

MEMORANDUM

TO: Mayor Casale and Members of the City Council

FROM: Keane & Beane, P.C.

RE: Sign Local Law

DATE: May 24, 2019

In response to comments and concerns raised by the City Council on the proposed Local Law to delete Chapter 183 and Amend Chapter 223 Sections 15 and 63 of the Code of the City of Beacon concerning signs, the proposed Local Law has been amended as follows:

- **Section 223-63.** A definition for “Digital Sign” was added to the law. A digital sign is defined as any internally illuminated sign, typically with LEDs (light emitting diodes), that displays words or images that are changed by remote or automatic means.
- **Section 223-15.F(8):** Signs that include mechanical, digital or electronic movement or animation are prohibited under the revised draft, unless otherwise set forth in the law. The law previously prohibited signs that were mechanically, digitally or electronically animated. We believe the revised language provides clarifies the types of signs the City intends to prohibit under this provision.
- **Section 223-15.F(9).** Under the revised draft, all inflated signs and projected images are prohibited throughout the City of Beacon. The previous draft of the proposed Local Law permitted such signs in commercial and industrial districts along Route 52 and Route 9D in connection with commercial uses.
- **Section 223-15.H(4).** In all districts all exterior illumination of any sign shall be focused downward from above. The word exterior was added to this subsection.
- **Section 223-15.J.** The following signs are now permitted in connection with nonresidential uses:
 - **Section 223-15.J(4).** Wind-animated banners. Such signs are permitted for commercial uses located on Route 52 and Route 9D in the Local Business, General Business, and industrial districts only.

- **Section 223-15.J(5).** Digital signs, provided that:
 - No such sign shall contain moving or animated text or images.
 - The message shall be displayed for at least 12 hours between changes.
 - Such signs shall use automatic dimming technology, as certified by the manufacturer, to adjust the brightness of the sign to ambient light so that at no time shall the sign exceed a brightness level of 0.2 foot-candle above ambient light.
 - Such signs shall contain a default mechanism causing the sign to revert to a black screen if the sign malfunctions.
- Section 223-15.J(7) and 223-15.J(8). The term establishment previously used in these sections has been replaced with the phrase “subject business.” These Sections now provide:
 - The aggregate area of all signs with permits on any lot shall not exceed two square feet for each linear foot of public street frontage occupied by the front plane of the principal structure utilized by the subject business establishment.
 - The aggregate area of each sign shall not exceed one square foot for each linear foot of public street frontage occupied by the front plane of the principal structure utilized by the subject business establishment.