

# Article 9. Signs

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## 9.1 GENERAL

All new, reconstructed, altered, or relocated signs must comply with the standards of this section.

### 9.1.1 Sign Permit

- A.** All sign types described in Sections 9.2 and 9.3 require a sign permit per Section 11.3.9 before they may be constructed, reconstructed, altered, or relocated. Signs described in Section 9.4 do not require a sign permit, but must follow applicable standards.
- B.** The following alteration and maintenance activities do not require a sign permit:
  - 1.** Painting, cleaning, or other normal maintenance and repair of a sign, provided that no change is made to any structural or electronic component of the sign.
  - 2.** Changing permitted items of information, the message of an existing changeable or electronic message component of a sign, or the sign face within an existing sign structure, provided that no change is made to any structural or electronic component of the sign.
- C.** Any sign that encroaches upon or over a public right-of-way requires an encroachment permit per Section 11.4.1.

### 9.1.2 Location

- A.** Each sign, with the exception of off-premise signs erected in conformance with Section 9.3, must be located on the same site as the subject of the sign.
- B.** A sign may be erected on private property only with the written permission of the property owner.
- C.** No sign, other than signs placed by agencies of government with appropriate jurisdiction, or a sign whose placement is authorized by such agencies, may be erected or placed on public property.
- D.** No sign may be installed in a way that obstructs free and clear vision, or free use, of any public right-of-way, intersection, ingress or egress point,

transit stop, parking space, drive aisle, driveway, building entrance, fire escape, standpipe, or accessibility ramp.

- E.** No sign may be placed so as to obstruct any window or door, with the exception of window signs per Section 9.4.1.X.
- F.** Signs must not be located so that they cover architectural features of the building, including, but not limited to, transoms, insignias, or any other architectural feature.

### 9.1.3 Construction

All signs must be erected in compliance with building, electrical, and fire codes, and with the following requirements as applicable:

- A.** Supports and braces must be designed as an integral part of the overall sign structure and hidden from public view to the extent technically feasible.
- B.** All signs attached to a building must be installed and maintained so that wall penetrations are watertight and do not exceed allowable stresses of supporting materials.
- C.** When a building-mounted sign is removed, the wall must be repaired and restored to its original condition prior to sign installation.
- D.** All signs and their supporting structures must be enclosed so as to prevent inhabitation by birds, rodents, insects, and other wildlife.
- E.** All signs must be designed and constructed to withstand wind loads, dead loads, and snow loads as required by the New York State Fire Prevention and Building Code.
- F.** Materials for signs must be durable and capable of withstanding weathering over the life of the sign with reasonable maintenance. Glass forming any part of a sign, with the exception of exposed lamps, must be safety glass.
- G.** Signs constructed of fabric or fabric-like material must be held taut within frames. This requirement does not apply to exempt signs per Section 9.4.

- H. Audio components are prohibited as part of any sign, with the exception of drive-through menu boards per Section 9.4.1.L.
  - I. If a raceway is necessary, it must not extend in width or height beyond the area of the sign. A raceway must be finished to match the background surface to which it is attached, or integrated into the overall design of the sign.
  - J. Conduits and other electrical components must be designed as an integral part of the overall sign structure and hidden from view to the extent technically feasible. Visible transformers are prohibited.
  - K. All electrical fixtures, devices, circuits, conduits, raceways, or any apparatus used to illuminate any sign must be installed and maintained in compliance with the National Electric Code (NEC). A Nationally Recognized Testing Laboratory (NRTL) listing label number must be provided for any sign with electrical components.
- 2. If a sign advertises products or services, each product or service, including multi-word, is considered one item of information. Where multiple products are identified on a menu board or sidewalk sign, the list of products is considered one item of information.
  - 3. A sign used to identify the tenants within a multi-tenant, non-residential development is limited to one item of information per tenant within the development, in addition to the name and address of the development. Therefore, such signs may exceed six items of information.
  - 4. The message area of a changeable or electronic message display, on which information is changed manually or digitally, is counted as one item of information.
  - 5. The items of information limitation does not apply to heritage signs per Section 9.1.7 or exempt signs per Section 9.4.

#### 9.1.4 Sign Copy

- A. **On-Premise Copy.** All sign copy must relate only to the name or nature of the business or establishment on the site. This does not apply to non-commercial messages or permitted off-premise signs.
- B. **Street Address.** The Commissioner of Permit and Inspection Services may require a sign to include the street address number of the site, where it is determined that public safety and emergency vehicle response would be more effectively served.
- C. **Items of Information.** Items of information are limited to six items per sign face. Items of information are calculated as follows:
  - 1. Each piece of information on a sign is defined as an item of information. For example, each of the following is defined as one item of information: establishment name, logo, telephone number, website address, or product or service. A street address number, if included in the sign copy, is not counted as an item of information.

#### 9.1.5 Illumination

- A. Table 9A: Sign Illumination identifies the type of sign illumination allowed by zone. The key for the sign illumination table is as follows:
  - 1. Permitted (●) indicates that the type of sign illumination is permitted by right in the zone.
  - 2. Special Use (◐) indicates that the type of sign illumination requires a special use permit.
  - 3. If a cell is blank, this indicates that the type of sign illumination is not permitted in the zone.
- B. Each type of sign illumination must comply with the following standards:
  - 1. **External Illumination**
    - a. An externally illuminated sign is characterized by the use of artificial light reflecting off its surface.
    - b. External light sources intended to illuminate the sign face must be fully shielded and placed close to, and directed upon, the sign face.

TABLE 9A: SIGN ILLUMINATION

	N-1D	N-1C	N-1S	N-2C	N-2E	N-2R	N-3C	N-3E	N-3R	N-4-30	N-4-50	D-R	D-M	D-E	D-S	D-C	D-IL	D-IH	D-OS	D-OG	D-ON	C-R	
External Illumination	●	●	●	●	●		●	●				●	●	●	●	●	●	●	●	●			●
Internal Illumination	●	●	●	●	●		●	●					●	●	●	●	●	●	●				
Direct Illumination	●	●	●	●	●		●	●					●	●	●	●	●	●	●				
Electronic Message Center (EMC) <sup>1</sup>	◐	◐	◐									◐	◐	●	●	●	●	●					

1. A civic use may install a sign with an EMC in any zone, except for the N-2R, N-3R, N-4-30, N-4-50, D-OS, D-OG, or D-ON zone, with a special use permit.

- c.** Any light sources intended to illuminate surfaces behind a sign to produce a halo effect must be fully concealed from view.
- 2. Internal Illumination**
- a.** An internally illuminated sign is characterized by the use of artificial light projecting through its surface.
  - b.** Internal illumination is limited to letters, numbers, symbols, and accents. No more than 50% of the total sign area may be internally illuminated, measured by the smallest rectangles that can fully enclose the internally illuminated elements. The remaining area of the sign face must remain opaque. This limitation does not apply to the D-M, D-E, D-S, D-C, D-IL, and D-IH zones, where any percentage of the sign face may be internally illuminated.
  - c.** All lamps intended for internal illumination must be fully concealed from view.
- 3. Direct Illumination**
- a.** A directly illuminated sign is characterized by the use of exposed lamps, such as neon tubes or incandescent bulbs, that have no shielding and are visible to the eye.
  - b.** Direct illumination is limited to letters, numbers, symbols, and accents.
  - c.** In only the N-1D, N-1C, N-1S, N-2C, N-3C, D-S, D-C, D-IL, and D-IH zones, exposed lamps may be animated to create an effect of patterned illusionary movement, so long as the alternate or sequential activation of illuminated elements occurs on a cycle that exceeds two seconds. No more than one such sign is permitted per establishment.
- 4. Electronic Message Centers (EMC)**
- a.** An electronic message center (EMC) is an electrically activated display whose variable message and/or graphic presentation capability can be electronically programmed.
  - b.** Each electronic message that is displayed must be static and depicted for a minimum of five minutes before changing. Any change in an electronic message must be instantaneous, without scrolling, fading in, dropping in, or similar moving copy changes. The following are exceptions to these restrictions:
    - i.** A building-mounted sign in an N-1D, N-1C, or N-1S zone that conveys time, temperature, stock market quotations, or other information of a

noncommercial nature is exempt from these restrictions, provided that the sign does not exceed 18 inches in projection from the building wall.

- ii. Each electronic message that is displayed on an off-premise sign must be static and depicted for a minimum of eight seconds before changing. Any scrolling, fading in, dropping in, or similar moving copy changes are prohibited.
- c. No sign that displays electronic messages may be located within 200 feet of any N-2R, N-3R, N-4-30, N-4-50, D-OG, D-ON, or C-W zone.
- d. Any electronic message sign that is malfunctioning must be turned off.

#### C. Light Intensity

1. The luminance of any sign must not exceed 5,000 nits during daylight hours, and 280 nits between dusk and dawn. Dusk and dawn are defined as, respectively, the time starting at one-half hour before apparent sunset, as determined by the National Oceanic and Atmospheric Administration (NOAA), for Buffalo for the particular date; and the time starting at one-half hour after apparent sunrise, as determined by the NOAA, for Buffalo for the particular date.
2. A sign that is designed to emit a luminance level exceeding 280 nits must have an automatic dimmer control that produces a distinct illumination change from a higher to a lower level for the time period between dusk and dawn.

#### D. Public Safety

1. No direct or reflected light from the primary light source of a sign may create hazards for pedestrians, cyclists, or operators of motor vehicles.
2. Colored light must not be used at a location

or in a manner so as to be confused with or construed as traffic control devices.

3. Blinking, flashing, fluttering, strobe-light effects, and streaming video are prohibited, except in the Theatre District per Section 9.1.11.

#### 9.1.6 Maintenance

- A. Signs and sign structures, together with their supports, braces, guy wires, anchors, and electrical components, must be maintained in a proper state of repair. Any damage to or deterioration of a sign must be repaired immediately or within 30 days of receipt of notice from the Commissioner of Permit and Inspection Services.
- B. When an existing sign is removed, replaced, or repaired, all brackets, poles, wiring, and other supporting hardware that are no longer required must be removed, and any surfaces to which the sign may have been attached must be repaired or painted, immediately or within 30 days of receipt of notice from the Commissioner of Permit and Inspection Services.
- C. All signs integral to a structure and announcing the building's original or historic name, year of construction, or architect, or containing identifying insignias, must be maintained, and may not be removed, altered, or covered. In cases where the original sign is in too poor of condition to repair or reuse, close replication of the original sign with a new sign is encouraged.
- D. Where a sign is totally or partially illegible, where sign copy has been removed, or when an establishment to which the sign pertains has been discontinued for three or more months, the sign must be repaired, reused, or removed immediately or within 30 days of receipt of notice from the Commissioner of Permit and Inspection Services. If the property owner fails to repair, reuse, or remove the sign within the timeframe established by the Commissioner of Permit and Inspection Services, the sign may be removed by the City at the property owner's expense.

- E. If a sign is in an unsafe or non-secure condition, the sign must be repaired or removed immediately or within three days of receipt of notice from the Commissioner of Permit and Inspection Services. The Commissioner of Permit and Inspection Services may remove any sign that is an immediate peril to persons or property summarily, without notice, and at the property owner's expense.

**9.1.7 Heritage Signs**

- A. A sign having historical significance, and which advertises an establishment or product no longer in existence or a product no longer being offered on the site, may be designated a heritage sign. A heritage sign may be maintained, repaired, reconstructed, and/or relocated, so long as no new items of information, sign features, or sign area are added to the sign.
- B. In order for a sign to be designated a heritage sign, the Preservation Board must make written findings that the sign is at least 25 years old, or is an exact replica of an original sign where the combined age of the duplicate and original signs is at least 25 years, and meets at least one of the following criteria:
  1. The sign has historic character, interest, or value as part of the development, heritage, or cultural characteristics of the City.
  2. The sign is significant as evidence of the history of the product, business, or service advertised.
  3. The sign embodies elements of design, detailing, materials, or craftsmanship that make it significant or innovative.
  4. The sign has a unique location or contains singular physical characteristics that make it an established or familiar visual feature within the City.
- C. The Commissioner of Permit and Inspection Services must maintain and make available a list of designated heritage signs.

**9.1.8 Prohibited Signs**

The below listed signs, as well as any sign type not expressly allowed by this Ordinance, are prohibited:

- A. Abandoned or illegally erected signs.
- B. Mechanically activated signs, other than barber poles and clocks.
- C. Signs or devices motivated by wind, thermal changes, or other environmental input, such as spinners, pinwheels, balloons, air-inflated signs, or other devices or displays that respond to naturally or artificially induced external motivation, except for flags erected in conformance with Section 9.4.1.G.
- D. Signs on motor vehicles that are inoperable, do not display a current vehicle inspection sticker or license plate, are not principally used as a mode of transportation for business purposes, and/or are conspicuously parked or located on a lot for more than 24 hours to advertise a product or service, or to direct the public to a business or activity located on or off the premises.
- E. Signs that are burned, cut, painted, pasted, or otherwise marked on or affixed to a rock, tree, standpipe, fire escape, utility pole, trash receptacle, bench, or any other unapproved structure or surface.
- F. Signs painted directly on a building, except for heritage signs per Section 9.1.7 and supplemental wall signs per Section 9.2.13.
- G. Signs that simulate in color, size, or design, any traffic control sign or signal, or that make use of words, symbols, or characters in a manner that may interfere with, mislead, or confuse pedestrian, cyclist, or vehicular traffic.
- H. Temporary off-premise signs.

**9.1.9 Nonconforming Signs**

A nonconforming sign that was lawfully established and maintained in compliance with the provisions of all applicable laws in effect at the time of original installation, but that does not now comply with the provisions of this Ordinance, may

be repaired, altered, or relocated in accordance with Section 12.1.5.

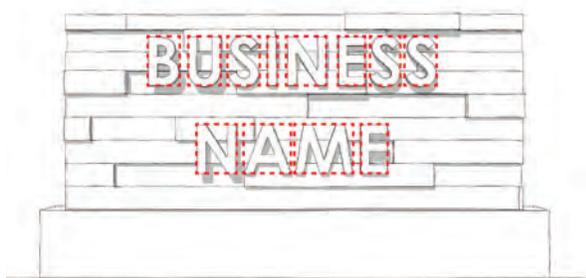
**9.1.10 Sign Measurement**

**A. Sign Area.** Sign area is measured as the total area of a sign, as follows:

1. For signs on a background, the entire area of the framework or background of the sign is calculated as sign area, including any material or color forming the sign face or background used to differentiate the sign from the structure against which it is placed.



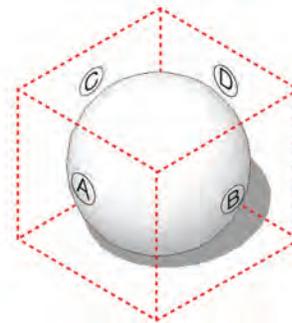
2. For signs consisting of freestanding letters or features, the sign area is calculated as the total area of each rectangle that encompasses each individual letter or feature. Sign area does not include any supporting framework or bracing, unless such framework or bracing is part of the message or sign face.



3. Window signs printed on a transparent film and affixed to the interior or exterior of a windowpane are calculated as individual letters or features, provided that the portion of the film around the individual letters or features is fully transparent.

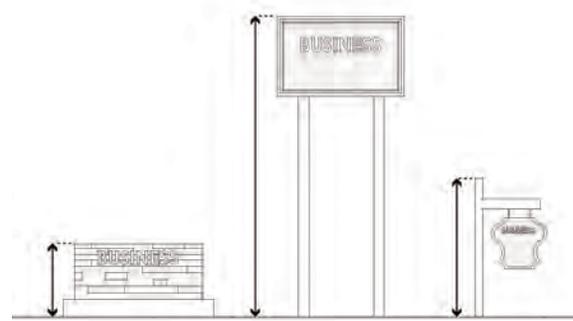


4. The sign area of a three-dimensional, free-form or sculptural (non-planar) sign is calculated as 50% of the sum of the area of the four vertical sides of the smallest cube that will encompass the sign.



5. If a sign has two or more faces, the area of all faces is included in determining the area of the sign, unless the two sign faces are placed back to back and are no more than two feet apart. In such case, the sign area is calculated as the area of one face. If the two faces are unequal in area, the area of the larger face is used to calculate sign area.

**B. Sign Height.** Sign height is measured as the vertical distance from the base of a sign or sign structure, to the highest point of the sign or sign structure.



- C. **Vertical Clearance.** For signs attached to a structure, vertical clearance is measured as the vertical distance from the sidewalk level to the lowest point of the sign.



### 9.1.11 Theatre Historic District Special Standards

Any new, reconstructed, altered, or relocated sign in the Theatre Historic District must comply with the below standards. These standards are established to preserve, protect, and enhance the character of the Theatre Historic District as a cultural, theatrical, and entertainment showcase. Except as modified by express provisions of this section, any other regulations of this Ordinance remain in effect.

- A. An on-premise sign may be erected in the Theatre Historic District of any area or height, regardless of any contrary provisions of this Ordinance.
- B. All signs, with the exception of exempt signs per Section 9.4, must be illuminated by means of internal illumination, direct illumination, an electronic message center (EMC), or combination thereof. Such signs must at minimum remain lit from dusk until 1:00 a.m. daily.
- C. Signs which are in excess of 35 square feet in area, and located at a height of eight feet or more above curb level, must have a minimum of 20% of its surface area continuously electrically animated either by means of flashing borders, writing, pictorial representations, emblems, or other figures of similar character, or by means of a flashing surface area serving as a sign background. Such signs are exempt from standards regarding dwell time described in Section 9.1.5.B.

## 9.2 ON-PREMISE SIGNS

An on-premise sign is a sign erected, maintained, or used for the purpose of the display of messages relating to the use of, products sold on, or the sale or lease of, the property on which it is displayed.

### 9.2.1 Sign Types

- A. **Table 9B: Sign Types** identifies on-premise signs allowed by zone, with cross-references to definitions and standards that apply. The key for the sign types table is as follows:
  - 1. Permitted (●) indicates that the sign type is permitted by right in the zone.
  - 2. If a cell is blank, this indicates that the sign type is not permitted in the zone.
- B. **Number of Signs.** A maximum of two on-premise signs per establishment is permitted per right-of-way frontage, subject to the following additional considerations:
  - 1. Heritage signs, sidewalk signs, and exempt signs do not count toward the maximum number of permitted on-premise signs.
  - 2. An on-premise sign advertising multiple tenants is calculated toward the maximum number of signs per establishment per right-of-way frontage for each tenant that is identified in the multiple tenant sign.
- C. **Total Sign Area.** The total area of on-premise signs that are installed per establishment per right-of-way frontage may not exceed the maximum allowed in the zone per Table 9C: Total Sign Area, subject to the following additional considerations:
  - 1. The area of heritage signs, sidewalk signs, and exempt signs is not counted toward the total on-premise sign area.
  - 2. When an on-premise roof sign or skyline sign is installed, an additional 10% of maximum sign area per additional story above the first ten stories is allocated.
  - 3. An on-premise sign positioned at a right-of-way intersection and intended to be viewed from both rights-of-way will count half its sign area toward the maximum permitted sign area for each right-of-way frontage; for example, a 12 square foot blade sign

TABLE 9B: SIGN TYPES

	N-1D	N-1C	N-1S	N-2C	N-2E	N-2R	N-3C	N-3E	N-3R	N-4-30	N-4-50	D-R	D-M	D-E	D-S	D-C	D-IL	D-IH	D-OS	D-OG	D-ON	C-R	DEFINITIONS/ STANDARDS	
Awning Sign <sup>1/2</sup>	●	●	●	●	●		●	●				●	●	●	●	●	●	●	●	●	●	●	●	Section 9.2.2
Blade Sign <sup>2</sup>	●	●	●	●	●		●	●				●	●	●	●	●	●	●	●	●	●	●	●	Section 9.2.3
Canopy Sign <sup>1/2</sup>	●	●	●	●	●		●	●				●	●	●	●	●	●	●	●	●	●	●	●	Section 9.2.4
Iconic Sign <sup>2</sup>	●	●	●	●	●		●	●				●	●	●	●	●	●	●	●	●	●	●	●	Section 9.2.5
Marquee Sign	●	●	●	●			●						●	●	●	●	●	●					●	Section 9.2.6
Monument Sign <sup>1</sup>	●	●	●	●	●		●	●				●	●	●	●	●	●	●	●	●	●	●	●	Section 9.2.7
Pole Sign			●										●	●	●	●	●	●					●	Section 9.2.8
Porch Sign	●	●	●	●	●		●	●				●	●	●					●	●	●	●	●	Section 9.2.9
Roof Sign	●	●	●	●			●						●	●	●	●	●	●	●				●	Section 9.2.10
Sidewalk Sign <sup>1/2</sup>	●	●	●	●	●		●	●				●	●	●	●	●	●	●	●	●	●	●	●	Section 9.2.11
Skyline Sign	●	●	●										●	●			●	●						Section 9.2.12
Wall Sign <sup>1/2</sup>	●	●	●	●	●		●	●				●	●	●	●	●	●	●	●	●	●	●	●	Section 9.2.13
Yard Sign <sup>1</sup>	●	●	●	●	●		●	●				●	●	●	●	●	●	●	●	●	●	●	●	Section 9.2.14

1. A civic use may install an awning sign, canopy sign, monument sign, sidewalk sign, wall sign, or yard sign on any lot in the N-2R, N-3R, N-4-30, and N-4-50 zones, subject to the additional requirements of this article.

2. A duly approved or legal nonconforming commercial establishment may install an awning sign, blade sign, canopy sign, iconic sign, porch sign, sidewalk sign, or wall sign in the N-2R or N-3R zone, subject to the additional requirements of this article.

installed at an angle on the corner of a building, and intended to be viewed from two rights-of-way, will have six square feet counted toward the maximum permitted area for each right-of-way frontage.

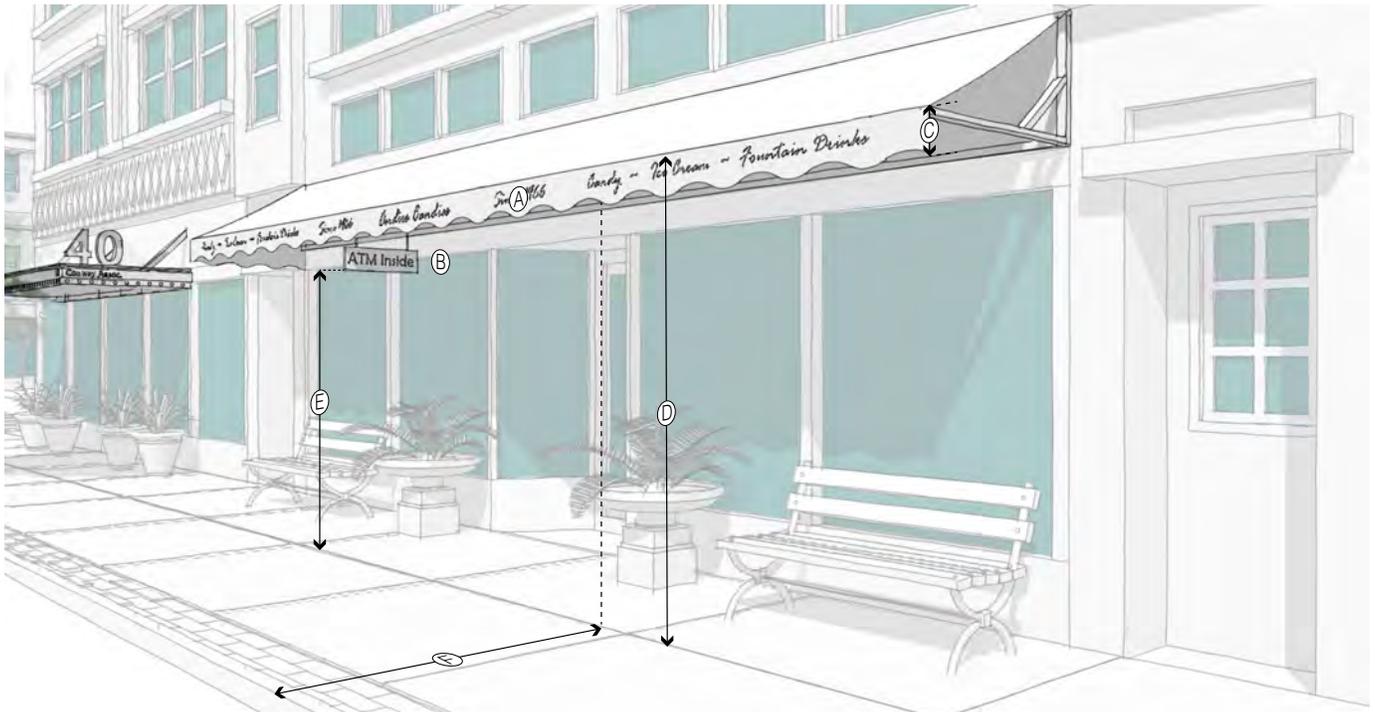
4. The area of an on-premise sign advertising multiple tenants is calculated the same as a sign that advertises only one establishment. The area devoted to an individual establishment in a multiple tenant sign is counted toward the total sign area allocated for the establishment.
5. The area of an on-premise sign may not exceed 35 square feet when such sign is located within 150 feet of an N-2C, N-2E, N-2R, N-3C, N-3E N-3R, N-4-30, N-4-50, D-R, D-OG, or D-ON zone, regardless of the zone in which the sign is located.

6. A civic use may install signs totaling a maximum of 35 square feet of sign area per right-of-way frontage in the N-2R, N-3R, N-4-30, N-4-50, D-R, D-OG, or D-ON zones.

TABLE 9C: TOTAL SIGN AREA

ZONE	TOTAL SIGN AREA PER ESTABLISHMENT PER ROW FRONTAGE
N-1D, N-1C, N-1S	175 SF
N-2C, N-2E, N-3C, N-3E, D-OS, C-R	35 SF
N-2R, N-3R, N-4-30, N-4-50, D-R, D-OG, D-ON	12 SF
D-M, D-E, D-S, D-C	200 SF
D-IL, D-IH	350 SF

## 9.2.2 Awning Sign



### Description

An awning sign is a sign printed on any of the surfaces of an awning, and which may include an under-awning sign attached to and mounted under the awning.

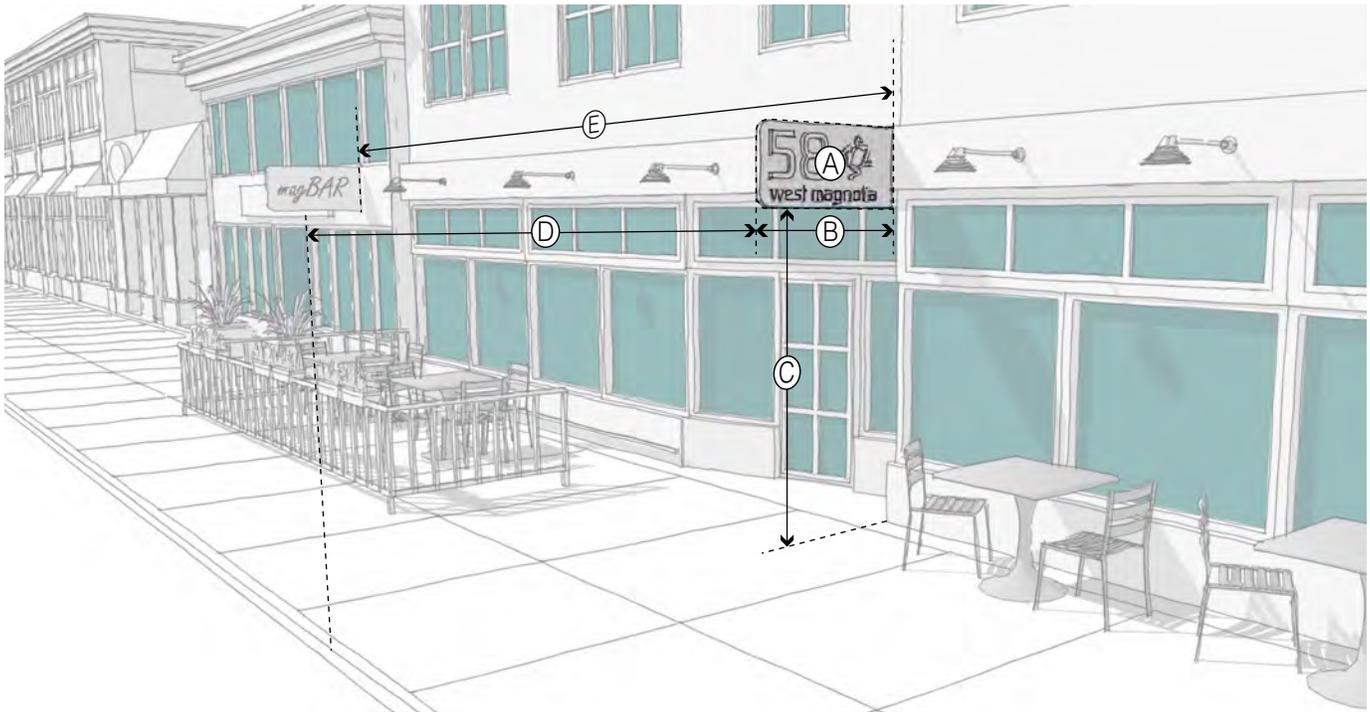
### Dimensions

(A)	Area, awning sign (max)	25% of each awning surface
(B)	Area, under-awning sign (max)	4 SF
(C)	Valance height (max)	0.5'
(D)	Vertical clearance from sidewalk level, awning sign, not including valance (min)	7.5'
(E)	Vertical clearance from sidewalk level, under-awning sign (min)	7'
(F)	Setback from curb line (min)	18"

### Specific Standards

1. A maximum of one awning sign is permitted per awning surface. Only awnings on the ground story may contain signs.
2. Internally illuminated or back-lit awning signs are prohibited, except in the D-S, D-C, D-IL, and D-IH zones.
3. A maximum of one under-awning sign is permitted per establishment with a ground-floor main entrance. An under-awning sign must be securely fixed to the underside of the awning with metal attachments, may not project beyond the awning, and may not be illuminated.

## 9.2.3 Blade Sign



### Description

A blade sign is a two-sided sign that projects outward from the exterior wall of a structure.

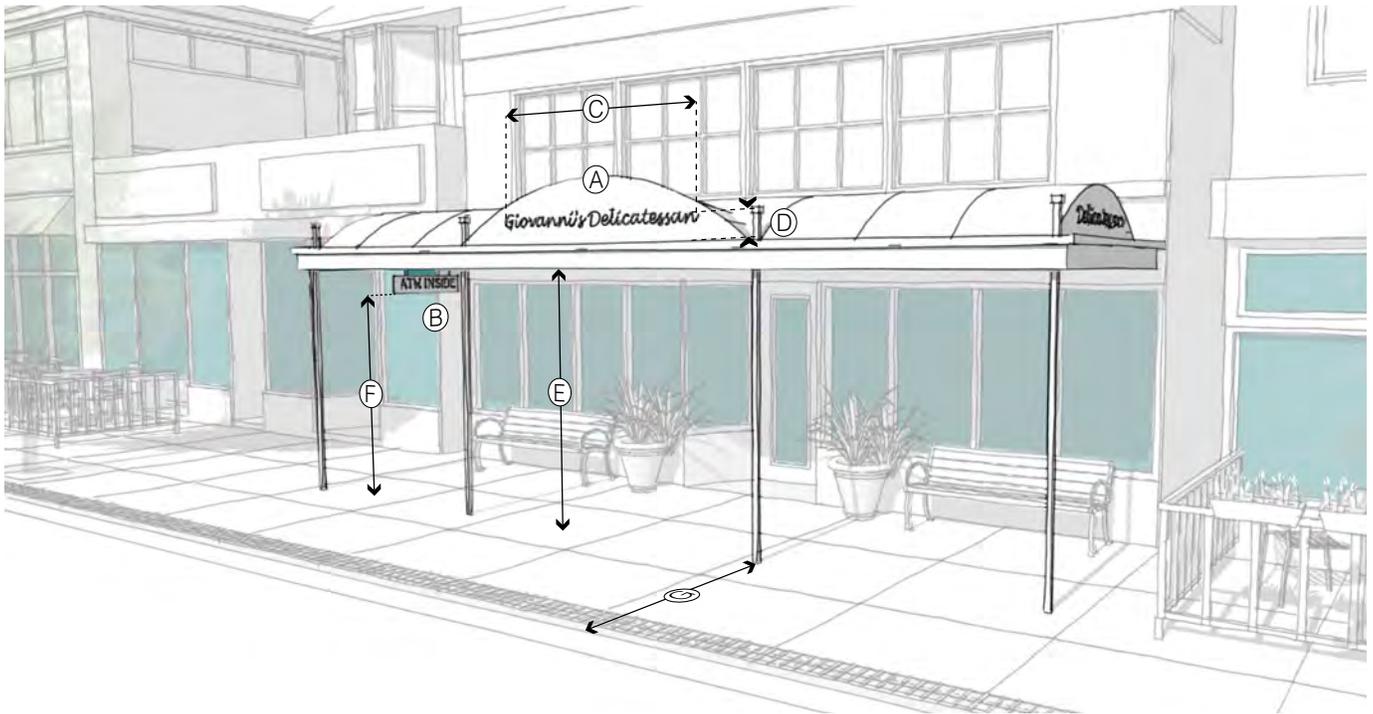
### Dimensions

Ⓐ	Area (max per side)	Refer to Table 9C
Ⓑ	Projection from wall (max, including supports)	
	N-1D, N-1C, N-1S, D-M, D-E, D-S, D-C, D-IL, D-IH	8'
	All other zones where permitted	5'
Ⓒ	Vertical clearance from sidewalk level (min)	7.5'
Ⓓ	Setback from curb line (min)	18"
Ⓔ	Distance between blade signs (min)	15'

### Specific Standards

1. A maximum of one blade sign is permitted per establishment per right-of-way frontage. Only establishments with a ground-floor main entrance may have a blade sign.
2. The base of a blade sign must be placed below the finished level of the second story or, in the case of a one-story building, at least two feet below the highest peak of the roof. No portion of a blade sign may extend more than ten feet above the roof line or parapet wall of a building with a flat roof, or more than ten feet above the lower eave of a building with a pitched roof.
3. A blade sign which is suspended to allow the sign to swing due to wind action may not exceed six square feet in area.

## 9.2.4 Canopy Sign



### Description

A canopy sign is a sign attached above, below, or to the face of a canopy, and which may include an under-canopy sign attached to and mounted under the canopy.

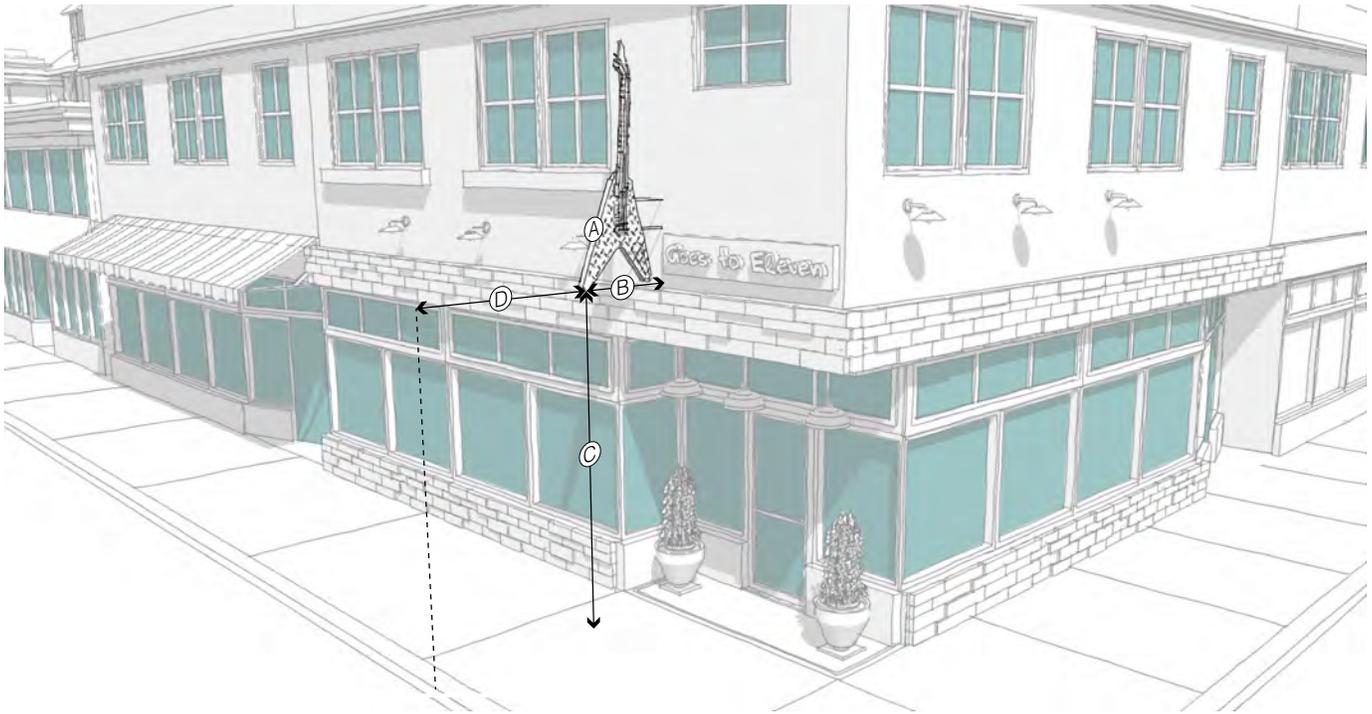
### Specific Standards

1. A maximum of one canopy sign is permitted per establishment per right-of-way frontage.
2. A maximum of one under-canopy sign is permitted per establishment with a ground-floor main entrance. An under-canopy sign must be securely fixed to the underside of the canopy with metal attachments, may not project beyond the canopy, and may not be illuminated.

### Dimensions

(A)	Area, canopy sign (max)	25% of each canopy surface
(B)	Area, under-canopy sign (max)	4 SF
(C)	Letter/number/logo width above canopy (max)	75% of canopy width
(D)	Letter/number/logo height above canopy (max)	2'
(E)	Vertical clearance from sidewalk level, canopy sign (min)	7.5'
(F)	Vertical clearance from sidewalk level, under-canopy sign (min)	7'
(G)	Setback from curb line (min)	18"

## 9.2.5 Iconic Sign



### Description

An iconic sign is a sculptural, typically three-dimensional sign whose form suggests its meaning, and which can either be building-mounted or freestanding.

### Dimensions

(A)	Area (max per side)	Refer to Table 9C
(B)	Projection from wall (max, including supports)	5'
(C)	Vertical clearance from sidewalk level (min)	7.5'
(D)	Setback from curb line (min)	18"

### Specific Standards

1. A maximum of one iconic sign is permitted per establishment.
2. An iconic sign may contain only iconographical elements representing a product or service offered on site, and may not contain any other items of information.

## 9.2.6 Marquee Sign



### Description

A marquee sign is a sign attached to the top or the face of a permanent roof-like structure constructed over a ground-floor main entrance.

### Dimensions

(A)	Area (max)	Refer to Table 9C
(B)	Vertical clearance from sidewalk level (min/max)	12'
(C)	Setback from curb line (min)	18"

### Specific Standards

1. A maximum of one marquee sign is permitted per building. Only the following types of establishments may erect a marquee sign: assembly, large or small; cultural facility; school, college/university; hotel/hostel; amusement facility, indoor or outdoor; or live entertainment.
2. A marquee may be erected over a main entrance only, and may be no wider than the entrance over which it is erected, plus five feet on each side.
3. A marquee sign must be supported solely by the building to which it is attached. No exterior columns or posts are permitted as supports.

## 9.2.7 Monument Sign



### Description

A monument sign is a freestanding sign attached to a pedestal or perimeter wall.

### Dimensions

Ⓐ	Area (max)	Refer to Table 9C
Ⓑ	Height (max)	
	N-1D, N-1C, N-1S, D-M, D-E, D-S, D-C, D-IL, D-IH	10'
	All other zones where permitted	5'

### Specific Standards

1. A maximum of one monument sign is permitted per site per right-of-way frontage. A monument sign may be erected only on a site where the building is set back a minimum of 15 feet from the lot line.
2. An establishment may erect a monument sign along a right-of-way frontage only in lieu of a pole or yard sign.
3. No part of a monument sign may encroach upon a public right-of-way.
4. The sign must be attached to a pedestal that is integral to the sign structure, or be integral with a perimeter wall.
5. The width of the top of the sign structure may be no more than 125% of the width of the pedestal. If attached to a perimeter wall, the sign may not exceed 75% of the width of the face of the perimeter wall.

## 9.2.8 Pole Sign



### Description

A pole sign is a freestanding sign constructed on a structure of one or more poles.

### Dimensions

(A)	Area (max)	Refer to Table 9C
(B)	Height (max, including pole)	15'
(C)	Vertical clearance from ground level (min/max)	7.5'

### Specific Standards

1. A maximum of one pole sign is permitted per site per right-of-way frontage. A pole sign may be erected only on a site where the building is set back a minimum of 15 feet from the lot line.
2. An establishment may erect a pole sign along a right-of-way frontage only in lieu of a monument or yard sign.
3. No part of a pole sign may encroach upon a public right-of-way or overhang a drive aisle, parking space, or walkway.

## 9.2.9 Porch Sign



### Description

A porch sign is a sign that is hung from the porch of a building and intended to be viewed from the sidewalk at close range.

### Specific Standards

1. A maximum of one porch sign is permitted per establishment per right-of-way frontage.

### Dimensions

(A)	Area (max per side)	12 SF
(B)	Width (max)	8'
(C)	Height (max, not including supports)	1.5'
(D)	Vertical clearance from porch floor (min)	7'

## 9.2.10 Roof Sign



### Description

A roof sign is a sign mounted on, and wholly supported by, the roof of a building.

### Dimensions

Ⓐ	Area (max)	Refer to Table 9C
Ⓑ	Width (max)	75% of roof level width
Ⓒ	Height (max, including supports)	
	N-1D, N-1C, N-1S, D-M, D-E, D-S, D-C, D-IL, D-IH	15'
	All other zones where permitted	7.5'

### Specific Standards

1. A maximum of one roof sign is permitted per building. A roof sign may be installed only on a flat roof.
2. If a roof sign is erected on a building, a skyline sign is prohibited.
3. Roof signs must be safely and securely attached to the roof structure and must not interfere with any roof access points.

## 9.2.11 Sidewalk Sign



### Description

A sidewalk sign is a two-sided, portable sign that is placed outside of an establishment, constructed in the form of an “A” or similar tent-like shape, or attached to a post with a heavy base, and intended to be viewed from the sidewalk at close range.

### Dimensions

(A)	Area (max per side)	10 SF
(B)	Height (min/max, total from sidewalk level)	3’/4’
(C)	Setback from curb line (min)	18”
(D)	Distance between sidewalk signs (min)	15’
(E)	Distance from main entrance (max)	15’

### Specific Standards

1. A maximum of one sidewalk sign is permitted per establishment per right-of-way frontage.
2. A sidewalk sign may be placed outdoors on the premises or a public sidewalk during business hours only, and must be stored indoors at all other times. The sign must not interfere with ingress and egress points and must maintain a minimum of five feet of sidewalk clearance at all times. The sign must be located within the frontage zone or furnishing zone of the sidewalk, per Section 10.2.2.B.
3. A sidewalk sign must be vertically oriented, with a height greater than its width.
4. A sidewalk sign may not be illuminated or contain any electronic components.
5. A sidewalk sign may not be placed outdoors when high winds, heavy rain, or heavy snow conditions are present. The Department of Public Works, Parks, and Streets may remove a sidewalk sign during snow removal operations, and is not liable for damage to a sidewalk sign caused by snow removal operations.

## 9.2.12 Skyline Sign



### Description

A sign attached flat to or mounted away from, but parallel to, the building facade, and located on the upper band of the building.

### Dimensions

(A)	Area (max)	Refer to Table 9C
(B)	Width (max)	75% of facade width
(C)	Height (max)	15'
(D)	Projection from wall (max)	5'

### Specific Standards

1. A maximum of one skyline sign is permitted per right-of-way frontage.
2. If a skyline sign is erected along a right-of-way frontage, a roof sign is prohibited.
3. No portion of a skyline sign may extend above the roofline or parapet wall of a building with a flat roof or, in the case of a building with a pitched roof, above the lower eave.

## 9.2.13 Wall Sign



### Description

A wall sign is a sign that is attached flat to or mounted away from, but parallel to, any exterior wall of a structure.

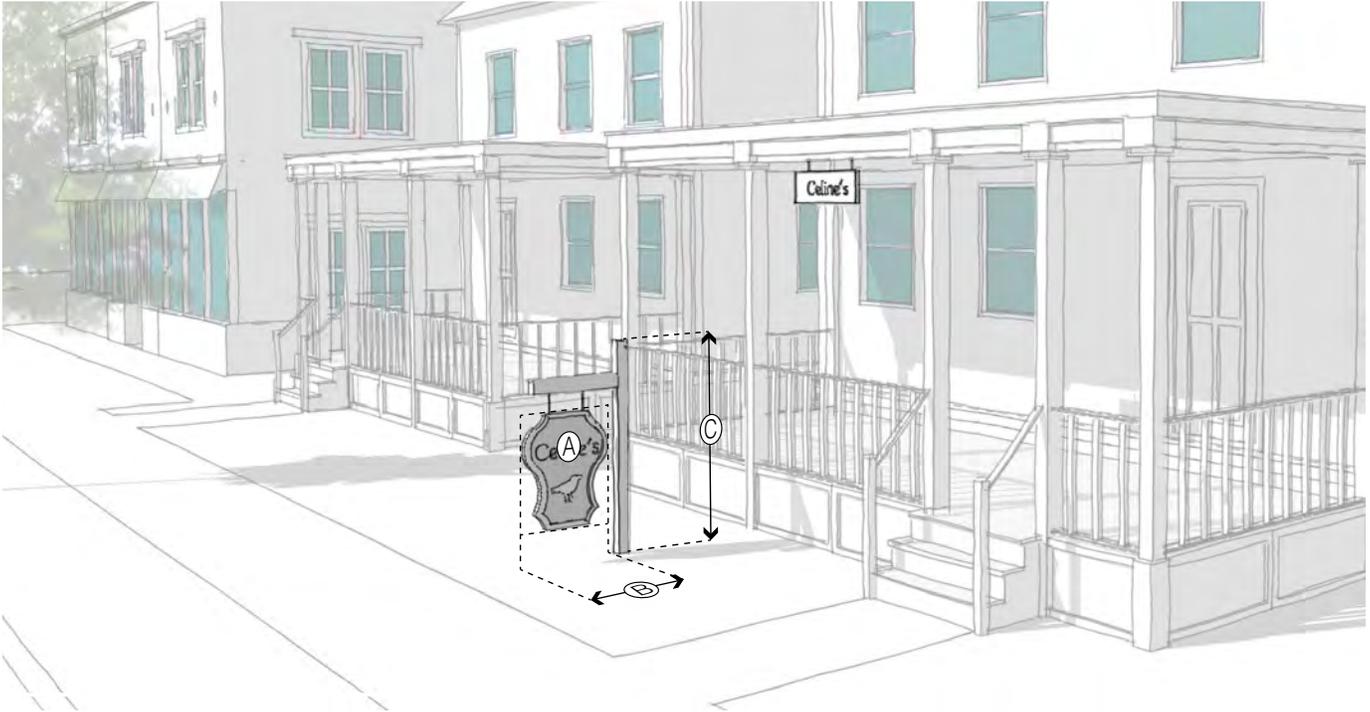
### Dimensions

(A)	Area (max per side)	Refer to Table 9C
(B)	Width (max)	90% of facade width
(C)	Projection from wall (max)	18"

### Specific Standards

1. A maximum of one wall sign is permitted per establishment per right-of-way frontage.
2. A maximum of one supplemental wall sign is allowed per building, as follows:
  - a. In the N-1S, D-IL, and D-IH zones, a supplemental wall sign is allowed on appurtenances, such as water towers or smokestacks, so long as the wall sign occupies no more than 50% of, and does not project from, the surface of the appurtenance.
  - b. In the N-1D, N-1C, N-1S, D-IL, and D-IH zones, a supplemental wall sign is allowed on an interior side or rear facade, or any other facade which faces an alley or passage. Such a wall sign may not project more than six inches from a facade and is limited to 300 square feet in area.
3. No wall sign may extend above the window sills of the second story, unless the establishment extends to the second story or above. No portion of a wall sign may extend above the roofline or parapet wall of a building with a flat roof, above the lower eave of a building with a pitched roof, or, in the case of a wall sign attached to an appurtenance, the highest point of the appurtenance.

## 9.2.14 Yard Sign



### Description

A yard sign is a two-sided sign that is located on either one or two posts within a front or corner side yard, and intended to be viewed along the sidewalk at close range.

### Dimensions

(A)	Area (max)	12 SF
(B)	Width (max, not including post)	4'
(C)	Height (max, including post)	5'

### Specific Standards

1. A maximum of one yard sign is permitted per site per right-of-way frontage.
2. An establishment may erect a yard sign along a right-of-way frontage only in lieu of a monument or pole sign.
3. No part of a yard sign may encroach upon a public right-of-way or overhang a drive aisle, parking space, or walkway.

## 9.3 OFF-PREMISE SIGNS

An off-premise sign is a permanent sign erected, maintained, or used for the purpose of the display of messages not related to the use of, products sold on, or the sale or lease of, the property on which it is displayed. A highway-oriented off-premise sign is an off-premise sign that is oriented to and within 660 feet of a highway.

### 9.3.1 Permitted Locations

**A.** Off-premise signs are permitted as follows:

1. An off-premise sign that is not oriented to a highway is permitted by right within the D-S, D-C, D-IL, and D-IH zones.
2. An off-premise sign that is not oriented to a highway is permitted only with a special use permit in the N-1C, N-1S, and N-3C zones, so long as it is building-mounted.
3. A highway-oriented off-premise sign is permitted within the N-1D, N-1C, N-1S, N-2C, N-2E, N-3C, N-3E, D-M, D-E, D-S, D-C, D-IL, and D-IH zones.

**B.** Off-premise signs are prohibited as follows:

1. An off-premise sign may not be located on any parcel within 200 feet of Hertel Avenue, between Delaware Avenue and Main Street.
2. An off-premise sign may not be located on any parcel within 200 feet of Seneca Street, between Spring Street and Smith Street.
3. An off-premise sign may not be located within 200 feet of any N-2R, N-3R, N-4-30, N-4-50, D-OG, or D-ON zone, where any of its sign faces are oriented to any such zone.
4. An off-premise sign may not be located in the C-W zone, except where the underlying zone is a D-IL or D-IH zone and where such off-premise signs are located at least 500 feet from the mean high water line of any water body.

**C.** Off-premise signs must be distanced as follows:

1. An off-premise sign that is not oriented to a highway must be located at least 500 feet from any other off-premise sign that is oriented to the same public right-of-way and the same direction of traffic.
2. A highway-oriented off-premise sign must be located at least 1,000 feet from any other off-premise sign that is oriented to the same highway and the same direction of traffic.

### 9.3.2 Dimensions

**A.** Off-premise signs are limited to a maximum sign area as follows:

1. An off-premise sign that is not oriented to a highway may be no more than 300 square feet in sign area per sign face, with the following exceptions:
  - a. An off-premise sign located in a D-IL or D-IH zone and at least 1,000 feet from an N-2R, N-3R, N-4-30, N-4-50, D-OG, or D-ON zone, may be no more than 672 square feet in area per sign face, plus an additional 20% of sign area for extensions or embellishments.
  - b. A building-mounted off-premise sign located in an N-1C or N-1S zone may be no more than 672 square feet in area per sign face, plus an additional 20% of sign area for extensions or embellishments, so long as it is positioned at least 30 feet above ground level and it is not oriented to and located within 500 feet of an N-2R, N-3R, N-4-30, N-4-50, D-OG, or D-ON zone.
    - i. This exception does not apply to off-premise signs located in the C-M zone, where such signs are limited to 300 square feet.
2. A highway-oriented off-premise may be no more than 672 square feet in area per sign face, plus an additional 20% of sign area for extensions or embellishments.

- B.** Off-premise signs are limited to a maximum sign height as follows:
  - 1.** An off-premise sign, including support structures, that is not oriented to a highway, may have a maximum overall height of 40 feet above ground level, except for building mounted off-premise signs, which may be no greater than 30 feet above the peak of the roof to which the off-premise sign is attached.
  - 2.** A highway-oriented off-premise sign may have a sign height of up to 30 feet above the roadbed crown measured at the centerline of the closest adjacent section of the highway.
- C.** Building-mounted off-premise signs are prohibited on a front facade of a building and must be positioned above the first story or on the roof of a building.
- D.** Off-premise signs may have a maximum of two sign faces, so long as the sign faces are positioned back-to-back.

## 9.4 EXEMPT SIGNS

### 9.4.1 Permanent Exempt Signs

The following permanent signs do not require a sign permit, but must still follow applicable requirements:

- A. Address Sign.** An address sign is a building-mounted sign that identifies the occupant and/or address of a structure.
  - 1.** A maximum of one address sign is permitted per building per right-of-way frontage.
  - 2.** An address sign may not exceed two square feet in area for a property with only a residential use or four square feet in area for a property with non-residential uses.
- B. Athletic Field Sign.** An athletic field sign is a sign that is incorporated into and designed as part of an athletic field, frequently attached to a scoreboard or outfield fence or wall, and is oriented toward the athletic field.
  - 1.** A scoreboard sign may contain an electronic message center (EMC), irrespective of the zone, but the EMC may be in operation only when the athletic facility is in use.
- C. ATM Sign.** An ATM is a sign that is incorporated into and designed as part of an automatic teller machine (ATM).
  - 1.** The advertisement upon the ATM sign must be limited to the term “ATM” and the name and logo of the financial institution rendering the ATM service.
- D. Building Directory Sign.** A building directory sign is a sign listing the names and locations of persons or establishments on the premises, and carrying no other advertising matter.
  - 1.** A maximum of one building directory sign is permitted per building per right-of-way frontage.
  - 2.** A building directory sign may not exceed 12 square feet in area.

- E. Building Identification Sign.** A building identification sign is a sign consisting of letters applied to the building wall, engraved into the building material, or consisting of a sculptural relief, and which contains the name of a building or describes its function, but which does not advertise any individual tenant of the building or any products or services offered.
- F. Community Bulletin Board.** A community bulletin board is a sign that is erected for the posting of temporary signs and contains no permanent advertising copy.
1. A maximum of one community bulletin board is allowed per site. In the case of a community bulletin board erected in a public right-of-way with an encroachment permit, no more than one such sign may be erected per block face.
  2. A bulletin board may not exceed 12 square feet in area. A sign posted to a bulletin board may not exceed two square feet in area.
- G. Flag.** A flag is a piece of cloth, usually rectangular, of distinctive color and design, used as a symbol, standard, signal, or emblem, and attached to a flagpole.
1. Failure to fly or display a United States flag in a manner that meets 36 U.S.C. 173-178 of the United States Code is considered a violation of this Ordinance.
- H. Fuel Pump Sign.** A fuel pump sign is a sign attached to a fuel pump advertising the cost of fuel.
1. A fuel pump sign may not exceed two square feet in area per pump. Operational and payment instructions on the face of the pump are exempt from this limitation.
- I. Government Sign.** A government sign is any sign placed or authorized by a government agency with jurisdiction to place such signage. Examples of government signs include traffic signs and signals, legal notices, railroad crossing signs, or signs regulating the traffic of, or giving information to, motorists, transit riders, cyclists, or pedestrians.
1. Government signs are permitted in any number, configuration, or size.
  2. In any zone, the type and extent of illumination of a government sign is at the discretion of the authorized government agency.
- J. Home Occupation Sign.** A home occupation sign is a sign identifying a home occupation on the premises.
1. A maximum of one home occupation sign, attached to the wall of the dwelling, is permitted per home occupation.
  2. A home occupation sign may not exceed two square feet in area.
- K. Memorial Plaque.** A memorial plaque is a freestanding or building-mounted plate of metal, ceramic, stone, wood, or other material, bearing text or an image in relief, or both, in memory of one or more persons, an event, a former use of the place, or other historical matter.
1. A memorial plaque located in the public right-of-way or on City property must be approved by the Buffalo Arts Commission.
- L. Menu Board.** A menu board is a permanently mounted sign displaying the items for sale for a drive-through establishment.
1. A maximum of two menu boards are permitted per drive aisle of a drive-through establishment.
  2. A menu board may not exceed 40 square feet in area.
  3. The audio component of a menu board is limited to communication between customers and employees, and may not exceed a volume of five decibels over ambient sound as measured from the nearest property line.

- M. Motor Vehicle For-Sale Sign.** A motor vehicle for-sale sign is a sign posted to a motor vehicle, indicating a sale price, vehicle make, and/or seller contact information.
  1. A maximum of one motor vehicle for-sale sign is allowed per vehicle.
  2. A motor vehicle for-sale sign may not exceed four square feet in area.
  
- N. Newspaper Vending Box Sign.** A newspaper vending box sign is a sign that is incorporated into and designed as part of a vending box for a newspaper or other periodical.
  1. The advertisement upon the newspaper vending box sign must be limited to the periodical vended.
  
- O. Parking Lot Directional Sign.** A parking lot directional sign is a sign that includes information assisting in vehicle traffic flow or parking, including information identifying entrances and exits, driveway intersections, drive-through lanes, or loading areas.
  1. A parking lot directional sign may not exceed four feet in height and four square feet in area.
  
- P. Parking Lot Information Sign.** A parking lot information sign is a sign that includes information on the operation of a parking lot, such as “No Parking” or “Unauthorized Users Shall Be Towed.”
  1. A parking lot information sign may not exceed six feet in height and 12 square feet in area.
  
- Q. Place Identification Sign.** A place Identification sign is a sign indicating the name of a subdivision, block club, office or industrial park, education or medical campus, or other recognized place.
  1. A maximum of one place identification sign is permitted per right-of-way intersection.
  2. A place identification sign may not exceed 12 square feet in area in an N-2R, N-3R, N-4-30, or N-4-50 zone, or 20 square feet in area in any other zone, and must not exceed four feet in height in any zone.
  
- R. Property Identification Sign.** A property identification sign is a building-mounted sign identifying the property management company or apartment complex name of the premises.
  1. A maximum of one property identification sign is permitted per building per right-of-way frontage.
  2. A property identification sign may not exceed four square feet in area.
  
- S. Public Information Sign.** A public information sign is any sign that provides information on the use of the facility, such as directional signs, trailhead entry signs, and information kiosks.
  1. A public information sign may not exceed 12 square feet in area in an N-2C, N-2E, N-2R, N-3C, N-3E, N-3R, N-4-30, or N-4-50 zone, and may not exceed 20 square feet in all other zones.
  
- T. Street Light Banner Sign.** A street light banner sign is a sign that is printed upon flexible material and held taut within frames, attached to a street light.
  1. Street light banner signs are allowed only with the authorization, and in accordance with the specifications, of the Commissioner of Public Works, Parks, and Streets.
  
- U. Transit Advertisement Sign.** A transit advertising sign is an advertising sign that is erected by the Niagara Frontier Transportation Authority (NFTA) on any of its property, including bus shelters, transit stations, and transit vehicles.
  
- V. Utility Sign.** A utility sign is installed by a public utility in its right-of-way or on its facility, and bearing no commercial message other than such message is necessary to identify the public utility and the use, and warn of any hazards.
  
- W. Vending Machine Sign.** A vending machine sign is a sign that is incorporated into and designed as part of a vending machine.
  1. The advertisement upon the vending machine sign must be limited to the products vended.

**X. Window Sign.** A window sign is a sign that is attached to, placed upon, printed on the interior or exterior of a window or door of a building, or displayed within one foot of the interior of a window, and is clearly intended for public recognition outside the building.

1. The total area of window signs may not exceed 25% of the total area of the window, or four square feet, whichever is greater. The total area of the window is measured as the area of continuous glazing until divided by an architectural or structural element, not including mullions.

#### 9.4.2 Temporary Exempt Signs

The following temporary signs do not require a sign permit, but must follow applicable standards.

**A. Banner Sign.** A banner sign is a temporary sign that is printed or displayed upon flexible material with or without frames, which advertises a special sale, event, or activity.

1. A maximum of one banner sign is permitted per site per right-of-way frontage. A banner for a temporary, non-commercial event may be extended over a public right-of-way, including over the entire right-of-way, only with an encroachment permit per Section 11.4.1.
2. A banner sign is limited to 35 square feet in area unless extended over a public right-of-way, in which case a banner sign is limited to a maximum width equal to that of the right-of-way and a maximum height of five feet.
3. A banner sign may not be illuminated.
4. A banner sign is limited to the following display periods:
  - a. When related to a time-specific event, a maximum display period of seven days prior to the event, the time period of the event, and two days following the event is permitted.
  - b. When not related to a time-specific

event, a display period of 30 days is permitted.

- c. A maximum of three display periods per year is permitted, so long as there is a minimum of 30 days between displays.

**B. Construction Sign.** A construction sign is a temporary sign intended to provide information about current construction on a site and the parties involved in the project.

1. A maximum of one construction sign is permitted per site. A construction sign may identify the developer, builder, architect, contractor, subcontractor, material supplier, elected officials, participating government agencies, and/or project description for an on-premises construction project.
2. The area of a construction sign may not exceed 35 square feet.
3. A construction sign may be erected only after approval of a building permit, and must be removed within two days of issuance of a certificate of occupancy.

**C. Non-Commercial Sign.** A non-commercial sign is any non-commercial sign, including signs advocating for a public issue or candidate for public office.

**D. Real Estate Sign.** A real estate sign is a temporary sign that advertises the sale or lease of the premises on which it is located, or an open house on the premises.

1. A maximum of one real estate sign per right-of-way frontage, per site, is permitted.
2. A real estate sign may not exceed six square feet in area for a residential use, or 12 square feet in area for a non-residential use.
3. A real estate sign may not be illuminated.
4. A real estate sign that advertises property for lease or sale may be posted only for the duration the property is offered for lease or sale, and must be removed within seven days

of lease or closing. A real estate sign that advertises an open house may be displayed only during the day of the open house and must be removed within two hours of the end of the open house.

- E. Trailer Sign.** A trailer sign is a temporary electronic, cord-connected sign that is not permanently attached to the ground or to a building and can be removed without the use of tools.
1. A maximum of one trailer sign per site per right-of-way frontage is permitted.
  2. A trailer sign may not exceed 35 square feet in area.
  3. A trailer sign may not encroach upon a public right-of-way.
  4. A trailer sign may not contain an electronic message center (EMC).
  5. A trailer sign is limited to the following display periods:
    - a. When related to a time-specific event, a maximum display period of seven days prior to the event, the time period of the event, and two days following the event is permitted.
    - b. When not related to a time-specific event, a display period of 30 days is permitted.
    - c. A maximum of three display periods per year is permitted, so long as there is a minimum of 30 days between displays.
- F. Yard/Garage Sale Sign.** A yard/garage sale sign is a temporary sign that advertises a yard or garage sale on the premises.
1. A maximum of one yard/garage sale sign per site is permitted.
  2. A yard/garage sale sign may not exceed six square feet in area and four feet in height.

3. A yard/garage sale sign may not be illuminated.
4. A yard/garage sale sign may be posted for a maximum display period of seven days prior to the yard or garage sale, the duration of the yard or garage sale, and two days following the yard or garage sale, with a maximum of three display periods per year.