

Local Law 4 of 2023
A Local Law to Amend the Town of Wayland Sign Use Local Law No. 3 of 2012

Be it enacted by the Town Board of the Town of Wayland, New York, as follows:

Section 1. Title and Purpose.

This local law shall be referred to as “A Local Law to Amend the Town of Wayland Sign Use Local Law No. 3 of 2012.”

Section 2. Authority.

This local law is adopted pursuant to the authority granted under Municipal Home Rule Law Section 10.

Section 3. The Town of Wayland Sign Use Local Law No. 3 of 2012 (as amended by Town of Wayland Local Law No. 3 of 2013) is hereby amended as follows:

Section D entitled “Permit Requirements” is deleted and replaced with the following:

1) Compliance with State Law Required. All signs must comply with the requirements set forth in New York State Highway Law and its implementing regulations at 17 NYCRR Part 150 (New York State Highway Law and 17 NYCRR Part 150, collectively “New York Highway Law”). For any signs along State routes or to be seen along certain State routes subject to New York Highway Law, the applicant must obtain a permit from the New York State Department of Transportation prior to the issuance of a permit from the Town of Wayland to erect such sign. It shall be the applicant’s responsibility to demonstrate that their proposed sign is either (a) not subject to the requirements to obtain a permit from the State pursuant to New York Highway Law, or (b) provide the required permit from the State.

2) Application Procedures. Application for the permit shall be made in writing, in duplicate, upon forms prescribed and provided by the Code Enforcement Officer and shall contain the following information.

- a) The name, address, and telephone number of the applicant.
- b) The location of building, structure, or land to which or upon which the sign is to be erected.
- c) A detailed drawing or blueprint showing a description of the construction details of the sign and showing the lettering and/or pictorial matter composing the sign; position of lighting or other extraneous devices; a location plan showing the position of the sign on any building or land and its position in relation to nearby buildings, structures or existing signs and to any private or public street or highway.

- d) Written consent of the owner of the building, structure or land to which or upon which the sign is to be erected, in the event that the applicant is not the owner thereof.
- e) A copy of any required necessary electrical permit issued for said sign or a copy of the application thereof.

3) Fees. The fees to be paid to the Town of Wayland, for the erection of each sign and for each of the conforming signs now erected in the Town as of the effective date of this chapter, shall be in accordance with a fee schedule adopted by resolution by the Town Board.

4) Issuance of Permit. It shall be the duty of the Code Enforcement Officer, upon the filing of any application for a permit to erect a sign, to examine such plans, specifications and other data submitted to him with the application and, if necessary, the building or premises upon which it is proposed to erect the sign or other advertising structure. If it shall appear that the proposed sign is in compliance with all requirements of this chapter, the Code, other laws of the Town of Wayland, and applicable New York State laws, the Code Enforcement Officer shall then, within 10 days, issue a permit for the erection of the sign. If the sign authorized under such permit has not been completed within six months from the date of issuance of such permit, the permit shall become null and void and may be renewed within 10 days from the expiration thereof for a show of good cause upon payment of an additional fee set according to the fee schedule adopted by the Town Board.

Temporary signs. All signs of temporary nature, such as political posters and signs, may be granted a temporary permit for a period not to exceed 30 days, provided that such signs are not attached to fences, trees, utility poles or the like, 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. A deposit in accordance with a fee schedule set by resolution by the Town Board shall be paid upon issuance of a permit for such sign, and a cash deposit of a like amount shall be deposited with the Code Enforcement Officer. The applicant shall, after 10 days written notice to do so, cause the said sign to be removed. Upon the failure of the applicant to promptly do so, the cash deposit shall be forfeited to the Town to help pay the cost of removal.

Section 4. Miscellaneous.

To the extent any portion of this local law directly conflicts with any prior local law passed by the Town, the provisions of this local law 3 of 2023 shall apply.

Section 5. Severability

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of

any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

Section 6. Effective Date.

This local law shall be effective immediately upon filing with the Secretary of State.

Adopted 11/8/2023