

# ACCESSORY BUSINESS SIGNS

*Overview, Installation and Use*

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# SIGN OVERVIEW

## WHAT IS A SIGN?

- The definition of a “Sign” is broad- it includes any outdoor writing, picture, emblem, flag, or figure used to announce, direct attention to, or advertise.
- Signs also come in many different forms- they can may be hung, pasted, painted, affixed, erected, tied, or otherwise represented on any fixture, building, or structure.
- Signs are subject to regulations in the Building Code and Zoning Resolution
- An Applicant for a sign permit must be an architect or engineer, and for certain business signs, may be a Licensed Sign Hanger.

# FACTS ABOUT SIGNS

## ACCESSORY VS. ADVERTISING

What is an Accessory Sign (a.k.a. “business sign”)?

- A sign on the same zoning lot as the business and which refers only to that business.
  - Zoning lots are very often the same as the tax lot.
- The sign includes customary information such as the business name, address, phone number and services or products offered.
- **Example:** A sign for “*Metro Jewelers*,” which is affixed to a Metro Jewelers store is an accessory sign.

# ACCESSORY STOREFRONT SIGN INCIDENTAL TO THE BUSINESS ON THE SAME ZONING LOT



# FACTS ABOUT SIGNS

## ACCESSORY VS. ADVERTISING

### What is an Advertising Sign?

- A Sign that directs your attention to a business, profession, commodity, service or entertainment conducted, sold or offered somewhere other than at the same location.
- The Sign is NOT accessory to any business or function located on the zoning lot.
- **Example:** A sign for “*Land Rover*,” which is on the same zoning lot as a gas station.

# ADVERTISING SIGN

PRODUCT OR SERVICE DEPICTED IS NOT OFFERED ON THE ZONING LOT



# ZONING REGULATIONS

- The Zoning Resolution provides guidance on the permissible location, size, height, illumination and projection over the sidewalk, of business signs.
- Residential, commercial and manufacturing districts each have distinct regulations. For example:
  - Residential districts are the most restrictive, allowing very limited accessory signage.
  - Commercial districts are more permissive as to accessory signage.
  - Manufacturing districts are the most permissive as to accessory signage.

# ZONING REGULATIONS

- Other considerations:
  - Sign regulations are very restrictive for accessory signs near arterial highways.
  - Special District, Historic District and Landmarked designations may impact allowable signage.
  - Corner-lot and through-lot buildings deviate somewhat from ordinary limitations.
- The Dept. of City Planning has both online resources (<https://www1.nyc.gov/site/planning/index.page>) and the Zoning Helpdesk (212-720-3291) available to assist with zoning questions related to signs.

# AWNING SIGNAGE

- Popular fabric or vinyl-covered structures which project over the sidewalk are often referred to as awnings, but may become signs depending on the text or images upon them.
  - While signs are limited to projections of 18 inches for double-faced signs or 12 inches for other signs, awnings are allowed projections of up to 8 feet beyond the street line.
  - Awnings are, however, limited to text containing only the business name and address, in letters not exceeding 12 inches high with up to 12 square feet of total surface area.
  - Awnings containing text or images in excess of those limitations become signs and subject to all of the applicable sign regulations.

# AWNING SIGNAGE

TEXT WITHIN ALLOWABLE LIMITS



# AWNING SIGNAGE

## EXCESSIVE TEXT CREATING AN ILLEGAL SIGN



# SIGN PERMITS

- Permits are required for the erection or alteration of signs and sign structures.
- Permits typically include a sign (“SG”) permit for the size, content and location of the sign, as well as an Alteration Type 3 (“ALT3”) permit for the structural/installation details. Other required permits may include:
  - Annual Illuminated Sign Permit for signs that are both illuminated and extend beyond the building line.
  - Electrical Permit for any sign requiring an electrical connection.
- Permits are ordinarily for non-changeable copy only (i.e. where the text of the sign does not change).
  - Where digital signage is permitted, all messages to be displayed should be listed on the permit application and more than 50% of the sign must always display the business name.

# SIGN PERMITS

- Signs in historic districts or on landmarked buildings likely require the written approval of the Landmark Preservation Commission.
- Permits are not required for certain signs, including painted signs and wall signs of not more than 6 square feet.
  - Even though a permit is not required, signs must always comply with all applicable zoning regulations.
- Additional information regarding permit requirements and the installation of signs may be found at <https://www1.nyc.gov/site/buildings/safety/signs.page>

# APPLICANT

- The applicant for a sign permit must be the architect or engineer who prepared the construction documents regarding the sign on behalf of the owner.
- A Licensed Sign Hanger may act as applicant for a sign permit for a limited universe of accessory signs, including those that are up to 150 square feet in surface area and 300 pounds in weight.
  - This encompasses a large number of small business signs and eliminates the need to retain a PE or RA for such work.

# INSTALLATION

- Awnings
  - General Contractors may install awnings.
  - Such awnings must conform to the limitations of text provided for in the Zoning Resolution.
  - An ALT3 permit from DOB must be obtained.
- Signs
  - The raising or lowering of any sign requires a Licensed Sign Hanger.
  - A Sign Hanger is not required for:
    - Signs not exceeding 75 square feet in area, measured on one face only, nor exceeding 25 pounds in weight.
    - Signs supported directly on the ground

# DISCIPLINE OF PROFESSIONALS

- DOB has and continues to pursue professionals for inappropriate sign applications, which may include:
  - Where an application for an accessory sign is made to DOB, but DOB later finds that the sign is an advertising sign.
  - Where a sign exceeds the permissible surface area because other signs on the zoning lot are not included in calculations on the application.
- Once identified, additional applications by the same design professional are also examined by DOB.
- Revocations and false filings are the basis for disciplinary action against these design professionals.

# POSTING OF SIGNS AND IMAGES TO TEMPORARY PROTECTIVE STRUCTURES

- Only required, permit-related signs, may be posted to temporary protective structures such as sidewalk sheds and fences.
  - Limited exceptions exist for certain lawful and existing signs, when obscured by a sidewalk shed.
- The City Canvas program, administered by the Department of Cultural Affairs, offers the opportunity to post limited amounts of artwork to sidewalk sheds. Approval is required prior to installation. Additional information about this program may be found at:  
<https://www1.nyc.gov/site/dcla/publicart/citycanvas.page>

# ILLEGAL CONDITIONS

- Local Law 28/2019 established a moratorium against violation issuance to most accessory business signs installed on or before February 9, 2019. This moratorium remains in effect until February 2021.
- To correct sign violations, a Certificate of Correction should be submitted to the Administrative Enforcement Unit at DOB, along with:
  - Photos showing sign removed; and
  - A receipt or affidavit specific to the violating sign and location, from the licensed sign hanger who removed the sign.
  - More information about correcting a violation may be found at <https://www1.nyc.gov/site/buildings/safety/rectify-sign-violations.page>.

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