

New York State Department of State  
Division of Corporations, State Records and Uniform Commercial Code  
One Commerce Plaza, 99 Washington Avenue  
Albany, NY 12231-0001  
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**LOCAL LAW FILING**

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**(Use this form to file a local law with the Secretary of State.)**

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underling to indicate new matter.

~~County~~  
~~City~~ of  
Town POMFRET  
~~Village~~  
Local Law No. 2 of the year 2018.

**A LOCAL LAW amending Local Law No. 2 of the year 1995 entitled "The Zoning Law of the Town of Pomfret, and amending Local Law No. 2 of the year 2014 adopting the Code of the Town of Pomfret.**

**Be it enacted by the Town Board of the**

~~County~~  
~~City~~  
Town of POMFRET  
~~Village~~

Section One – Purpose: The Town of Board of the Town of Pomfret upon recommendation of the Planning Board of the Town of Pomfret does desire to amend certain amendments relating to signs and outdoor advertising within the Town of Pomfret.

Section Two – Definition: Section 300-6 of the Zoning Code is hereby amended to add an additional definition:

SIGN, DIGITAL SIGNS – A sign that has or appears to contain movement or that appears to change, caused by a method other than physically removing and replacing the sign or its components, whether the real or apparent movement or change is in the display, the sign structure itself, or any other part of the sign. A digital sign often incorporates a technology allowing the sign face to change the image without the necessity of physically or mechanically replacing the sign face or its components. A digital sign may include a rotating, revolving, moving, flashing, blinking, or animated display, and any display that

incorporates rotating panels, LED lights manipulated through digital input, electronic message centers, or other similar methods or technologies that permit a sign face to present different images or displays.

SIGN, BILLBOARD – Is hereby amended to read as follows: “Any sign exceeding 100 square feet in size.

Section Three – Section 300-50 B(3)(a) is hereby amended to add “event signs.”

Section Four – Section 300-50 C(1)(e) is hereby amended to read “No sign shall be located so as to overhang or hang above a public sidewalk or public right-of-way.”

Section Five – Section 300-50 C(2)(e) is hereby amended to read as follows: “The maximum number of signs of any type with exception of “Exempt Signs” (see Section 300-50 B(2) and “Signs Requiring No Permit” (see Section 300-50 B(3), allowed in the B-1, B-2, I-1 and I-2 zones shall be limited to two on-premises advertising signs and one off-premises advertising sign.

Section Six – Section 300-50 C(2)(i) is hereby amended to add at the end of the section the following: “All signs must comply with DOT regulations regarding right-of-way placement and setbacks.”

Section Seven – Section 300-50 C(3)(b) is hereby amended to read as follows: “Event signs up to 32 square feet in size shall be allowed 21 days before and up to 7 days after the date of such event being advertised. It shall be the responsibility of the property owner and/or his/her/its agent to comply with this regulation. Permission from the property owner must be received prior to the sign placement.”

Section Eight – Section 300-50 D(2) is hereby amended to add subsections (d)(e)(f)(g)(h):

(d) A digital sign may not allow the display message to change more frequently than once every eight seconds, with a transition period of one second or less. Messages may not contain the appearance of motion or animation. Transitions between messages may contain the appearance of motion or animation.

(e) A digital sign, other than a digital billboard, may not allow the display or message to change more frequently than once every eight seconds, with a transition period of one second or less. Messages may not contain the appearance of motion or animation.

(f) A digital sign must have installed an ambient light monitor, which shall continuously monitor and automatically adjust the brightness level of the display based on ambient light conditions consistent with the terms of this article. Certification must be provided to the Town demonstrating that the sign has been preset to automatically adjust the brightness to these levels or lower. Re-inspection and recalibration may be periodically required by the Town Code Officer in his reasonable discretion, at the owner's expense, to ensure that the specified brightness levels are maintained at all times.

(g) Maximum brightness levels for Digital Signs shall not exceed 5000 nits or "Candelas per Square Meter" or (cd/m<sup>2</sup>) when measured from the signs face at its maximum brightness, during daylight hours. The maximum brightness levels for Digital Signs shall not exceed 500 nits or "Candelas per Square Meter" or (cd/m<sup>2</sup>) when measured from the signs face at its maximum brightness, between sunset and sunrise, as those times are determined by the National Weather Service for the location of the sign.

(h) Brightness of digital signs shall be measured as follows:

(1) At least 30 minutes following sunset, a foot-candle meter shall be used to obtain an ambient light reading for the location. This is done while the sign is off or displaying black copy. The reading shall be made with the meter aimed directly at the sign area at the pre-set location.

(2) The sign shall then be turned on to full white copy to take another reading with the meter at the same location.

(3) If the difference between readings is 0.2 foot candles or less, the brightness is properly adjusted.

**Section Nine – Partial Invalidity:**

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

Section Ten –

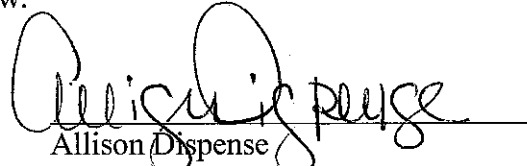
In the event of conflict between existing provisions and this law, the provisions of this law shall prevail. Inconsistent provisions of existing law are deemed repealed.

Section Eleven – Effective Date:

This Local Law shall be effective immediately upon filing with the Secretary of State.

1. I hereby certify that the local law annexed hereto, designated as local law No. <sup>2</sup> of 2018 of the Town of Pomfret was duly passed by the Town Board of the Town of Pomfret on Aug 8, 2018, in accordance with the applicable provisions of law.

(Seal)

  
Allison Dispense  
Town Clerk of the Town of Pomfret

Date: Aug 8, 2018