**SECTION 1. SHORT TITLE**

1.1 This Local Law shall hereafter be known and cited as the Sign Law of the Town of Candor.

**SECTION 2.0. PURPOSE**

2.1 The purpose of this local law is to promote and protect the public health, welfare and safety by regulating existing and proposed outdoor advertising, outdoor advertising signs and outdoor signs of all types. It is intended to protect property values, create a more attractive economic and business climate, enhance and protect the physical appearance of the community, preserve the scenic and natural beauty of designated areas, and provide a more enjoyable and pleasing community. It is further intended hereby to reduce sign or advertising distractions and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way, provide more open space, and curb the deterioration of natural beauty and community environment.

**SECTION 3.0. DEFINITIONS**

3.1 Generally.

As used in this local law unless otherwise expressly stated, the following terms shall mean:

1. "Sign" any material, symbol, emblem, structure or device, or part thereof, composed of lettered or pictorial matter, or upon which lettered or pictorial matter is placed, when used or located out of doors, outside or on the exterior of any building for display, advertising, announcing or promoting any product or service when such is placed in view of the general public.
2. "Billboard" - any free-standing sign that advertises business conducted, services provided, or products sold on properties other than the property on which the sign is erected.
3. "On-Premise sign" - Any sign related to a business or profession being conducted on the premises where the sign is located advertising or displaying a commodity, product ·or service being sold or offered for sale on the premises where the sign is situated.
4. "Off-Premises Sign" - Any sign or billboard unrelated to a business or profession being conducted on the premises where the sign is located or unrelated to a commodity, product, or service being sold or offered for sale at any location other than where the sign is situated.

3.2 Exclusions for the purpose of this local law the term "sign" does not include signs erected and maintained pursuant to and in discharge of any governmental function, or required by any law, ordinance or governmental regulation, nor does it include flag, emblems, or symbols of a nation, governmental body, or school, nor memorial tablets or historical markers, nor does it include posters or signs of a temporary nature erected or placed for a period of not more than thirty (30) days.

**SECTION 4. GENERAL REGULATIONS**

4.1 No sign or billboard shall be erected, installed, placed or relocated within the Town of Candor without first obtaining a permit from the Town Code Enforcement Officer. Application for such permit must be made on forms provided for such purpose by the Clerk of the Town of Candor. A fee for such application shall be set by resolution of the Town Board and such application shall contain notice of the fee to be charged.

4.2 Newly erected or installed Off Premises Signs or Billboards.

No Off Premises Sign or Billboard shall be erected, or existing sign or billboard relocated which has a surface area in excess of 50 square feet with no side more than 12 feet in length. No Off Premises Sign or Billboard shall be erected within 500 feet of an already existing Off Premises Sign or Billboard.

4.3 Illuminated signs.

1. Any on premises sign if illuminated shall employ only lights emitting constant intensity, and no sign shall be illuminated by or contain flashing, intermittent, rotating, or moving light or lights.
	1. Exceptions
		1. On-premise message boards and digital signs with illuminated area less than 35 ft2
2. Any off premises sign shall employ only indirect lighting emitting constant intensity, and no sign shall be illuminated by or contain flashing, intermittent, rotating, or moving light or lights.
3. In no event shall an illuminated sign or lighting device be so placed or so directed as to permit the beams and illumination therefrom to be directed or beamed upon a public street highway, sidewalk, navigable waterway, or air corridor, or premises adjacent to any of these so as to cause glare or reflection that may constitute a traffic hazard or nuisance.

4.4 General Maintenance

All signs shall be maintained so as to retain its original structural integrity and aesthetic appeal. Any sign which is allowed to deteriorate to the point where it, in the opinion of the Code Enforcement Office represents a hazard to the public shall be removed by the owner of the sign or if not available by the owner of the premises upon which the sign is located within thirty days of receipt of notice from the Code Enforcement Officer to do so. Upon failure of the owner to remove the sign within that time the Town of Candor may enter upon the premise remove such sign and charge the owner the reasonable costs for such removal. Any unpaid charges shall be deemed town charges and shall be levied in the same manner as a special assessment on the tax levy against such property at the first levy following the billing for such charges by the Town of Candor. Such unpaid assessments shall be a lien against the real property of the owner of the premises upon which the sign was located.

**SECTION 5. NONCONFORMING SIGNS**

5.1 Any nonconforming sign or billboard existing at the time of law adoption may continue to exist in its current location and configuration, and the owner of the sign or billboard may continue to maintain and regularly repair and perform upkeep as needed. If any nonconforming sign or billboard needs replacing due to age, or as result of an involuntary event, then a sign permit must be obtained within 60 days. Repairs or replacements must be no larger than original and placed in the same location.

**SECTION 6. PENALTIES AND ENFORCEMENT**

6.1 Penalties

1. Any person who violates any provision of this law shall be deemed guilty of a violation and, upon conviction thereof, shall be subject to penalties in a fine. Each day such violation shall continue or be permitted to exist shall constitute a separate violation. See Fee Schedule, Penalties for Offenses, Class C, for current maximum fines.
2. In addition to the penalties herein provided for, the Town Board may also maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with or to restrain by injunction any violation of this local law. Notwithstanding any other penalty herein, the Town of Candor may thirty (30) days after a conviction under this local law enter upon the premise of the violator and remove all signs which have constituted such violation and charge the violator for the reasonable costs thereof. Such unpaid charges shall be deemed town charges and shall be levied as in a manner of a special assessment on the tax levy against such property at the first levy following the billing for such charges by the Town of Candor. Such unpaid assessments shall be a lien against the real property of the violator.

6.2 Enforcement Officer

The Town of Candor shall have the authority to appoint an Enforcement Officer authorized and empowered to act on behalf of the Town of Candor to enforce the provisions of this Law, or to so authorize and empower the existing Code Enforcement Officer, such enforcement authority shall include but not be limited to the right of enter onto any premises having a permit or applying for the same or on premises which have no permits but are reasonably deemed to be in violation of this Local Law.

**SECTION 7. APPEALS**

Requests for appeals, waivers or variances concerning sections of Local Laws or decisions of the Code Enforcement Officer shall be made to the Town of Candor Board of Appeals. Appeals shall be filed with the Code Enforcement Officer or Town Clerk according to the general rules established by the Board of Appeals.

**SECTION 8. MISCELLANEOUS**

8.1 Minimum Requirements

The provisions of this law are intended to be the minimum requirements necessary to accomplish the purpose of the law and must be interpreted and applied accordingly. When requirements of this Law conflict with the requirement of other lawfully developed rules, regulations, or law, the most restrictive or that imposing higher standards takes precedence.

8.2 Application of Other Laws

Nothing contained in this Local Law shall relieve any person from the requirement of complying with any other law, rule or regulation of the state of New York or order of the Town of Candor, including but not limited to the New York state Uniform Fire Prevention and building Code or Local Law No.1 for 1984.

8.3 Separability.

The invalidity of any section or provision of this Local Law shall not invalidate any other section or provision thereof.

8.4 Effective date

The Local Law shall be effective upon filing with the Secretary of state in accordance with Section 27 of the Municipal Home Rule Law.