

TOWN OF STONY POINT
LOCAL LAW NO. _ OF 2017

**TO AMEND THE CODE OF THE TOWN OF STONY POINT TO
AMEND CHAPTER 215, ARTICLE IX TO ALLOW THE USE OF
LED SIGNS BY EMERGENCY SERVICE ORGANIZATIONS
AND FIRST RESPONDERS**

A LOCAL LAW TO AMEND the Code of the Town of Stony Point to AMEND Chapter 215, Article IX to allow the use of LED signs by Emergency Service Organizations and First Responders pursuant to Municipal Home Rule Law Section 10 et. seq.

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF STONY POINT AS FOLLOWS:

Section 1. Legislative Intent.

This Local Law shall be known as “Local Law No. of 2017”. It is the intent of this Local Law to amend the Code of the Town of Stony Point Chapter 215, Article IX to allow the use of LED signs by Emergency Service Organizations and First Responders pursuant to Municipal Home Rule Law Section 10 et. seq.

Section 2. Purpose.

It is the purpose of this Local Law to amend the Code of the Town of Stony Point so as to:

- A. Advance a legitimate government interest by allowing emergency service organizations also known as first responders to publish, post, and update messages that will inform the public of emergency situations or other important community information, to facilitate the administration of said entities, to advance communication between said entities and the public to promote the public health, safety, and general welfare, and seek to prevent dangers to the life, safety, and welfare of all members of the public; and
- B. Enable emergency service organizations to post messages in a unique and readily identifiable manner that are intended to reach, alert, and inform the public of possible dangers and emergency situations.

Section 3. Effect.

This Local Law hereby amends Chapter 215, Article IX, Section 215-47 to include the following definition:

SIGN, LED

Any sign that uses the movement of light-emitting diodes as pixels to display a message.

This Local Law hereby amends Chapter 215, Article IX, Section 215-52 to include the following:

E. LED Signs for Emergency/Public Service Purposes

- (1)** One LED Sign shall be permitted for use by any emergency service organization in presenting public announcements, emergency messages, and local government messages to promote the public health, safety, and general welfare, to facilitate communication between emergency service entities and the public, to create an alternative method of communication, to enhance and protect the public health and safety, to assist in the prevention of dangers to the life, safety, and health of the public, and to allow the emergency service entities to fulfill their duties and administration of said entity.
- (2)** The emergency service organization shall be allowed to post notifications, warnings, alerts, and/or other important community information consistent with the goals of public health, safety, and welfare.
- (3)** An emergency services organization shall mean a public or private agency, voluntary organization or other entity organized and functioning for the purpose of providing ambulance, fire, medical, rescue, law enforcement, or other first response service directed toward preventing, relieving, and responding to human suffering, injury or loss of life or damage to property as a result of an emergency, and identified as such by either a contract between the Town and said organization or by resolution of the Town Board.
- (4)** A list of all such emergency services organizations shall be adopted annually by resolution of the Town Board and published thereafter.
- (5)** All Applicants must submit an application for a sign permit in accordance with the application requirements defined in Section 215-57. The administrative review of and issuance of a sign permit shall be in accordance with Section 215-57.
- (6)** Animated and motion effects including but not limited to, scrolling, animation or flashing of any message shall be prohibited on LED signs.
- (7)** The frequency of the electronic display will be limited to a minimum of one message display per every twenty (20) seconds.
- (8)** The maximum length of time between the changes of messages, displays or images shall be five (5) seconds.
- (9)** The change of the message, display or image shall occur simultaneously for the entire sign.

- (10) During daylight hours, the maximum illumination shall be 5,000 nits (or candelas per square meter), with a maximum illumination of 500 nits between dusk and dawn, as measured from the sign's face at maximum brightness.
- (11) The maximum height of any LED sign structure shall not exceed seven and one-half feet (7.5) feet.
- (12) Any LED display shall not have a display area greater than twenty-eight (28) square feet per side.
- (13) Any LED sign may have a display on each side on the sign with a maximum of two sides on any one sign.
- (14) The maximum width of any LED sign structure shall not exceed ten (10) feet.
- (15) Any LED sign must be setback at least ten (10) feet from any property line.
- (16) Any LED sign may be freestanding as defined in Section 215-47.
- (17) Any LED sign shall be maintained and kept in a near to new condition.
- (18) The appearance, character, and quality of a permitted LED sign must otherwise comply with the provisions of this Article including but not limited to, permit procedures and design guidelines.
- (19) Any emergency service organization may have an additional sign permitted under the existing laws of the Town, except that no emergency service organization may have more than one LED sign per property.

Section 4. State Environmental Quality Review Act.

Pursuant to 6 NYCRR 617, this Local Law is classified as an Unlisted Action.

Section 5. Severability.

If any portion this Local Law, or the application thereof to any person, entity, or circumstance, shall be determined by any court or tribunal of competent jurisdiction to be invalid or unenforceable, such determination shall be confined in its operation to the invalid part hereof, or in its application to such person, entity, or circumstance as is directly involved in the controversy in which such determination shall have been rendered, and the remainder of this Local Law shall not be impaired thereby and such determination shall not be deemed or construed to apply to other persons, entities, or circumstances.

Section 6. Effective Date.

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

