

---

**IN THE MATTER**

**Of**

**Local Law 2010-1**

**Amending Chapter 155 of the Code of the  
Town of Manlius to amend the Sign Ordinance**

**RESOLUTION ENACTING  
LOCAL LAW TO AMEND  
SIGN ORDINANCE**

The **TOWN BOARD OF THE TOWN OF MANLIUS**, in the County of Onondaga, State of New York, met in regular session at the Town Hall in the Town of Manlius, located at 301 Brooklea Drive in the Village of Fayetteville, County of Onondaga, State of New York, on the 11th day of August, 2010, at 7:00 p.m. The meeting was called to order by Edmond J. Theobald, Supervisor, and the following were present, namely:

Edmond J. Theobald	Supervisor
Vincent Giordano	Councilor
Karen Green	Councilor
John R. Loeffler	Councilor
David M. Marnell, Sr.	Councilor
Nicholas J. Marzola	Councilor
Sandra A. Schepp	Councilor

The following resolution was moved, seconded and adopted:

**WHEREAS**, a Local Law has been introduced before the Board, to wit: Local Law No. 2010 -1, amending Chapter 155 of the Town of Manlius Code (entitled “Sign Local Law”) to amend the sign ordinance in the Town of as follows:

**LOCAL LAW 2010-1, A LOCAL LAW AMENDING  
CHAPTER 155, RELATED TO SIGNAGE IN THE TOWN  
OF MANLIUS:**

**Be it enacted by the Town Board of the Town of Manlius, Onondaga County,  
New York as follows:**

Section 1. That Chapter 155, Article IV, Section 155-25 entitled “Signs” of the Code of the Town of Manlius, as amended, is hereby repealed and replaced with the language set forth in Section 3 below.

Section 2. That Chapter 155, Article IV. Section 155-26 entitled “Political Signs; permits; fees” of the Code of the Town of Manlius, as amended, is hereby repealed and replaced with the language set forth in Section 4 below.

Section 3. That a new Section 155-25, entitled “Permanent Signs” be added to the Code of the Town of Manlius, as amended, as set forth as follows:

#### 155-25. PERMANENT SIGNS

##### A. Intent

No signs shall be permitted in any district except as specifically permitted herein as follows or in other sections of this Chapter.

##### B. General

No signs shall be attached to fences, trees, utility poles, traffic signs, guide rails, or similar objects, nor placed in a public street or right of way, or in positions 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.

##### C. Signs Allowed Without a Building Permit

Signs in all districts. The following signs are permitted when located on the same plot or lot as the principal use of the advertiser without a building permit:

- (1) One professional or home occupation sign, not exceeding 2 square feet, affixed to the building, after the granting of an Accessory Use Permit.
- (2) Signs identifying any nonresidential building or use permitted in residential districts, not exceeding a total of 4 square feet, provided that such signs are affixed to the building.
- (3) Directional or information sign, not exceeding 4 square feet per face or 4 feet in height.
- (4) Signs necessary for public safety or welfare, not exceeding 4 square feet per face, but this subsection shall not include commercial signs.

##### D. Signs Requiring a Building Permit

- (1) Wall Mounted Signs. Such signs shall be affixed to the building and shall not exceed 5% of the building facade or 100 square feet, whichever is less, shall not exceed the building height limitation for the district in which it is located and shall not exceed the highest point of the building's roof. Such signs may be allowed only upon the issuance of a building permit from the Department of Planning and Development.
- (2) Free Standing Signs. Such signs shall be reviewed and may be permitted by the Planning Board during the subdivision and/or site plan process, or such signs may

be permitted by the Department of Planning and Development after the issuance of a building permit, subject to the following conditions:

- (a) No free standing sign shall be more than 16 square feet per face.
- (b) No free standing sign shall be higher than 6 feet from the existing or natural ground level directly beneath the proposed sign.
- (c) All free standing signs shall include the address number of the property.
- (d) All free standing signs shall fit with the existing character of the neighborhood and similarly situated signs. In determining whether a free standing sign fits within the character of the neighborhood, the Planning Board or the Department of Planning and Development, as the case may be, shall review, but not be limited to, the following considerations:
  - (i) color scheme
  - (ii) lettering
  - (iii) material
  - (iv) design
  - (v) content in relation to business
  - (vi) letter size
  - (vii) logo size
  - (viii) support posts or base
  - (ix) lighting

#### E. Computation of a Permissible Sign Area

When computing the total permissible sign area for any use, the following shall apply:

- (1) Existing signs shall be included.
- (2) The total area of all signs shall not exceed the requirements as set forth in this chapter.
- (3) Signs consisting of freestanding letters, numerals or other devices shall include any intervening spaces between them.
- (4) Back-to-back signs may be counted as one sign with only the larger face area to be used.
- (5) Only the larger face area of a double-faced or V-type sign shall be used.

#### F. Traffic Hazard, Safety and Obstruction

Every sign shall be designed and located in such a manner as to:

- (1) Not impair public safety.
- (2) Not restrict clear vision between a sidewalk and a street.
- (3) Not be confused with any traffic sign or signal.
- (4) Not prevent free access to any door, window or fire escape.

#### G. Illuminated and Flashing Signs

- (1) Illumination of signs shall be allowed by a steady light, either internally or externally, provided that such lighting will not illuminate or reflect onto adjacent or other properties.
- (2) Flashing, oscillating and revolving signs shall not be permitted unless necessary for public safety or welfare.

#### H. Maintenance of Signs

- (1) Every sign shall at all times be kept in good appearance and shall be maintained in a safe and structurally sound condition. Signs that do not comply with adequate safety standards or pose a traffic concern shall be removed at the property owner's expense.
- (2) Signs must be regularly maintained including replacement of worn parts, painting and cleaning, and all lights shall be operating or turned off.

I. Sign Face Changes. Sign face changes such as new face, wording, colors and dimensions shall be allowed upon the issuance of a building permit from the Department of Planning and Development in compliance with this Section; minor changes such as new or additional professional employee names or telephone numbers do not require a permit.

#### J. Existing Legal Non-Conforming Signs.

- (1) Signs existing before the adoption or amendments of this sign ordinance that are not in compliance with this Section may continue to exist for as long as the current business remains in business and the signs are maintained in good condition, as determined by the Department of Planning and Development.
- (2) If any changes are made to an existing legal non-conforming sign, the new or changed sign will be allowed upon the issuance of a building permit from the Department of Planning and Development in compliance with this Section.

K. Abandoned Signs. If a business or sign is abandoned for more than a 6 month period it shall be removed and any new sign must comply with this Section. Abandonment shall be determined by the Department of Planning and Development, in its discretion.

L. The Code Enforcement Officer shall be vested with the authority to issue sign permits for signs which comply with this Section, and to supervise the erection, installation, application, alteration, and shall have the authority to remove or to have removed any sign, whether permanent or temporary, that does not comply with this Chapter.

Section 4. That a new Section 155-26, entitled "Temporary Signs" be added to the Code of the Town of Manlius, as amended, as set forth as follows:

#### 155-26 TEMPORARY SIGNS

##### A. Intent

All signs of a temporary nature, such as commercial and residential real estate signs, political signs, portable A-frame signs, roadside stand signs, garage sale signs, not-for-profit signs,

residential contractor signs, and other similar signs shall be considered temporary signs and shall be allowed only in compliance with this Chapter. All other signs shall be considered permanent signs requiring Planning Board approval and/or a building permit from the Department of Planning and Development, as set forth in Section 155-25, or shall be prohibited. No temporary sign shall be permitted which would otherwise be prohibited.

#### B. General

No signs shall be attached to fences, trees, utility poles, traffic signs, guide rails, or similar objects, nor placed in a public street or right of way, or in positions that will obstruct or impair vision or traffic, or in any manner to create a hazard or disturbance to the health and welfare of the general public.

#### C. Commercial Real Estate Signs

- (1) Commercial “For Sale” or “For Rent/Lease” sign. Only one for sale or for rent/lease commercial real estate sign per street frontage not exceeding 16 square feet per face or 6 feet in height, either free standing or attached to the building, shall be allowed on the premises. If a free standing sign, only in ground posts are allowed. Floating wood footers are not allowed. If the lot is a corner lot, 2 signs shall be allowed only if over 200 feet of street frontage is available on both streets. Such sign(s) shall be removed within 7 days after completion of a sale or rent/lease contract. No such sign shall be allowed in any public right-of-way.
- (2) Contractor/Developer sign. Only one contractor/developer sign per commercial property, describing the project and Contractor/Developer and participants for the project, not exceeding 16 square feet per face or 6 feet in height, either free standing or attached to the building. If a free standing sign, only in ground posts are allowed. Floating wood footers are not allowed. Such sign shall be removed upon the issuance of a Certificate of Occupancy or a Certificate of Compliance or at the request of the Town upon reasonable grounds for such request. No such sign shall be allowed in any public right-of-way.
- (3) Any commercial real estate sign or contractor/developer sign shall accurately reflect the permitted uses allowed on the site under the current Town of Manlius Zoning Code.
- (4) Annual Permit. The commercial real estate representative/developer shall be required to register with the Town Clerk and obtain an annual permit on a form supplied by the Town.

**NOTE: The requirement of this subsection also applies to a Residential Subdivision.**

#### D. Residential Real Estate Signs

- (1) Residential "For Sale" or "For Rent/Lease" sign. Only one for sale or for rent/lease residential real estate sign per street frontage not exceeding 4 square feet per face or 4 feet in height shall be allowed. Any such sign shall be located on the lot for sale or rent/lease, and shall be removed within 7 days after the completion of a sale or rent/lease contract.
- (2) Residential “Open House” sign. A maximum of 3 signs per open house,

including directional signs, are allowed only during the hours of the open house and shall be removed immediately after the open house. No sign shall exceed 4 square feet per face or 4 feet in height. Such signs may be located on any property with prior permission of the owner or tenant.

#### E. Political Signs

In order to preserve aesthetics and ensure traffic safety in the Town of Manlius, political signs advocating the candidacy of an individual or individuals for public office are allowed, subject to the following conditions:

- (1) Such signs may be located on any property with prior permission of the owner or tenant.
- (2) No sign may be erected in a public street or right of way, or placed in such a fashion that would be hazardous to traffic or public safety.
- (3) No sign shall exceed 4 square feet per face or 4 feet in height.
- (4) No sign may be erected more than 30 days prior to the election to which it applies, and shall be removed within 7 days after that election date.
- (5) No sign may be erected without a permit on a form supplied by the Town after registration with the Town Clerk

#### F. Portable (A-Frame) Signs

Each business entity in a Commercial A, Commercial B, or Neighborhood Shopping zoning district, shall be entitled to display one portable (A-frame) sign for a special event at their place of business, subject to the following conditions:

- (1) No sign shall exceed 6 square feet per face or 4 feet in height.
- (2) The sign shall be displayed only during the hours of operation of the business.
- (3) The sign shall be displayed no more than 7 days before the event, and shall be removed immediately after the event.

#### G. Roadside Stand Signs

- (1) Only one sign not to exceed 6 square feet per face or 4 feet in height advertising for sale goods produced on the owner's land, such as wood, produce, livestock, plant materials or Christmas trees.
- (2) Such sign will be permitted on a temporary or seasonal basis only.
- (3) Such sign shall be located on the owner's land and shall be erected no more than 14 days before, and shall be removed no later than 7 days after the activity has taken place or the goods are no longer available.

#### H. Garage Sale Signs

- (1) Only one sign not to exceed 4 square feet per face or 4 feet in height advertising household goods for sale on the premises of the garage sale.

- (2) Homeowners Association sponsored neighborhood garage sale: only one sign not to exceed 16 square feet per face or 4 feet in height located at the main entrance to the development.
- (3) Such sign(s) shall be erected no more than 7 days before the garage sale, and shall be removed immediately after the garage sale.
- (4) On the day of the garage sale a maximum of 3 signs, including directional, are allowed only during the hours of the garage sale and shall be removed immediately after the garage sale. No sign shall exceed 4 square feet per face or 4 feet in height. Such signs may be located on any property with prior permission of the owner or tenant.

#### I. Not For Profit Signs

Signs advertising events or activities of not for profit entities are allowed, subject to the following conditions:

- (1) Such signs may be located on any property with prior permission of the owner or tenant.
- (2) No sign may be erected in a public street or right of way, or placed in such a fashion that would be hazardous to traffic or public safety.
- (3) No sign shall exceed 4 square feet per face or 4 feet in height.
- (4) No sign may be erected more than 30 days prior to the event, and shall be removed immediately after the event.

#### J. Residential Contractor Signs

Only one sign advertising active construction, renovation, landscaping or similar activities at a specific residential location are allowed at any residential location, subject to the following conditions:

- (1) No sign shall exceed 4 square feet per face or 4 feet in height.
- (2) Such sign shall be located on the premises and shall be erected with the start of the project, and shall be removed no later than 7 days after the project is complete.

K. The Code Enforcement Officer shall be vested with the authority to issue sign permits for signs which comply with this Section, and to supervise the erection, installation, application, alteration, and shall have the authority to remove or have removed any sign, whether permanent or temporary, that is not in compliance with this Section.

Section 4. This Local Law shall take effect upon its filing with the New York State Department of State.

**WHEREAS**, the Town Board of the Town of Manlius, County of Onondaga, State of New York, held a Public Hearing on the matter of the adoption of the aforesaid Local Law, and that such Public Hearing was held at the Town Hall of the Town of Manlius, located at

301 Brooklea Drive, Fayetteville, New York, on the 11th day of August, 2010, at 7:05 p.m. and all persons in interest and citizens desiring to be heard had an opportunity to be heard and several changes to the original Local Law were made pursuant to said comments from the public and the Board;

**WHEREAS**, the Town Board finds that the Local Law 2010-1 properly balances the right of the residents and businesses of the Town to display signs for identification and advertising purposes with the responsibility of the Town to ensure a community that is safe, clean, uncluttered and aesthetically pleasing for all of the residents of the Town;

**WHEREAS**, the Town Board further finds that the work of the sign review committee was done with input from the public and Local Law 2010-1 is in the best interest of the Town of Manlius;

**WHEREAS**, the Town Board considered the environmental impact of Local Law 2010-1 under the requirements of SEQRA and has determined that this Local Law will not have an adverse environmental impact on the community, and in fact will allow the Town the opportunity to further mitigate the environmental impacts of sign placement based on the criteria set forth in Local Law 2010-1:

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board issues a negative declaration for Local Law 2010-1 under SEQRA; and

**BE IT FURTHER RESOLVED**, that the Town of Manlius hereby enacts Local Law No. 2010-1, as set out above, which replaces Section 155-25 of the Town of Manlius Code to further define and regulates the placement of signs in the Town; and be it further,

**RESOLVED AND ORDERED**, that said Local Law shall be in full force and effect as provided by law upon the filing of this Local Law with the Secretary of State.

**I, ALLISON EDSALL**, Town Clerk of the Town of Manlius, **DO HEREBY CERTIFY** that the preceding Resolution was duly adopted by the Town Board of the Town of Manlius at a regular meeting of the Board duly called and held on the 11th day of August, 2010; that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

**I HEREBY CERTIFY** that all members of said Board had due notice of said meeting.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Town of Manlius, this 11th day of August, 2010.

DATED: August 11, 2010  
Fayetteville, New York

---

**Allison Edsall**  
**Town Clerk**  
**Town of Manlius**  
**Onondaga County, New York**