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[City of Hornell, NY](#)

[CHAPTER 315. ZONING New Laws](#)

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[§ 315-27. Signs.](#)

**[Amended 8-22-2005 by L.L. No. 1-2005]**

A. This section is adopted to regulate the use of signs in order to promote signs which are:

- (1) Harmonious in character with other similar displays.
- (2) Orderly, readable and safe.
- (3) Nondistracting to motorists.

B. The City likewise recognizes that signage has a substantial effect on the historical character, appearance, use and value of buildings. It is, therefore, the intent of this section to promote and protect property values, create a more attractive business climate, enhance the physical appearance of the area, encourage the most appropriate use of the land and structures and provide a more enjoyable and pleasing appearance to our community.

C. Signs may be erected and maintained in the City of Hornell only when in compliance with the following:

(1) Intent. The City of Hornell finds that signs are a necessary means of communication that can benefit and detract from the city's community and neighborhood character and should conform with the following provisions.

(2) Exceptions. The following types of signs are allowable without any city approval, except that any such sign shall not exceed the maximum dimensional, height or area requirements of this section relevant to the applicable zoning district.

(a) Temporary on-premises signs. Any property owner is permitted to erect a single, temporary, nonilluminated sign on said property advertising the sale or lease of merchandise or a special event. Such sign shall be removed within three days after the sale, lease, or event.

(b) Location, street address and public safety signs. Any property owner is permitted to erect one non-illuminated sign identifying the property name or residents of the property and the official street address. Other signs offering information necessary of public safety including by example, customary posted or no-trespassing signs, private drive, parking or exit/entrance signs along with other signs required pursuant to any governmental function, law or regulation, are also exempt.

(c) Other. When not associated with a commercial activity, all historical or memorial markers as well as flags, insignia or emblems of any government or religious organization and any religious holiday decorations are also exempt.

(d) Landmark signs. Any older sign of artistic or historic merit or of uniqueness to the city, each of which must be recognized by the Common Council or the City Historian, is entirely exempt from this section, including all dimensional, height and area requirements.

(e) Nonconforming signs. A nonconforming sign lawfully existing at the effective date of this section may continue, with the exception of signs exceeding three times the allowable sign area. All signs must conform to this section within seven years of the effective date of this section.

(f) Professional nameplates that shall not exceed two square feet in area on either of two sides.

(g) Dwelling signs denoting the name and address of the occupants of the premises, which signs shall not exceed two square feet on either of two sides.

(h) Signs denoting the architect, engineer, or contractor placed on the premise where construction, repair, or renovation is in progress, which signs shall not exceed six square feet on either of two sides. This sign must be removed from the premises within seven days after such construction, repair, or renovation is completed.

(i) Signs advertising the sale, lease, or rental of the premises upon which the sign is located, which shall not exceed six square feet in area, provided such sign is erected or displayed not less than five feet inside the property line. This sign must be removed from the premises within seven days after the property is sold or leased. Not more than one sign shall be permitted for each street contiguous to the said premises but in no case shall there be more than two signs on the premises.

(j) Signs or banners customarily used to advertise garage sale, lawn sale, porch sale, barn sale, household sale or sales of similar nature are permitted provided that such signs shall not exceed four square feet in area on either of two sides, and shall advertise only the nature of the sale and the premises where such sale is located: provided, no more than four signs shall be allowed for each such sale conducted on the premises. Signs are to be removed within 48 hours of the completion of any such sale. Signs are not permitted to be placed upon utility poles and any such placed signs shall be immediately removed.

(k) Political signs. Political signs cannot be posted prior to 90 days before the corresponding election, and all political signs must be removed within two weeks after the relevant election.

(3) Measurement of sign area. Sign measurement shall be based upon the entire area of the sign, with a single continuous perimeter enclosing the extreme limits of the sign surface. For a sign painted on or applied to a building, the area shall be considered to include the smallest rectangle or other shape which encompasses all lettering, numbering, designs, logos or lights together with any background of a different color from the finished material of the building. The area of supporting framework such as brackets or posts shall not be included in the area of the sign, but will be included in the size of the total structure. When a sign has two or more faces or is composed of multiple signs each with a face, the sum of the areas of all the faces shall be included in determining the area, except where two faces are placed back to back and are at no point more than two feet from each other. In this latter case, the sign area shall be taken as the area of either face, and if the faces are unequal, the larger shall determine the area.

(4) Measurement of height. The height of any sign shall be measured from the highest point of the structure to the surface of the ground prior to construction of the sign or to the surface of the nearest public road, whichever is lower.

(5) Off-premises signs. Signs displaying information on uses, events, goods, products, services or facilities offered at locations other than on the tax lot where the sign is located are prohibited, with the exception of general directory or directional signs which may be approved subject to a special use permit. General directory or directional signs shall be no larger in area than 24 square feet and shall include only the name(s) of the establishment and basic directional information in lettering no higher than five inches.

(6) Home occupation signs. One non-illuminated sign per home occupation no larger in area than two square feet indicating the name, address, phone number or principal number or principal purpose of the home occupation is permitted. Such sign should be affixed flat to the building.

(7) For-sale and for-rent signs. No more than two nonilluminated signs advertising the sale or rental of a property may be erected and maintained on said property by the owner or broker or any person with legal interest in the sale or rental of such property, provided that:

(a) The size of any such sign shall be no more than six square feet; and

(b) Up to two additional, non-illuminated signs may be erected or maintained if said property abuts more than one public right-of-way.

(8) General provisions for all signs. All signs shall conform with the following performance standards.

(a) Construction and maintenance. Any sign must be constructed of durable materials, maintained in good condition and not allowed to become dilapidated.

(b) Obstruction of public right-of-way. Signs attached to a structure shall not project more than three feet from the structure. No sign shall extend over a public right-of-way or public sidewalk, and no sign shall obstruct views from any public right-of-way to any other public right-of-way.

(c) Illumination. Sign illumination shall only be with steady, stationary, shielded light sources directed onto the sign without causing glare onto adjoining properties or onto any public right-of-way. Flashing signs or signs with

moving lights such as scroll signs are prohibited. No sign shall be illuminated between the hours of 11:00 p.m. and 6:00 p.m. unless the premises are open for general business during such hours.

(d) Building permits shall be required for all signs except those described in Subsection [C\(2\)](#) of this section. Any building permit shall conform to the requirements of this section.

(e) Removal of signs upon vacation of premises. Every person maintaining a sign shall upon removal from the premises where the sign is maintained forthwith remove such sign.

(f) All sign colors should be kept limited within the character and standards of the area it is placed within.

(g) Signs shall not project beyond the building line more than 12 inches over the sidewalk when erected full or against said building. When hung at right angles to a building, or on top of a building parallel with the roof thereof, signs shall not extend into or over any street or sidewalk more than six feet from the building line to which the same is attached, or in any event, more than 24 inches from the inside of the curb, except that on an authorized marquee, the illustrated sign may extend the entire length.

(h) No sign or supports or hangings shall be erected so as to cover doors or windows of any building, nor otherwise to prevent free ingress and egress to or from any window, door or fire escape of any building, nor shall any sign be attached to any part of a fire escape or upon or to any stand pipe, and when a sign is hung near a fire escape it shall be arranged so as to swing away from such fire escape. No sign shall be erected in such position as to completely blanket another sign already placed on either side.

(i) All signs shall be properly secured, supported and braced and shall be kept in perfect structural condition and clean and well painted at all times. Every sign, its framework, braces, anchors and other supports, shall be constructed of such material and in such workmanlike manner as shall make them safe and be satisfactory to the Department of Public Safety.

(j) All wiring, fittings and materials used in the construction, connection and operation of electric signs must be in accordance with the requirements of the current National Electrical Code (NEC) and must pass an inspection conducted by an electrical inspector recognized by the City upon installation.

#### D. Sign provisions for residential districts.

(1) Off-premise signs are prohibited.

(2) All signs should be aligned parallel with the street and sidewalk.

(3) All permitted nonresidential uses that are not home occupations may construct, relocate, alter or repair a sign to meet the following standards:

(a) If a sign is building mounted or building hung, it must meet the standards required in [§ 315-27F](#) regarding home occupation signs with the exception of size. A residential business that is not a home occupation may have a building-mounted or building-hung sign not to exceed six square feet.

(b) If a sign is freestanding, it may not exceed 16 square feet in size. The total sign structure including borders, ornamentation, and supports should not exceed five feet in height, and may not exceed six feet in width.

(c) Freestanding signs may not be illuminated in any way, with the exception of exterior lighting from the top of the sign.

(d) Marquee signs, sandwich boards, canopy signs, window signs, roof-mounted signs, scrolling signs, awning signs, or any other signs other than the types mentioned above are not permitted.

#### E. Sign provisions for business and industrial districts.

(1) Size and placement.

(a) All signs in B-1, B-2, I-1 or I-2 Districts must meet the following standards:

[1] No signage shall exceed 5% of any given side, and no building may have total signage that exceeds 10% of the total building frontage for all sides. This provision includes all types of signs, not just building-mounted.

[2] The lower edge of a sign, except a sign attached flat against a building, shall not be less than 10 feet above the sidewalk or ground level in front of the building to which such sign is attached.

[3] At no time shall any sign cover or block any window or door that is required as either an exit or for purpose of light and/or ventilation.

[4] Identification signs may be attached to an exterior wall of a building adjacent to public entrances. Such signs shall be non-illuminated and are limited in text to the name of the resident firm or corporation, each such firm or corporation being allowed one such sign. Each sign shall not exceed two square feet in area.

[5] Awning signs shall be permitted provided that the awning structure, if preexisting, meets the New York State Building code criteria for safety and that any insignia, logo, graphic, diagram, design, name or information of any type falls within the total maximum allowable square footage for fascia signage as allowed by this chapter. For new awnings where no such structure was preexisting a building permit shall be required for the awning structure and such structure will adhere to all New York State Building Codes in effect at the time; this is in addition to the required sign permit. Any insignia, logo, diagram, design, name or information of any type placed upon or incorporated into the awning shall be subtracted from and/or counted toward the total square footage allowed for fascia signage.

[6] Directional signs are permitted provided that the individual signs do not exceed two square feet in area. Text is limited to "Office," "Entrance," "Exit," and "Parking." All such signs shall be provided with indirect illumination only.

[7] Permanent window signage is permitted provided that the individual signs do not extend closer than 12 inches to the sides, the top, and 12 inches from the bottom of the window. All window signage shall be subtracted from the allowable square footage for fascia signage unless part of a specified sign package.

[8] Banner signs shall be permitted provided that the signs are attached either to the inside of the window area or flush to the exterior of the building. All banner signs shall be subtracted from the allowable square footage for fascia signage unless part of a specified sign package.

[9] One A-frame sign shall be permitted provided that said sign shall not exceed a maximum of 48 inches in height and a maximum of 30 inches in width. Text is limited to identification of business, designation of business hours, special sales, daily items of interest and notices of information. The A-frame sign shall be positioned so as to minimize impedance of pedestrian travel, be placed upon the sidewalk only during the hours of business operation, be maintained in good order and be aesthetically appealing. Peel-and-stick lettering or other forms of lettering, which can be easily vandalized, are not permitted. The entire message must be contained within the main structure of the sign.

[10] Temporary advertising banners placed across streets are allowed pending approvals from the NYSDOT, the City of Hornell Public Safety Board and the Code Enforcement Officer. All such banner applications shall also have attached written permission from the property owner whose building such banners are to be suspended from.

(2) Number.

(a) Fascia signage, which may include permanent window signage, one fascia sign attached to the exterior wall of the building, and awning signage in a combined amount up to but not to exceed 100 square feet is permitted for the front or face of the building.

(b) One fascia sign is permitted on the rear and/or side exterior wall of a building, provided that such side faces a street or public way and that the square footage for any such signs does not exceed 65 square feet.

(c) Two directional or identification signs are permitted per establishment, provided the maximum square footage of two square feet per sign is not exceeded.

(d) Banner signs, not included in a sign package, are permitted provided that such signs do not exceed the total allowable fascia square footage of 100 square feet.

(e) One projecting sign not to exceed a total of 60 square feet, attached to a building, and which advertises only the name of the business, trade name, or trademark, or activity conducted on the premises where the sign is located.

(3) Text on permitted signs. The text on each sign is subject to approval by the Zoning Enforcement Officer and is limited to:

(a) Name or assumed name of the owner and or business located on the property on which it is located.

(b) Principal business or businesses conducted on the property.

(c) Brief indication of product or services available.

(4) Illumination. Only indirect lighting shall be used to illuminate a permitted sign. No flashing, intermittent or moving light or lights shall constitute a part of or be used to illuminate a permitted sign. No light shall be placed in such a manner that it is a hazard to the traveling public, or shall cause any objectionable glare, either direct or reflected.

(5) Sign setbacks.

(a) All freestanding signs must be placed at least 10 feet from the street right-of-way or as required by the New York State Department of Transportation.

(b) No freestanding sign, either ground or pole, shall be erected or maintained nearer the building facade than three feet, or nearer the sidewalk surface than eight feet, and must be placed so as not to obstruct pedestrian passage on the sidewalk, or impair the line of sight of vehicular traffic. Such signs may not exceed 60 square feet in area on either of two sides.

F. Administration and enforcement of article. The Code Enforcement Office shall be charged with enforcement of this article and with its administration under the direction of the Board of Public Safety. The Board of Public Safety is authorized in the name of the city to enjoin impending or existing violations of this article, and is likewise empowered to resort to legal process to enforce mandatory compliance with its provisions.

G. Permit required. It shall be unlawful for any person to erect, alter, locate, reconstruct or maintain, or cause to be erected, altered, relocated, reconstructed or maintained within the corporate limits of the city, any sign or signs without having first obtained a permit therefor from the Code Enforcement Officer and without complying with the provisions of this article.

H. Permit application.

(1) Contents. Any person desiring to procure a permit provided for in this article shall file with the Code Enforcement Office a written application upon blank forms prepared and furnished by the city. The written consent of the owner and or lessee of the property upon which such sign or signs is/are to be erected and maintained shall be filed with the Code Enforcement Office with such application. Such application shall contain an accurate description of the location or proposed location and character of each sign it is desired to erect, alter, relocate, reconstruct or maintain, the name and address of the applicant, and of the person by whom such sign is to be erected, altered, relocated, reconstructed or maintained, and such other information as the city may require to locate the sign and to show a compliance with the provisions of this article.

(2) Plan design. The city may, in the case of non-illuminated signs, and shall in the case of an illuminated sign, require that the application be accompanied by a plan or design of the sign or proposed sign, showing its weight, dimensions, electrical or gas equipment, details of its attachments and hangings and its position relative to the building and such other information as the Board of Public Safety may require. All signs requiring the use of electricity shall be inspected by an electrical inspector recognized by the City.

I. Issuance of sign permits.

(1) Construction permit; fee. The sign permit will be issued at such time the Code Enforcement Officer finds the proposed sign specifications are in compliance with this chapter of the City of Hornell. Fees will be assessed according to the city fee schedule *Editor's Note: See Ch. 142, Fees.* and will be collected prior to issuance of sign permit.

(2) Inspection. The Code Enforcement Officer will issue a certificate of compliance after final inspection of installed sign is determined to be in compliance.

J. Revocation of permit; notice thereof. The Code Enforcement Officer may at any time for a violation of this article revoke any construction or final permit. Notice of such revocation and the reason or reasons herefore shall be served by the city upon the order of the Department of Public Safety upon the person named in the application by mailing the same to the address given in the application and by filing a copy thereof immediately in the office of the City Clerk.