

**INCORPORATED VILLAGE OF SANDS POINT  
BOARD OF TRUSTEES**

**LOCAL LAW NO. 6 OF 2021**

**AMENDING CHAPTER 176, "ZONING" OF THE CODE OF  
THE VILLAGE OF SANDS POINT**

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**WHEREAS**, the Board of Trustees has recommended the enactment of a Local Law amending Section 176, "Zoning", relating to the placement of signs and requirements for sign permits within the Village; and

**WHEREAS**, this Local Law was introduced by the Board of Trustees on May 25, 2021; and

**WHEREAS**, the Board finds that this Local Law is a Type II Action pursuant to the New York State Environmental Quality Review Act ("SEQRA"); and

**WHEREAS**, this Local Law was the subject of duly noticed public hearings in accordance with New York State Village Law and the Village Code before the Board on September 2, 2021, and September 28, 2021, at which all interested persons were heard; and

**WHEREAS**, this Local Law was referred to Nassau County Planning Commission, which issued its Resolution authorizing the Village to take such action it deems appropriate.

**NOW THEREFORE, BE IT ENACTED** by the Board of Trustees of the Incorporated Village of Sands Point:

Section 176, "Zoning", of the Village Code of the Village of Sands Point be and is hereby amended to add Section 176.48.1, **Signs**, to read as follows:

**Section 1. Section 176.48.1. Signs**

**Legislative Intent; Findings.**

The purpose of this Local Law is to promote and protect the public health, welfare, safety, and aesthetics of the Village and its residents by regulating the size, location, height, condition, and physical appearance of all signs in the Village. The Board of Trustees finds that regulating signs will reduce distractions, obstructions, and hazards that may contribute to traffic accidents, and provide more visible open space that will improve the Village's appearance and attractiveness. The Board further finds that the provisions of this Local Law will allow for appropriate signage in limited circumstances while protecting the Village's character, appearance, and environment.

- A.** Except as provided in Section 145-22 of the Village Code concerning the construction of street signs, the erection and maintenance of all signs within

the Village shall conform to the provisions of this Section.

- B. Definitions.** As used in this Section, the following terms, words, and phrases shall have the meanings indicated and be construed as follows:

**CONSTRUCTION SIGN** – Any sign erected pursuant to New York State or Village law, on a site where construction, authorized by a duly issued Village building permit, is taking place.

**RESIDENTIAL GROUND SIGN** – Any sign installed in the ground at a single-family residence property for a temporary, short-term period of time, not to exceed four (4) weeks, to acknowledge a family-related, life-cycle event, or milestone, such as a birthday, graduation, or anniversary.

**INSTITUTIONAL IDENTIFICATION SIGN** — Any sign that identifies a place of worship, not for profit use, a school or educational institution, a public agency, or a private membership club.

**POLITICAL SIGN** — Any advertising or identification sign installed in the ground, the purpose of which is to identify or promote the election of any person seeking public office or any organization established or formed for the purpose of promoting the election of such person, or to support, advocate, or promote the passage or rejection of a proposition or referendum.

**PUBLIC OPINION SIGN** — Any sign installed in the ground which contains information, opinions, attitudes, or beliefs about a particular topic including but not limited to social, political, or environmental issues.

**RESIDENTIAL IDENTIFICATION SIGN** – Residence nameplates, street number signs, “beware” or “caution” signs, “private property”, “no soliciting” or “no trespassing” signs, or signs that indicate that the residential property is protected by an alarm or surveillance systems.

**SIGN** — Every kind of signboard, billboard and other shape, device or display arranged, designated, intended or used as an announcement, advertisement or direction including informational material, such as a word, text, abbreviation, letter, punctuation mark, trademark symbol, figure, or shape, as well as representation by picture, model, drawing or similar means, which is visible from a public or private street right of way, or sidewalk, including material on or behind a window or glass door, and which informs the viewer about the item, thing or subject referred to, including its identity or location. A sign shall not include any flag, emblem, insignia or display incidental to and customarily or commonly associated with, any national, local, or religious holiday, nor any informational device erected or maintained by a governmental authority, including but not limited to the Building Department, Department of Public Works, Historical Landmarks Preservation Commission, or Police Department.

**SIGN PERMIT** — A type of building permit issued by the Superintendent of the Building Department that authorizes the installation, erection, construction, alteration, or reconstruction of an Institutional Identification Sign.

**C. Permitted Signs.** The following signs are permitted in the Village.

- (1) Any Residential Ground Sign, Public Opinion Sign, or Political Sign that is not greater than 18 inches in length by 24 inches in height, or 3 square feet in area.
- (2) Any Residential Identification Sign that does not exceed two (2) square feet.
- (3) Any Institutional Identification Sign not to exceed three (3) feet in length by two (2) feet in height.
- (4) Signs or signboards used in connection with the sale, lease, or rental of property in a Residence A, Residence B, or Residence C District, provided that no such sign or signboard shall exceed two feet in height by two feet in length or four square feet in area, with a space of three feet between the bottom of the sign and the ground, and so placed as to conform to the front and side yard restrictions, that the number of any such sign or signboards shall not exceed the number of streets abutting on such parcel, that only one such sign or signboard shall be located adjacent to any abutting street and that all such signs or signboards shall be located on the same parcel as the property thus advertised. Signboards as above for real estate subdivisions, not exceeding eight feet high by 10 feet long or 80 square feet in area, shall be permitted only when authorized by the Board of Trustees.

**D. Prohibited Signs.** The following signs are prohibited in the Village:

- (1) Any sign placed on residential property that is not a Residential Ground Sign, Residential Identification Sign, Political Sign, Public Opinion Sign conforming to subsection (C), or a sign permitted by Sections 145-22 and 130-3(E) of the Village Code.
- (2) On any residential property, no more than two (2) signs otherwise permitted by Section 176.48.1(D) of the Village Code, shall be displayed at one time.
- (3) Residential Ground Signs, Political Signs, and Public Opinion Signs installed or displayed for more than four (4) (or) three (3) weeks consecutively.
- (4) Any sign within fifteen (15) feet of any public or private street, road, right-of-way, or highway.
- (5) Signs in the right of way of any public or private street, road or highway, except for signs with street names, traffic control signs, or informational, directional and warning signs all of which shall only be erected by or with

the approval of the Superintendent of the Building Department or the Superintendent of Public Works, in accordance with uniform standards promulgated by the Superintendent of Buildings or the Superintendent of Public Works.

- (6) Signs with artificial lighting sources or reflectors connected to or used therewith.
- (7) Signs with right-angles or that project or extend into the public right-of-way.
- (8) Signs that consist of a painted surface utilizing fluorescent or Day-Glo colors.
- (9) Revolving signs.
- (10) Signs that are lighted with blinking, intermittent flashing, strobe, or animated illumination.
- (11) Illuminated signs which have exposed bulbs or light tubing (such as, but not limited to, neon or other chemical lights), wherein the light source itself is shaped and utilized to form the sign, a name, a logo or a design.
- (12) Signs which seek to advertise businesses, activities, products, or services that are not conducted on the property where such signs are located.
- (13) Signs attached to fences, trees, utility poles or similar supporting devices, or to vacant or unoccupied structures, or on a public right-of-way.
- (14) Signs located so as to obstruct the vision of pedestrian or vehicular traffic or create a hazard, disturbance, or distraction to the health and welfare of the general public, as determined by the Superintendent of Public Works.

**E. Sign Permit Required**

- (1) No Institutional Identification Sign shall be installed or displayed in the Village prior to the issuance of a Sign Permit.
- (2) An application for a Sign Permit shall be made to the Superintendent of the Building Department on a form furnished by the Building Department. The Superintendent of the Building Department shall refer the application to the Board of Trustees for an advisory opinion with respect to the design of the sign.
- (3) An application for a Sign Permit shall be accompanied by payment of a fee as set forth in Chapter 82 of the Village Code.

**F. Removal of Signs.**

- (1) All Residential Ground Signs, Political Signs, and Public Opinion Signs shall be removed by the person erecting, owning, maintaining, or displaying the sign, or the owner of the property where the sign is located, no later than three (3) weeks after the sign was erected or displayed.
- (2) All Institutional Identification Signs shall be removed no later than the date of expiration of a duly issued Sign Permit.
- (3) In addition to any and all other remedies available at law or equity, the Village shall be authorized to immediately, without prior notice, physically remove and confiscate any signs attached to fences, trees, utility poles or similar supporting devices, or from vacant or unoccupied structures located on public property. The Village is also authorized to immediately, without prior notice, remove signs that are located in the public right-of-way of any public or private street, road, or highway in the in Village.

**G. Unsafe or Unlawful Signs.**

- (1) If the Superintendent of the Building Department or the Superintendent of Public Works determines that any sign is unsafe, dangerous, defective, insecure, tends to endanger the safety of the public, or has been constructed, created, or is being maintained in violation of the provisions of this Section, then they may give written notice of same to the owner and/or occupant of the property where such sign is installed and require that such conditions are corrected within five (5) calendar days.
- (2) The Superintendent of the Building Department may cause any sign which appears to be an imminent danger to the safety of persons or property in the Village to be removed summarily and without notice.

**H. Penalty for Offenses.** The owner and/or occupant of any property on which any sign is displayed in violation of this Section, shall be guilty of a violation punishable by a fine not to exceed \$100.00. Each continuous day in which such violation continues shall constitute a separate and distinct violation.

**I. Enforcement.** The Superintendent of the Building Department, Code Enforcement Officer, and officers of the Sands Point Police Department, shall have power and authority to enforce the provisions of this Section. Such authority shall be in addition to any other enforcement authority provided by law.

**J. Appeal of Denial.** The denial of an application for a Sign Permit by the Superintendent of the Building Department may be appealed to the Board of Zoning Appeals.

**Section 2.** Section 176-7 of the Village Code of the Incorporated Village of Sands Point is hereby amended to read as follows:

§ 176-7      **Permitted uses.**

No building may be erected, altered or used and no lot or premises may be used except for the following purposes:

- A.** Detached single-family dwelling, except the construction of a detached single-family dwelling for the purpose of sale shall not be permitted unless authorized by the Board of Appeals.
- B.** Public primary and secondary schools.
- C.** Houses of Worship and other strictly religious uses, in accordance with the discipline, rules and usages of the religious corporation which will own, support and maintain such Houses of Worship and of the governing body, if any, to which such corporation is subject, and primary and secondary schools, organized and conducted other than for profit, chartered by the Regents of the University of the State of New York or approved by and under the supervision of the New York State Department of Education, and such other nonresidential uses as may not be excluded pursuant to state and federal laws, and accessory uses on the same lot, provided that any such use and accessory use have been approved by the Board of Appeals after public notice and hearing and after taking into consideration the public health, safety and general welfare and in accordance with the provisions of Article **VIII**, §§ **176-71C** through **F, 176-72** and **176-73** hereof and subject to appropriate conditions and safeguards prescribed by said Board.
- D.** Municipal uses as follows: Village of Sands Point municipal uses and purposes except incinerator and sewage disposal plants.
- E.** Public utility lines and poles necessary for the service of the area.
- F.** Agriculture and greenhouses. It is not intended that the use of the property for agriculture and greenhouses shall be commercial in nature but shall only be permitted if and when the agricultural pursuit and the use of the greenhouse are in connection with the general use of the property as a residence. It is not intended to permit commercial agriculture, greenhouses or nurseries in a Residence A District.
- G.** A club use on premises comprising not less than 50 acres, provided that in a specific case, after public notice and hearing, the Board of Appeals authorizes a permit therefor in accordance with the provisions of §§ **176-71** through **176-73**.

[Amended 11-22-1994 by L.L. No. 8-1994]

- H Accessory uses on the same lot with and customarily incidental to any of the above permitted uses, except the uses provided in Subsection C of this section, including a private garage for not more than five cars or a stable for not more than horse for each 43,560 square feet (one acre). Guesthouses and buildings equipped and designed to be used for habitable purposes are not regarded and permitted as an accessory use. It is the purpose of this section to confine the use of all lots and premises for habitable purposes to the dwelling referred to in Subsection A of this section. Except as above permitted, accessory uses shall not include any use customarily carried on as a business or industry, including the construction of a dwelling for sale, or any display visible from the street.

[Amended 8-21-1989 by L.L. No. 3-1989]

**Section 3.** Section 176-21 of the Village Code of the Incorporated Village of Sands Point is hereby amended to read as follows:

§ 176-21 **Permitted uses.**

No building may be erected, altered or used and no lot or premises may be used except for the following purposes:

- A. Detached single-family dwelling, except the construction of a detached single-family dwelling for the purpose of sale shall not be permitted unless authorized by the Board of Appeals.
- B. Public primary and secondary schools.
- C. Houses of Worship for public worship and other strictly religious uses, in accordance with the discipline, rules and usages of the religious corporation which will own, support and maintain such House of Worship and of the governing body, if any, to which such corporation is subject, and primary and secondary schools, organized and conducted other than for profit, chartered by the Regents of the University of the State of New York or approved by and under the supervision of the New York State Department of Education, and such other nonresidential uses as may not be excluded pursuant to state and federal laws, and accessory uses on the same lot, provided that any such use and accessory use have been approved by the Board of Appeals after public notice and hearing and after taking into consideration the public health, safety and general welfare and in accordance with the provisions of Article VIII, §§ 176-71C through F, 176-72 and 176-73 hereof

and subject to appropriate conditions and safeguards prescribed by said Board.

**D.** Municipal uses as follows: Village of Sands Point municipal uses and purposes except incinerator and sewage disposal plants.

**E.** Public utility lines and poles necessary for the service of the area.

**F.** Agriculture and greenhouses. It is not intended that the use of the property for agriculture and greenhouses shall be commercial in nature but shall only be permitted if and when the agricultural pursuit and the use of the greenhouse are in connection with the general use of the property as a residence. It is not intended to permit commercial agriculture, greenhouses or nurseries in a Residence B District.

**G** A club use on premises comprising not less than 50 acres, provided that in a specific case, after public notice and hearing, the Board of Appeals authorizes a permit therefor in accordance with the provisions of §§ **176-71** through **176-73**.

[Amended 11-22-1994 by L.L. No. 8-1994]

**H** Accessory uses on the same lot with and customarily incidental to any of the above permitted uses, except the uses provided in Subsection **C** of this section, including a private garage for not more than five cars or a stable for not more than one horse for each 43,560 square feet (one acre). Guesthouses and buildings equipped and designed to be used for habitable purposes are not regarded and permitted as an accessory use. It is the purpose of this section to confine the use of all lots and premises for habitable purposes to the dwelling referred to in Subsection **A** of this section. Except as above permitted, accessory uses shall not include any use customarily carried on as a business or industry, including the construction of a dwelling for sale, or any display visible from the street.

[Amended 8-21-1989 by L.L. No. 3-1989]

**Section 4.** Section 176-33.3 of the Village Code of the Incorporated Village of Sands Point is hereby amended to read as follows:

§ 176-33.3 **Permitted uses.**

No building may be erected, altered or used and no lot or premises may be used except for one or more of the following purposes:

**A.** Detached single-family dwelling, except the construction of a detached single-family dwelling for the purpose of sale shall not be permitted unless authorized by the Board of Appeals.



- B.** Public primary and secondary schools.
- C.** Houses of Worship for public worship and other strictly religious uses, in accordance with the discipline, rules and usages of the religious corporation which will own, support and maintain such House of Worship and of the governing body, if any, to which such corporation is subject, and primary and secondary schools, organized and conducted other than for profit, chartered by the Regents of the University of the State of New York or approved by and under the supervision of the New York State Department of Education, and such other nonresidential uses as may not be excluded pursuant to state and federal laws, and accessory uses on the same lot, provided that any such use and accessory use have been approved by the Board of Appeals after public notice and hearing and after taking into consideration the public health, safety and general welfare and in accordance with the provisions of Article **VIII**, §§ **176-71C** through **F, 176-72** and **176-73**, hereof and subject to appropriate conditions and safeguards prescribed by said Board.
- D.** Municipal uses as follows: Village of Sands Point municipal uses and purposes, except incinerator and sewage disposal plants.
- E.** Public utility lines and poles necessary for the service of the area.
- F.** Agriculture and greenhouses. It is not intended that the use of the property for agriculture and greenhouses shall be commercial in nature but shall only be permitted if and when the agricultural pursuit and the use of the greenhouse are in connection with the general use of the property as a residence. It is not intended to permit commercial agriculture, greenhouses or nurseries in a Residence A District.
- G.** A club use on premises comprising not less than 50 acres, provided that in a specific case, after public notice and hearing, the Board of Appeals authorizes a permit therefor in accordance with the provisions of §§ **176-71** through **176-73**.  
[Amended 11-22-1994 by L.L. No. 8-1994]
- H.** Accessory uses on the same lot with and customarily incidental to any of the above-permitted uses, except the uses provided in Subsection **C** of this section, including a private garage for not more than five cars or a stable for not more than one horse for each 43,560 square feet (one acre). Guesthouses and buildings equipped and designed to be used for habitable purposes are not regarded and permitted as an accessory use. It is the purpose of this subsection to confine the use of all lots and

premises for habitable purposes to the dwelling referred to in Subsection A of this section. Except as above permitted, accessory uses shall not include any use customarily carried on as a business or industry, including the construction of a dwelling for sale, or any display visible from the street.

**Section 5.** Section 130-3(E) of the Village Code of the Incorporated Village of Sands Point is hereby amended to read as follows:

§ 130-3        **Permit required; fee; regulations.**

No auction or public sale shall be held in the village without compliance with the following conditions:

E.        The size and number of signs, directional and otherwise, shall comply with the present sign regulation in § 176.48.1(C)(4) of Chapter 176, Zoning, or as otherwise prescribed by the Board of Trustees. They shall not be erected before the date of inspection, if any, or the first day of the sale and shall be removed by no later than 6:00 p.m. on the last day of the sale.

**Section 6.**        Section 82-3 of the Village Code of the Incorporated Village of Sands Point is hereby amended to include 82-3(A)(34) which shall read:

(34)        Sign Permit: \$100 for each sign.

**Section 7.** Section 176, “Zoning” of the Village Code of the Village of Sands Point shall otherwise remain in full force and effect.

**Section 8.** Severability. If a court of competent jurisdiction determines that any clause, sentence, paragraph subdivision, or part of this local law or the application thereof to any person, firm or corporation or circumstance is invalid or unconstitutional, the Court’s order or judgment shall not affect, impair or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 9.** Effective Date. This Local Law shall take effect immediately upon filing with the Secretary of State.

On motion made by Trustee Schamis, seconded by Trustee Karabatos, the foregoing Local Law was enacted upon the following vote:

Peter A. Forman, Mayor voting	-	aye
Jeffrey Moslow, Deputy Mayor	-	aye
Rita Sethi, Trustee	-	nay

Elena Karabatos, Trustee - aye  
Rebecca Vitas Schamis, Trustee - aye

Dated: Sands Point, New York  
September 28, 2021

Filed: Sands Point, New York  
September 28, 2021

