

**INCORPORATED VILLAGE OF OLD WESTBURY  
BOARD OF TRUSTEES**

**LOCAL LAW NO. 5 OF 2020**

**AMENDING SECTION 216-113 , "SIGNS" OF THE CODE  
OF THE  
VILLAGE OF OLD WESTBURY**

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**WHEREAS**, the Board of Trustees has recommended the enactment of a local law amending Section 216-113, "Signs", relating to the issuance of sign permits within the Village; and

**WHEREAS**, this Local Law was introduced by the Board of Trustees on June 15, 2020; and

**WHEREAS**, the Board finds that this Local Law is a Type II Action pursuant to the New York State Environmental Quality Review Act ("SEQRA"); and

**WHEREAS**, this Local Law was the subject of a duly noticed public hearing in accordance with New York State Village Law and the Village Code before the Board on July 20, 2020, August 17, 2020, September 21, 2020, October 19, 2020, and November 16, 2020;

**BE IT ENACTED** by the Board of Trustees of the Incorporated Village of Old Westbury as follows:

**Section 1.** Section 216-113, "Signs", of the Village Code of the Village of Old Westbury be and is hereby amended to read as follows:

**§ 216-113. Signs.**

A. In general. [Amended 5-17-1993 by L.L. No. 3-1993]

- (1) Signs are prohibited unless authorized and maintained in accordance with this chapter.
- (2) Illuminated signs are prohibited unless authorized by the Board of Trustees. In all other respects, illuminated signs shall conform to the requirements of this chapter.

B. The following signs are permitted: [Amended 11-19-1979 by L.L. No. 9-1979; 9-19-1988 by L.L. No. 12-1988; 10-17-2011 by L.L. No. 3-2011]

- (1) A single identifying nameplate not more than two square feet in area.
- (2) Signs used in connection with the sale, lease or rental of property, provided that no such sign shall exceed 24 inches by 18 inches or 432 square inches in area with a space of three feet between the bottom of the sign and the ground, that the number of any such signs shall not exceed

the number of streets abutting on such parcel, that only one such sign or signboard shall be located opposite any abutting street and that all such signs shall be located on the same parcel as the property thus advertised.

- (a) The application fee for the issuance of a permit to place, construct or install a sign pursuant to § 216-113(B)(2) shall be Seventy-Five Dollars (\$75.00).
  - (b) A sign issued pursuant to § 216-113(B)(2) shall be valid for a period of six (6) months.
  - (c) The application fee for the issuance of a renewal permit to place, construct, or install a sign pursuant to § 216-113(B)(2) shall be Seventy-Five Dollars (\$75.00).
- (3) Directional, informational, traffic and cautionary signs maintained by the Village, county or state or approved by the Board of Trustees.
  - (4) Signs for real estatesubdivisions.
    - (a) A sign for a real estatesubdivision:
      - [1] Shall not exceed three feet by four feet.
      - [2] May be double-faced.
      - [3] Shall be installed within the property line.
      - [4] Shall be approved as to design.
    - (b) Only one sign shall be permitted in a subdivision which may be erected for a period not to exceed two years, shall be kept in good repair and shall be removed either at the end of two years or at the time of occupancy of all homes in the subdivision, whichever is sooner.
    - (c) After the filing of the resolution granting final approval to the subdivision, the subdivision sign may be installed, provided that it has been approved by the Planning Board.
    - (d) The sign may be installed for a period of two years, and permission from the Planning Board must be obtained to continue sign display after the two-year period has expired.
  - (5) In a Business C District, a single advertising sign not exceeding 12 square feet in area when attached to a building advertising the business conducted in such building, when approved by the Board of Trustees on recommendation of the Planning Board.
  - (6) Announcement signs on the same premises as and used in conjunction with any nonresidential use, when approved by the Board of Trustees on recommendation of the Planning Board.

C. Restrictions on all signs:

- (1) No signs shall be equipped or displayed with moving or flashing or intermittent illumination.
- (2) No sign or window display shall be so placed or illumined as to be a hazard to traffic or disturbing or annoying to occupants of any other building.
- (3) Signs, , shall not be attached to any tree or fence but shall be attached to a standard post in the ground.
- (4) No sign shall be permitted to be erected on the roof of any building, nor shall any sign extend above the bottom of the roofline.
- (5) Signs in the public right of way of any street, road or highway are prohibited, except that directional and warning signs erected by or with the approval of the Superintendent of Buildings or the Superintendent of Public Works are permitted.
- (6) Signs with artificial lighting sources or reflectors connected to or used therewith are prohibited.
- (7) Signs with right-angles or that project or extend over the public right-of-way are prohibited.
- (8) Signs that consist of a painted surface utilizing fluorescent or Day-Glo colors are prohibited.
- (9) Revolving signs are prohibited.
- (10) Illuminated signs which have exposed bulbs or light tubing (such as, but not limited to, neon or other chemical lights), wherein the light source itself is shaped and utilized to form the sign, a name, a logo or a design is prohibited.

D. The signs shall be only brown on beige or white on green or such other color combination as shall be approved by the Board of Trustees after public meeting. [Added 9-19-1988 by L.L. No. 12-1988]

E. Removal of signs

- (1) Any sign that is not in compliance with the provisions of this article shall be removed by the owner of the property upon which such sign is located within 2 days after date of the notice, unless otherwise stipulated in such notice.

F. Penalties for offenses

- (1) Any condition caused or permitted to exist in violation of any of the provisions of Section 216-13, shall be subject and liable, upon conviction, to a fine or penalty not exceeding \$1,000.00 for each and every offense, and each day that such violation shall continue after notification shall constitute a separate offense punishable by a like fine or penalty.

11.15.2020

Section 2. Section 216-113, "Signs" of the Village Code of the Village of Old Westbury shall otherwise remain in full force and effect.

Section 3. Severability. If a court determines that any clause, sentence, paragraph subdivision, or part of this local law or the application thereof to any person, firm or corporation or circumstance is invalid or unconstitutional, the Court's order or judgment shall not affect, impair or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 4. Effective Date. This Local Law shall take effect immediately upon filing with the Secretary of State.

On motion made by Trustee Brown, seconded by Trustee Baker, the foregoing Local Law was enacted upon the following vote:

Edward Novick, Mayor	-	Aye
Marina Chimerine, Deputy Mayor	-	Aye
Cory Baker, Trustee	-	Aye
Jeffrey Brown, Trustee	-	Aye
Andrew Weinberg, Trustee	-	Aye

Dated: Old Westbury, New York  
November 16, 2020

Filed: Old Westbury, New York  
November 17, 2020