

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. OF 2021**

**A LOCAL LAW AMENDING CHAPTER 70 OF
THE TOWN CODE, ENTITLED “ZONING”**

BE IT ENACTED by the Town Board of the Town of North Hempstead, as follows:

Section 1. Legislative Intent.

The Board finds that it is in the best interest of the Town of North Hempstead to make amendments to Chapter 70 of the Town Code entitled “Zoning” in order to modify the types of signs that are prohibited within the Town of North Hempstead.

Section 2.

Chapter 70 of the Town Code is hereby amended as follows:

§ 70-197. Sign prohibitions.

- A. No sign shall be erected on the roof of any building or structure, nor shall any part of a sign project higher than the roof line.
- B. No sign shall be painted on the surface of the walls or roofs of any building or structure.
- C. No sign shall be constructed of cloth, oil cloth, paper or other destructible material for display outside of any building except signs permitted under § 70-196F.
- D. No banners and/or pennants, **balloons or other gas-filled figures, advertising or message flags, bunting,** ribbons, streamers, spinners or other similar moving, fluttering or revolving devices constructed of cloth, oil cloth, paper, plastic, **nylon** or other destructible or indestructible material shall be erected or maintained across any street or attached to or upon any building or part thereof or upon any premises. [Amended 3-19-1974 by L.L. No. 4-1974]
- E. No sign or any part thereof, including lighting devices and reflectors, shall be placed so as to frame, ~~or~~ outline **or hang from** ~~[two or more]~~ **any window, door or** side[s] of any wall of a building, **or prevent or inhibit free ingress to or egress from any door, window, fire escape or any required exit.**
- F. No sign designed generally for the use of vertical lighting shall be erected.
- G. No sign which directs attention to a business, service, entertainment or commodity conducted, sold or offered, elsewhere than upon the premises shall be erected or maintained.
- H. No sign, **including handbills and stickers,** shall be **affixed or** attached to **another sign, traffic signal, controller cabinet or supporting structure, fire hydrant, bridge, streetlight,** ~~[any]~~ tree, fence or utility pole, **unless required for safety purposes and placed by the utility.** **It shall be presumed that any person, business or entity identified on any sign, poster,**

sticker or advertising device regulated under this section, or the owner, agent, registrant, manager, business, entity or person in charge of any telephone number, website, entity, business or address identified on any sign, poster, sticker or advertising device regulated under this section, is responsible for the placement of that sign, poster or sticker. This presumption shall be rebuttable.

I. No sign shall be erected which directs, emits, radiates or reflects any beam, ray, gleam or glare of light away from the lot on which such sign is located.

J. All signs which direct, emit, radiate or reflect any beam, ray, gleam or glare of light on an abutting residential district shall be extinguished within one-half (1/2) hour after the close of business and in no event later than 11:00 p.m. The close of business shall be deemed to be that time at which the premises are closed to the general public. Lights within business establishments may be kept on during the entire night, provided that the total amount of illumination does not exceed 20 footcandles.

K. No sign shall be erected or maintained which might be confused as any traffic sign or which might interfere with the vision or discernment of any traffic sign or which might cause danger to public travel.

L. Except as otherwise permitted in this ordinance, no sign shall be erected or maintained which extends or projects into any right-of-way.

M. No sign, display or advertising device not heretofore classified in this Article shall be permitted in any use district.

N. No sign shall be permitted within 500 feet of the border of any state park or parkway unless the applicant first complies with the appropriate provisions of the Conservation Law.

O. [~~There shall be no moving parts or any~~] **No flashing, *blinking, rotating*, changing, intermittent, *animated* or *moving light or lights shall be permitted to constitute a part of any sign, 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. Time and temperature displays are not prohibited by this section, nor are message boards, provided that the message is not changed more than once per day.*** [~~varying illumination in connection therewith.~~] [Added 10-15-1968]

Section 3.

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