

			square feet of gross floor area in restaurants.
		(5)	Two (2) parking spaces per dwelling unit in residential districts and uses.
SECTION 1305 PUBLIC GARAGE AND GASOLINE SALES STATIONS.			
	A.	No part of any building used as a public garage or gasoline service station and no filling pump, lift or other service appliance shall be erected within twenty (20) feet of any lot line.	
	B.	No gasoline, diesel fuel or oil pump or greasing mechanism and no other service appliance installed in connection with any gasoline sales station or public garage shall be within twenty-five (25) feet of any exterior road line and when so installed shall not be a violation of front yard requirements specified elsewhere in this chapter.	
SECTION 1306 SIGNS AND BILLBOARDS.			
	A.	For the purposes of these regulations, the term "sign" does not include:	
		1.	Signs erected and maintained pursuant to and in the discharge of any governmental function, including state or federal historic markers, or required by any law, law or governmental regulation.
		2.	Repainting, cleaning and other normal maintenance and repair of a sign or a sign structure unless a structural change is made or if the repair is in violation of the sign regulations.
		3.	Memorial tablets or signs, and locally designed historic markers not exceeding two (2) square feet in area.
		4.	Flags, emblems or insignias of the United States, the State of New York, town village, or counties, other counties and states, the United Nations or similar organizations of which this nation is a member.
		5.	Signs for the direction or convenience of the public, including signs which identify rest rooms or the location of public telephones or traffic control devices; however, the total area shall not exceed two (2) square feet.
		6.	Political signs.

		B.	GENERAL REGULATIONS
		1.	No sign shall be permitted in any zoning district except in compliance with the provisions of these regulations.
		2.	Pictorial designs, logos and trademarks shall be permitted, provided that they are incorporated in and made part of the permitted sign face and the area thereof is included in calculating the total permitted sign face area allowed under these regulations.
		3.	No application for approval of signs shall be processed or permitted unless permission is granted from the property owner.
		4.	No sign shall project across or over a property line or lease line, nor be in a public right-of-way.
		5.	All signs shall comply with applicable provisions of the State of New York Uniform Fire Prevention and Building Code.
		6.	Maintenance of all signs.
		a.	All signs and all components thereof, including supports, braces and anchors, shall be kept in a good state of repair.
		b.	If the message portion of a sign is removed or a business or other activity is no longer operating, it shall be the property owner's responsibility to assure that the abandoned sign is promptly removed or properly covered to the satisfaction of the Code Enforcement Officer.
		7.	No sign shall consist of lights which flash or move or appear to move.
		8.	No sign shall be higher than the principal building to which it is accessory, or higher than 10 feet, whichever is lower.
		9.	No general advertising signs unrelated to the permitted use of the premises are allowed.
		10.	No sign shall be erected or posted on a public utility pole or traffic control structure.
		11.	Temporary unlighted signs erected by and for non-profit

				organizations such as churches, veterans organizations, civic or fraternal organizations, youth clubs or teams, etc. which advertise suppers, banquets, benefits, fundraising sales, etc., may be erected for a forty (40) day period without permit in any district, provided that the sign will not constitute a traffic hazard and shall be removed within forty-eight (48) hours after the advertised event.
			C.	LOCATION
				Off-premises signs are not permitted except as follows. Signs permitted within this section may also be on-premises.
			1.	One temporary sign per lot directing persons to temporary exhibits, shows or events and sponsored by a non-profit organization may be erected subject to the requirements of Section 1307.
			2.	Signs of civic organizations.
			D.	PERMITTED SIGNS IN ALL DISTRICTS
				The following signs are permitted in any appropriate district without approval or permit.
			1.	A nameplate, which shall not exceed two (2) square feet in area on each side and must be attached to the building in some manner.
			2.	Signs denoting the name and address of the occupants of the premises, which shall not exceed two (2) square feet in area on each side.
			3.	Signs advertising the sale, lease or rental of the premises upon which the sign is located, which sign shall not exceed six square feet in area, and provided that such sign is erected or displayed not less than five (5) feet from any property line. There shall not be more than one (1) such sign per lot, except that on a corner lot two (2) signs, one (1) facing each street, shall be permitted. Such sign shall be removed within twenty-four (24) hours after the time of sale, lease or rental.
			4.	Signs customarily incidental to places of worship, libraries, museums, social clubs or societies. Such signs or bulletin boards shall not exceed sixteen (16) square feet on each side in area, and shall be located on the premises of such institution, provided that such signs or bulletin boards are erected or displayed not closer than

				ten (10) feet to any property line. There shall not be more than one (1) sign or bulletin board per lot, except that on a corner lot two (2) signs or bulletin boards, one facing each street, shall be permitted.
			5.	Signs announcing no trespassing; signs indicating the private nature of a road, driveway or premises; and signs controlling fishing or hunting on the premises, provided that the area of any one (1) side of any such sign shall not exceed two (2) square feet.
			6.	Political signs.
			7.	Signs/banners directing persons to temporary exhibits, shows or events and sponsored by a nonprofit organization may be erected subject to the following requirements.
			a.	Permission is granted by the property owner, including state, county, town, village, utility companies and businesses, in writing, that a sign may be erected.
			b.	Signs/banners shall not exceed thirty (30) inches in height and forty (40) feet in length.
			c.	Signs shall not be posted earlier than four (4) weeks prior to the event, and shall be removed within one (1) week after the event.
			8.	No sign permit shall be required when a proposed sign has been received and approved by the Planning pursuant to a site plan or conditional use permit.
			E.	PERMITTED SIGNS IN RESIDENTIAL DISTRICTS
			1.	<u>Home Occupation sign.</u>
			a.	For <u>lots less than 2.4 acres</u> , one home occupation sign may be permitted for an approved home occupation. Such sign <u>shall not exceed two (2) square feet in area on each of two (2) sides</u> , shall not be closer than ten (10) feet from any property line, and, if a ground sign, shall not exceed four feet in height above the natural grade on which the sign is located. The sign may contain only the name and/or name of the business and/or occupation of the resident.

				b.	For lots 2.4 acres or larger, one home occupation sign may be permitted to be <u>ten (10)</u> square feet on each of <u>two (2) sides</u> , shall not be closer than ten (10) feet from any property line, and, if a ground sign, shall not exceed six (6) feet in height above the natural grade on which the sign is located.
				2.	DEVELOPMENT SIGNS
				a.	Development signs shall be permitted at the main entrance to a development or subdivision of real property, provided that such subdivision shall contain at least five (5) subdivision lots. A development sign shall be limited in height to not more than six (6) feet above the natural grade on which the sign is located and shall be limited to sixteen (16) square feet in area. All development signs shall be freestanding and composed of durable materials and shall be complementary in design to the development or the surrounding area. Development signs shall require a sign permit and be subject to the criteria and standards of this Article and additional standards required by the Town Planning Board through the subdivision approval process.
				b.	The owner of the property on which the sign is located shall be responsible for the maintenance of the sign. A note to this effect shall be shown in the subdivision plan.
				3.	GARAGE SALE SIGNS. Two (2) non-illuminated sign on the premises, not to exceed four (4) square feet in area, advertising a garage sale shall be no closer than ten (10) feet to any side property line and shall project not more than six (6) feet in height above the natural grade on which the sign is located. Such signs shall not be erected more than seventy-two hours prior to the garage sale, and shall be removed at the conclusion of the garage sale.
				4.	HOME IMPROVEMENT/CONTRACTOR SIGNS. Any temporary sign, not to exceed six (6) square feet in area, identifying the name and services of the contractor/engineer/ architect involved in a home improvement project/contract within or upon the premises. Such sign shall be placed no closer than ten (10) feet to any side property line and project no more than four feet in height above the natural grade on which

				the sign is located. The sign shall be removed within ten (10) days after the completion of the improvement project but not to exceed one (1) year.
			5.	TOWNHOUSES OR APARTMENTS. One (1) identification sign not to exceed sixteen (16) square feet in area per side, indicating only the name and street address of the project, shall be permitted for each project. Such sign shall not be closer than ten (10) feet to any property line and shall not project more than six (6) feet above the natural grade on which the sign is located. In the case of a wall sign, such sign shall not exceed twelve (12) square feet in area, indicating only the name and street address of the project. Identification signs shall be subject to the criteria and standards of this Article and the Town Planning Board.
			6.	Businesses in residential districts shall comply with the business district requirements for signs unless otherwise restricted in this Article.
		F.	PERMITTED SIGNS IN BUSINESS AND INDUSTRIAL DISTRICTS	
			1.	Business identification signs.
			a.	Wall signs.
			(1)	One (1) wall sign not to exceed two (2) square feet for each linear foot of width of the front of the building, or portion of the building occupied by the business.
			(2)	The sign should identify the owner or enterprise conducting the business, the business engaged in upon the premises or products and services sold; or any combination of these.
			(3)	Where a building has frontage on more than one (1) street or public highway, one (1) wall sign is permitted for each street frontage.
			b.	Building directory sign for a multiple-use structure.
			(1)	One (1) building directory sign indicating the name of the occupants of the building and the building number in order to direct persons to their proper destination once they are on the site is permitted.

				(2)	Signs are to be no larger than sixteen (16) square feet in area on each side, including the nameplates of all the tenants or uses, and shall not project more than six (6) feet in height above the natural grade on which the sign is located. The sign's construction shall compliment the architectural style and materials of the building it serves. The proposed sign's construction shall be subject to Planning Board approval and shall require a sign permit. In determining the design, location and hours of illumination, the Board shall be guided by other pertinent sections of these regulations.
				2.	One (1) projecting sign, provided that:
				a.	Such sign shall not exceed six (6) square feet in area and shall not project more than four (4) feet from the wall or surface to which it is mounted.
				b.	Such sign shall be at least eight (8) feet to the bottom of the sign above the ground level immediately below and shall in no way interfere with normal pedestrian or vehicular traffic.
				c.	There shall be no more than one (1) projecting sign for each business or public entrance.
				d.	The supporting structure shall not be included in calculating the sign area, provided that it is free of all lettering.
				3.	One (1) on-premises freestanding business sign, provided that:
				a.	It indicates the name of the business. Such sign shall be no larger than thirty-two (32) square feet in area and shall not project more than ten (10) feet in height above the natural grade on which the sign is located. The sign's construction shall compliment the architectural style and materials of the building it will serve. The proposed sign shall be subject to Planning Board review through the site plan approval process and shall require a sign permit. In determining the design, location and hours of illumination, the Board shall be guided by other pertinent sections of these regulations.

				b.	Only one (1) such sign shall be permitted on each property. In the case of a lot occupied or intended to be occupied by multiple business enterprises (i.e., a neighborhood or community shopping center or plaza), one (1) freestanding sign indicating the name of the development and the individual businesses shall be permitted.
				c.	Such a sign may be double faced.
				d.	All freestanding signs shall be located at least ten (10) feet from any property line. Where property abuts a public right-of-way, the freestanding sign shall be setback at least ten (10) feet from the right-of-way.
				e.	The location of such signs shall not interfere with visibility for vehicular/pedestrian traffic entering or leaving the lot or traveling on any street.
			4.		Signs for direction, provided that such sign(s) do not exceed two (2) square feet in area. Such signs may indicate the entrance and exit to the property and location of parking. Such signs shall not project more than four (4) feet in height above the natural grade on which the sign is located and shall be no closer than five (5) feet to any property line.
				G.	ADDITIONAL REGULATIONS.
			1.		Vehicular signs. Signs displayed on licensed and inspected motor vehicles which are used in conjunction with a business, provided that:
				a.	The primary use of such vehicle is the transportation of people or material for such business.
				b.	The primary effect of such sign is to identify the vehicle as being used for such purpose.
				c.	The vehicle is not parked or stored in a manner primarily intended to display the sign to passersby.
			2.		Awnings and/or canopy signs. Awnings and/or canopy signs are movable or fixed ornamental roof-like

				structures extend from the face of a structure and are constructed of durable materials, including fabrics, which may contain its own illumination and may display lettering or other business insignia.
			a.	No part of any awning or canopy shall:
			(1)	Project more than three (3) feet from the structure to which it is attached.
			(2)	Extend above the height allowed for structures in the respective zoning districts
			(3)	Extend into any setback areas.
			(4)	Be lower than eight (8) feet above the ground elevation of the wall face of the structure to which it is attached.
			(5)	Wall and canopy signs are not to exceed two (2) square feet in area for each linear foot of building fronting the roadway.
			b.	A permit is required for the placement of awning and/or canopy signs. Prior to the issuance of a sign permit, the applicant shall furnish to the Code Enforcement Officer plans and specifications for the proposed installation. The application may be referred to the Planning Board prior to a sign permit being issued to consider the appropriate relationship between the size, shape and design of the awning and/or canopy sign and of the structure to which it will be attached, as well as the placement of the awning and/or canopy sign on the structure.
		H.		Application for a sign permit. Application for the permit shall be made in writing to the Code Enforcement Officer upon forms prescribed by and provided by the Town of Homer and shall contain the following information:
			1.	The name, address and telephone number of the applicant.
			2.	Location of buildings, structures or land to which, or upon which, the sign is to be erected.
			3.	A detailed drawing or blueprint showing a description of the construction details of the sign and showing the colors, lettering and/or pictorial matter composing the

			sign; position of lighting and other extraneous devices; and 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.
		4.	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.
		5.	A copy of any required or necessary electrical permit issued for said sign or a copy of the application thereof.
		6.	The Code Enforcement Officer or other designated Town of Homer official shall issue a permit number for each sign which shall be permanently attached to or displayed on each sign, billboard, bulletin board or structure so that it may be readily ascertained that a permit has been issued for each use.
		7.	A fee shall be charged, pursuant to the Town of Homer fee schedule.
		I.	Existing Non-conforming signs. All existing signs which conform the current regulations are permitted to continue, provided that there are no changes in size and/or use.
SECTION 1307 STORAGE AND DUMPING.			
		A.	On a primarily residential lot or plot, no storage of rubbish, junk or other waste material of any nature shall be permitted.
		B.	Dumping of refuse, waste materials and other similar substances at other than the county landfill or other government approved facility is absolutely prohibited in all districts in the town. Disposal of nontoxic waste materials resulting from the operation of a farm and deposited on a farmers own land at a distance of one hundred (100) feet from all highways and two hundred (200) feet from streams and residences shall not be deemed a violation of this chapter.
		C.	All spaces between buildings and structures shall be kept sufficiently free and clear of materials of every nature for the purpose of providing adequate fire protection, light and air.