

MAIN STREET RELATED LOCAL LAWS & ORDINANCES

Ref. #	Law Number/Date	Pertinence to Main Street
1	Ordinance, May 29, 1950	Regulating and prohibiting use of sound trucks and other noise making instruments.
2	Amendments to Village Ordinance No. 58 June 27, 1960 and May 24, 1966	Repeals and rescinds previous sign-related ordinance of May 1936. Limits off-premises posted/displayed signs to a size of 4 feet by 4 feet. Exclusions include: property for sale signs, business name signs. All off-premises signs must be approved by the Village Board and paid for by permit.
3	Licensing Ordinance, September 6, 1960	Licenses are to be required for all of the following: transient businesses, hawkers and peddlers (unless they are honorably discharged soldiers, sailors or marines crippled as a result of military service to the USA), solicitors and canvassers, junk dealers, various amusements and entertainment (pool halls, bowling alleys, circuses, carnivals, rodeos, parades, processions.)
4	Local Law No. 2, 1966	Regulating open containers/any consumption of alcoholic beverages in public places.
5	Local Law No. 5, 1982	Regulating noise control and making it an offense to violate said provisions and assessing a penalty.
6	Land Use Code, June 1987	Part A, Section 5 included supplementary regulations on signage, solar access and parking and loading.
7	Local Law 1, 1988	Amended Land Use Code of June 1987 as regards to neon signs.
8	Local Law 3, 1990	Regulate certain vehicles on sidewalks in the Village
9	Local Law 5, 1991	Anti-Clutter Law with a fine of \$250 per day for failure to comply within two calendar days. \$500 fine for second offense in one year period.
10	Local Law 2, 1992	Amending Land Use Code of June 1987, regarding sandwich boards and banners.
11	Local Law 4, 1993	Repealing and replacing Licensing Ordinance of 1960 with regards to Hawker and Peddlers.
12	Local Law 6, 2008	To repeal and replace Local Law 5 of 1982.
13	Local Law 2, 2010	Joint Land Use Code, includes specific rules on use of signage in the Village.

LAKE PLACID VILLAGE ORDINANCE
REGULATING AND PROHIBITING THE USE OF SOUND TRUCKS
AND OTHER NOISE MAKING INSTRUMENTS.

- 1.- "Person" shall mean and include the singular and plural and also any person, firm, corporation, association, club, partnership, society, or any other form of association or organization.
 - 2.- "Sound Truck" shall mean any motor vehicle or horse-drawn vehicle having mounted thereon or attached thereto any sound- amplifying equipment.
 - 3.- "Sound Amplifying Equipment" shall mean any machine or device for the amplification of the human voice, music or any other sound.
 - 4.- "Sound Amplifying Equipment" as used herein shall not be construed as including standard automobile radios when used and heard only by occupants of the vehicle in which installed, or warning devices on authorized emergency vehicles, or horns or other warning devices on other vehicles, used only for traffic safety purposes.
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- A- Commercial advertising by sound truck or other noise making instrument is prohibited. No person shall operate or cause to be operated, any sound truck for commercial sound advertising purposes with sound amplifying equipment in operation upon any street in the Village.
 - B- Any such operation contrary to the above prohibition will be classed as a nuisance and disturbing of the peace with penalties in accord with such infractions.
 - C- Prohibition of the use of a sound truck or amplifier on the streets may be temporarily suspended on order of the Mayor or Board of Trustees for the purpose of dissemination information deemed to be in the interest of the public good or in an emergency.
 - D- This ordinance adopted May 15th, 1950, published and posted May 19th, 1950, effective May 29th, 1950.

(2)

AMENDMENT TO VILLAGE ORDINANCE NO. 58

RELATING TO BILLBOARDS AND ADVERTISING MEDIA

TAKE NOTE that Village Ordinance No. 58 entitled "Relating to Billboard and Advertising Media adopted May 4, 1936, is hereby repealed and rescinded and there is substituted in its place the following ordinance:

SIGN, BILLBOARD AND ADVERTISING MEDIA ORDINANCE
of the
VILLAGE OF LAKE PLACID

SECTION I. DECLARATION OF PURPOSE AND POLICY: The restrictions upon and the regulations governing the erection and maintenance of advertisements in the form of a bill, billboard, sign or other device or display are hereby established for the purpose of promoting public safety and convenience, for the purpose of preserving and caring for the general welfare of the inhabitants of and visitors to the Village of Lake Placid, and for the further purpose of preserving the natural scenic beauty of the area and the surrounding lakes and mountains; the Village of Lake Placid is a nationally known winter and summer resort community whose economy is dependent upon tourists and the members of the travelling and vacationing public who visit and re-visit the community to view and enjoy its natural scenic beauty, and the widespread use of off-premises bills, billboards, sign and devices and other fabricated displays creates a condition that detracts from the natural scenic beauty of the community and its surroundings and, in addition, causes distractions which endanger the safety and convenience of the inhabitants of the Village and of the travelling public.

SECTION 2. DEFINITIONS: The words, "bill", "billboard", "sign", or other "device" or "display" as used herein means any material or structure of any shape or part thereof displaying lettered or pictorial matter which is placed upon or affixed to the exterior of any building or is separately erected as an advertisement, announcement, directional aid, notice or name, but does not include:

- a) Signs erected and maintained in connection with the discharge of any Governmental function,
- b) Signs upon a marquee maintained in connection with the operation of a theatre.

The words "Off-premises sign" as used herein means any sign, as defined above, that is not located on the premises where the business it advertises is conducted.

SECTION 3. Except as specifically permitted herein, it shall hereafter be unlawful for any person to post, erect, construct, alter, relocate, re-construct, display or maintain any advertisement in the form of a bill, billboard, sign or other device or display of any shape with exposed face area of more than four feet by four feet (4'x4'), or the equivalent in square inches within the Village of Lake Placid and it shall be unlawful for any owner of real property in the Village of Lake Placid to permit the posting, erection, construction, alteration, relocation, reconstruction, display

or maintenance on his property of any such advertisement in the form of a bill, billboard, sign or other device or display of any sign with exposed face area in excess of the above limitations, except:

- a) Signs solely advertising real property to be for sale or for rent may be placed on the real property so advertised, not nearer than twenty-five feet (25') to a public street or highway or, in the case of developed property, not nearer to such street or highway than the building line thereof, provided that no such sign shall be placed so as to obstruct the clear view of the street or highway from any direction, and further provided that no such sign shall be of greater dimensions than four feet by four feet (4'x4'), or the equivalent in square inches,
- b) Signs solely advertising the business and name of the proprietor thereof may be displayed on the premises where said business is conducted and the limit as to the size and number of signs shall not apply.
- c) No new signs shall be constructed over any public sidewalk or highway within the Village without first obtaining the approval and consent of the Board of Trustees of the Village thereto and a permit therefore, and all existing signs or signs erected in the future over any public sidewalk or highway shall be removed upon order of the Board of Trustees in the event that in the opinion of the Board such sign or signs endanger public safety.

SECTION 4. ADDITIONAL OFF-PREMISES SIGN LIMITATIONS: In addition to the 4'x4' size limitation for off-premises signs the following restrictions and limitations shall also apply:

- a) No off-premises sign shall be located, placed or erected within ten feet (10') of any public street or highway.
- b) No off-premises sign shall be erected within thirty feet (30') of any other off-premises sign.
- c) No off-premises sign shall be erected that extends to a height of more than eight feet (8') above the level of the street the sign faces or more than eight feet (8') above the level of the adjoining ground if such sign is erected on adjoining ground that is above the street level.
- d) No person or place of business shall be allowed to erect more than three (3) off-premises signs within the Village limits and a separate permit shall be obtained and fees paid for each of said signs.

SECTION 5. PERMIT REQUIRED FOR OFF-PREMISES SIGNS: No off-premises sign shall be erected without first obtaining the approval and consent of, and a permit therefor from, the Board of Trustees of the Village by filing written application therefor accompanied by:

- a) A location plan showing the position of the sign on the building, structure or plot of land where said

sign will be located,

- b) A scale drawing showing the structural members composing the sign structure,
- c) A written statement giving the name and address of the owner or person in control of the building, structure or plot of land where such sign is to be located,
- d) The written consent of the owner to erect the sign and apply for the permit, and
- e) The name and address of the applicant.

SECTION 6. PERMIT FEES:

A. No off-premises sign permit shall be issued until the applicant has paid the Village Clerk the required permit fees as follows:

1. \$5.00 for a permit to erect or place a new off-premises sign
2. \$5.00 for a permit to alter, relocate, reconstruct or enlarge an existing off-premises sign
3. \$5.00 for the renewal of an off-premises sign permit.

B. Off-premises sign permits shall be issued for a period of one year and they must be renewed each year by the payment of a renewal fee accompanied by a renewal application certifying that no material variation has been made to the construction and location of the off-premises sign since the issuance of the original permit and written consent of the owner to continue to maintain said sign on his premises for the period of the renewal.

C. Failure to apply for and obtain a renewal permit prior to the expiration of the period for the permit shall constitute a violation of this ordinance.

SECTION 7. REMOVAL OF EXISTING OFF-PREMISES SIGNS IN VIOLATION OF THE PROVISIONS OF THIS ORDINANCE:

A. All existing off-premises signs within the Village of Lake Placid must be removed or altered so as to comply with the provisions of this ordinance prior to January 1, 1963.

B. Within 90 days from the effective date of this ordinance a permit must be obtained for each existing off-premises sign by making application therefor and paying the required permit fee. Failure to do so will constitute a violation of this ordinance.

C. Existing off-premises signs in violation of this ordinance will be issued a temporary permit, renewable only until January 1, 1963, at which time the sign must be removed or altered to comply with the provisions of this ordinance.

SECTION 8. ANGLE SIGNS EXTENDING OVER THE SIDEWALK OR FLAT SIGNS EXTENDING MORE THAN TWELVE (12) INCHES OVER THE SIDEWALK ARE PROHIBITED:

A. No sign shall be erected or maintained at right angles or at any angle to a building, wall or structure which sign extends or projects over either the sidewalk, street or highway. No sign which is erected or maintained flat against any building or structure shall extend or project more than twelve (12) inches over either the sidewalk, street or highway.

B. Any sign erected flat against a building or structure, that projects over the sidewalk, street or highway must have a minimum clearance above the sidewalk, street or highway that it overhangs of at least nine (9) feet.

C. Where no sidewalk exists along the street line there shall be a minimum set-back line for all signs erected or maintained within the Village of ten (10) feet from the traveled portion of any public street or highway.

D. All existing signs which violate the provisions hereof and do not conform with the provisions hereof must be altered, removed or replaced in conformity with the provisions of this section prior to January 1, 1964.

SECTION 9. MISCELLANEOUS PROVISIONS:

A. Flashing or intermittently blinking lights or devices are prohibited in connection with the use of any advertising sign, billboard, device or display except on a theatre marquee.

SECTION 10. Any persons violating the provisions of this ordinance or any part thereof shall be liable for, and shall be punishable by, a fine not exceeding FIFTY DOLLARS (\$50.00) for each offense and the person violating same shall be a disorderly person and such violation shall constitute disorderly conduct and such person shall be a disorderly person. Each failure to remove or alter a sign erected or maintained in violation of the ordinance within three (3) days after receipt of written notice of the violation thereof shall constitute a separate offense under this ordinance.

SECTION 11. SAVINGS CLAUSE: If any part or section of this ordinance or any sentence, clause or phrase thereof shall be held unconstitutional or invalid, the remaining provisions thereof shall not fail but remain in full force and effect.

SECTION 12. REPEAL OF PRIOR ORDINANCES: All ordinances or parts of ordinances of the Village inconsistent with the provisions of this ordinance are hereby repealed provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be in addition to other ordinances regulating and governing the subject matter of this ordinance.

SECTION 13. This ordinance shall take effect ten (10) days after its publication and posting in accordance with the provisions of the Village Law of the State of New York provided, however, that any off-premises bills, billboards, signs or other devices or displays erected in violation of this ordinance as of the date of its adoption will not have to be removed, torn down or altered to comply until January 1, 1963, and any signs extending over the sidewalk shall not have to be removed, torn down or altered so as to comply until January 1, 1964.

Dated: June 6, 1960

Emerson Beaney
Village Clerk

Ordinance Adopted:	June 6, 1960
Published & Posted:	June 17, 1960
Became Effective:	June 27, 1960

VILLAGE OF LAKE PLACID

Local Law No. 3 of the year 1966

A local law Relating to an amendment of Village Ordinance #58 relating to Billboards and Advertising Media and providing for an increase in the permitted height for off-premises signs and providing for the deletion of the set-back line provision where no sidewalk exists along the street line.

Be it enacted by the Village Board of the Village of Lake Placid as follows:

- 1) Section 4, Subdivision (c) of Village Ordinance #58 relating to Billboards and advertising Media be and the same hereby is amended to read as follows: "No off-premises sign shall be erected that extends to a height of more than ten (10) feet above the level of the street the sign faces or more than ten (10) feet above the level of the adjoining ground if such sign is erected on adjoining ground that is above the street level."

- 2) Section 8, Subdivision (c) of Village Ordinance #58 is hereby amended to read as follows: "Where no sidewalk exists along the street line, there shall be a minimum set-back line for all signs erected or maintained within the Village of four (4) feet from the travelled portion of any public street or highway or four (4) feet from the edge of a New York State right of way, if one shall exist, whichever distance is greater."

Adopted: May 16, 1966

Effective: May 24, 1966

(3)

LICENSING ORDINANCE
of the
VILLAGE OF LAKE PLACID

Relating to Licensing of Occupations, Businessses, etc.

Section I. PROVISIONS FOR LICENSING

A. Scope of Application. Whenever in this or any ordinance it is provided that a license be obtained before:

1. engaging upon any act, or in any specified business, trade or occupation, or
2. providing services for payment or hire for the convenience, comfort or entertainment of others, or
3. for any other designated purpose, it shall be a violation hereof for any person to engage upon or undertake any activity or enterprise thus specified until a license has been issued to such person in compliance with the provisions of this and of any other applicable ordinance.

B. Information Required of Applicants. Except as otherwise specifically provided, every applicant for a license shall file with the village clerk a statement signed and sworn to by the applicant in person if an individual, by all partners if a partnership and by the president or duly authorized officer of a corporation, showing:

1. The name of the applicant;
2. His business address;
3. His home address, if he is a natural person;
4. If his age is 21 years or less, and if less, his precise age;
5. The precise purpose and period for which the license is sought;
6. The place within the Village where the licensee will engage in the licensed activity or enterprise;
7. Whether or not the applicant, or in the case of a corporation, whether any officer or director thereof has been convicted of a crime, or violation of any ordinance of the Village, and if so, the nature of such offense and the penalty assessed therefor;
8. Satisfactory credentials from his principal, if the applicant is to act as an agent;
9. References or letters of recommendation by at least three reputable businessmen or property owners of the Village such as will establish to the satisfaction of the mayor the good character and business responsibility of the applicant.
10. Any other data necessary to meet the requirements of any ordinance by provisions of which the license sought is required.

C. Bonds. Whenever by the terms of any ordinance, a bond is required to protect the Village or any other person against loss because of the fault or default of a licensee, no license shall be issued until a bond in the full amount specified, and in form approved by the village counsel, has been filed with the village clerk, and the fact of its filing, the amount of its coverage and the date of its expiration has been noted on the license.

D. Expiration Date of Licenses. All licenses issued on any annual basis shall expire on the first day of August of each year. The precise date of expiration shall be clearly marked upon each temporary license.

E. Issuance of Licenses. All licenses shall be issued by the village clerk with the approval of the mayor to such persons as the mayor shall deem fit and proper, upon an evaluation of their qualifications, and upon compliance of the applicant with the provisions of this or any other applicable ordinance. However, licenses for circuses, theaters or other exhibitions or performances, the keeping of billiard or pool rooms, bowling alleys, shooting galleries and other similar places of amusement for money or hire; or the giving of exhibitions, performances or entertainment at any place within the Village, or the use of mechanically operated amusement devices shall be refused, which in the judgment of the mayor, shall be likely to disturb the peace and order of the Village, or be immoral, illegal or improper.

F. Review of Refusal to Grant License. Any applicant who has been refused a license by the mayor may apply for its issuance to the board of trustees at a meeting thereof; and the same may be granted or refused by the board.

G. Record of Licenses. Every license issued shall be signed by the mayor and countersigned by the village clerk who shall keep a record thereof and the amount of fee to be paid therefor.

H. Payment of Fee. No license shall be effective until the fee therefor as established by the board of trustees shall have been paid to the treasurer, who shall endorse his receipt of the fee upon each license which is presented to him, properly signed and countersigned and accompanied by the amount of the fee.

I. Revocation of Licenses. Any license issued pursuant to the provisions of this or any other ordinance may be revoked by the mayor, after notice and hearing, for any of the following causes:

1. Fraud or false statement in the application for the license.
2. Fraud or false statement in connection with carrying out of the business, activity, or enterprise for which the license was issued.
3. Any violation of a term of this ordinance, or of any other ordinance under whose provisions the license was issued.
4. Conviction of the licensee of any crime.
5. Carrying out the licensed business, enterprise or activity in an unlawful manner, or in such a way as to breach the peace, or constitute a menace to the health, safety or general welfare of the public.
6. Any transfer or assignment of the license to any person, except upon written consent of the mayor, upon due application, and the presentation of information concerning the proposed transferee's qualifications, similar to those furnished by the original applicant.

J. Renewal of Licenses. Unless specifically provided otherwise, any license duly issued may be renewed upon application by the licensee, accompanied by the appropriate fee and a continuance or renewal of bonds as provided in Paragraph C hereof.

K. Availability of Licenses. Every person to whom a license or permit has been issued shall at all times have the same with him at the site or place when the business or act licensed is being performed, and available for inspection by a police officer or any other authorized person.

Section II. TRANSIENT BUSINESS

A. License Required. No person shall engage in a transient business in the Village without first obtaining a license therefor.

B. Definitions. As herein to be construed, a transient business is one conducted in an open lot, from a stationary motor vehicle, car, truck, tent, wagon, cart, public room or any temporary structure, for the exhibition and sale of goods, wares and merchandise to the public.

C. Bond Required. Before any license shall be issued for engaging in transient business, the applicant therefor shall file with the village clerk a bond running to the Village in the sum of \$2,500 executed by the applicant as principal, and conditioned that the said applicant shall comply fully with all of the provisions of all ordinances and the laws of the State of New York regulating the sale of goods, wares and merchandise, and will assure the payment of any default in fees due or that may become due and owing to the Village, and of losses incurred by any person because of the violation of any law or ordinance by the licensee, or because of misrepresentations or deceptions practiced in transacting the business thus licensed.

Such bonds shall provide that action thereon may be brought by any person to whom a judgment has been awarded because of loss caused by such licensee's fault or default.

D. Fees. An annual fee of twenty-five dollars (\$25.00) shall be paid before a license is issued hereunder.

Section III. HAWKERS AND PEDDLERS

A. License Required. No person shall engage in the business of hawker or peddler in the Village without first obtaining an annual license therefor.

B. Definitions. As herein to be construed, a hawker or peddler is any person traveling by foot, wagon, automotive vehicle or other conveyance from street to street, from house to house, or from place to place, carrying or transporting goods, wares, merchandise, and offering the same for sale; except one engaged in the peddling of meats, fish, fruit and farm produce by farmers and persons who produce such commodities.

C. Exceptions. Nothing herein contained shall prohibit hawking or peddling by an honorably discharged soldier, sailor or marine who is crippled as a result of injuries while in the naval or military service of the United States or the holder of a license granted pursuant to section thirty-two of the General Business Law.

D. Bond Required. Every applicant not a resident of the Village or who, being a resident of the Village represents any person whose principal place of business is located outside the State of New York, shall file with the Village Clerk a surety bond running to the Village in the amount of \$2,500.00, with surety given by a recognized insurance carrier, conditioned that the applicant shall comply fully with the provisions of the ordinances of the Village and the Laws of the State of New York regulating the business of hawkers or peddlers and the sale of goods, wares and merchandise, and will assure the payment of any default in fees due or that may become due and owing to the Village and all losses incurred by any person because of the violation of any law or ordinance by the licensee or because of misrepresentation or deception practiced on transacting business thus licensed.

Such bond shall provide that action thereon may be brought by any person to whom a judgment has been awarded because of loss caused by such licensee's fault or default.

E. Fees.

1. An annual fee of twenty-five dollars (\$25.00) shall be paid before a license is issued hereunder, excepting that, if application is made and a license is granted subsequent to February 1 of any year, a fee of fifteen dollars (\$15.00) shall be paid. All annual licenses shall expire on August 1 and shall thereafter be renewable as provided herein.
2. For each separate vehicle or conveyance used by any licensee hereunder, a separate fee shall be paid. The license issued for each vehicle shall contain the New York State motor vehicle license number of such vehicle, and shall be visibly displayed upon such vehicle. Any use of such license by any other vehicle shall constitute grounds for the revocation of any and all of the offending licensee's licenses hereunder.

Section IV. SOLICITORS AND CANVASSERS

A. License Required. No person shall engage in business as a solicitor or canvasser in the Village without first obtaining a license therefor.

B. Definitions. As herein to be construed, a solicitor or canvasser is any natural person traveling either by foot or by conveyance from place to place, from house to house, from street to street, soliciting and taking orders for the sale of goods, wares, merchandise, including books and periodicals for future delivery, or for services to be performed later, whether he collects advance payments on such sale or for such services or not.

C. Bond. Every applicant, not a resident of the Village or who, being a resident of the Village, represents any person whose principal place of business is located outside of the State of New York, shall file with the village clerk a surety bond, running to the Village in the amount of \$2,500.00, with surety given by a recognized insurance carrier conditioned that the applicant shall comply fully with the provisions of the ordinances of the Village and the laws of the State of New York regulating the business of solicitor and canvasser and guaranteeing to any resident of the Village that all money paid as a down payment will be accounted for and applied according to the representations of the solicitor and that any property purchased will be delivered in compliance with the representations made by the solicitor. Such bond shall provide that action thereon may be brought by any person to whom a judgment has been awarded because of loss caused by such licensee's fault or default.

D. Fees.

1. The license fee to be charged to each individual person except as provided in paragraph 2 and 3 hereof for carrying on the business of solicitor or canvasser shall be two dollars (\$2.00) per week; five dollars (\$5.00) per month; twenty dollars (\$20.00) per year.
2. No license fee hereunder shall be so applied as to cause an undue burden upon interstate commerce. If any licensee or applicant shall claim that the fees required or paid, place an undue burden upon interstate commerce, he may apply to the mayor for an adjustment of the fee so that it will not be discriminatory, unreasonable, or unfair to such commerce. The mayor shall then conduct an investigation and shall make findings of fact from which he shall determine whether the

fee fixed by this ordinance is unfair, unreasonable or discriminatory as to the applicant's business and shall fix for the applicant as a license fee an amount that is fair, reasonable and non-discriminatory, or; if the fee has been paid, shall order a refund of the amount over and above the fee so fixed. The fee may be fixed upon a percentage of gross sales or other calculations which will assure that the fee assessed will be uniform with that assessed on business of like nature, so long as the amount assessed does not exceed the fees as prescribed in subdivision 1 of this section. For this purpose the mayor may require the applicant to furnish him with such sworn statements as to the gross sales of his business as will provide the basis of reaching a conclusion as to the merits of the applicant's claim.

3. For licenses issued to persons 16 to 18 years of age, the fee shall be 50 percent of those provided in paragraph 1 hereof. For licenses issued to persons below the age of 16 no license fee shall be charged; nor shall any license fee be required of a duly authorized representative of any recognized village association of war veterans or of village police or firemen, or religious, educational or charitable associations soliciting on their own behalf, and for the benefit of such group of association.

Section V. JUNK DEALERS

A. License Required. No person shall engage in the business commonly known as the junk business or in buying or gathering in the streets or public places of the village, or offering to buy or gather any personal property or articles of merchandise commonly referred to as junk without first obtaining an annual license therefor.

B. Information Required. In addition to the information required of applicant under the provisions of Section I, paragraph B, every applicant hereunder shall set forth in a sworn statement the following details:

1. The exact location where he will store the junk he accumulates.
2. The number, year of manufacture, model and license number of the vehicle in which he proposes to make his collection of junk.
3. The place where such vehicles are regularly stored or garaged.

C. Rules and Regulations. The Board of Trustees shall have the right to make such rules and regulations as it may deem necessary to preserve the safety, health, comfort and general welfare of the inhabitants of the village and each licensee will be provided with a printed copy thereof.

D. Fees. The license fee hereunder for any year or fraction thereof shall be ten dollars (\$10.00).

Section VI. GARBAGE REMOVAL.

A. License Required. No persons other than those employed for such purpose by the village, shall engage in the business of removing garbage, ashes or refuse from any premises or other places within the village without first obtaining an annual license therefor.

B. Information Required. In addition to the information required under the provisions of Section I, paragraph B, each applicant hereunder shall set forth in a sworn statement the following details:

1. The place where the applicant will dump the collections he makes, or otherwise dispose thereof.
2. The place where his vehicles will be stored or garaged while not in use.
3. The number, model, year of manufacture and license number of such vehicles.

C. Fees. The license fee hereunder for any year or fraction thereof shall be ten dollars (\$10.00).

D. Refusal and Revocation of Licenses. In addition to the grounds for such action as provided in Section I, the mayor may refuse to grant a license, or he may cause the revocation of a license that has been issued, whenever it shall appear to him that the place selected or used for the storage of junk or vehicles, or the equipment for use, or used, to collect junk, or the method of collection or disposal will be detrimental to the welfare of the village or its residents, or that the reasonable rules and regulations of the Board of Trustees has been violated.

E. Rules and Regulations. The Board of Trustees shall have the right to make such rules and regulations as it may deem necessary to preserve the safety, health, comfort and general welfare of the inhabitants of the village and each licensee will be provided with a printed copy thereof.

LICENSES FOR AMUSEMENTS AND ENTERTAINMENT

Section VII. PUBLIC POOL HALLS, BOWLING ALLEYS AND THE LIKE

A. License Required. No person shall conduct any public pool room, billiard parlor, bowling alley, shooting gallery, indoor skating rink, or miniature golf course, without first procuring the annual license therefor.

B. Fees. The fee for a license hereunder shall be ten dollars (\$10.00) for each year or fraction thereof.

C. Hours to be Observed. It shall be unlawful to keep any premises licensed hereunder open for business at any time on Sunday prior to 1:00 P. M. or between the hours of 12:00 o'clock midnight and 8:00 o'clock A. M. on any other day.

Section VIII. CIRCUSES, CARNIVALS AND RODEOS.

A. License Required. No person shall exhibit for money or hire any rodeo, or show depicting feats of horsemanship or present a circus, caravan of animals or carnival, or maintain or operate a carousel or merry-go-round without first obtaining a license therefor.

B. Bond Required. Before any license shall be issued for any performance or amusement hereunder, a public liability insurance policy in the principal sum of \$100,000/\$300,000 shall be filed with the village clerk executed by the applicant and conditioned that the village will be saved harmless for any injury to person or property because of fault or default by the licensee; said policy to be issued by a bonding company authorized to do business in New York State, and in form approved by the village counsel.

C. Fees.

1. When an applicant hereunder is a charitable or religious organization, a school, or a recognized group composed of veterans, volunteer firemen or a parent-teacher association, no license fee shall be assessed.

2. When the applicant is engaged in such production for private gain or as a business enterprise, a fee of twenty-five dollars (\$25.00) per day for rodeos, circuses and carnivals and a fee of five dollars (\$5.00) per day for the operation of carousels or merry-go-rounds shall be paid by such licensee.

D. Restricted Areas. In no circumstances shall any of the activities hereunder comprehended be conducted in any portion of the village zoned for residential purposes, or in any other zone within 100 feet of any residence unless the owner thereof grants his consent thereto in writing which shall be filed with the village clerk not less than three days before an exhibition or performance hereunder is produced.

Section IX. PARADES AND PROCESSIONS

A. License Required. No parade or procession or playing of music or bands upon the streets or public places of the village shall be held or conducted in the village unless a license therefor shall have been granted.

B. Prerequisites to License. Any person wishing to use any streets or public places in the village for a procession or parade or playing of music or bands upon the streets or public places of the village shall make application therefor to the Board of Trustees at least 3 days before the proposed event is to occur. Such application shall state the route it is proposed to follow and the nature of the event and the number of participants therein, so that opportunity may be had by the Board of Trustees to determine whether by granting a license there would be interference with traffic or unreasonable danger to public safety.

C. Granting of Licenses. If it appears that there would be no unreasonable interference with traffic or public safety, the Board of Trustees shall issue a license for the time and along the route requested; or it may modify the time and route to provide for reasonable traffic conditions and public safety. All such parades and processions to be subject to the requirement of prior approval of the New York State Traffic Commission in the event the route is over a State highway.

D. Commercial Parade. The Village Board at its discretion may refuse to grant a license for a parade for commercial purposes.

Section X. REPEAL OF PRIOR ORDINANCES.

Ordinances No. 6, 17, 26, 27, 39, 39-A, 42, 44, 47 and 61 are hereby revoked and repealed in full, and all other ordinances or parts of ordinances of the Village of Lake Placid inconsistent with the provisions of this ordinance are hereby repealed, with the exception of those ordinances relating to taxis and their licensing and operation for which there are separate specific ordinances.

Section XI. SEPARABILITY CLAUSE

If any part or provision of this ordinance or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this ordinance or the application thereof to other persons or circumstances and the Board of Trustees of the Village of Lake Placid hereby declares that it would have passed this ordinance or the remainder thereof had such invalid application or invalid provision been apparent.

Section XII. PENALTIES

Unless otherwise provided by law, or by specific enactment, any person who shall violate any provision of this ordinance, may, upon conviction, be punished by a fine of not exceeding One Hundred Dollars (\$100.00) for each violation of said ordinance. In addition, unless otherwise provided by law, or by specific enactment, any such violation of the provisions of this ordinance shall constitute disorderly conduct, and the person violating the same shall be a disorderly person and such violation shall constitute disorderly conduct, and such person shall be a disorderly person. In addition to the foregoing penalties, the Board of Trustees may enforce obedience to the provisions of this ordinance by an injunction.

Section XIII. EFFECTIVE DATE

This ordinance shall take effect ten (10) days after it has been posted and published in accordance with the applicable provisions of the Village Law.

Dated: August 26, 1960

Emerson Beaney
Village Clerk

Date Adopted: 8/15/60
Date Published and Posted: 8/26/60
Date Became Effective: 9/6/60

The following resolution was offered by Trustee Madden, who moved its adoption, seconded by Trustee Mullarney, and unanimously carried:

WHEREAS notice of a public hearing on a proposed ordinance entitled "LICENSING ORDINANCE OF THE VILLAGE OF LAKE PLACID" was duly posted in at least four (4) conspicuous public places in said Village on or before August 5, 1960, and

WHEREAS, the public hearing as specified in said notice has been duly held at the time and place as stated in said notice and all interested persons having been heard thereon, and

WHEREAS it is the opinion of this Board that the proposed Licensing Ordinance in the form set forth in said notice of said public hearing will be for the best interests of the residents of the Village of Lake Placid.

NOW, THEREFORE, pursuant to the provisions of the Village Law,

BE IT RESOLVED, that the village ordinance entitled "LICENSING ORDINANCE OF THE VILLAGE OF LAKE PLACID" relating to licensing of occupations, businesses, etc. be, and the same hereby is, approved and adopted, and that proper notice thereof be published and posted in accordance with the provisions of Section 95 of the Village Law.

The question of the adoption of the foregoing resolution was put to a vote on roll call which resulted as follows:

Robert J. Peacock	voting	Aye
Robert F. Madden	voting	Aye
John M. Wilkins	voting	Aye
Oren F. Preston	voting	Aye
William Mullarney	voting	Aye

The resolution was thereupon duly adopted.

4

VILLAGE OF LAKE PLACID

Local Law No. 2 of the year 1966

A local law Regulating drinking in public.

Be it enacted by the Village Board of the Village of Lake Placid as follows:

- 1) No person shall have in his possession any open bottle or container containing liquor, beer, wine or other alcoholic beverage while such person is on any public highway, public street, public parking area or in any vehicle or public place, excepting the interior of the building of premises duly licensed for sale and consumption of alcoholic beverages on the premises, whatsoever in said village.
- 2) An open bottle or open container in any vehicle shall be presumptive evidence that the same is in possession of all the occupants thereof and in violation hereof.
- 3) A violation of this ordinance shall constitute an offense punishable by a fine not exceeding \$50.00 or by imprisonment in jail for 10 days or by both such fine and imprisonment for the first offense, and by a fine not exceeding \$50.00 or by imprisonment for 30 days or by both such fine and imprisonment for a second or subsequent offense.
- 4) Should any section or provision of this ordinance be decided by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof other than the part so decided to be unconstitutional.
- 5) This Local Law shall take effect immediately and according to law.

Effective: May 24, 1966

3. Community service property used for human habitation.

(n) "Sound level" means the measured level of a sound, expressed in dB re 0.0002 microbar, obtained using a sound level meter. Sound levels include all factors inherent in measuring with a sound level meter including microphone frequency response, amplifier characteristics, meter damping, observer effects, and weighting networks.

(o) "Sound pressure level" means the sound pressure level, in decibels, of a sound is 20 times the logarithm to the base 10 of the ratio of the pressure of the sound to the reference sound pressure. Sound pressure level is measured with a sound level meter meeting ANSI - S 1.4 or the latest revision thereof.

(p) "Stationary emergency signaling device" means any device, excluding those attached to motor vehicles, used to alert persons engaged in emergency operations. These include but are not limited to fire fighters, first aid squad members and law enforcement officers, whether paid or volunteer.

SECTION 2 - INDUSTRIAL AND COMMERCIAL OPERATIONS

1. Upon effective date of this local law, no person shall cause, suffer, allow or permit sound from any industrial or commercial operation which when measured at any residential property line is in excess of any of the following:

(a) From 7:00 A.M. to 10:00 P.M.

i. Continuous airborne sound which has sound level in excess of 65 dBA, or

ii. Continuous airborne sound which has an octave band sound pressure level in decibels which exceeds the values listed below in one or more octave bands.

Octave Band Center Frequency (Hz)	Octave Band Sound Pressure Level (dB)
31.5	96
63	82
125	74
250	67
500	63
1000	60
2000	57
4000	55
8000	53

or,

iii. impulsive sound in air which has an impulsive sound level in excess of 80 decibels.

(b) From 10:00 P.M. to 7:00 A.M.

i. Continuous airborne sound which has a sound level in excess of 50 dBA, or

ii. Continuous airborne sound which has an octave band sound pressure level in decibels which exceeds the values listed below in one or more octave bands.

Octave Band Center Frequency (Hz)	Octave Band Sound Pressure Level (dB)
31.5	86
63	71
125	61
250	53
500	48
1000	45
2000	42
4000	40
8000	38

or,

iii. Impulsive sound in air which has an impulsive sound level in excess of 80 decibels.

2. No person shall cause, suffer, allow or permit sound from any industrial or commercial operation, which when measured at the property line of any other commercial operation is in excess of any of the following:

i. Continuous airborne sound which has a level in excess of 65 dBA, or

ii. Continuous airborne sound which has an octave band sound pressure level in decibels which exceeds the values listed below in one or more octave bands.

Octave Band Center Frequency (Hz)	Octave Band Sound Pressure Level (dB)
31.5	96
63	82
125	74
250	67
500	63
1000	60
2000	57
4000	55
8000	53

or,

iii. Impulsive sound in air which has an impulsive sound level in excess of 80 decibels.

3. The Board of Trustees hereby reserves the authority to alter and/or modify: (i) the time periods set forth in Section 2 Subdivision 1(a) and (b) herein, and (ii) the decibel levels set forth herein in Section 2 Subdivision 1(a) i, ii and iii and Section 2 Subdivision 1(b) i, ii and iii.

Said authority may be exercised upon a determination by said Board of Trustees that the effective time periods and/or sound levels are inappropriate or are otherwise not in the best interests of the Village of Lake Placid. Said determination shall be made at a regularly scheduled or special meeting of said Board of Trustees by resolution.

SECTION 3 - STATIONARY EMERGENCY SIGNALING DEVICES

1. Upon the effective date of this local law:

(a) Testing of only the electromechanical functioning of a stationary emergency signaling device shall occur at the same time each day that a test is performed, but not before 8:00 a.m. or after 8:00 p.m. Any such testing shall only use the minimum cycle test time. In no case shall such test time exceed 10 seconds.

(b) Testing of the complete emergency signaling system including the electromechanical functioning of the signaling device and the personnel response to the signal shall not occur more than once in each calendar month. Such testing shall not occur before 8:00 a.m. or after 8:00 p.m. The 10-second time limit on the electromechanical functioning of the signaling device shall not apply to such system testing.

2. Stationary emergency signaling devices shall be used only for testing in compliance with applicable provisions of these regulations and for emergency purposes where personnel and equipment are mobilized.

SECTION 4 - EXCEPTIONS

1. The operational performance standards established in this chapter shall not apply to any of the following noise sources:

- (a) Agriculture;
- (b) Bells, chimes or carillons of religious facilities or houses of worship;
- (c) Commercial motor vehicle operations;
- (d) Emergency energy release devices;
- (e) Emergency work to provide electricity, water, or other public utilities when public health or safety are involved;
- (f) National Warning Systems (NAWAS): Systems used to warn the community of attack or imminent public danger such as flooding or explosion.
- (g) Noise of aircraft flight operations;
- (h) Public celebrations;
- (i) Public roadways;
- (j) Surface carriers engaged in commerce by railroad;
- (k) The unamplified human voice;
- (l) Authorized use of explosive devices.
- (m) Activities authorized, permitted, allowed or otherwise sanctioned by the Village Board of Trustees of the Village of Lake Placid.

SECTION 5 - ENFORCEMENT

Any person who shall violate any provision of this local law shall be guilty of a violation punishable by a fine not exceeding two hundred fifty dollars (\$250.00), or imprisonment for a period of fifteen (15) days or both. Each day's continued violation shall constitute a separate violation.

SECTION 6 - EFFECTIVE DATE

This local law shall take effect immediately.


Village Clerk

Adopted: July 26, 1982

B. SIGN REGULATIONS.

1. General standards. The provisions contained within this Section shall apply to all signs and all use districts, regardless of designation with the Village of Lake Placid.
 - a. Any sign or use of signs not specifically allowed by provision of these regulations is prohibited, including, but not limited to, the following:
 1. Real estate "Sold" signs;
 2. moveable signs (including banners and "sandwich boards");
 3. multiple-faced, other than doubled-faced, signs;
 4. billboards;
 5. signs or other advertising devices which advertise a profit-making business or organization and which appear upon permanent delivery and pickup containers;
 6. commercial vehicles consistently parked in highly-visible locations and obviously positioned to constitute advertising;
 7. signs which employ reflective or luminous material or paint in their construction;
 8. neon signs or signs with letters or features formed of internally illuminated glass or transparent tubing; and
 9. all internally lighted signs, i.e. signs with translucent panels and lighting from within.
 10. signs advertising a construction business which are left on a construction site after construction is completed.
 - b. No sign shall be located in such a way as to interfere with driver vision of other traffic.
 - c. Any indirectly illuminated sign or lighting devices associated with a sign or used to illuminate a sign shall employ only lights emitting a white light of constant intensity, and no sign shall be illuminated by or contain flashing, intermittent, rotating, or moving light or lights. In no event shall an illuminated sign or lighting device 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 projecting sign shall be erected or maintained from the front or face of a building a distance of more than twelve (12) inches, except as otherwise provided herein, such as those projecting from the face of a theatre or motel marquee. Any projecting sign which projects into or above any pedestrian right-of-way or sidewalk shall have clearance of not less than nine (9) feet above the sidewalk or surrounding ground level.
- e. No projecting or free-standing sign shall be permitted to project into, above or within four (4) feet of the curb, sidewalk or gutter's outer edge, whichever is further from the centerline of the roadway.
- f. No signs shall be placed on the roof of any building.
- g. No portable or temporary sign shall be placed in the front of or on the face of a building, or elsewhere on any premises, except as otherwise provided herein.
- h. No sign or part thereof shall contain or consist of banners, posters, pennants, ribbons, streamers, spinners, or other similar moving, fluttering, or revolving devices. Included in this prohibition are signs which are mechanically animated, such as moving, rotating or revolving signs. The said devices, as well as strings of lights, shall not be used for the purposes of advertising or attracting attention when not part of a sign.
- i. No sign shall be in the form of an appendage extending beyond either the perimeter or the vertical plane of the sign to which it is attached, excepting "Vacancy" and "No Vacancy" signs for motel and other lodging establishments.
- j. All signs shall be constructed of wood, metal or other durable material approved by the Building Inspector. All signs shall be constructed so as to withstand reasonable wind and weather and so as not to be detrimental or hazardous to the public health, safety and welfare; and must be kept clean, neatly painted and in such a state of repair so as not to be detrimental or hazardous to the public health, safety and welfare. The Building Inspector shall issue notice to owners of signs in violation of this provision which said owners shall be permitted ten (10) days within which to make all necessary repairs to or cause the removal of all signs in violation.

2. Administrative Standards.

- a. For the purpose of determining the number of signs, a sign shall be considered to be a display surface or device containing elements organized, related and composed to form a unit. Where advertising material is displayed in a random manner without an organized relationship of elements, each element shall be considered to be a single sign.
- b. The surface area of a sign shall be computed as including the entire area within a regular geometric form, or contiguous combination of forms, comprising all of the display area of the sign and including all of the elements of the material displayed. Frames, structural members, and other surfaces which do not bear material included within the definition of the word "sign" shall not be included in the calculation of sign-surface area. Signs consisting of letters painted on or attached to a building surface or to a free-standing masonry wall shall be computed by multiplying the average height of the letters by the linear distance from the first letter to the last letter of the sign.
- c. For the purposes of this Local Law, the term "sign" shall not include erected and maintained pursuant to, and in the discharge of, any governmental function, or required by law, ordinance or governmental regulation. The term "sign" shall additionally not include the following:
 1. Memorial signs or tablets, names of buildings and/or dates of erection when cut into any masonry surface or when constructed of bronze, stainless steel or similar material.
 2. Displays of automotive maintenance merchandise by gasoline stations, located between the principal building and gasoline pump on the premises.
 3. Signs integral to gasoline pumps and racks for the display of automotive maintenance merchandise. The display of gasoline prices upon signs other than those integral to gasoline pumps shall be considered as signs.
 4. Traditional barber poles.

3. Permitted Signs in All Districts.

- a. The following signs are permitted in any use district without issuance of a permit or payment of a fee.
1. A single, free-standing, projecting or wall sign denoting the name and address of the occupant of a one-family dwelling, such sign not exceeding two (2) square feet in area, provided that a projecting sign shall not project more than two (2) feet from the dwelling.
 2. A single, free-standing, projecting or wall sign denoting the profession or home occupation, if any, of the occupants of a one-family dwelling, such sign not exceeding two (2) square feet in area, provided that a projecting sign shall not project more than two (2) feet from the building in which said profession or home occupation is conducted.
 3. For each dwelling unit in a two-family dwelling or multiple family dwelling, a single wall name plate or professional sign having an aggregate surface area not exceeding one (1) square foot.
 4. Signs or bulletin boards customarily incident to places of worship, libraries, museums, social clubs or societies, which signs or bulletin boards shall not exceed twelve (12) square feet in area and shall be located on the premises of such institutions.
 5. For each boarding house or rooming house or multiple family dwelling, a single, free-standing, wall or borderless sign, not exceeding six (6) square feet in area.
 6. Building directories, not exceeding five (5) square feet in area, if located outside.
- b. The following signs are permitted to any use district, as a special permit use subject to the procedures and requirements of Section VI of this Local Law.

1. Any sign advertising a commercial enterprise located within a district zoned residential. Such sign shall not exceed a maximum of six (6) square feet in area and shall advertise only the name of the owner, trade names, products sold and/or the business or activity conducted on the premises where such a sign is located.
4. Permitted Signs in Resort and Commercial Districts. In Districts zoned R-H (Resort Hotel), R-R (Resort-Residence), C-1 (Commercial), or C-2 (Commercial), no sign shall be erected and maintained except as provided by this Local Law.
 - a. The primary purpose of each sign shall be for identification and may state the owner's name, trade names, trademarks, products sold, and/or commercial activity conducted on the premises on which the sign is located. All signs must be located on the premise of the business activity, except as noted in Part B (6) herein relating to "directional signs".
 - b. Each business unit or light industrial establishment shall be permitted one (1) of the alternative sign displays set forth in subparagraphs (1) and (2) herein, and shall be permitted signage in conformance with subparagraph (3) herein, subject to compliance with all general and administrative standards stated herein:
 1. One (1) projecting double-faced sign, not exceeding fifty (50) square feet per side, provided that such sign shall not project more than five (5) feet beyond the principal building on the lot; provided further that such sign shall not extend more than thirteen (13) feet above ground level or exceed the height of the building at the point of location of the sign, whichever is more restrictive.
 2. One (1) free-standing, double-faced sign, not exceeding fifty (50) square feet per side, provided that such sign shall not extend more than fifteen (15) feet above the ground level at the point of location of the sign.
 3. Not more than two (2) wall or borderless signs, including those painted on the wall of a building or other structure, having an aggregate area of not more than thirty (30) square feet (unless the business unit in question does not have a sign display pursuant to subparagraph [1] or [2] hereof, in which case the wall or borderless signs pursuant to this subparagraph shall not aggregate more than fifty [50] square feet in area), provided that each such sign does not extend above the height of the building at the point of location

of the sign; provided further that each such sign does not extend beyond the edges of the building at the point of location of the sign.

- c. Each business unit shall also be permitted, in addition to the signage permitted above by paragraph b, up to four (4) directional signs (e.g. "entrance", "exit", "parking", "office", etc.), each such directional sign to be less than two (2) square feet in area.
 - d. During site plan review, as governed by Section VII of this Local Law, the Planning Board may review and recommend that permits be granted for the erection of certain on-site directional signs provided that the individual signs do not exceed two (2) square feet in area, and are limited in text to terms such as "Office", "Entrance", or "Exit". Permits will only be granted if the applicant can clearly demonstrate that such directional sign or signs are set back not less than five (5) feet from either the public right-of-way or any property boundary.
5. Temporary Signs. All signs of a temporary nature, such as political posters, banners and signs of a similar nature, restricted to church, school, civic and other non-profit functions shall be permitted for a period of thirty (30) days, without permit or fee. Such signs shall not be attached to fences, trees, utility poles or the like, nor placed in a position that will obstruct or impair vision or traffic or in any manner create a hazard or disturbance to the health and welfare of the general public. Such signs may not represent a commercial product, activity, or enterprise, and shall not exceed twenty-four (24) square feet per side. All such signs shall be removed within seven (7) days after the advertised event.

The following specific temporary sign types are explicitly addressed by this Local Law as provided below:

- a. Temporary window signs and posters shall be permitted without permit or fee providing they do not exceed fifteen percent (15%) of the window surface.

- b. Temporary "for sale" real estate signs and signs of a similar nature not exceeding four (4) square feet per side in area within any district, shall be permitted without permit or fee. All such signs shall be removed immediately upon sale of the premises.
 - c. A temporary single-sided real estate development sign not exceeding twenty (20) square feet shall be permitted without fee or permit on property being sold, leased or developed and is to be erected parallel to the fronting highway, set back not less than fifteen (15) feet, or attached to the building face. The sign shall be permitted to remain until such time as all lots or units in the development have been sold.
6. Off-Premise Directional Signs. Businesses and public destinations relating to, but isolated from, primary routes of travel shall be permitted a maximum of two (2) directional signs as a special permit use subject to the provisions of Section VI of this Local Law and the following additional requirements:
- a. In locations with more than one (1) directional sign, all such signs shall be affixed to a common standard and be graphically coordinated and arranged so as to present a neat and orderly appearance. Any such standard shall be designed to accommodate the later addition of further directional signs.
 - b. No directional sign shall be more than four (4) square feet in area. In areas with more than one (1) directional sign, the aggregate area of all such signs shall not exceed twenty-four (24) square feet. All such signs shall be set back at least ten (10) feet from the public right-of-way.
 - c. Except as affixed to a common standard, no directional sign shall be located less than three hundred (300) feet from any other directional sign.
7. Representational Signs. No representational sign shall be permitted in any district except such signs as shall be approved by special use permit in accordance with the procedure established in

Section VI of this Local Law. Further, no such sign shall project more than five (5) feet beyond the principal structure to which it is attached, and shall be limited to a sign area of more than ten (10) square feet. Only one (1) such sign per establishment shall be permitted.

8. Permit Required. Except as otherwise stated herein, no sign or other device for advertising or notification purposes of any kind shall be erected, established added to, or altered until a permit therefore has been issued by the Building Inspector. All applications shall include such information as may be required by the Building Inspector to determine compliance with these sign regulations and shall be accompanied by payment of the required permit fee in accordance with a schedule established and reviewed annually by the Village Board. Owners or operators of signs which are in existence as of the effective date of this Local Law shall apply for a permit for said signs within ninety (90) days of said effective date, and the Building Inspector will either issue a permit therefor, or a determination of non-conformance (in which case Section IX[D][2] hereof shall apply).
- C. FENCES, WALLS AND HEDGES. The yard requirements of this Local Law shall not prohibit the construction or installation of any necessary retaining wall nor any fence, wall or hedge otherwise permitted within the Village, providing that in any Residence District such fence, wall or hedge shall be no closer than two (2) feet to any front lot line. In all Districts, no such fence, wall or hedge shall obstruct visibility as regulated by Section IV Part E of this Local Law.
- D. EXCAVATION AS PART OF SITE PREPARATION. Nothing contained herein shall prohibit the excavation of sand, gravel, shale, topsoil or similar material from a lot preparatory to construction of a building for which a building permit has been issued, or to move such material from one part of a premises to another part of the same premises, when such excavation or removal is clearly incidental to the approved building construction/site development and necessary for improving the property for a use permitted in the District in which it is located. Provision shall be made to restore an effective cover crop to any area of land from which topsoil has been removed or covered with fill within the first growing season following the start of such operation.
- E. DRIVE-IN ESTABLISHMENTS. No drive-in establishments shall be located closer than two hundred (200) feet to any Residence District. Arrangements for ingress and egress of vehicles, lighting, fencing and screening shall be closely examined by the Planning Board under site plan review, as provided for in Section VII of this Local Law.

- F. **ACCESSORY BUILDINGS PERMITTED ON RESIDENTIAL LOTS.** On any lot intended or used for residential purposes, permitted accessory buildings may include a boathouse, dock, garage, guest house, or workshop for personal use in connection with the principal dwelling, provided such uses and buildings are located on the same lot and are clearly incidental to the principal use, and provided such uses comply with the terms of Section IV(H) of this Local Law. No such structure may be located within the required front yard, nor may any such structure exceed fifteen (15) feet in height, except as otherwise provided by Section IV, Part C of this Local Law. No more than three (3) accessory structures, as defined in Section XIII of this Local Law, may be situated on a single residential premise.
- G. **SOLAR ACCESS.** To the extent practicable, and in accordance with Chapter 742 of the Laws of 1979, the accommodation of solar energy systems and equipment, and the protection of access to sunlight for such equipment, shall be encouraged in the application of the various review and approval provisions of this Local Law.
- H. **PARKING AND LOADING STANDARDS.** In all districts, at the time any new building or structure is erected, any existing building or structure enlarged, or new or changed use of either land or structure established, off-street parking and loading space shall be provided in accordance with the minimum standards set forth below:
1. **Required Number of Off-Street Parking Spaces.** The minimum required number of spaces stated below shall be required in addition to one (1) space for each company vehicle associated with a commercial business or industrial use.
 - a. **Residential Uses:**

- Single-Family Dwelling	Two (2) Spaces
- Two-Family Dwelling	Three (3) Spaces
- Multiple-Family Dwelling	One and one-half (1.5) Space Per D.U.
- Boarding or Rooming House	Two (2) Spaces plus One (1) Space Per guest room
 - b. **General Uses:**

- Meeting halls, membership clubs, auditoriums, or other places of public assembly not otherwise specified	One(1) space per five (5) seats or seventy-five (75) square feet of seating area where fixed seating is not provided.
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~~XXXXX~~
~~XXXXX~~ of Lake Placid
~~XXXXX~~
Village
Local Law No. 1 of the year 19 88

A local law to amend the provisions of the Village of Lake Placid Land Use Code (Local Law No. ^(insert title) 2 of the Year 1987) in respect to neon signs

Be it enacted by the Village Board of Trustees of the
(Name of Legislative Body)

~~XXXXX~~
~~XXX~~ of Lake Placid as follows:
~~XXXXX~~
Village

Section 1. Part A Section V Paragraph B(1)(a)(8) of said local law is hereby amended to read as follows:

- 8. neon signs or signs with letters or features formed of internally illuminated glass or transparent tubing with the exception that a business may have up to three neon signs of not more than two square feet each, i.e. one such sign for each side of the space in which the business is located which is within clear view of a public street, provided that such signs shall be unilluminated when the business is not open for business, and provided further that such signs (while not limited as to content in the manner of directional signs) shall be counted against the number of permitted directional signs under subparagraph 4(c) of these regulations and shall not be counted against the number of permitted principal signs under subparagraph 4(b) of these regulations; and

Section 2. This local law shall take effect immediately.

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

8

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~XXXXX~~

~~CITY~~

of Lake Placid

~~TOWN~~

Village

Local Law No. 3 of the year 1990

A local law to regulate certain vehicles on sidewalks in the Village
(Insert Title)

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

~~XXXXXX~~
County

~~CITY~~

of Lake Placid as follows:

~~TOWN~~

Village

1. LEGISLATIVE INTENT. It is hereby found and declared that it is of importance to the health, safety and welfare of the inhabitants and guests of the Village of Lake Placid to prevent the use of certain vehicles on the sidewalks located on Main Street in said Village. It is further declared that the use of certain vehicles on Main Street in the Village of Lake Placid creates a hazard and undue risk to the health, safety and welfare of the citizens and guests of the Village necessitating the regulation, restraint and elimination thereof.

2. PROHIBITED OPERATION. No person shall operate, use or cause to be operated or used vehicles commonly known as bicycles, skateboards, rollerskiis, rollerblades or any other such mechanized vehicles on the sidewalks located on Main Street in the Village of Lake Placid between Main Street's intersection with Saranac Avenue and the U.S. Post Office.

3. PENALTIES FOR OFFENSES. Any person violating this Local Law shall be punished, upon conviction, by a fine of not less than Ten Dollars (\$10.00) nor more than Two Hundred Fifty Dollars (\$250.00) for each violation. In addition, each violation of this Local Law shall constitute disorderly conduct and each person violating the same shall be a disorderly person.

LPV5455A.WR

(If additional space is needed, attach pages the same size as this sheet, and number each.)
(1)

(Use this form to file a local law with the Secretary of State.)

9

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~XXXX~~ County
~~XXX~~ City
~~XXX~~ Town
Village of Lake Placid

Local Law No. 5 of the year 19 91

A local law entitled "ANTI-CLUTTER LAW"
(Insert Title)

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

~~XXXX~~ County
~~XXX~~ City
~~XXX~~ Town
Village of Lake Placid as follows:

It shall be unlawful to display apparel for sale out of doors in the Village of Lake Placid. This shall include sidewalks, vestibules, lawns, and all other areas not fully enclosed by permanent walls. For the purposes of this local law, apparel shall include, but not be limited to, T-shirts, sweatshirts, jackets, hats, shoes, coats, and all other clothing articles.

This local law shall not apply to residential garage and yard sales. The Village Board may, on request of an official merchant group, designate a sidewalk sale promotion which would include outdoor sale of apparel.

In the event of a violation of this local law, the violator will be given written notice by personal service or return receipt mail. Failure to correct the violation two calendar days following notification shall result in a fine of \$250.00 per day for failure to comply. In the event of a second offense in a one year period, the fine shall be \$500.00 per day.

This local law shall take effect immediately.

*May 1995 - Reso making mem. Day Weekend
annual Sidewalk Sale*

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~XXXXXX~~
~~XXXX~~ of Lake Placid
~~XXXXXX~~
Village

Local Law No. 2 of the year 19 92

A local law amending the Village of Lake Placid Land Use code
(Insert Title)

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

~~County~~
~~City~~ of Lake Placid as follows:
~~Town~~
Village

Part A Section VB(1)(a)(2) is amended to read as follows:

Moveable signs and "sandwich boards" provided, however that each business shall be allowed one such sign by permit only so long as such is not larger than four square feet per side and does not interfere with pedestrian traffic or public welfare and safety.

A new Part A Section VB(1)(a)(11) is added prohibiting Banners as follows:

(11) Banners

Part A Section VB(4)(b) is amended by adding a new subparagraph 4 as follows:

4. Where a business unit or light industrial establishment has frontage on more than one public street or highway, it shall be allowed signage facing each public street or highway so long as the signage on each front is in compliance with this Section 4(b).

Part A, Section IX(D)(2) is amended to read as follows:

Subject to the following provisions, and with the exception of those signs discussed in paragraph 1 above, theater, marquees, roof signs that are not otherwise prohibited, and signs that as of August 1, 1987 were not in compliance with Section VB(4)(b)(1), (2) and (3) of the Village Sign Ordinance and which are not otherwise prohibited (size requirements), any sign lawfully existing and maintained as of August 1, 1987, but made non-conforming by the

(If additional space is needed, attach pages the same size as this sheet, and number each.)

provisions of the Village of Lake Placid Land Use Code (August 1, 1987 version) may be so continued and maintained (a) until August 1, 1992, which is hereby found to be a reasonable period of time to amortize the investment therein, or (b) until the copy displayed thereon is no longer representative of the active use of the premises on which it is displayed, or (c) until any required certificate is applied for to erect, alter or enlarge either the subject non-conforming sign or any building on the premises on which the non-conforming sign is being displayed, whichever of (a), (b) or (c) is earliest. Before or upon the expiration of the aforesaid time period is applicable, the non-conforming sign and all supportive structures, and other appurtenances thereto, shall be removed by the owner.

Part B, Section III, definition of "Subdivision" is hereby amended by adding two new final sentences to read as follows:

"Subdivision" shall not include minor divisions of land which merely correct prior conveyances of land, correct encroachments or which effect boundary adjustments between adjoining parcels of land and do not result in any new parcels upon which a principal building or use may be constructed or undertaken. The Chair of the Planning Board may, without imposition of any fee, sign any map or plot showing such intra-family gift subdivision or minor subdivision for the purpose of qualifying the subdivision as such or enabling said map or plot to be filed in the County Clerk's office.

The area and bulk schedule is hereby amended to require a minimum lot width of 100 feet in a C-2 district for "Business or professional office", "public museum".

The area and bulk schedule is hereby further amended to add "marina" as a special permit use in C-2 and R-H districts.

Part A, Section VI(C)(2) is amended by adding the following final sentence:

Provided, however, that for a special permit to allow an off premises sign, the applicant shall not be required to send notice by certified mail, return receipt requested to all owners of property within two hundred (200) feet of the nearest lot line as prescribed in Section XI(C)(4).

(Use this form to file a local law with the Secretary of State.)



Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~XXXXX~~
~~XXXX~~ of Lake Placid
~~XXXX~~
Village

Local Law No. 4 of the year 1993.

A local law Hawkers and Peddlers
(Insert Title)

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

~~XXXXXX~~
~~XXXX~~ of Lake Placid as follows:
~~XXXX~~
Village

The Licensing Ordinance of the Village of Lake Placid dated August 26, 1960, which was effective September 6, 1960 is hereby repealed in its entirety; and

WHEREAS, the Village Board deems it necessary for the health, safety and welfare of the public and desirable for the residents and visitors of the Village of Lake Placid that the operation of Transient Business and Hawkers and Peddlers be controlled and licensed.

As used in this Local Law the following definitions shall apply:

Definitions:

Hawkers and Peddlers -

Any person travelling by foot, wagon or automotive vehicle from street to street, house to house or place to place, carrying or transporting food products, beverages, dairy products and ice cream offering same for sale; except persons engaged in the peddling of meats, fish, fruit and farm produce by farmers and persons who produce such commodities.

Transient Business - Any business conducted in an open lot, from a stationary motor vehicle, car, truck, tent, wagon, cart, public room or any temporary structure for the exhibit and sale of food, food products, beverages, dairy products and ice cream to the public.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

It shall be unlawful to engage in any Transient Business or for Hawkers and Peddlers to engage in business in the Village of Lake Placid without a license issued by the Village of Lake Placid and then only in compliance with the provisions of this Local Law.

Licenses shall be issued by the Building Codes Enforcement Officer of the Village of Lake Placid upon a determination that the applicant is fit and proper, that all conditions of licensing have been complied with, that the operation of the business shall not be likely to disturb the peace and order of the Village or be immoral, illegal or improper and upon payment of the applicable fee: The applicable fees are as follows:

Annual-Calendar Year	1994-\$100.00; 1995-\$150.00; 1996-\$200.00
One Week	\$ 50.00
One Day Special Event	\$ 25.00

The Village Board shall have the right to waive the above fees in its sole discretion for special events.

Proof of Department of Health approval and any other required approval shall be presented at the time of application as well as proof of insurance naming the Village of Lake Placid as additional insured in an amount and form as determined to be adequate and appropriate by the Village Board.

Each licensee licensed under the Local Law shall operate the licensed business so as not to block vehicular or pedestrian movement or access and shall provide a trash receptacle. All trash, debris, food, equipment, carts, vehicles shall be removed each day at the end of business.

Any applicant denied a license by the Building Codes Enforcement Officer may appeal to the Village Board by written

appeal within 30 days of denial by the Building Codes Enforcement Officer.

Any violation of this Local Law shall be punishable by fine in the amount of \$250.00. Each day that the violation continues shall be deemed an additional violation. The Building Codes Enforcement Officer and the Village of Lake Placid Police Department shall be empowered to enforce the terms of this Local Law by issuing appearance tickets to any person alleged to be in violation of this Local Law.

12

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

██████
██████ of _____ Lake Placid
██████
Village

Local Law No. 6 of the year 2008

A local law to repeal Local Law No. 5 of 1982, regulating
(Insert Title)
noise control in its entirety, and replacing it
as follows:

Be it enacted by the Village Board of Trustees of the
(Name of Legislative Body)

██████
██████ of _____ Lake Placid _____ as follows:
██████
Village

“The purpose of this Local Law is to preserve the public health, safety, and welfare by prohibiting excessive and disturbing noise and to prevent noise which is prolonged or unsuitable for the time and place and which is detrimental to the peace and good order of the community. It is the goal of this Local Law to allow all residents of the Village of Lake Placid to peacefully coexist in a manner which is mutually respectful of the interests and rights of others.

Unlawful Noise Prohibited:

It shall be unlawful for any person to make, continue, or cause to be made or continue any excessive, unnecessary, or unusually loud, or any noise which either annoys, disturbs, injures, or endangers the comfort, repose, health, peace or safety of others in the Village of Lake Placid. The following acts, among others, are declared to be loud, disturbing, injurious or unnecessary and unlawful noises in violation of the section.

- (1) **Horns and Signal Devices.** The sounding of any horn or signal device on any automobile, motorcycle, bus, or other vehicle while not in motion, except as a

(If additional space is needed, attach pages the same size as this sheet, and number each.)

danger signal or to give warning of intent to get into motion, or if in motion, only as a danger signal after or as brakes are being applied or decelerating of the vehicle has begun; the creation by means of such signal device or any unreasonable or unnecessary period of time

- (2) **Radio, Phonograph, Musical Instruments.** The playing of any radio, phonograph, television set, amplified or un-amplified musical instruments, loudspeaker, tape recorder, or other electronic sound producing devices, in such manner or with such volume between the hours of 9:30pm and 7:00am the following day so as to annoy or disturb the quiet, comfort or repose of persons in any office or in any dwelling, hotel, hospital, or other type of residence, or of any persons in the vicinity. The operation of any such set, instrument, phonograph, machine, or device in such a manner as to be plainly audible on a property or in a dwelling unit other than that in which it is located, shall be prima facie evidence of a violation of this section.
- (3) **Shouting and Whistling.** Yelling, shouting, hooting, whistling, singing, or the making of any other loud noises on the public streets, between the hours of 9:30pm and 7:00am the following day.
- (4) **Construction.** The operation of power equipment in residential zones between the hours of 9:30pm and 7:00am the following day. The erection, including excavation, demolition, alteration or repair of any building other than between 7:00am and 9:30pm, except in case of a public safety and emergency.

Exceptions:

- A. **Public Warnings.** The emission of sound for the purpose of alerting persons to the existence of an emergency
- B. **Events.** Noise from municipally sponsored celebrations or events and noise from individually sponsored events where a permit for public assembly or other relevant permission has been obtained by the Village Board
- C. **Emergency Vehicles.** Any police or fire vehicle or any ambulance, while engaged upon necessary emergency business.
- D. **Highway and Utility Maintenance and Construction.** Necessary excavation in or repairs of bridges, streets, or highways, or any public utility installation by or on behalf of the Village of Lake Placid, or any public utility (Highway, Water, Sewer and Electric Dept) or any agency of the State of New York, when the public safety, welfare, and convenience necessitates the performance of the work at such time.

Penalties for Offenses

Any person found guilty of violating any of the provision of this chapter shall be guilty of a violation and, upon conviction, shall be punishable by a fine not exceeding \$ 250 or imprisonment for a period not exceeding 15 days, or both, for conviction of the first offense; for conviction of a second offense, both of which were committed within a period of three years, punishable by a fine of not less than \$ 250 nor more than \$ 500 or imprisonment for a period not to exceed 30 days, or both; and upon conviction for a

third offense or subsequent offense, all of which were committed with a period of 5 years, punishable by a fine of not less than \$500 nor more than \$ 750 or imprisonment for a period not to exceed 60 days or both. Each day during which such violation occurs constitutes a separate offense.”

This Local Law shall take effect immediately upon filing with the Secretary of State.

*Local Law #2 - 2010 and
is Part of Land Use Code.*

**SECTION 6.0
SIGN GUIDELINES AND REGULATIONS**

6.1 OBJECTIVES

These Regulations are intended to protect property values, create an attractive economic and business climate, enhance and protect the physical appearance of the community, preserve the scenic and natural beauty of this Adirondack resort area and provide an enjoyable and pleasing environment for residents of and visitors to the Village of Lake Placid / Town of North Elba. They are further intended to reduce potential physical and visual distractions and obstructions that may pose a traffic or pedestrian hazard caused by signs overhanging, projecting into or in proximity to the public right-of-way and by signs that are not sufficiently legible. Signage is for identification, not publicity.

It is the intent of these Regulations, Design Review and Design Guidelines to permit only those signs and displays graphics, which are:

- Highly legible
- Compatible with their surroundings
- Constructed and maintained in good condition
- Appropriate to the type of activity to which they pertain
- Expressive of the identity of individual proprietors and of the community as a whole

6.2 APPLICABILITY

These Regulations shall apply to the location, placement, alteration, replacement, extension, installation or erection of any sign as defined in these Regulations. No sign shall be located, placed, altered, extended, installed or otherwise erected in the Village of Lake Placid / Town of North Elba until the required permit is issued.

6.3 SIGNS THAT DO NOT REQUIRE REVIEW

6.3.1 Exempt Signs

The following signs are exempt from these Regulations:

- A. Signs erected and maintained pursuant to any governmental function, or required by law, ordinance or governmental regulation
- B. Memorial signs or tablets, names of buildings and/or dates of erection when cut into any masonry surface or when constructed of bronze, stainless steel or similar material
- C. Signs integral to gasoline pumps including on-pump gasoline price signs
- D. Traditional barber poles
- E. Posting or trespassing notices

- F. Official notices of hazard or safety precaution
- G. Personal identification signs, identifying residents of premises or permitted home occupation (not to exceed four square feet)
- H. Any official flag, emblem, or insignia of a nation, state, municipality or school not in connection with a commercial uses
- I. Such sign or category of signs as specifically designated by the Review Board after application to and determination by the Board that such determination is consistent with the purpose of this code

6.3.2 Prohibited Signs

The following signs, sign conditions and sign components are prohibited in all Planning Districts.

- A. Signs which are dilapidated or in disrepair
- B. Billboards
- C. Signs attached to fences, utility poles or trees or any other natural feature of the landscape, except for trespass and posting signs
- D. Signs that employ reflective or luminous materials or finishes in their construction or graphics
- E. Signs that employ florescent materials or finishes as a substantial portion of their construction or graphics
- F. Signs in the form of an appendages extending beyond either the perimeter or the vertical plane of the sign to which it is attached
- G. Sandwich board, A-frame, Easel or equivalent temporary/portable signs
- H. Mobile signs or motor vehicles on which is placed or painted a sign parked or stationed in a manner primarily intended to display the sign
- I. Signs that advertise a profit making business or organization and which appear upon permanent delivery and pickup containers
- J. Signs that employ banners, pennants, ribbons, streamers, spinners or moving, fluttering or revolving devices of any kind
- K. Signs which employ moving, flashing, rotating and intermittent or otherwise non-stationary lighting, except for permitted time/temperature signs
- L. Signs affixed to a roof, chimney or balcony
- M. Off-premise signs, except as provided for in Section 6.5.7

N. Signs that employ changeable message systems

O. Signs for vacation rentals

6.3.3 Existing Non-Conforming Signs

Non-conforming signs that legally existed prior to adoption of the Regulations, other than prohibited or temporary signs as described in Sections 6.3.2 and 6.3.4, shall be permitted to remain as long as the original use is in place. Satisfactory maintenance shall be required. Any proposed alteration of color, dimension or materials requires that the sign be brought into conformance. Change of use shall require removal of the sign and any replacement signs shall conform to these Regulations.

6.3.4 Temporary Signs

Temporary signs are all those signs installed for a specific and limited time duration as set forth in the requirements below:

A. General Requirements

1. Construction requirements (Section 6.4.3) do not apply to temporary signs. However, temporary signs and banners shall comply with all other requirements of these Regulations as applicable.
2. Such temporary signs and banners shall be removed within the specified time limit. Temporary installation/mounting methods, except building mounted banner brackets, must also be removed when the sign is removed.
3. Temporary signs do not require a permit. However, the Code Enforcement Office may order the removal of any temporary sign if deemed to be a nuisance or safety hazard.

B. Requirements by Sign Type

1. Event or Functions Signs or Banners

- a. They must be associated with a church, school, civic or nonprofit group
- b. They shall not represent a commercial activity or enterprise
- c. May be installed 14 days prior to the event
- d. Shall be removed two days after the event

2. Temporary Window Signs

- a. They shall not exceed 15 percent of the window display area
- b. They shall not be displayed for more than 30 consecutive days

3. Flags

- a. A flag with a brief commercial message, i.e., "Open," may be displayed during the hours of commercial operation, may not exceed 12 square feet in area, and may only be displayed in the Gateway Corridor, Old Military Corridor and Rural Countryside districts.

- b. Shall not exceed two flags per lot
 - c. Each flag shall not exceed 24 square feet in area
 - d. Shall be flown from freestanding or projecting flagpoles
 - e. Shall have a vertical clearance from sidewalk or at least seven feet, and shall not physically or visually impair vehicular or pedestrian traffic
4. Property Sale, Lease or Rental Signs
- a. One sign may be displayed prior and pertaining to the sale or long-term lease/rental of a parcel of land and/or building thereon
 - b. Shall be removed within five days upon the sale, or long-term (greater than 30 days) lease/rental of the property
 - c. Shall not advertise vacation rentals
 - d. Shall not exceed six square feet in area and three feet in height
 - e. Directional signs located off the premise of the property for sale or lease are prohibited
 - f. "Sold" signs are prohibited
5. Garage/Estate Sale Signs
- a. May be displayed seven days prior to the sale and shall be removed within two days after the sale
 - b. Shall not exceed six square feet in area and three feet in height
6. Bulletin Boards
- a. One bulletin board may be displayed as customarily incident to places of worship, libraries, museums, social clubs or societies
 - b. Shall not exceed 12 square feet in area and 8 feet in height
 - c. Shall not represent a commercial product, activity or enterprise
7. Artisan Signs
- a. One artisan sign may be displayed during construction, repairs or alterations of a property
 - b. Shall not exceed six square feet in area and four feet in height
8. Restaurant Menu Signs

- a. A restaurant is allowed up to two building mounted menu signs, which do not count in the sign area calculations
- b. Such signs may be illuminated internally
- c. The maximum size of each sign shall not exceed three square feet

9. Campaign Election Signs

- a. Signs supporting candidates for election may not be put in place more than 30 days before the date of the election, and must be removed within seven days after the election
- b. Such signs are limited to 8 square feet in area and shall not exceed 4 feet in height above grade level.

6.4 SIGNS THAT REQUIRE REVIEW

6.4.1 Review Required

- A. The location, placement, alteration, extension, installation or other erection of any sign other than an exempt sign or temporary sign, as hereinafter defined, shall require a Sign Permit in accord with the standards and requirements as set forth hereunder.
- B. Any application for a sign requiring a permit shall be reviewed by the Review Board, except for Home Occupation Signs (see 6.5.9). Those applications may be approved by the Code Enforcement Officer.

6.4.2 Location and Visibility

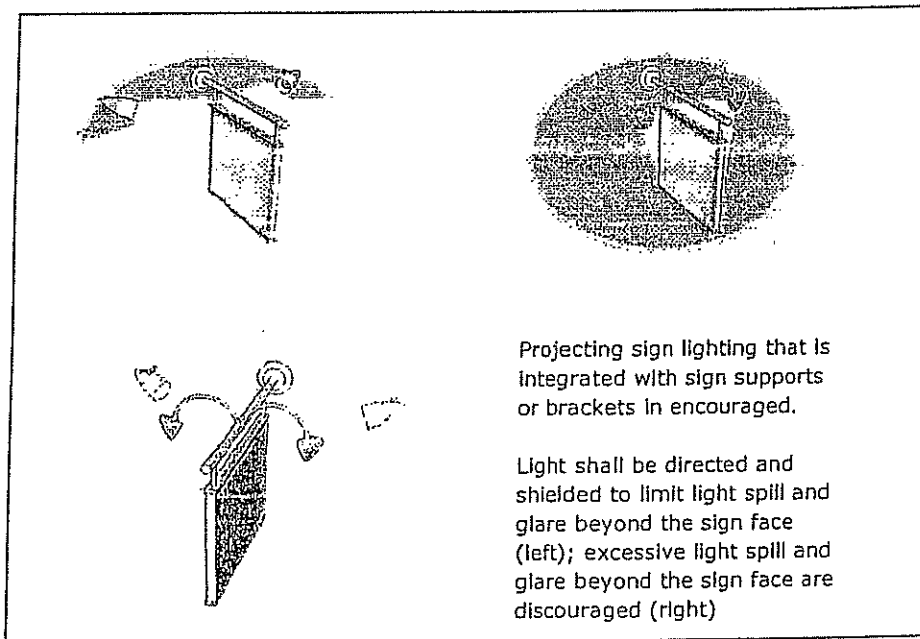
- A. No sign shall physically or visually impair vehicular or pedestrian traffic by design, illumination, color or placement.
- B. No sign shall be located on public property or in the public right-of-way without prior approval of the appropriate authority. In any case it shall not be located within 10 feet of the edge of the improved travel surface of the roadway, except as provided for herein.
- C. No sign shall be located within the vision clearance area, which is the triangular area at a roadway intersection defined by measuring 20 feet along the intersecting road edges, except that in the Village Center District no projecting sign shall project into, above or within ten 10 feet from the curb. The Review Board may alter this requirement if the design and location of such signs are compliant with Section 6.4.2 (A).
- D. No natural object shall be defaced and no sign other than a trespass or posting sign shall be placed upon or be supported by any tree, rock or other natural object other than the ground.
- E. All signs shall be on-premise, except as expressly permitted otherwise in these Regulations

6.4.3 Construction

- A. All construction, fixtures, wiring and installations shall conform to the New York State Uniform Fire Prevention and Building Code and the National Electrical Code, where applicable. All construction and installation shall be of high quality, durable materials and designed to withstand all predictable environmental conditions and wind loads.
- B. All exposed elements of any sign structure shall be composed of wood, stone, ornamental metal, or materials which have a similar appearance. Other structural materials may be acceptable to the Review Board and may be submitted for review with a permit application. Sign structure design and materials shall be compatible with the architecture of the associated building.
- C. The back or reverse side of any single-face sign visible from any public right-of-way shall be constructed in a manner consistent in terms of materials and finish with the facing and to suitably cover the structural members of the sign. Exceptions to the covering of structural members may be acceptable to the Review Board if such structure serves a decorative purpose.

6.4.4 Lighting

- A. No internally lit advertising sign is permitted on vending machines. Only the light necessary for the functional operation of the machine is allowed.
- B. External lighting shall be designed and aimed to only provide illumination for sign face(s). Light sources should be shielded to limit light spill and glare beyond the sign face(s).
- C. Only white or off-white light of a constant intensity shall be permitted to illuminate or be used in conjunction with any sign, except that colored light shall be permitted for brief informational messages signs or portions of signs.



- D. Internal illumination shall be permitted only as white or off-white graphics on an opaque dark colored background or as white or off-white halo lighting, except that brief informational messages (i.e. vacancy/no vacancy, open, office) including neon or an internally-illuminated panel with dark colored graphics on light colored, white or off-white backgrounds shall be allowed as a permitted sign or portion of a permitted sign. The neon or internally-illuminated portion of a sign shall not exceed two square feet. One such sign shall be permitted per each public street frontage and such signs shall be counted as part of the total permitted sign area.
- E. The average level of illumination of a sign face shall not exceed 3.0 foot-candles and the uniformity ratio shall not exceed 2:1 (average: minimum). High gloss and polished metallic surfaces are discouraged as they can result in significant glare and compromise legibility when lit. The Review Board may require the applicant to submit a photometric analysis, which delineates light levels and uniformity ratios.
- F. All electrical boxes and transformers shall be integrated into the sign and/or support structure design or shall be otherwise screened to minimize their visual impact.
- G. No string/rope of lights shall be used as sign lights unless such lights are shielded so that the string/rope is not visible from typical viewing angles. No lights or string/rope of lights shall be used for the purpose of advertising, displaying or otherwise attracting attention to the premises when not part of a sign or approved street or outdoor lighting. This shall not be interpreted to include seasonal or holiday decorations temporarily displayed.

6.4.5 Maintenance

- A. All signs shall be maintained in good condition and shall not be allowed to become dilapidated or in a state of disrepair.
- B. All nonconforming signs when replaced, repaired or remodeled shall be brought into conformance with current standards.
- C. Any sign associated with a use no longer in existence shall be removed within 30 days. The structure, wall, surface or other area from which the sign is removed shall also be disassembled or restored during that time period so that no remnant of the sign is visible.

6.4.6 Sign Area Calculation

- A. Sign area shall be quantified as square feet and shall be calculated by using the smallest geometric shape(s) that will encompass the entire sign face including any extensions beyond the primary edges of the sign face.
- B. A sign designed to be viewed from two directions and which two faces are either parallel or at not more than a 30 degree angle to one another shall be considered to be one sign for the purpose of these Regulations and the dimensions of only one side will be used to calculate square footage.
- C. Sign support structures bearing no text or graphics shall not be considered when calculating sign area, but such structures shall be in reasonable proportion to the sign.

- D. Fences, outbuildings and appurtenant structures shall not be included in the calculation of lineal feet for use in sign area formulas.
- E. The sign area of cut-out letters applied to a building shall be calculated using the smallest geometric shape(s) that will encompass the group of letters. If a sign consists of cut-out letters applied to a background the area shall be calculated by the area of the background.
- F. Sign area of three dimensional or representational signs shall be calculated as one-half of the sum total of the projected area of the largest front and side views.
- G. Total permitted sign area may be divided among a group of signs for any single use provided that multiple signs are permitted. Secondary signs can be combined but shall not exceed the allowable secondary sign area.

6.5 REQUIREMENTS BY SIGN TYPE

In addition to the aforementioned requirements the following standards shall apply to the individual types of signs identified. Any sign or use of signs not specifically allowed by provision of these Regulations is prohibited.

6.5.1 Freestanding Signs

- A. Freestanding signs shall be no more than 14 feet in height as measured from the average grade at the base of the sign to the top of any structural or decorative element or sign panel, except in the Town Residential, Village Residential, and Rural Countryside Districts where the height limit shall be eight feet. Business directional and advance notice signs shall not exceed six feet in height in any District.
- B. Freestanding signs shall be set back 10 feet from any side lot line.
- C. Freestanding signs shall not project into, above or within 10 feet of the improved travel surface of a roadway.
- D. Freestanding signs shall not be permitted for uses above ground floor level, except if such sign is a portion of a freestanding sign permitted for a multi-tenant building or group of buildings.
- E. Freestanding sign supports/bases shall be proportional to the sign face(s). Such supports or bases shall not exceed 100 percent of the sign area and shall not extend more than one foot horizontally in any direction beyond the horizontal edges of the sign.
- F. Freestanding sign supports or bases shall not incorporate or include any attachments, lettering, logos, or graphics. Any support structure that includes attachments, lettering, logos, or graphics, shall be considered part of sign area.

6.5.2 Projecting Signs

- A. Projecting signs shall not physically or visually impair vehicular or pedestrian traffic. Projecting signs in the Gateway Corridor, Old Military Corridor, and Village Center Districts shall have a vertical clearance at least nine feet. Projecting signs in the Village Residential and Town Residential Districts may have a minimum vertical clearance of five feet provided that no predictable pedestrian traffic shall occur below the sign. All other projecting signs shall have vertical clearance at least 7.5 feet.
- B. Projecting signs shall project no more than two feet from the building face, except that projecting signs in the Gateway Corridor, Old Military Corridor and Village Center Districts may project as far as three feet from the building face.
- C. Projecting signs shall not extend more than 13 feet above ground level or exceed the height of the building at the location of the sign, whichever is more restrictive. Projecting theatre marquee signs shall be subject to Review and may be deemed exempt from this requirement.
- D. The top edge of projecting sign panels or any extensions of the sign panel shall not exceed the height of the bottom edge of second story windowsills. Minimal support structures, chains or cables may be permitted to exceed such height and shall be subject to Review.
- E. Projecting signs shall not project into, above or within ten feet of the curb or gutter's outer edge, whichever is further from the centerline of the roadway and shall not project beyond lot lines.

6.5.3 Wall Signs

Wall signs shall not project more than 1.5 feet, except that wall signs in the Village Residential, Town Residential and Rural Countryside Districts shall not project more than four inches.

6.5.4 Window Signs

Permanent window signs shall be considered part of the total permitted sign area and shall not exceed 20 percent of the window area of the front face of the principal use. Such signs shall be silk-screened, hand painted, cut vinyl, etched or other similar graphic treatment applied directly to the window surface.

6.5.5 Awning Signs

Awnings over windows or doors may be used as permitted signs or portions thereof provided that such signs shall not exceed 15 percent of the total awning area. Internally illuminated awnings or neon on awnings shall not be permitted.

6.5.6 Three-Dimensional and Representational Signs

The Review Board may only approve a three-dimensional or representational sign if the design, materials and lighting are compatible with the use to which it pertains, the character of the Adirondack Region and the immediate neighborhood. It must also otherwise meet the standards of these regulations.

6.5.7 Off-Premise Signs

The Review Board may only permit off-premise signs for businesses not located adjacent to a state or county highway. One freestanding off-premise sign shall be permitted for each business. The message of off-premise signs shall be limited to minimal information necessary to direct the motorists or pedestrians to the use. Such signs shall not exceed 4 square feet in size and 8 feet in height.

6.5.8 Franchise Signs

Signs for regional, national and international franchises shall employ colors, materials and design style, proportions and size appropriate to the Adirondacks. Standardized franchise sign designs are subject to Review and shall be required to comply with all applicable requirements and standards set forth in these Regulations. Custom designs compatible with the character of Lake Placid / North Elba shall be required as determined by Review.

6.5.9 Home Occupation Signs

Home occupation signs may be free standing, projecting, wall or window signs, and they shall not exceed 12 square feet.

6.5.10 Subdivision Identification Signs

Subdivision identification signs may be free standing or wall signs. There shall be only one sign per subdivision, and it shall not exceed 12 square feet.

6.6 REQUIREMENTS BY DISTRICT

6.6.1 Village Center

Village Center	Max. Quantity	Maximum Area	Sign Type(s) Permitted	
Individual Commercial (ground floor level)	Principal Sign	1	MORE RESTRICTIVE OF: 15 sq. ft. per ft. of front face of principal building OR 32 sq. ft.	Freestanding, Wall Window OR Awning
		OR	12 sq. ft.	Projecting
	Principal Sign	1	MORE RESTRICTIVE OF: 15 sq. ft. per ft. of front face of principal building minus 12 sq. ft. OR 20 sq. ft.	Wall Window OR Awning
		AND:		
	Accessory Sign	1	16 sq. ft.	Wall Window OR Awning
		OR IF NO PRINCIPAL SIGN IS USED	2	32 sq. ft. total AND: 24 sq. ft. each individual
	AND:			
	Secondary Principal	1 per additional roadway frontage	75 percent of Principal	Same type as Principal
	AND:			
	Secondary Accessory	1 per additional roadway frontage	75 percent of Accessory	Same type as Accessory
AND:				
Directional/Informational	2, subject to Review	25 sq. ft. each	Freestanding, Wall OR Window	
Individual Commercial (above ground floor level)	Principal	1	MORE RESTRICTIVE OF: 15 sq. ft. per ft. of front face of principal building OR 16 sq. ft.	Wall Window OR Awning
		AND:		
Accessory Sign	1	20% of Principal	Wall Window OR Awning	

6.6.2 Gateway Corridor / Old Military Corridor / Rural Countryside Districts

Gateway Corridor / Old Military Corridor / Rural Countryside Districts		Max. Quantity	Maximum Area	Sign Type(s) Permitted
Public/Municipal/Institutional or Service Organization		1	32 sq. ft.	Freestanding Wall Window OR Awning
			OR	
		1	18 sq. ft.	Projecting
Individual Commercial (ground floor)	Principal Sign	1	MORE RESTRICTIVE OF: 15 sq. ft. per 1 ft. of frontage of principal building OR 64 sq. ft.	Freestanding Wall Window OR Awning
			OR	
		1	16 sq. ft.	Projecting
		1	MORE RESTRICTIVE OF: 15 sq. ft. per 1 ft. of frontage of principal building minus 16 sq. ft. OR 48 sq. ft.	Wall Window OR Awning
			AND	
	Accessory Sign	1	25% of Principal	Wall Window OR Awning
			AND	
	Directional	As needed, By Review	6 sq. ft. each OR 24 sq. ft. total	Freestanding
			AND IF LOT WIDTH IS < 500 FT.	
	Advance Notice	As needed, By Review	25% of Principal	Freestanding
		Shall be no less than 500 ft. to any principal business sign or 1,000 ft. to any other advance notice sign on same side of the public right-of-way.		
Individual Commercial (above ground floor)	Principal Sign	1	MORE RESTRICTIVE OF: 15 sq. ft. per 1 ft. of frontage of principal building OR 24 sq. ft.	Wall Window OR Awning
			AND	
	Accessory Sign	1	20% of Principal	Wall Window OR Awning

6.6.3 Multi-Tenant Property Signs

The Review Board may consider an alternate arrangement with respect to the number and size of individual signs for any application that involves a proposed group of signs for a building, a group of buildings, or a lot under single ownership or management containing more than one individual business. (See provisions of section 6.8.3 Master Sign Permits).

- A. Any sign displaying information or graphics for more than one tenant shall emphasize the name and location of the multi-tenant property over individual tenants. Such sign shall not exceed 64 sq feet. and shall not be calculated when determining the allowable signage for the property.
- B. Signs for individual tenants in multi-tenant building or lots shall be of a consistent design style, height and placement, and be otherwise coordinated.
- C. Multiple tenants may be required to share permitted signs, but such signs shall not exceed the total permitted sign area for an individual business as specified for the District in which it is located.

6.7 DESIGN GUIDELINES

6.7.1 Applicability

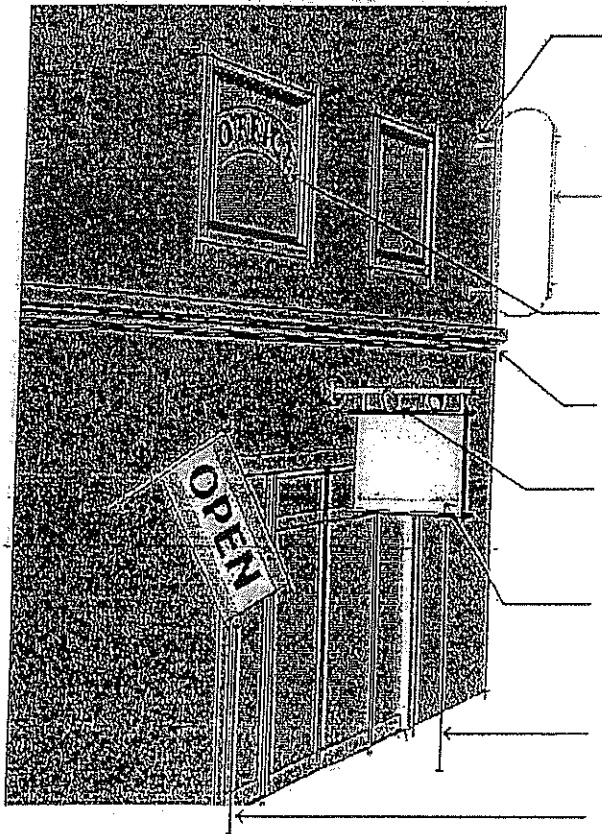
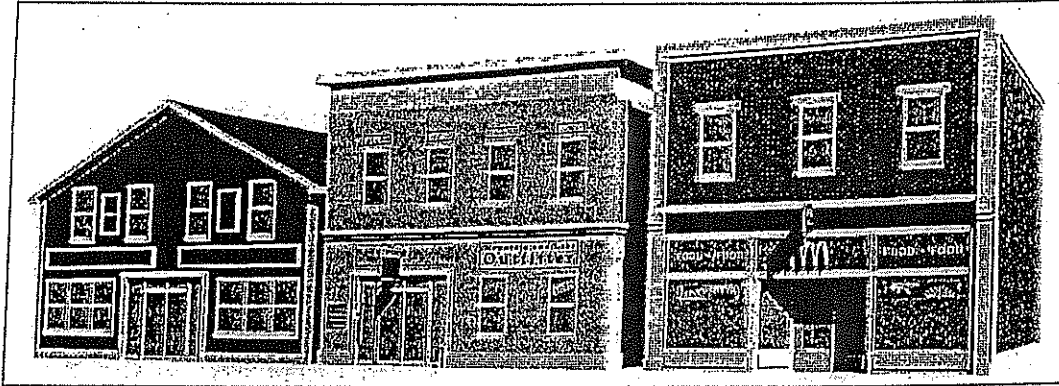
Realizing that these Regulations must provide for a wide range of individual use, choice and taste, the following Design Guidelines shall serve as the basis for all Design Review In addition to the aforementioned Regulations. The Review Board shall consider the following design criteria and may base its decision to approve or disapprove any sign application upon these criteria.

6.7.2 Architecture and Location

- A. As far as possible, architectural features such as windows, cornices, pilasters and like structural or ornamental features should not be covered by signs.
- B. Sign panels and graphics should be in alignment with and/or relate to adjacent architectural features and be in proportion to them.
- C. Signs for a number of enterprises in a single building should be of uniform height and placement, and be otherwise coordinated.
- D. Horizontal and vertical proportions should be appropriate to and oriented with the architecture of the sign location.

Illustrations of Architecture and Location Design Guidelines

Typical commercial street frontages with appropriate signage



Appropriately designed, structurally sound mounting methods are required for all projecting signs

2nd story projecting signs are discouraged; if deemed appropriate, signs must be mounted at a uniform height along a building, respecting architectural details

2nd story businesses are encouraged to rely on window lettering or wall signs

Mounting height and location to respect architectural details of building facade

Lighting integrated with sign mounting system

Projecting signs and banners should be located at consistent height along building facade

"Open" flags are only allowed in GC / OM and RC districts

Minimum 9'-0" clearance beneath projecting signs and banners

Minimum 7'-0" clearance beneath projecting flags and to be located at consistent height along building facade

NOTES:

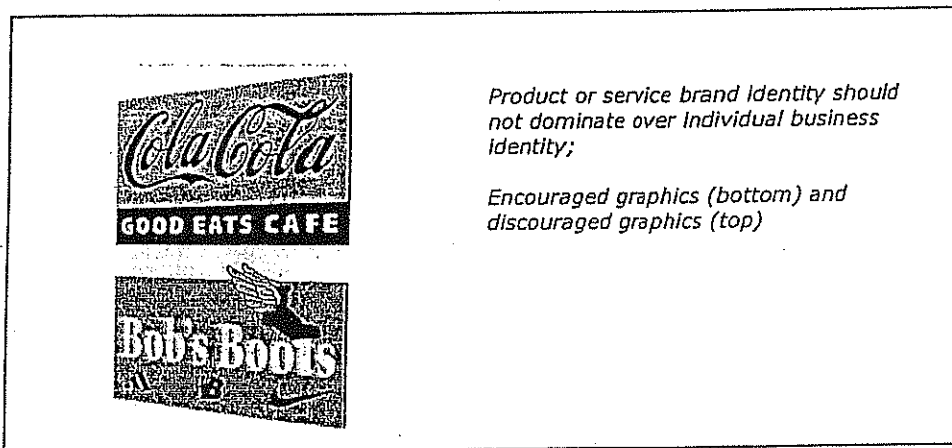
- 1) Design of signs and mounting elements are to be contextually related to storefront architecture and reflect the nature of the business.
- 2) Mounting methods must be designed to attach readily to the building without compromising

6.7.3 Sign Design, Color and Legibility

- A. Each sign should be designed as to provide maximum legibility in its particular surroundings and shall be designed to include the minimum number of items of information (symbol, syllable, number, and shape) that will permit the individual business or proprietor to communicate effectively the name and nature of the business or services offered. The maximum number of items of information should be in keeping with the ability of the prospective viewer to see, assimilate and react to the message.
- B. Layout should be orderly and graphics should have a highly legible design with sufficient contrast between background and graphics.
- C. Lettering size should be appropriate to the space available and viewing context. (see Society of Environmental Graphic Design standards for information).
- D. No more than two typefaces should be used on any sign or group of signs, excluding the primary typeface employed in a logo or brand image.
- E. The number of colors should be the minimum necessary to effectively communicate the intended message of the design. Three or fewer colors are recommended.
- F. Colors harmonious with the scenic beauty of this Adirondack resort area that have a natural appearance are preferred. Signs that are glaring, discordant or iridescent are not permitted. Franchise sign colors are to be muted and subject to review. For any sign, the Review Board has sole discretion in approving the color palette.
- G. Simple forms such as rectangles, square, oval and circles are encouraged, as is the sensitive selection of lettering, color, contrast, value and decorative elements.

6.7.4 Advertising / Franchise Graphics

Sign graphics should feature individual business or organization identity. Product or service brand identity should be less dominant.



6.8 PERMIT PROCESS

6.8.1 Applicability

- A. No sign or display other than an exempt sign or temporary sign not requiring a permit shall be established or altered in the Village of Lake Placid/Town of North Elba until a Sign Permit has been issued by the Enforcement Officer.
- B. A permit shall not be required for maintenance, repair or repainting of a legal, existing sign so long as the color configuration, size and location are not altered and such alternations are in conformance with these Regulations.

6.8.2 Permit Application

An application for a sign permit shall include the following:

- A. Site plan of building, structure or parcel of land to which or upon which the sign is to be attached or erected, including proposed sign location(s), lot dimensions and adjoining structures, land and signs within any critical distance as set forth in these Regulations.
- B. Detailed drawings of the sign(s), including sign panel height, width, depth and structural component dimensions including height, width, depth and clear distance from ground level.
- C. Detailed description and/or drawings of the sign(s) and structural components, including construction materials, colors, finishes, text style, graphic content and dimensions, lighting fixtures and wiring, installation method and construction details where required.
- D. Statement and description of all other signs located or proposed to be located on the property.
- E. Such other information as may be necessary in the judgment of the Review Board or Enforcement Officer to render a determination under and provide for the administration and enforcement of these Regulations.

6.8.3 Master Sign Permits

A. Objective

Sign Master Plans are designed for multi-tenant properties or a single property with more than one use with unique or intensive signing needs. The goal of Sign Master Plans is to discourage numerous or larger signs, and to promote communication, safety and aesthetic compatibility. A Sign Master Plan application may be required by the Review Board in accordance with this section.

B. Applicability

An application may be submitted for Sign Master Permit approval if one or more of the following conditions are met:

1. The project is reviewed as a Planned Development (see Section 7.3)

2. The project contains multiple buildings or uses with shared parking and/or access
3. The building contains multiple tenants with and has multiple public entrances facing more than one direction
4. Any other situation the Review Board deems necessary

C. Master Sign Permit Application

An application for Sign Master Permit approval shall contain the following information:

1. All application requirements as set forth in 6.8.2 above
2. Computation of the maximum total sign area, the maximum area for individual signs, the height of signs and the quantity of signs on the lots included in the application as permitted under these Regulations
3. Site photographs of proposed sign locations
4. Specification of visual elements shall be used to create a cohesive design style for the proposed sign family. Such elements may include, but are not limited to, sign type, shape, proportion, color scheme, typefaces, graphics, structure design and location.
5. Applicants may request a review and approval of a range of potential sizes for individual signs, so that a future application for an individual sign of approved design style that is within an approved size range will require only approval of the Enforcement Officer.

D. Permitted Modifications

The following modifications are permitted in a Sign Master Permit

1. Number of freestanding signs: Up to one per public street entrance or as approved by the Review Board
2. Building directories: The number of signs necessary by applicant to adequately present information with approval by the Review Board
3. Wall Signs: Increase in size on any single facade and use of additional facades as deemed appropriate
4. Number of Wall Signs: as determined by the Review Board
5. Projecting Signs: Increase in size on any single facade and use of additional facades as deemed appropriate
6. Number of Projecting Signs: as determined by the Review Board

E. Procedure

1. A sign Master Permit may be included in any development plan, site plan, planned unit development plan, and shall be processed simultaneously the plan;
2. A sign Master Plan may be amended by submitting a new Sign Master Plan that conforms to all requirements of these Regulations.