

**Village of Montebello**  
**Building & Zoning Department**  
One Montebello Road  
Montebello, N.Y. 10901  
(845) 368-2491 \* Fax (845) 368-2044

**TEMPORARY SIGN PERMIT**

**Date Issued:** \_\_\_\_\_ **Section & Lot No.:** \_\_\_\_\_

**Date of Expiration:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Name on Application:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Location of Sign (s):**

1<sup>st</sup> \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_

3<sup>rd</sup> \_\_\_\_\_ 4<sup>th</sup> \_\_\_\_\_

5<sup>th</sup> \_\_\_\_\_ 6<sup>th</sup> \_\_\_\_\_

**Purpose of Sign (s):** \_\_\_\_\_

**Date of event to which sign pertains:** \_\_\_\_\_

**Pursuant to the Zoning Local Law Article VIII of the Village of Montebello, an application for a temporary sign permit must be accompanied by the payment of a security deposit, as a guarantee that each such sign will be removed before the expiration date specified on the permit. A security deposit in the amount of two hundred fifty dollars (\$250.00) must be posted for political signs and one hundred dollars (\$100.00) for all other temporary signs.**

**No sign may be attached to fences, trees, utility poles, traffic signs, corner markers or the like on, over or immediately adjacent to any public property within the Village of Montebello and further provided that such signs are not 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.**

**The applicant shall notify this office upon the removal of all signs to which this permit pertains. Upon notification, this department will conduct an inspection for compliance before the security deposit is returned.**

STATE OF NEW YORK    )  
  )  
COUNTY OF ROCKLAND )

**This applicant being duly sworn says that he/ she is an authorized agent or owner of the proposed sign and agrees to comply with all rules and regulations as well as all laws, ordinances and resolutions relating to said permit and acceptance of the permit shall be deemed an agreement to abide by all terms and conditions.**

\_\_\_\_\_  
**(signature)**

**Sworn to before me**

**This \_\_\_\_\_ day of \_\_\_\_\_**

\_\_\_\_\_  
**(Notary Public)**

**DO NOT WRITE BELOW THIS LINE**

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**Approved by:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Building Inspector**

**Amount of Security deposit posted: \$** \_\_\_\_\_ **Receipt #:** \_\_\_\_\_

**Sign(s) Removed on:** \_\_\_\_\_ **Sign(s) not removed:** \_\_\_\_\_

**Security deposit returned on:** \_\_\_\_\_ **Forfeit of deposit on:** \_\_\_\_\_

## ARTICLE VIII

### Signs

#### 1. General Requirements.

Pursuant to Section 7-725 of the Village Law and Article 10 of the Municipal Home Rule Law, the Planning Board is authorized to adopt site development plan rules and regulations which shall include standards for signs and lighting. Signs heretofore validly erected are permitted subject to the provisions of this Zoning Law.

#### 2. Permit Required.

No sign shall hereafter be erected, re-erected, constructed, enlarged or altered without a sign permit. No sign permit shall be issued except as shown on an approved site development plan or sign plan. Where only the sign display portion of a validly erected sign is being changed, no sign permit is required. Signs conforming to the New York State Department of Transportation Manual of Uniform Traffic Control Devices, and other traffic regulatory signs shown on an approved site development plan or required pursuant to the order of municipal traffic control agencies, shall be exempt from the requirement for sign permits.

#### 3. Permitted and Prohibited Signs.

Any signs not expressly permitted by this local law are prohibited.

A. Permitted signs. The following signs are expressly permitted by this local law, subject to the requirements of this local law, including the prohibitions contained in Section 3 of this article, and the site development plan rules and regulations:

- (1) Announcement signs.
- (2) Business identification signs.
- (3) Directional signs, provided same are erected on the same premises as the activity, business or event to which they relate.
- (4) Directory signs.
- (5) Free-standing signs.
- (6) Identification signs.
- (7) Illuminated signs.

- (8) Temporary signs, including political signs, provided, however, that such signs may not be illuminated.
- (9) Wall signs, window signs, projecting signs and awning signs, but only in an NS zone, subject to the requirements of said zone, this article, and the site development plan rules and regulations.

B. Prohibited signs include, but are not limited to the following:

- (1) Flashing signs, including any sign or device on which the artificial light is not maintained stationary and constant in intensity and color at all times when in use.
- (2) Off-premises signs.
- (3) Signs representing or depicting to any degree official traffic signs or signals.
- (4) Signs which emit noise, sounds or smoke, including audio signs.
- (5) Animated signs, whether by mechanical or electrical processes, including signs with banners, streamers, spinners or other paraphernalia attached to or associated with such signs.
- (6) Signs advertising businesses, commodities or services for any unlawful business or undertaking.
- (7) Signs of a prurient nature or advertising businesses, commodities or services of a prurient nature, which are offensive to the community.
- (8) Illuminated signs outlining any part of a building, such as a gable, roof, sidewall or corner.
- (9) Signs made of cardboard, paper or similar impermanent material, except temporary signs.
- (10) Portable signs and signs mounted on parked vehicles or trailers or other similar mobile advertising media, except signs advertising the vehicle for sale.
- (11) Signs which project over a street.

- (12) Signs obstructing traffic visibility. No freestanding sign shall be erected or maintained in the shaded area shown in "Sketch A" found in Article V, as such shaded area relates to the intersection of two (2) streets or to the intersection of a driveway with a street.
- (13) A sign on which the illuminating source is visible to the public way or any property line, except for signs constructed from neon-type tube.
- (14) Representational signs.
- (15) Billboards.
- (16) Signs containing the telephone number, of the person, place or business identified on the sign.

4. Application procedure for signs which are not Temporary or Political.

- A. No sign permit will be issued except in accordance with a sign plan approval or a site development plan approval.
- B. If no sign plan approval or site development plan approval has been obtained, the applicant must submit an application to the Planning Board for either site development plan approval or sign plan approval, whichever is applicable. In the case of a sign which is not submitted as part of a site development plan, a sign plan for such sign shall be subject to review and approval by the Planning Board. In the case of a sign which is part of a site development plan, no separate sign plan approval is required, provided that such sign was approved as part of the site development plan.
- C. Upon the approval of a site development plan or a sign plan approval, a copy of the approved plan shall be transmitted to the Building Inspector by the applicant, together with an application for a sign permit. Such application shall be made to the Building Inspector on forms prescribed by the Building Inspector and shall contain the information specified in the site development plan rules and regulations. All applications shall be accompanied by the required fee in accordance with the standard schedule of fees of the Village of Montebello.
- D. The Building Inspector, upon receipt of an application for a sign permit, shall review same. If the sign requested has been approved on a site development or a sign plan, conforms with the specifications contained in the site development plan rules and regulations, and meets all applicable electrical and safety requirements, the Building Inspector may issue a sign permit for that sign.

5. Criteria for Granting Sign Approval.

The Planning Board, in promulgating site development plan rules and regulations, shall provide for a limitation on the size of signs, type and characteristics of illumination, number and location, taking into consideration the uses on the site and the reasonable requirement for communicating information to the vehicular or pedestrian public. The Planning Board shall consider the following supplemental use criteria in granting any approvals for signs:

- A. Signs must be clearly accessory to the use or uses on the lot on which they are located, and such signs and lighting must be shown to be essential to the conduct of the principal use upon the lot.
- B. The size and content of the sign shall be the minimum essential for legibility and for the provision of information to patrons or invitees seeking the particular use described on such sign.
- C. The sign content shall not hawk or peddle and must clearly provide only the information necessary to identify the use upon the lot.
- D. The sign shall not be confused with any traffic signal or other safety device nor be composed of elements depicting in exaggerated size or grotesque style the use upon the lot.
- E. All signs, together with their supportings, braces, guys, anchors, etc., shall be kept in repair and in a proper state of preservation. The display surfaces of all signs shall be kept neatly painted or maintained at all times.

6. Political Signs and Other Temporary Signs.

- A. Application Procedure for Permits for Political and Other Temporary Signs. Applications for temporary and political sign permits shall be made in writing to the Building Inspector in duplicate, and the Building Inspector shall file one copy with the Village Clerk, on forms prescribed by the Building Inspector. An application for a political sign permit may pertain to all signs to be posted in the Village for a particular candidate, party, or referendum issue. Such application shall contain the following information:
  - (1) Name, address and telephone number of the applicant.
  - (2) Location of the building, structure or land upon which the sign is to be erected.
  - (3) Location on the premises, specifically, its position in relation to adjacent buildings, structures and property lines.

- (4) A description of the dimensions of the sign surface area and materials of construction of the sign and the sign structure, together with either of the following:
  - (a) The graphic design including symbols, letters, materials and colors, visual message, text, copy or content of the sign; or
  - (b) A sample of the actual sign to be posted, provided, however, that this option shall be available only with respect to signs constructed of cardboard, to be erected on a wooden stake or temporarily attached to a permanent structure, and having sign surface area dimensions of not more than thirty-six inches by twenty-four inches, or an overall area of not more than eight hundred sixty four square inches.
- (5) Written consent of, or a copy of the contract made with the owner of the property upon which the sign is to be erected, if the applicant is not the owner. Such consent must include the owner's name, residence address, telephone number, and the address of the property on which the sign is to be erected.
- (6) The period of time for which the sign shall remain erected.
- (7) The duration of the event advertised by the sign, or, if a political sign, the date of the election to which the sign refers.
- (8) Additionally, the applicant shall provide to the Village Clerk and/or the Building Inspector any other information said official deems necessary to process said application.

B. Security Deposit; Time Limits; Exemptions. All permits for temporary signs of any kind, structure, size, or design, except as exempted hereafter, shall be accompanied by a security deposit and be limited in duration, as more fully set forth hereafter:

- (1) Political Signs. Accompanying the application for a permit for a political sign pursuant to Section 6 of this local law shall be the payment of a security deposit, the amount of two hundred fifty dollars (\$250.) cash, as a guaranty that each and every such sign subject to this local law will be removed promptly within two (2) weeks immediately following the nomination, primary, election or referendum to which it pertains. Only one such security deposit shall be required for each application for a political sign permit. If such removal is not made within the specified time, the Village shall have such signs removed and the security deposit shall be forfeited to the Village to defray the cost of removal of such signs. No political sign subject to this local law may be posted or displayed in the Village more than sixty (60) days prior to the nomination, primary, election or referendum to which it pertains. In the event that a candidate for a primary election succeeds in said primary election, then and only then shall the removal of such candidate's signs be completed within two (2) weeks immediately following the general election wherein said person is a candidate and to which the primary related.
- (2) Other temporary signs. Accompanying the application for a permit pursuant to Section 6 of this local law shall be the payment of a security deposit in the amount of one hundred dollars (\$100.) cash, as a guaranty that each and every such sign subject to this local law will be removed promptly within one (1) week immediately following the cessation of the event or activity mentioned in the permit. If such removal is not made within the specified time, the Village shall have such signs removed and the security deposit shall be forfeited to the Village to defray the cost of removal of such signs. No temporary signs subject to this local law, other than political signs, may be posted or displayed within the Village for a period of more than thirty (30) days.

C. Exemptions.

- (1) Signs for charitable purposes. All signs of a temporary nature which are for charitable purposes, or where the applicant is a charitable, nonprofit or philanthropic organization, shall be exempt from the security deposit provisions of this local law, but from no other provisions hereof.
- (2) Signs advertising merchandise for sale. All temporary signs advertising merchandise for sale in or upon the premises where such temporary signs are displayed shall be exempt from the permit and security deposit provisions of this local law. This provision does not apply to commercial establishments or to persons regularly engaged in the sale of merchandise.

7. Enforcement.

- A. Applicability. The erection of any sign not conforming to an approved sign permit shall be deemed a violation of this local law. No sign permit shall hereafter be approved or issued, except pursuant to the requirements of this local law and the site development plan rules and regulations. No permit shall be issued for any sign which does not conform with an approved sign plan or site development plan.
- B. Removal of certain signs. Any sign, including all structural supports or frame, now or hereafter existing which no longer identifies a use on the subject premises, or is which [which is] *sic* not being maintained, shall be taken down and removed by the owner, agent or person having the beneficial use of the building or structure upon which such sign may be found within ten (10) days after written notification from the Building Inspector, and upon failure to comply with such notice within the time specified in such order, the Building Inspector is hereby authorized to cause removal of such sign. The cost of such removal shall be borne by the owner of the property on which such sign was erected and shall become a lien upon such property until paid.
- C. Dangerous signs. Should a sign be or become insecure or in danger of falling or otherwise unsafe in the opinion of the Building Inspector, the owner thereof or person maintaining the same shall, upon receipt of written notice from the Building Inspector and in any case within five (5) days thereafter, secure the same in a manner to be approved by the Building Inspector. If such order is not complied with, the Building Inspector is hereby authorized to cause removal of such dangerous sign, and any expense incident thereto shall be paid by the owner of the building, structure or premises on which such sign is located. When any sign is in such dangerous condition as to be immediately dangerous to the safety of the public, the Building Inspector is hereby authorized to take such action as in his opinion shall be necessary to protect the public or property.

8. Nonconforming Signs.

Any sign which was in existence prior to the effective date of this local law, and which conformed to the applicable provisions of law at the time of erection but which does not conform to the applicable provisions of this local law, shall be deemed nonconforming, and the display of such sign shall be permitted to continue. All other signs which have been erected but fail to comply with the requirements of this local law shall be brought into compliance or removed within six (6) months after the effective date of this local law.