Review process may dictate the types of vegetation to be planted, the size of the trees and plantings, and the location.

4. Visibility at Intersections; Enforcement Authority:

The Code Enforcement Officer shall have the authority to direct, in writing, the removal, trimming or modification of any shrubs, bushes, plants, trees, flowers or other vegetation, fence, wall hedge or other structure on private or public property wherever the same shall interfere with adequate visibility of operators of motor vehicles at street intersections or curbs. Any person who shall refuse or neglect to comply within fifteen (15) days with the written direction of the Code Enforcement Officer shall be guilty of a violation of this chapter and shall be subject to its penalties.

J. Signs:

All signs hereafter constructed, erected, painted or otherwise established, moved, altered or changed within the limits of the Village of Victory shall comply with the following regulations:

1. Required Permits and Procedures:

- a) Signs shall not hereafter be erected, structurally altered, enlarged or relocated within the Village except as specifically exempted below, unless a permit has been obtained from the Code Enforcement Officer. Such permit shall only be issued following submission, review and approval of an application in accordance with the requirements set forth below, and payment of the required fee in accord with the schedule established by the Village Board.
- b) A permit shall not be issued for any type of new sign if any other sign exists on the premises which have been determined to be nonconforming in accord with the procedures set forth below.
- c) A permit shall not be required for the repainting or refurbishing of an existing sign.

2. Application and Review:

- a) Application for a sign permit shall be made on a form designed for that purpose and provided by the Code Enforcement Officer and shall include:

- 1) A scale drawing of the sign which shows content and proposed location of the sign.
- 2) A drawing, with appropriate notes, describing the construction of the sign and, where appropriate, the method of attachment to the building.
- 3) A description or sample of the predominant material of which the proposed sign will be made.
- 4) A description of the proposed method, if any, of sign illumination.

b) The Code Enforcement Officer shall review all sign applications and approve, disapprove, or approve with modifications the permit within thirty (30) days of receipt of the application.

3. Exemptions to Sign Permit Requirements:

The following signs do not require a permit:

- a) Memorial plaques, cornerstones, historical tablets and the like.
- b) Signs not visible from beyond the lot upon which they are situated.
- c) Not more than one (1) business or professional nameplates of a permitted use affixed to a building which does not, in total, exceed an area of two (2) square feet.
- d) Identification signs posted in conjunction with doorbells or mailboxes, not exceeding a total of thirty (30) square inches in surface area.
- e) Not more than one address sign, with a surface area of two (2) square feet or less, per street frontage which indicates the numerical address (in numbers or script) of the premises on which is situated and the name of the occupant.
- f) One temporary sign per street frontage advertising the sale, lease, or rental of the premises upon which it is located which shall not exceed four (4) square feet and, if freestanding, not be located nearer than ten (10) feet to a street or property line. Should such sign be in place for longer than ninety (90) days, it shall no longer be exempt from the requirement for a sign permit or any other applicable requirement of these regulations.
- g) Cautionary, directional, regulatory, warning or informational signs of a noncommercial nature which are in the public interest such as, but not limited to, "no trespassing," "exit," "entrance," "parking," "one-way," "no entrance," etc. Such signs shall not exceed two (2) square feet each.

4. General Regulations and Restrictions:

- a) The following general regulations and restrictions shall apply in all districts:
 - 1) Advertising signs, including the type commonly known as "billboards", are not permitted in any district.
 - 2) Standard methods of constant illumination shall be permitted on any sign provided that the illumination shall be concentrated upon the area of the sign so as to prevent direct glare upon the street or adjacent property.
 - 3) Except for clocks and customary time and temperature devices, no sign shall contain intermittent, moving or flashing illumination.
 - 4) Signs with visible moving, revolving, or rotating parts are prohibited.
 - 5) No sign shall be erected in such a manner as to obstruct free and clear vision for drivers; interfere with, mislead or confuse traffic; or be located where, by reason of its position, shape or color such sign may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device by making use of the words STOP, LOOK, DANGER or any other word, phrase, symbol or character, or red, green or amber illumination or reflection.

5. Temporary Signs:

The erection, installation or maintenance of the following temporary signs, as defined herein, is subject to the following conditions:

- a) Mobile signs, whether or not on wheels, are prohibited in any district.
- b) A temporary sign, not exceeding fifteen (15) square feet in area which is erected by a legitimate business, municipal, charitable, political, or nonprofit organization, is permitted for a period not to exceed thirty (30) days.
- c) A single temporary sign, not exceeding thirty-two (32) square feet in area, which announces anticipated occupancy of a site or building or identifies the contractors, architects, engineers, etc., on a building under construction is permitted for a period not to exceed six (6) months, and requires the issuance of a Temporary Sign Permit by the Code Enforcement Officer.

- d. Signs made of cardboard, paper, canvas, plastic or similar impermanent materials may not be placed on the exterior of any building.

6. Regulation of Signs in Residential Districts:

In addition to those signs listed in Subsection 3 above, which are exempt from these regulations, the following signs are permitted in residential districts:

- a) A multi-family dwelling unit complex may display identification signs mounted flat on each building which do not have an area greater than two (2) square feet.
- b) A dwelling unit in which a home occupation is permitted, may display one (1) sign noting such occupation. Such sign shall be attached to the building within which such use is located and shall not have an area of greater than two (2) square feet.

7. Regulation of Signs in the Mixed Use Village Center District and the Planned Development Districts.

- a) Projecting Signs:
 - 1) Each establishment in a business district shall be permitted one projecting sign for each frontage on a public right-of-way. No more than one (1) such sign may be located on each frontage.
 - 2) The distance between the faces of projecting signs shall not exceed six (6) inches; however, internally illuminated signs may have a dimension between faces of twelve (12) inches.
 - 3) Projecting signs shall not exceed an area of ten (10) square feet per face and the outer edge of such sign shall not extend more than seventy-two (72) inches from the face of the building to which it is applied.
 - 4) The bottom edge of projecting sign shall be no less than nine feet or more than fifteen (15) feet above the ground and shall not extend into any access drive which is intended for use by service or emergency vehicles.
 - 5) No part of projecting sign shall extend within two (2) feet of the curbline of any public street or right-of-way.

b) Freestanding Signs:

- 1) Where a building is set back at least fifteen (15) feet from the street, one freestanding sign shall be permitted on each frontage of a property on a public street. However, not more than one (1) such sign shall be located within two-hundred (200) feet of the same intersection. No part of any freestanding sign or its

support shall be located within six (6) feet of any building or extend beyond any street line.

2) The area of freestanding signs shall not exceed thirty-six (36) square feet per sign face.

3) No part of any freestanding sign shall be higher than fifteen (15) feet above grade.

c) **Marquee, Canopy, and Balcony Signs:**

Signs may be hung from, or attached to the underside of, or affixed to the edge of a marquee, canopy, or balcony, either parallel or perpendicular to the face of the building to which attached. Such sign shall not exceed an area of eight (8) square feet and shall not extend above the front or side edge of the marquee, canopy or balcony in any direction. The bottom edge of such sign shall be at least eight (8) feet above the ground and shall not extend within two (2) feet of the curbline of any street or right-of-way.

d. **Iconic Signs:**

Iconic signs such as barber poles, eyeglasses, mortar and pestle, etc., which are traditional in nature shall be permitted as long as they comply with the pertinent regulations pertaining to size and location herein.

e. **Roof Signs:**

Roof signs shall only be permitted upon approval of a Special Use Permit by the Planning Board based on a finding that no other suitable location for signage exists on the building or property. If permitted such sign shall not exceed thirty (30) square feet in area nor extend more than five feet above the lowest point of the roof.

f. **Window Signs:**

Temporary interior signs affixed to or within three feet of the inside of a display window announcing special sales or events shall be permitted in any business district provided such signs shall not cover more than sixty percent (60%) of the window area to which they are affixed.

K. Unsafe, Abandoned, and Unlawful Signs:

1. Upon a finding by the Code Enforcement Officer that any sign regulated herein is unsafe or insecure, or is a menace to the public, or has been erected in violation of the provisions of this chapter, or advertises, identifies, or pertains to an activity no longer in existence, except as provided hereinafter, the Code Enforcement Officer shall give written notice to the permittee

thereof. This provision shall not apply to seasonal activities during the regular period in which they are closed.

2. If the permittee fails to remove or alter the sign so as to comply with the standards herein set forth with thirty (30) days after such notice, such sign may be removed or altered to comply by the Code Enforcement Officer at the expense of the permittee or owner of the property on which it is located. The Code Enforcement Officer shall refuse to issue a new permit to any permittee or owner who refuses to pay costs so assessed. The Code Enforcement Officer may cause any sign which is an immediate peril to persons or property to be removed summarily and without notice.