



Victor Town Board Agenda- Monday, May 11, 2026

85 East Main Street

Call to Order Meeting at 7:00pm

Flag Salute

Roll Call

Public Hearing

1.
 - Local Law Amending Chapter 165 of Town Codes Titled "SIGNS" - Adam Ryzcek speaking on behalf of the Sign Code Committee

Approval of April 27, regular meeting minutes

Payment of Bills – Manifest No. 9

☞ Manifest No. 9

Privilege of the Floor

- ☞ Victor Central School District Budget Presentation by the Superintendent, Dr Tim Terranova
- ☞ Grant Services Update presented by Emily Palumbos, of ESP Consulting

Public Comments (3 minutes, please)

Reports of Town Officials

- ☞ Planning & Building
- ☞ IT
- ☞ Finance

Action Items

Finance

2. Amend Resolution No 119 Amending the 2025 Budget Increasing Fund Capital Reserves
3. Amend 2026 Budget to Include Funds Received from Dissolution of the Fishers

Fire District

Highway

4. Paving Services from Villager Construction for the 2026 Construction Season
5. Milling Services from Villager Construction for the 2026 Construction Season

Human Resources

6. Appointment of 2026 Highway Seasonal and MEO Positions
7. Appointment of Nathan Macbride and Lewis Watson Part-Time Seasonal Highway Laborer Positions
8. COLI Waiver

Recreation

9. Limited Permission Alcohol Permit NO BS Brewery, Peacemaker Brewing
10. Agreement with Vera Forster – Community Chorus Director

Public Comment

ADJOURN

This meeting will be held in person at the Victor Town Hall and live streamed via YouTube with text commenting available. Go To:

<https://www.youtube.com/c/townofvictornewyork>



PUBLIC HEARING NOTICE:

LOCAL LAW TO AMEND CHAPTER 165 OF THE CODE OF THE TOWN OF VICTOR ENTITLED "SIGNS".

PLEASE TAKE NOTICE A Public Hearing regarding the proposed amendment to Chapter 165 of the Town of Victor Code, entitled "Signs". The proposed revisions add definitions and clarify existing language to improve interpretation and enforcement. The amendment also allows certain business signage currently not permitted, with the goal of reducing variance requests. The revised code remains consistent with the original intent and continues to be reasonably restrictive.

PLEASE TAKE FURTHER NOTICE THAT a Public Hearing shall be held on May 11th, 2026, at 7:00 PM EDT at the Victor Town Hall located at 85 E. Main Street, Victor, NY. The meeting will also be live streamed via YouTube at <https://www.youtube.com/c/townofvictornewyork> with text commenting available.

Dated: April 28, 2026

Brittney Pender, Deputy Town Clerk

Chapter 165 Signs

[HISTORY: Adopted by the Town Board of the Town of Victor 4-23-2007 by L.L. No. 5-2007.
Amended MM-DD-YYYY by L.L. No.00-YYYY]

GENERAL REFERENCES

Uniform construction codes — See Ch. 83.

Zoning — See Ch. 211.

§ 165-1 **Intent.**

§ 165-2 **Definitions.**

§ 165-3 **Sign permits required; issuance.**

§ 165-4 **Design and appearance; construction and installation.**

§ 165-5 **Business use signs.**

§ 165-6 **Prohibited signs.**

§ 165-7 **Nonconforming signs.**

§ 165-8 **Enforcement; penalties for offenses.**

§ 165-9 **Fees.**

§ 165-10 **Sign maintenance.**

§ 165-11 **Review; appeal.**

§ 165-1 **Intent.**

The legislative intent of this chapter is to promote and protect the public health, welfare and safety of the inhabitants of the Town by regulating existing and proposed advertising, advertising *signs*, and *signs* of all types which are intended to be viewed from outdoors and to thereby create a more attractive economic and business climate, enhance and protect the physical appearance of the community, preserve the scenic and natural beauty of designated areas, preserve property values and provide a more enjoyable and pleasing community. It is further intended to reduce *sign* or advertising distractions and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by *signs* overhanging or projecting over *public rights-of-way*, provide more open space, and curb the deterioration of natural beauty and community environment. It also intends to permit businesses and professions to make use of signage that is important to their individual and collective success.

§ 165-2 **Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**Definitions throughout this chapter appear in italics.*

ATTENTION-GETTING DEVICE

Any pennant string, streamer, spinner, light, balloon/inflatable or similar device or ornamentation used for purposes of attracting attention for promotion of *business use*.

AWNING SIGN

Any visual message incorporated into a nonpermanent structure projecting from a building and providing protection from the elements, or a marquee.

BACKLIGHTING

Any indirect source of light which is located from behind the *sign* surface or shielded from the viewer's eyes by a translucent or opaque material.

BUILDING IDENTIFICATION SIGN

A *sign* which identifies the name of a building or plaza and does not identify the name of an individual business. Where a single *tenant* occupies all buildings on a single parcel, the business name may be the name of the building.

BUSINESS FRONTAGE

The width of a building face allocated to each individual *tenant*.

BUSINESS USE

A commercial, industrial or service enterprise, including churches.

BUSINESS USE SIGN

Any material, structure or part thereof, or any device attached to a structure or painted or represented thereon, composed of or upon which is placed lettered or pictorial or other matter for visual communication, when used or located out-of-doors or on the exterior of any building or indoors as a *window sign*, for the display of any advertisement of a *business use*.

CHANGEABLE-COPY SIGN

An announcement *sign*, bulletin board, or *sign* which makes provision for changing letters and other copy for the purpose of advertisement or notice with the exception of *directory signs*.

CODE ENFORCEMENT OFFICER

The official of the Town, appointed by the Town Board, charged with the duty to enforce the Town Code.

CONFORMING SIGN

A *sign* that is lawfully erected.

DIRECTORY SIGN

A *sign* which identifies individual businesses which occupy a building, plaza or office park for the purpose of directional guidance. A directory *sign* may include business names, addresses, suite numbers and directional arrows and may be building mounted or freestanding.

EMPLOYMENT SIGN

A *sign* advertising an employment opportunity. For example, NOW HIRING, HELP WANTED, [POSITION] NEEDED.

EXTERIOR PUBLIC ENTRANCE

A direct entrance from a *public right-of-way*, parking lot or *public way* to a habitable or tenantable space.

FREESTANDING SIGN

A single or multifaced *sign* affixed to a supporting structure or embedded in and extending from the ground and detached from the building.

FRONTAGE

The extent of a lot along a public street or highway measured along the joint boundary line between a lot and street or highway *right-of-way*. Property at a roadway intersection has a separate frontage along each roadway.

GOVERNMENTAL FLAG

Any state, municipal, County, or national flag. The National Flag must be displayed in accordance with the Federal Flag Code (see United States Code Title 4, Chapter 1). No flagpole shall exceed 50 feet in height for public display, or 25 feet in height for residential use. All flags shall be proportionate to the height of the flagpole per the Federal Flag Code.

ILLUMINATED SIGN

A sign illuminated by a light source, regardless of whether the light source is internal to the sign structure, or external.

INTERNAL ROADWAY NETWORK

An internal circulation system of larger developments that allows vehicular travel within the property along privately owned roadways.

LOGO

Any picture, shape or drawing, with or without letters or words, used to identify a product, service, business or organization.

MONUMENT STYLE SIGN

A *freestanding sign* installed at or about ground-level, often with a decorative and/or solid base, designed to be seen at or about eye level. It is typically made from brick-and-mortar construction, stone, metal, plastic, or other durable materials. A *sign* supported by posts or a single pylon that has 12 inches or less of airspace between the lowest horizontal

member of the *sign* structure and the adjacent grade shall be considered monument style. A landscape bed, planter box or solid mounting base, if installed, may be considered adjacent grade.

MUNICIPAL SIGN

Any *sign* relating to the use of a building or property by a government, public agency, or municipal board.

NONBUSINESS SIGN

Any *sign*, other than a *sign* promoting a *business use*.

PORTABLE SIGN

A *sign* that is not affixed to a building-or structure or embedded in and extending from the ground.

PUBLIC WAY

Any street, alley, or other parcel of land open to the outside air leading to a public street, that has been deeded, dedicated or otherwise permanently appropriated to the public for public use and that has a clear width and height of not less than 10 feet.

REFLECTIVE SURFACE

Any material or device which has the effect of intensifying reflected light, such as retroreflective materials, fluorescent pigments, glass beads and luminescent paint.

REPLACEMENT IN-KIND

Replacement of a *sign* or portion of a *sign* conveying the same message without an increase in height, *sign area*, overall size or method of illumination.

RIGHT-OF-WAY

(1) PRIVATE RIGHT-OF-WAY

Land owned by a nonpublic agency or organization and occupied or intended to be occupied by transmission mains, gas pipelines, rails or other special use.

(2) PUBLIC RIGHT-OF-WAY

Land owned by public agencies for use as a street or for other public purposes.

ROOF SIGN

A *sign* erected upon or above a roof or parapet of a building or structure.

SIGN

Any material, structure or part thereof, or any device attached to a structure or painted or represented thereon, composed of or upon which is placed lettered or pictorial or other matter for visual communication, when used or located out-of-doors or on the exterior of any building or indoors as a *window sign*, for the display of any advertisement, notice, directional matter or name. The term "sign" does not include signs erected and maintained pursuant to and in discharge of any governmental function within this political

jurisdiction, or required by any law, ordinance or government regulation or the flag or insignia of any nation or of any governmental agency having jurisdiction over the Town of Victor.

SIGN AREA

The square footage of the smallest square or rectangle which encloses all elements which form the *sign* or group of *signs* conveying one message, including *logos*. Supporting structures will not be considered as part of the sign area unless lit by their own specific external light source. *Freestanding signs* may include an identical back without counting the identical area. Any additional form not integral to the building's architecture will be considered as part of the *sign*.

SIGN PERMIT

A permit issued by the *Code Enforcement Officer* providing documentation of the specific *sign(s)* requiring a permit being approved pursuant to these regulations.

SUBTENANT

One who rents all or part of a property from the occupying *tenant*. This arrangement, called subleasing or a sublease, creates a separate legal agreement between the subtenant and the original *tenant*.

TENANT

The occupant of a building or portion of a building as either the owner or as a renter.

TENANT IDENTIFICATION SIGN

A *sign* which identifies a specific business occupying a building or portion of a building.

TRAFFIC CONTROL SIGN

A *sign* used to manage the movement of vehicles, and pedestrians, and by providing information, warnings, or instructions, thereby regulating traffic flow and enhancing safety on public and private roadways such as ENTER/EXIT, DRIVE THRU or directional arrow *signs*.

WINDOW SIGN

Any medium displayed within either the inside or the outside of any glazing in either a window or a door. This includes, but is not limited to paper, plastic and metal *signs*, vinyl decals and perforated vinyl decals.

§ 165-3 Sign permits required; issuance.

- A.** Permit required. A *sign permit* shall be required prior to erecting a *sign* within the Town of Victor, except as provided in Subsection B of this section.
- B.** Exceptions; permit not required. The following *signs* shall not require a permit:
 - (1)** *Nonbusiness signs*.

- (2) *Municipal signs.*
 - (3) Repair or *replacement in-kind*, of *signs* that conform with this chapter after review and approval by the *Code Enforcement Officer*.
 - (4) Real estate *signs* relating to the real property transfers provided that;
 - (a) such *sign* is no greater than six square feet in *sign area* in a residentially zoned district.
 - (b) such *sign* is no greater than 18 square feet in *sign area* in all other districts.
 - (c) such *sign* does not reduce the line of sight for ingress/egress from that property, or any other property.
 - (d) such *signs* are limited to one per 500 linear feet of property *frontage*, except that an additional two *signs* advertising that the premises is "open" is permissible only during the period that the property is open for inspection.
 - (5) Not-for-profit, charitable and political organizations may advertise an event with a *sign* limited to three feet in height and six square feet per side may be used for the period of the event, and the preceding 30 days. An organization that advertises an event in excess of two times within a calendar year must obtain a *sign permit*.
 - (6) *Traffic control signs* provided that such *signs* do not exceed three square feet and do not display the *logo* or name of a business.
 - (7) *Window signs* and wall *signs* no greater than two square feet in area that provide notice of hours of operation, payment options, customer restrictions, or legal warnings or notices. In no event may a *sign* within a window cover more than 30% of window's total glazed area. In the case of a window that is a portion of a door, the *sign* may not cover more than 10% of the total window area of the door.
 - (8) *Signs* required by law.
 - (9) *Freestanding signs* advertising a residential maintenance service conducted on the premises of which the sign is located and which comply with the *business use signs* section of this chapter.
 - (10) *Signs* used in conjunction with compliant roadside stands that do not exceed 3 square feet in total *sign area*. Such *signs* shall be mounted to the roadside stand.
- C. Sign permits.
- (1) *Sign permits* shall be issued by the *Code Enforcement Officer* for any *business use signs* in any zoning district unless such sign is listed as exempt.
 - (2) Applications for *signs* proposed for any land use activity that require site plan approval from the Planning Board shall be reviewed and approved by the Planning Board prior to issuance of a *sign permit* from the *Code Enforcement Officer*.
- D. Sign permit application.

- (1) All applications for a *sign permit* shall be made in writing to the *Code Enforcement Officer* and containing the following information:
 - (a) The name, address, and telephone number of the applicant, and, if different, the name, address, and telephone number of the owner of the land where the *sign* is to be erected.
 - (b) The location of the building, structure, or land to which or upon which the *sign* is to be erected.
 - (c) A detailed drawing or blueprint to scale not exceeding one inch equals one foot illustrating the construction detail of the *sign*, the lettering and/or the pictorial message of the *sign*, the color and positioning of the *sign*, the position and height of other devices relating to the erection of the *sign*, a location plan drawn to scale not to exceed one inch equals 20 feet showing the position of the *sign* on any buildings or structures, including building elevation, and any private, or *public right-of-way*.
 - (d) The zoning district in which the *sign* is to be placed.
 - (e) A tape location or survey indicating the position of setbacks relative to the position of any *freestanding sign*, and the location and setbacks of all buildings on the property.
 - (f) Identification of all other *signs* existing on the land, and whether those *signs* conform with this chapter.
 - (g) Written consent of the owner of the property on which the *sign* is to be erected.
 - (h) The signature of the applicant attesting to the accuracy of the petition.
- (2) All applications for a *sign permit* shall be reviewed by the *Code Enforcement Officer* within 30 days of submitting a complete application.
 - (a) The *Code Enforcement Officer* shall deny any application for a *sign* which does not conform with this chapter. A denial shall be made in writing with a statement of the reason for the denial and served upon the applicant.
 - (b) The *Code Enforcement Officer* shall approve an application for a *sign* which conforms with this chapter, or upon approval from the Planning Board or Zoning Board of Appeals where such review is required. Such approval shall be valid for six months, within such time the applicant shall notify the *Code Enforcement Officer* of completion of the installation of the *sign*, and the *Code Enforcement Officer* shall inspect the installed *sign* for compliance with the approval, and, if compliant, issue a certificate of compliance.
 - (c) In the event that the *Code Enforcement Officer* finds that the *sign* does not conform with the approval, the applicant shall be so notified in writing and have 30 days thereon to correct the cited deficiencies or remove the *sign* in accordance with the provisions of this chapter.

- (d) In those cases where an applicant does not wish to implement the design conditions of approval outlined by the *Code Enforcement Officer*, or upon request of the applicant, the matter may be referred to the Architectural Review Committee of the Planning Board for an advisory opinion. In such cases, the Architectural Review Committee shall recommend approval or disapproval of such *sign* application in writing within 30 days from the date of referral, and such recommendation shall be binding upon the *Code Enforcement Officer's* determination. Nothing in this subsection shall alleviate the need for a variance in the case of a *sign* that does not conform to the requirements of this chapter.
- (e) The *Code Enforcement Officer's* review of *sign* applications and action thereon shall be ministerial in nature.

§ 165-4 **Design and appearance; construction and installation.**

A. Design and appearance.

- (1) All *signs* and supporting structures must be in harmony with the style and scale of the architectural features of the buildings on which they are placed or to which they relate.
- (2) All *signs* must be appropriate to the type of activities they represent.
- (3) Layout of all *signs* and their messages must be orderly and of simple shapes.
- (4) No more than two typeface fonts may be used on any one *sign* or group of *signs* advertising the same *business use*.
- (5) The number of different colors or shades of colors used on one *sign* or group of *signs* shall be of a consistent theme.
- (6) All *signs* that are lit must be so designed as to reflect light and glare away from surrounding properties and the *right-of-way* and not be greater than necessary to make the *sign* legible at night from the *right-of-way*. Lighting among *signs* shall be consistent with surrounding *signs*.
- (7) No *sign* within a residential district may be lit unless it is a permitted *sign* for a permitted or special permitted *business use* or permitted by the Zoning Board of Appeals.
- (8) Groups of related *signs* must express uniformity and create a sense of harmony in appearance.
- (9) *Freestanding signs* shall be *monument style* as opposed to pylon style.
- (10) No *sign* located within a speed zone of 35 miles per hour or less shall exceed 20 square feet or be lit using *backlighting*, regardless of the *sign area* otherwise permitted by this chapter.
- (11) The Architectural Review Committee of the Planning Board may, from time to time, create a brochure which visually illustrates the appearance of *signs* consistent and inconsistent with this chapter. Such brochure is subject to the review and

acceptance of the Town Board. Such brochure is for illustrative purposes only, and not determinative of the approval of any particular application.

- B.** Construction and installation.
- (1) All *signs* shall comply with the Uniform Fire Prevention and Building Code.
 - (2) No *sign* shall interfere with utility line clearance.
 - (3) No *sign* shall interfere with the use of any fire exit, door, or window or other access to a building. No *sign* shall obstruct the vision of any access or be designed in such a way as to confuse access to a fire escape route.
 - (4) No *sign* shall interfere with sight distances or otherwise interfere with the ability of motor vehicle traffic to make safe movements.
 - (5) No *sign* shall project into a *public right-of-way*. *Signs* within the *public right-of-way* may be removed by the *Code Enforcement Officer* without notice.
 - (6) No *freestanding sign* requiring a *sign permit* shall be closer than thirty-five (35) feet from the pavement of the *public right-of-way*.

§ 165-5 Business use signs.

- A.** *Business use signs* are not permitted in any residential or multiple dwelling district except:
- (1) To identify a permitted home occupation, provided only upon the determination of the Zoning Board of Appeals.
 - (2) Freestanding, *monument style signs* conforming with this chapter, that identify a private club, golf course, church, bed-and-breakfast or agricultural use, provided that a special use permit has been issued if required and the special use permit authorizes the *sign*.
 - (3) Building mounted *tenant identification signs* conforming with this chapter, that identify a private club, golf course, amenity to a golf course such as a restaurant or pro shop, church, bed-and-breakfast or agricultural use, provided that a special use permit has been issued if required and the special use permit authorizes the *sign*.
 - (4) Freestanding, *monument style sign(s)* conforming with this chapter, that identify the name of a residential subdivision or multiple dwelling development provided that the *sign(s)* are identified on a site plan reviewed and approved by the Planning Board.
 - (5) *Freestanding signs* advertising a residential maintenance service that was conducted on the premises and comply with the following:
 - (a) such *signs* shall be no larger than three square feet.
 - (b) such *signs* are displayed for the duration of the service and for a period not to exceed 30 days from the last date of service.
 - (c) such *signs* are not displayed within any *public right-of-way*.

- B.** *Business use signs* are permitted in Commercial, Commercial Center, Commercial/Light Industrial, Light Industrial and Planned Development Districts subject to the following standards:
- (1)** Freestanding Monument Signs.
 - (a)** One freestanding, *monument style, building identification sign* may be installed which identifies the name of the building or plaza, but does not identify any specific business. In the case of a single building or multiple buildings occupied in their entirety by a single *tenant* on a single parcel, the name of the business may also be the name of the building(s).
 - (b)** A *building identification sign* and supporting structure shall not exceed 10 feet in total height.
 - (c)** A *building identification sign* may have two sides and shall not exceed 20 square feet in total *sign area* per side.
 - (2)** Directory Signs.
 - (a)** A multiple use structure, such as a building, plaza, or mall, may have a building-mounted *directory sign* not exceeding 10 square feet in total area.
 - (b)** Any group of buildings, plaza or mall with an *internal roadway network* may have freestanding *directory signs* for the purpose of providing direction and assisting with traffic control. One such *sign* shall be permitted at each intersection of the *internal roadway network*. Freestanding *directory signs* shall adhere to the following:
 - [1]** such *sign* shall not cause a traffic hazard by obstruction, position, shape, wording or symbols that confuses vehicle traffic.
 - [2]** such *sign* shall not exceed 10 feet in total height.
 - [3]** such *sign* shall not exceed 20 square feet in total *sign area*.
 - (3)** Tenant Identification Signs.
 - (a)** In addition to any *building identification signs* and *directory signs*, each *tenant* of a building or plaza shall be entitled to one building mounted *tenant identification sign* on each *business frontage* with a separate *exterior public entrance* facing a *public right-of-way*, or parking area. *Tenant identification signs* shall comply with the following:
 - [1]** such *sign* shall not exceed one square foot of total *sign area* for each linear foot of *business frontage* that the *sign* will be displayed upon, belonging to that particular *tenant*.
 - [2]** in no event shall a single *tenant identification sign* exceed 20 square feet in *sign area* in speed zone of 35 miles per hour or less.
 - (b)** A tenant may have one additional building mounted *tenant identification sign*, subject to the total *sign area* restriction within subsection (a) of this section,

on each *business frontage* the *tenant* has along any additional *public rights-of-way*, and no parking exists along the *business frontage* which abuts the *public right-of-way*. Such *business frontage* is not required to contain a separate *exterior public entrance*.

- (c) An additional *tenant identification sign*, to be no greater in *sign area* than 1/2 of one square foot for each linear foot of *business frontage* belonging to the particular *tenant* shall be permitted only when the *business frontage* faces a *public way* and no parking exists at the portion of the building which abuts the *public way*.
 - (d) Any *subtenant* of a principal *tenant* may be permitted one building mounted *tenant identification sign*, limited to the total *sign area* of the principal *tenant* permitted within this section.
 - (e) A *tenant identification sign* must be mounted to the building or plaza. Freestanding *tenant identification signs* are not permitted. *Awning signs* shall be considered building mounted.
- (4) The Planning Board, in conjunction with a new site plan review, may approve additional *building identification, tenant identification and directory signs*. The Planning Board may not increase the total *sign area* permitted for a specific building or *tenant identification sign*.
- (5) Window Signs.
- (a) A single *illuminated sign* displaying the word "OPEN" may be displayed within a window or door during business hours. An illuminated "OPEN" no greater than 2 square feet in *sign area* shall not require *sign permit*.
 - (b) Vinyl and perforated vinyl decal signs.
 - [1] Vinyl and perforated vinyl *signs* require a *sign permit* and shall count against the allowable square footage of *sign area* for *tenant identification signs*.
 - [2] In no event may a vinyl or perforated vinyl *sign*, within a window, cover more than 30% of the window's total glazed area. In the case of a window that is a portion of a door, the *sign* may not cover more than 10% of the total window area of the door.
- (6) Open Flags. Each *tenant* of a building or plaza shall be permitted to display a flag indicating the business is open provided that:
- (a) The flag only contains the word "OPEN" but may include a small *logo* or symbol.
 - (b) The flag shall be no larger than 15 square feet in total area.
 - (c) No more than one building mounted flag may be displayed per *tenant*.

- (b) No more than one freestanding flag may be displayed per site entrance of a building or group of buildings which are occupied in their entirety by a single *tenant*.
 - (e) Open flags in compliance with this section shall not require a *sign permit*.
- (7) Sandwich Board and Portable Signs.
- (a) Sandwich board and *portable signs* may be used, provided that:
 - [1] no more than one such *sign* is displayed per *exterior public entrance* belonging to the *business use* being advertised.
 - [2] such *sign* is displayed within 25 feet of the *exterior public entrance* belonging to the *business use* being advertised.
 - [3] such *signs* are no greater than 6 square feet *sign area* per side.
 - [4] such *signs* do not impede pedestrian or vehicular traffic.
 - [5] such *signs* are only displayed during business hours.
 - (b) Sandwich board and *portable signs* in compliance with this section shall not require a *sign permit*.
- (8) Employment Signs. Each *tenant* of a building or plaza may display *employment signs* that comply with the following:
- (a) *Employment signs* shall be displayed on the premises of which the business advertising the employment opportunity is located.
 - (b) One freestanding *employment sign* per *tenant* may be displayed for the duration needed provided that such *signs* comply with the following:
 - [1] such *sign* shall not cause a traffic hazard by obstruction, position, shape, or wording or symbols that confuses vehicle traffic.
 - [2] such *signs* are limited to 12 square feet in total area.
 - [3] such *signs* are limited to 8 feet in total height.
 - (c) Two additional *employment signs* may be displayed on a wall or in a window for the duration needed. The total square footage of building mounted *employment signs* shall not exceed ½ square foot per linear foot of *business frontage* that the sign is being displayed upon. In no event may a *sign* within a window cover more than 30% of the window's total glazed area. In the case of a window that is a portion of a door, the *sign* may not cover more than 10% of the total window area of the door.
 - (d) *Employment signs* in compliance with this section shall not require a *sign permit*.
- (9) Temporary Business Use Signs.
- (a) Temporary *business use signs* may be used to advertise a specific event, such as “COMING SOON”, “GRAND OPENING”, “NOW OPEN”, “CLEARANCE SALE”

and similar events approved in advance by the *Code Enforcement Officer*. In no event shall a temporary *business use sign* be in violation of signs prohibited by this chapter.

- (b) Temporary *business use signs* shall only advertise the same type of event twice in the same calendar year.
 - (c) Temporary *business use signs* shall have a maximum of two sides.
 - (d) Temporary *business use signs* may be building mounted or freestanding.
 - (e) Temporary *business use signs* that do not meet the criteria below shall require a *sign permit*.
 - [1] The temporary sign is displayed for a period not to exceed 30 days.
 - [2] No more than two such signs advertising the same event shall be displayed at any one time.
 - [3] Each temporary sign does not exceed 12 square feet in total area per side.
 - (f) In no event shall a *sign permit* be granted for temporary *signs* to be displayed for a period exceeding 90 days.
 - (g) Temporary *business use signs* shall be displayed on the premises of which the *business use* being advertised is located.
 - (h) Temporary *business use signs* shall not be independently illuminated.
 - (10) Assigned street numbers must be displayed and shall not be counted against the *sign area*.
- C. Additional *business use signs* permitted within the Commercial Center Zoning District Regulations found in Chapter 211-22.

§ 165-6 Prohibited signs.

- A. Posted fliers are not allowed in Residential Districts or in a *public right-of-way* in any district and may be removed by the *Code Enforcement Officer* without notice.
- B. Moving *signs*, including flashing, blinking, animated, rotating, or projected surfaces that change with time. Time and temperature displays are not prohibited by this section, nor are message boards, provided that message is not changed more than once per day.
- C. *Illuminated window signs*. Luminance from windows must not originate from *illuminated signs*. Luminance from windows from neon, light-emitting diodes (LEDs), tubular lamps, luminous gas-filled tubes, and channel light fixtures is prohibited unless permitted elsewhere in this chapter.
- D. Unrelated and off-premises *signs*. *Business use signs* must advertise a bona fide business conducted on the premise where the *sign* is located.
- E. *Reflective surface signs*.

- F. *Roof signs.*
- G. Temporary *signs*, except for temporary *signs* advertising a specific event or temporary *business use signs* permitted elsewhere by this chapter. *Signs* advertising a specific event may be placed for up to 30 days prior to the event advertised. A temporary *sign* may only advertise the same type of event twice in the same calendar year and shall not require a permit unless required elsewhere in this chapter.
- H. *Attention-getting devices* may be used to advertise an event for no more than five consecutive days, and not more than 5 times in a calendar year.
- I. *Signs* indicating the price of any product or service are prohibited except for gas stations within 100 feet of the closest gas pump, or where required by County, State or federal law.
- J. *Signs* or *attention-getting devices* that cause a traffic hazard by obstruction, position, shape, or wording or symbols that confuse vehicle traffic.
- K. Billboards, or other structures designed for the purpose of renting or leasing space for the purpose of displaying advertisements toward vehicular traffic.
- L. *Signs* which permanently advertise a particular brand that a business offers for sale. The name of the business is not considered a brand.
- M. *Signs* that produce vapors, smoke, particles, or noise.
- N. Illegible *signs* and *signs* in disrepair.
- O. *Changeable-copy signs* and message boards are not prohibited provided that the message is not changed more than once per day and a permit has been issued for the sign.

§ 165-7 Nonconforming signs.

Any lawfully existing *sign*-which does not comply with any provision of this chapter, upon the effective date specified herein, shall be deemed nonconforming.

- A. A nonconforming *sign* shall be removed or brought into conformity with the requirements of this chapter upon a change in use.
- B. A nonconforming *sign* related to an existing use shall be removed or made conforming prior to the issuance of any subsequent *sign permit* for such use.
- C. A nonconforming *sign* shall be allowed to be maintained. Any nonconforming *sign* which is removed, relocated, or if 50% or greater of the sign or its components are in need of replacement cumulatively within 5 years, the *sign* shall be brought into conformity with the requirements of this chapter.
- D. Applications for *sign* approval and *sign permit* for the replacement of an existing nonconforming *sign* to a legal *conforming sign* which is submitted before two years before the effective date of this chapter shall be exempt from all applicable fees required by this chapter but not from any subsequent fees.

§ 165-8 Enforcement; penalties for offenses.

- A. It shall be the duty of the *Code Enforcement Officer* or his delegate to administer and enforce the provisions of this chapter.
- B. When violations occur under this chapter, the *Code Enforcement Officer* shall cause notice to be given to the owner or occupant of the premises on which the *sign* is located, or to the agent of either, or person receiving the benefits from the offending *sign*. Said notice may be given by first class mail, or by issuance and service of a notice of violation. If any of said persons fail to abate said violation within five days after such notice has been personally served upon them, or within 10 days after such notice has been sent to said persons by first class mail at their home or business address, said persons shall be subject to a civil penalty of \$250 for each and every day that said violation continues, recoverable by suit brought by the *Code Enforcement Officer* in the name of the Town of Victor, and to be retained by the Town of Victor.
- C. The *Code Enforcement Officer* or authorized representative may serve a written stop-work order upon the applicant or other person who commits or assists in any such violation requiring the correction of any violation of this chapter.
- D. The *Code Enforcement Officer*, on behalf of the Town of Victor, may maintain an action for an injunction to enjoin violations of this chapter.
- E. Any person violating any provisions of this chapter or of any notice or order issued hereunder shall be guilty of disorderly conduct and shall be deemed to be a disorderly person and, upon conviction, shall be subject to a fine not exceeding \$100 for each violation. Each day that a violation continues shall constitute a separate offense punishable by the foregoing fine. The *Code Enforcement Officer* is hereby empowered to issue appearance tickets for violations of this chapter. A digital camera photograph with time and date stamp showing a *portable sign* displayed or maintained out of doors at a time other than permitted shall be prima facie evidence of a violation of that section.
- F. A *sign permit* issued pursuant to this chapter may be revoked by the *Code Enforcement Officer* if it appears that the *sign* erected pursuant to the permit no longer conforms to the provisions of this chapter. Notice of revocation may be delivered personally or by first class mail; revocation shall occur immediately in the case personal delivery and after 10 days when delivery is by regular first class mail.
- G. The remedies provided herein shall be cumulative and shall be in addition to any other remedies provided by law.

§ 165-9 Fees.

All fees associated with this chapter shall be charged to the applicant pursuant to Chapter 27 of the Victor Town Code.

§ 165-10 Sign maintenance.

All *signs* in the Town of Victor shall be properly maintained at all times. The *Code Enforcement Officer* shall have the authority to order the painting, repair or removal of a *sign* and accompanying landscaping which constitutes a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence or abandonment. Notification shall be by personal delivery or by certified mail. If the maintenance notice is not complied with within 15 days, it shall become an order to abate the *sign* or perform the maintenance or repair specified therein.

§ 165-11 Review; appeal.

- A.** All appeals from a ruling or determination of an administrative officer made hereunder shall be taken to the Zoning Board of Appeals. All decisions made in accordance with the provisions of this chapter shall be filed in the office of the Town Clerk.
- B.** Every request for a variance from the provisions hereof on the ground that the strict application of this chapter shall work an injustice by reason of practical difficulty shall be taken before the Zoning Board of Appeals.
- C.** Applications for renewal of a variance shall be supported by the same quantum of evidence required for the initial grant. The Zoning Board of Appeals may impose reasonable conditions to the granting of a variance, which may include durational limitations.
- D.** Except as otherwise provided above, the procedure before the Zoning Board of Appeals shall be governed by the applicable provisions of Chapter 211 of the Code of the Town of Victor and the Town Law. Review of determinations made hereunder by the Zoning Board of Appeals shall be governed by Article 78 of the New York Civil Practice Law and Rules and the Town Law. Any such proceeding shall be commenced within 30 days of the filing of the decision sought to be reviewed and served upon the *Code Enforcement Officer* and the Town Clerk.
- E.** Review of determinations made hereunder by the Planning Board shall be governed by Article 78 of the New York Civil Practice Law and Rules and the Town Law. Any such proceeding shall be commenced within 30 days of the filing of the decision sought to be reviewed and served upon the *Code Enforcement Officer* and the Town Clerk.
- F.** Abandonment of variance. If a *sign* for which a variance has been granted hereunder is not erected within one year from the date of the variance, or if a *sign* for which a variance has been granted hereunder is removed for a continuous period of one year, the variance for said *sign* shall be deemed abandoned and of no effect.

EDIT KEY:

New language.

Pre-existing language.

~~Removed pre-existing language.~~

Definitions.

Chapter 165 Signs

[HISTORY: Adopted by the Town Board of the Town of Victor 4-23-2007 by L.L. No. 5-2007.
~~Amendments noted where applicable.~~ Amended MM-DD-YYYY by L.L. No.00-YYYY]

GENERAL REFERENCES

Uniform construction codes — See Ch. 83.

Zoning — See Ch. 211.

§ 165-1 **Intent.**

§ 165-2 **Definitions.**

§ 165-3 **Sign permits required; issuance.**

§ 165-4 **Design and appearance; construction and installation.**

§ 165-5 **Business use signs.**

§ 165-6 **Prohibited signs.**

§ 165-7 **Nonconforming signs.**

§ 165-8 **Enforcement; penalties for offenses.**

§ 165-9 **Fees.**

§ 165-10 **Sign maintenance.**

§ 165-11 **Review; appeal.**

§ 165-1 **Intent.**

The legislative intent of this chapter is to promote and protect the public health, welfare and safety of the inhabitants of the Town by regulating existing and proposed advertising, advertising *signs*, and *signs* of all types which are intended to be viewed from outdoors and to thereby create a more attractive economic and business climate, enhance and protect the physical appearance of the community, preserve the scenic and natural beauty of designated areas, preserve property values and provide a more enjoyable and pleasing community. It is further intended to reduce *sign* or advertising distractions and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by *signs* overhanging or projecting over *public rights-of-way*, provide more open space, and curb the deterioration of natural beauty

and community environment. It also intends to permit businesses and professions to make use of signage that is important to their individual and collective success.

§ 165-2 **Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

***Definitions throughout this chapter appear in italics.**

ATTENTION-GETTING DEVICE

Any ~~nongovernmental flag~~ **pennant string**, streamer, spinner, light, balloon/**inflatable** or similar device or ornamentation used for purposes of attracting attention for promotion of *business use*.

AWNING SIGN

Any visual message incorporated into a nonpermanent structure projecting from a building and providing protection from the elements, or a marquee.

BACKLIGHTING

Any indirect source of light which is located from behind the *sign* surface or shielded from the viewer's eyes by a translucent or opaque material.

~~**BUILDING DIRECTORY SIGN**~~

~~A *sign* listing the name and location of all tenants in a structure.~~

~~**BUILDING FRONTAGE**~~

~~The width of a building facing a street or public parking lot.; in the case of a corner lot, it may be either frontage at the option of the applicant. Where a mall exists, "building frontage" shall mean that portion of the building perimeter facing a street or designated parking area; in the case of two such perimeters, it may be either frontage at the option of the applicant.~~

BUILDING IDENTIFICATION SIGN

A *sign* which identifies the name of ~~the~~ **a building or plaza** and does not identify **the name of any individual business activity**. **Where a single *tenant* occupies all buildings on a single parcel, the business name may be the name of the building.**

BUSINESS FRONTAGE

The width of **a** building face allocated to each individual ~~occupant~~ ***tenant***.

BUSINESS USE

A commercial, industrial or service enterprise, including churches.

BUSINESS USE SIGN

Any material, structure or part thereof, or any device attached to a structure or painted or represented thereon, composed of or upon which is placed lettered or pictorial or other

matter for visual communication, when used or located out-of-doors or on the exterior of any building or indoors as a *window sign*, for the display of any advertisement of a *business use*.

CHANGEABLE-COPY SIGN

An announcement *sign*, bulletin board, or *sign* which makes provision for changing letters and other copy for the purpose of advertisement or notice with the exception of *directory signs*.

CODE ENFORCEMENT OFFICER

The official of the Town, appointed by the Town Board, charged with the duty to enforce the Town Code.

CONFORMING SIGN

A *sign* that is lawfully erected.

DIRECTORY SIGN

A *sign* which identifies individual businesses which occupy a building, plaza or office park for the purpose of directional guidance. A directory sign may include business names, addresses, suite numbers and directional arrows and may be building mounted or freestanding.

EMPLOYMENT SIGN

A *sign* advertising an employment opportunity. For example, NOW HIRING, HELP WANTED, [POSITION] NEEDED.

EXTERIOR PUBLIC ENTRANCE

A direct entrance from a *public right-of-way, parking lot or public way* to a habitable or tenantable space.

FREESTANDING SIGN

A single or multifaced *sign* affixed to a supporting structure or embedded in and extending from the ground and ~~or~~ detached from the building.

FRONTAGE

The extent of a lot along a public street or highway measured along the joint boundary line between a lot and street or highway *right-of-way*. Property at a roadway intersection has a separate frontage along each roadway.

GOVERNMENTAL FLAG

Any state, municipal, County, or national flag. The National Flag must be displayed in accordance with the Federal Flag Code (see United States Code Title 4, Chapter 1). No ~~flag pole~~ *flagpole* shall exceed 50 feet in height for public display, or 25 feet in height for home

residential use. All flags shall be proportionate to the height of the ~~flag pole~~ **flagpole** as per the Federal Flag Code.

ILLUMINATED SIGN

A sign illuminated by a light source, regardless of whether the light source is internal to the sign structure, or external.

~~Any sign illuminated by electricity, gas or other artificial light, including reflective or phosphorescent light.~~

INTERNAL ROADWAY NETWORK

An internal circulation system of larger developments that allows vehicular travel within the property along privately owned roadways.

LOGO

Any picture, shape or drawing, with or without letters or words, used to identify a product, service, business or organization.

MONUMENT STYLE SIGN

A *freestanding sign* installed at or about ground-level, often with a decorative and/or solid base, designed to be seen at or about eye level. It is typically made from brick-and-mortar construction, stone, metal, plastic, or other durable materials. A *sign* supported by posts or a single pylon that has 12 inches or less of airspace between the lowest horizontal member of the *sign* structure and the adjacent grade shall be considered monument style. A landscape bed, planter box or solid mounting base, if installed, may be considered adjacent grade.

MUNICIPAL SIGN

Any *sign* relating to the use of a building or property by a government, public agency, or municipal board.

NONBUSINESS SIGN

Any *sign*, other than a *sign* promoting a *business use*.

PORTABLE SIGN

A *sign* that is not ~~permanently~~ affixed to a building, a or structure or **embedded in and extending from** the ground.

PUBLIC WAY

Any street, alley or other parcel of land open to the outside air leading to a public street, that has been deeded, dedicated or otherwise permanently appropriated to the public for public use and that has a clear width and height of not less than 10 feet.

REFLECTIVE SURFACE

Any material or device which has the effect of intensifying reflected light, such as ~~Scotchlite™~~ **retroreflective materials**, ~~DayGlo®~~ **fluorescent pigments**, glass beads and ~~luminous~~ **luminescent** paint.

REPLACEMENT IN-KIND

Replacement of a sign or portion of a sign conveying the same message without an increase in height, sign area, overall size or method of illumination.

RIGHT-OF-WAY

(1) PRIVATE RIGHT-OF-WAY

Land owned by a nonpublic agency or organization and occupied or intended to be occupied by transmission mains, gas ~~pipe lines~~ **pipelines**, rails or other special use.

(2) PUBLIC RIGHT-OF-WAY

Land owned by public agencies for use as a street or other public purposes.

ROOF SIGN

A *sign* erected upon or above a roof or parapet of a building or structure.

SIGN

Any material, structure or part thereof, or any device attached to a structure or painted or represented thereon, composed of or upon which is placed lettered or pictorial or other matter for visual communication, when used or located out-of-doors or on the exterior of any building or indoors as a *window sign*, for the display of any advertisement, notice, directional matter or name. The term "sign" does not include signs erected and maintained pursuant to and in discharge of any governmental function within this political jurisdiction, or required by any law, ordinance or governmental regulation or the flag or insignia of any nation or of any governmental agency having jurisdiction over the Town of Victor.

SIGN AREA

The square footage of the smallest square or rectangle which ~~will encloses~~ all elements which form the *sign or group of signs conveying one message, including logos*. Supporting structures will not be considered as part of the *sign surface area* unless lit by their own specific external light source. *Freestanding signs* may include an identical back without counting the identical area. Any additional form not integral to the building's architecture will be considered as part of the *sign*.

SIGN PERMIT

A permit issued by the *Code Enforcement Officer* providing documentation of the specific *sign(s)* requiring a permit ~~have been~~ **being** approved pursuant to these regulations.

SUBTENANT

One who rents all or part of a property from the occupying tenant. This arrangement, called subleasing or a sublease, creates a separate legal agreement between the subtenant and the original tenant.

TENANT

The occupant of a building or portion of a building as either the owner or as a renter.

TENANT IDENTIFICATION SIGN

A *sign* which identifies a specific business occupying a building or portion of a building.

TRAFFIC CONTROL SIGN

A *sign* used to manage the movement of vehicles, and pedestrians, and by providing information, warnings, or instructions, thereby regulating traffic flow and enhancing safety on public and private roadways such as ENTER/EXIT, DRIVE THRU or directional arrow *signs*.

WINDOW SIGN

Any medium displayed within either the inside or the outside of any glazing in either a window or a door. This includes, but is not limited to paper, plastic and metal *signs*, vinyl decals and perforated vinyl decals.

§ 165-3 Sign permits required; issuance.

- A. Permit required. A *sign permit* shall be required prior to erecting a *sign* within the Town of Victor, except as provided in Subsection B of this section.
- B. Exceptions; permit not required. The following *signs* shall not require a permit:
 - (1) *Nonbusiness signs*, ~~as defined and regulated in this chapter.~~
 - (2) *Municipal signs*.
 - (3) Repair ~~and~~ or *replacement in-kind*, of *signs* that conform with this chapter **after review and approval by the Code Enforcement Officer.**
 - (4) Real estate ~~sale, lease, or open for inspection~~ *signs* relating to the real property transfers provided that;
 - (a) such *sign* is no greater than six square feet in *sign area* in a residentially zoned district.
 - (b) such *sign* is no greater than 18 square feet in *sign area* in all other districts, ~~and at least six feet from the public right-of-way~~
 - (c) such *sign* ~~and~~ does not reduce the line of sight for *ingress/egress* from that property, or any other property.

- (d) Such *signs* are limited to one per 500 linear feet of property *frontage*, except that an additional two *signs* advertising that the premises is "open" is permissible only during the period that the property is open for inspection.
 - (5) Not-for-profit, charitable and political organizations may advertise an event with a *sign* limited to ~~four~~ three feet in height and six square feet per side may be used for the period of the event, and the preceding 30 days. An organization that advertises an event in excess of two times within a calendar year must obtain a *sign permit*.
 - (6) *Traffic control signs* provided that such *signs* do not exceed ~~two~~ three square feet and do not display the *logo* or name of a business.
 - (7) *Window signs and* ~~or~~ wall *signs* no greater than two square feet in area that provide notice of hours of operation, payment options, ~~invitee~~ customer restrictions, or legal warnings or notices. In no event may a *sign* within a window cover more than 30% of the total area of the particular window's total glazed area. In the case of a window that is a portion of a door, ~~then~~ the *sign* may not cover more than 10% of the total window area of the door.
 - (8) *Signs* required by law.
 - (9) *Freestanding signs* advertising a residential maintenance service conducted on the premises of which the sign is located and which comply with the *business use signs* section of this chapter.
 - (10) *Signs* used in conjunction with compliant roadside stands that do not exceed 3 square feet in total *sign area*. Such *signs* shall be mounted to the roadside stand.
- C. Sign permits.
- (1) *Sign permits* shall be issued by the *Code Enforcement Officer* for any *business use signs* in any zoning district unless such sign is listed as exempt.
 - (2) Applications for *signs* proposed for any land use activity that require site plan approval from the Planning Board shall be reviewed and approved by the Planning Board prior to issuance of a *sign permit* from the *Code Enforcement Officer*.
- D. Sign permit application.
- (1) All applications for a *sign permit* shall be made in writing to the *Code Enforcement Officer* and containing the following information:
 - (a) The name, address, and telephone number of the applicant, and, if different, the name, address, and telephone number of the owner of the land where the *sign* is to be erected.
 - (b) The location of the building, structure, or land to which or upon which the *sign* is to be erected.
 - (c) A detailed drawing or blueprint to scale not exceeding one inch equals one foot illustrating the construction detail of the *sign*, the lettering and/or the pictorial message of the *sign*, the color and positioning of the *sign*, the

position and height of other devices relating to the erection of the *sign*, a location plan drawn to scale not to exceed one inch equals 20 feet showing the position of the *sign* on any buildings or structures, including building elevation, and any private, or *public right-of-way*.

- (d) The zoning district in which the *sign* is to be placed.
 - (e) A tape location or survey indicating the position of setbacks relative to the position of any *freestanding sign*, and the location and setbacks of all buildings on the property.
 - (f) Identification of all other *signs* existing on the land, and whether those *signs* conform with this chapter.
 - (g) Written consent of the owner of the property on which the *sign* is to be erected.
 - (h) The signature of the applicant attesting to the accuracy of the petition.
- (2) All applications for a *sign permit* shall be reviewed by the *Code Enforcement Officer* within 30 days of ~~submittal~~ of **submitting** a complete application.
- (a) The *Code Enforcement Officer* shall deny any application for a *sign* which does not conform with this chapter. A denial shall be made in writing with a statement of the reason for the denial and served upon the applicant.
 - (b) The *Code Enforcement Officer* shall approve an application for a *sign* which conforms with this chapter, or upon ~~an~~ approval from the Planning Board or Zoning Board of Appeals where such review is required. Such approval shall be valid for six months, within such time the applicant shall notify the *Code Enforcement Officer* of completion of the installation of the *sign*, and the *Code Enforcement Officer* shall inspect the installed *sign* for compliance with the approval, and, if compliant, issue a certificate of compliance.
 - (c) In the event that the *Code Enforcement Officer* finds that the *sign* does not conform with the approval, the applicant shall be so notified in writing and have 30 days thereon to correct the cited deficiencies, or ~~be removed~~ **the sign** in accordance with the provisions of this chapter.
 - (d) In those cases where an applicant does not wish to implement the design conditions of approval outlined by the *Code Enforcement Officer*, or upon request of the applicant, the matter may be referred to the Architectural Review Committee of the Planning Board for an advisory opinion. In such cases, the Architectural Review Committee shall recommend approval or disapproval of such *sign* application in writing within 30 days from the date of referral, and such recommendation shall be binding upon the *Code Enforcement Officer's* determination. Nothing in this subsection shall alleviate the need for a variance in the case of a *sign* that does not conform to the requirements of this chapter.

- (e) The *Code Enforcement Officer's* review of *sign* applications and action thereon shall be ministerial in nature.

§ 165-4 **Design and appearance; construction and installation.**

A. Design and appearance.

- (1) All *signs* and supporting structures must be in harmony with the style and scale of the architectural features of the buildings on which they are placed or to which they relate.
- (2) All *signs* must be appropriate to the type of activities they represent.
- (3) Layout of all *signs* and their messages must be orderly and of simple shapes.
- (4) No more than two typeface fonts may be used on any one *sign* or group of *signs* ~~indicating one message~~ **advertising the same business use.**
- (5) The number of different colors or shades of colors used on one *sign* or group of *signs* shall be of a consistent theme.
- (6) All *signs* that are lit must be so designed as to reflect light and glare away from surrounding properties and the *right-of-way* and not be greater than necessary to make the *sign* legible at night from the *right-of-way*. Lighting among *signs* shall be consistent with surrounding *signs*.
- (7) No *sign* within a residential district may be lit unless it is a permitted *sign* for a permitted or special permitted *business use* or permitted by the Zoning Board of Appeals.
- (8) Groups of related *signs* must express uniformity and create a sense of harmony in appearance.
- (9) *Freestanding signs* shall be *monument style* as opposed to pylon style.
- (10) No *sign* located within a speed zone of 35 miles per hour or less shall exceed 20 square feet or be ~~backlit~~ **lit using backlighting**, regardless of the *sign area* otherwise permitted by this chapter.
- (11) The Architectural Review Committee of the Planning Board may, from time to time, create a brochure which visually illustrates the appearance of *signs* consistent and inconsistent with this chapter. Such brochure is subject to the review and acceptance of the Town Board. Such brochure is for illustrative purposes only, and not determinative of the approval of any particular application.

B. Construction and installation.

- (1) All *signs* shall comply with the Uniform Fire Prevention and Building Code.
- (2) No *sign* shall interfere with utility line clearance.

- (3) No *sign* shall interfere with the use of any fire exit, door, or window or other access to a building. No *sign* shall obstruct the vision of any access or be designed in such a way as to confuse access to a fire escape route.
- (4) No *sign* shall interfere with sight distances or otherwise interfere with the ability of motor vehicle traffic to make safe movements.
- (5) No *sign* shall project into a *public right-of-way*. *Signs within the public right-of-way may be removed by the Code Enforcement Officer without notice.*
- (6) No *freestanding sign* requiring a *sign permit* shall be closer ~~then~~ *than* thirty-five (35) feet from the pavement of the *public right-of-way*.

§ 165-5 **Business use signs.**

A. *Business use signs* are not permitted in any ~~Residential District~~ or multiple dwelling ~~district~~ except:

- ~~(2)~~(1) To identify a permitted home occupation, provided only upon the determination of the Zoning Board of Appeals.
- ~~(1)~~(2) *Freestanding, monument style signs conforming with this chapter, ~~to~~ that* identify a private club, golf course, church, bed-and-breakfast or agricultural use, provided that a special use permit has been issued if required and the special use permit authorizes the *sign*.
- (3) *Building mounted tenant identification signs conforming with this chapter, that* identify a private club, golf course, amenity to a golf course such as a restaurant or pro shop, church, bed-and-breakfast or agricultural use, provided that a special use permit has been issued if required and the special use permit authorizes the *sign*.
- (4) *Freestanding, monument style sign(s) conforming with this chapter, that* identify the name of a residential subdivision or multiple dwelling development provided that the *sign(s)* are identified on a site plan reviewed and approved by the Planning Board.
- (5) *Freestanding signs* advertising a residential maintenance service that was conducted on the premises and comply with the following:
 - (a) such *signs* shall be no larger than three square feet.
 - (b) such *signs* are displayed for the duration of the service and for a period not to exceed 30 days from the last date of service.
 - (c) such *signs* are not displayed within any *public right-of-way*.

B. *Business use signs* are permitted in Commercial, **Commercial Center**, Commercial/Light Industrial, Light Industrial ~~or~~ **and** Planned Development Districts subject to the following standards:

- (1) **Freestanding Monument Signs.**

- (a) One freestanding, *monument style, building identification sign* may be installed which identifies the name of the building or plaza, but does not identify any specific business. *In the case of a single building or multiple buildings occupied in their entirety by a single tenant on a single parcel, the name of the business may also be the name of the building(s).*
 - (b) A *building identification sign and supporting structure* ~~may be freestanding,~~ shall not to exceed 10 feet in **total** height.
 - (c) A *building identification sign* may have two sides and shall not exceed ~~and~~ 20 square feet in total *sign area* per side.
- (2) Directory Signs.
- (a) A multiple use structure, such as a building, plaza, or mall, may have a building-mounted *directory sign* not exceeding 10 square feet in total area.
 - (b) Any group of buildings, plaza or mall with an *internal roadway network* may have freestanding *directory signs* for the purpose of providing direction and assisting with traffic control. One such *sign* shall be permitted at each intersection of the *internal roadway network*. Freestanding *directory signs* shall adhere to the following:
 - [1] such *sign* shall not cause a traffic hazard by obstruction, position, shape, wording or symbols that confuses vehicle traffic.
 - [2] such *sign* shall not exceed 10 feet in total height.
 - [3] such *sign* shall not exceed 20 square feet in total *sign area*.
- (3) Tenant Identification Signs.
- (a) In addition to any *building identification signs* and *directory signs*, each *tenant* of a building, or plaza shall be entitled to one building mounted *tenant identification sign* on each *business frontage* with a separate *exterior public entrance* ~~to facing a public right-of-way, or parking area. shall be entitled to an individual sign. A tenant of a building is deemed to have its own separate entrance and building frontage. Any sub-tenant of a principle tenant is limited to sign area of the principal tenant as described within this section.~~ *Tenant identification signs* shall comply with the following:
 - [1] ~~the total~~ such *sign* ~~area for tenant signs~~ shall not exceed one square foot of total *sign area* for each linear foot of building *business frontage* that the *sign* will be displayed upon, belonging to ~~the~~ that particular *tenant*.
~~but~~
 - [2] in no event shall a single *tenant identification sign* exceed 20 square feet in *sign area* in speed zone of 35 miles per hour or less.
 - ~~(4)~~(b) A single *tenant* may have ~~two~~ one additional building mounted *tenant identification sign* faces, subject to the total *sign area* restriction within

subsection (a) of this section, ~~when on each business frontage the tenant's space within the building has frontage on two~~ along any additional *public rights-of-way*, and no parking exists along the *business frontage* which abuts the *public right-of-way*. Such *business frontage* is not required to contain a separate *exterior public entrance*.

- (5)(c) An additional *tenant identification sign*, ~~affixed to the building to be no greater in sign area than 1/2 of one square foot for each linear foot of linear building~~ *business frontage* belonging to the particular *tenant* shall be permitted only when the *business frontage faces a public way* ~~the primary entrance and parking to the building are at the rear of the building with respect to the public right-of-way,~~ and no parking exists at the portion of the building which abuts the *public way*. ~~right-of-way~~.
- (6)(d) Any ~~sub-tenant~~ *subtenant* of a ~~principle~~ *principal* tenant ~~is~~ may be permitted one building mounted *tenant identification sign*, limited to the total *sign area* of the principal tenant ~~as described~~ *permitted* within this section.
- (e) A *tenant identification sign* must be mounted to the building or plaza. Freestanding *tenant identification signs* are not permitted. *Awning signs* shall be considered building mounted.
- (4) The Planning Board, in conjunction with a new site plan review, may ~~provide~~ *approve* additional building identification, *tenant identification* and *directory signs*. The Planning Board may not increase the total *sign area* permitted for a specific building or *tenant identification sign*.
- (5) Window Signs.
- (a) A single *illuminated sign* displaying the word "OPEN" may be displayed within a window or door during business hours. An illuminated "OPEN" no greater than 2 square feet in *sign area* shall not require *sign permit*.
- (b) Vinyl and perforated vinyl decal signs.
- [1] Vinyl and perforated vinyl *signs* require a *sign permit* and shall count against the allowable square footage of *sign area* for *tenant identification signs*.
- [2] In no event may a vinyl or perforated vinyl *sign*, within a window, cover more than 30% of the window's total glazed area. In the case of a window that is a portion of a door, the *sign* may not cover more than 10% of the total window area of the door.
- (6) Open Flags. Each *tenant* of a building or plaza shall be permitted to display a flag indicating the business is open provided that:
- (a) The flag only contains the word "OPEN" but may include a small *logo* or symbol.

- (b) The flag shall be no larger than 15 square feet in total area.
 - (c) No more than one building mounted flag may be displayed per *tenant*.
 - (b) No more than one freestanding flag may be displayed per site entrance of a building or group of buildings which are occupied in their entirety by a single *tenant*.
 - (e) Open flags in compliance with this section shall not require a *sign permit*.
- (7) Sandwich Board and Portable Signs.
- (a) Sandwich board and *portable signs* may be used, provided that:
 - [1] no more than one such *sign* is displayed per *exterior public entrance* belonging to the *business use* being advertised.
 - [2] such *sign* is displayed within 25 feet of the *exterior public entrance* belonging to the *business use* being advertised.
 - [3] such *signs* are no greater than 6 square feet *sign area* per side.
 - [4] such *signs* do not impede pedestrian or vehicular traffic.
 - [5] such *signs* are only displayed during business hours.
 - (b) Sandwich board and *portable signs* in compliance with this section shall not require a *sign permit*.
- (8) Employment Signs. Each *tenant* of a building or plaza may display *employment signs* that comply with the following:
- (a) *Employment signs* shall be displayed on the premises of which the business advertising the employment opportunity is located.
 - (b) One freestanding *employment sign* per *tenant* may be displayed for the duration needed provided that such *signs* comply with the following:
 - [1] such *sign* shall not cause a traffic hazard by obstruction, position, shape, or wording or symbols that confuses vehicle traffic.
 - [2] such *signs* are limited to 12 square feet in total area.
 - [3] such *signs* are limited to 8 feet in total height.
 - (c) Two additional *employment signs* may be displayed on a wall or in a window for the duration needed. The total square footage of building mounted *employment signs* shall not exceed ½ square foot per linear foot of *business frontage* that the sign is being displayed upon. In no event may a *sign* within a window cover more than 30% of the window's total glazed area. In the case of a window that is a portion of a door, the *sign* may not cover more than 10% of the total window area of the door.
 - (d) *Employment signs* in compliance with this section shall not require a *sign permit*.

(9) Temporary Business Use Signs.

- (a)** Temporary *business use signs* may be used to advertise a specific event, such as “COMING SOON”, “GRAND OPENING”, “NOW OPEN”, “CLEARANCE SALE” and similar events approved in advance by the *Code Enforcement Officer*. In no event shall a temporary *business use sign* be in violation of signs prohibited by this chapter.
- (b)** Temporary *business use signs* shall only advertise the same type of event twice in the same calendar year.
- (c)** Temporary *business use signs* shall have a maximum of two sides.
- (d)** Temporary *business use signs* may be building mounted or freestanding.
- (e)** Temporary *business use signs* that do not meet the criteria below shall require a *sign permit*.
 - [1]** The temporary sign is displayed for a period not to exceed 30 days.
 - [2]** No more than two such signs advertising the same event shall be displayed at any one time.
 - [3]** Each temporary sign does not exceed 12 square feet in total area per side.
- (f)** In no event shall a *sign permit* be granted for temporary *signs* to be displayed for a period exceeding 90 days.
- (g)** Temporary *business use signs* shall be displayed on the premises of which the *business use* being advertised is located.
- (h)** Temporary *business use signs* shall not be independently illuminated.

~~(8)~~**(10)** Assigned street numbers must be displayed and shall not be counted against the *sign area*.

C. Additional *business use signs* permitted within the Commercial Center Zoning District Regulations found in Chapter 211-22.

§ 165-6 Prohibited signs.

- A.** Posted fliers are not allowed in Residential Districts or in a *public right-of-way* in any district, and may be removed by the *Code Enforcement Officer* without notice.
- B.** Moving *signs*, including flashing, blinking, animated, rotating, or projected surfaces that change with time. Time and temperature displays are not prohibited by this section, nor are message boards, provided that message is not changed more than once per day.
- ~~**C.** Neon signs, with the exceptions of a single sign indicating displaying the word "OPEN" during business hours within a window and in accordance with window signs as regulated by this chapter.~~

- C. *Illuminated window signs.* Luminance from windows must not originate from *illuminated signs*. Luminance from windows from neon, light-emitting diodes (LEDs), tubular lamps, luminous gas-filled tubes, and channel light fixtures is prohibited unless permitted elsewhere in this chapter.
- D. Unrelated **and off-premises signs**. *Business use signs* must advertise a bona fide business conducted on the premise where the *sign* is located.
- E. *Reflective surfaces signs*.
- F. *Roof signs*.
- G. Temporary *signs*, except for temporary *signs* advertising a **specific event or temporary business use signs permitted elsewhere by this chapter**. *Signs* advertising a specific event may be placed for up to 30 days prior to the event advertised. A temporary *sign* may only advertise the same type of event twice in the same calendar year, and shall not require a permit **unless required elsewhere in this chapter**. ~~The Code Enforcement Officer may remove a noncompliant sign without notice.~~
- H. *Attention-getting devices* such as balloons, nongovernmental flags, streamers and the like may be used to advertise an event for no more **than five** ~~the three~~ consecutive days, and not more ~~that~~ **than 5** ~~10~~ times in a calendar year.
- ~~I. A flag indicating that a business is open may be flown only during business hours. No more than one such flag per building if attached to a building, and no more than one such flag per site entrance if detached from a building. The Code Enforcement Officer may remove a flag without notice.~~
- ~~J.I. Price signs indicating the price of any product or service are prohibited except for gas stations within 100 feet of the closest gas pump, and or where required by County, State or federal law.~~
- ~~K.J. Signs or attention-getting devices that cause a traffic hazard by obstruction, position, shape, or wording or symbols that confuses vehicle traffic, and may be removed by the Code Enforcement Officer without notice.~~
- ~~L. Sandwich board and portable signs may be used, provided such signs are displayed only during the businesses hours of the business advertised, and no more than one such sign is displayed per business entrance, and no more than one such sign is displayed at a site entrance. Sandwich board and portable signs must be displayed within 25 feet from the business entrance, and not conflict with pedestrian or vehicular traffic. Such sign must comply with the regulations concerning temporary signs and attention getting devices above. Noncompliant sandwich board signs may be removed by the Code Enforcement Officer without notice.~~
- M.K. Billboards, or other structures designed for the purpose of renting or leasing space for the purpose of displaying advertisements toward vehicular traffic.
- N.L. *Signs* which permanently advertise a particular brand that a business offers for sale. **The name of the business is not considered a brand.**

- ~~Q.M.~~ *Signs* that produce vapors, smoke, particles, or noise. ~~may be removed by the Code Enforcement Officer without notice.~~
- ~~P.N.~~ Illegible *signs* and *signs* in disrepair. ~~may be removed by the Code Enforcement Officer without notice.~~
- O.** *Changeable-copy signs* and message boards are not prohibited provided that the message is not changed more than once per day **and a permit has been issued for the sign.**

§ 165-7 Nonconforming signs.

~~All~~ **Any lawfully existing sign** ~~not in compliance~~ **which does not comply** with any provision of this chapter, upon the effective date specified herein, shall be deemed nonconforming.

- A.** A nonconforming *sign* shall be removed or brought into conformity with the requirements of this chapter upon a change in use.
- B.** A nonconforming *sign* related to an existing use shall be removed or made conforming prior to the issuance of any subsequent *sign permit* for such use.
- C.** **A nonconforming sign shall be allowed to be maintained. Any nonconforming sign which is removed, relocated, or if 50% or greater of the sign or its components are in need of replacement cumulatively within 5 years, the sign shall be brought into conformity with the requirements of this chapter.**
- ~~C.D.~~ Applications for *sign* approval and *sign permit* for the replacement of an existing nonconforming *sign* to a legal *conforming sign* which is submitted before two years before the effective date of this chapter shall be exempt from all applicable fees required by this chapter but not from any subsequent fees.

§ 165-8 Enforcement; penalties for offenses.

- A.** It shall be the duty of the *Code Enforcement Officer* or his delegate to administer and enforce the provisions of this chapter.
- B.** When violations occur under this chapter, the *Code Enforcement Officer* shall cause notice to be given to the owner or occupant of the premises on which the *sign* is located, or to the agent of either, or person receiving the benefits from the offending *sign*. Said notice may be given by first class mail, or by issuance and service of a notice of violation. If any of said persons fail to abate said violation within five days after such notice has been personally served upon them, or within 10 days after such notice has been sent to said persons by first class mail at their home or business address, said persons shall be subject to a civil penalty of \$250 for each and every day that said violation continues, recoverable by suit brought by the *Code Enforcement Officer* in the name of the Town of Victor, and to be retained by the Town of Victor.

- C. The *Code Enforcement Officer* or authorized representative may serve a written stop-work order upon the applicant or other person who commits or assists in any such violation requiring the correction of any violation of this chapter.
- D. The *Code Enforcement Officer*, on behalf of the Town of Victor, may maintain an action for an injunction to enjoin violations of this chapter.
- E. Any person violating any provisions of this chapter or of any notice or order issued hereunder shall be guilty of disorderly conduct and shall be deemed to be a disorderly person and, upon conviction, shall be subject to a fine not exceeding \$100 for each violation. Each day that a violation continues shall constitute a separate offense punishable by the foregoing fine. The *Code Enforcement Officer* is hereby empowered to issue appearance tickets for violations of this chapter. A digital camera photograph with time and date stamp showing a *portable sign* displayed or maintained out of doors at a time other than permitted shall be prima facie evidence of a violation of that section.
- F. A *sign permit* issued pursuant to this chapter may be revoked by the *Code Enforcement Officer* if it appears that the *sign* erected pursuant to the permit no longer conforms to the provisions of this chapter. Notice of revocation may be delivered personally or by first class mail; revocation shall occur immediately in the case personal delivery and after 10 days when delivery is by regular first class mail.
- G. The remedies provided herein shall be cumulative and shall be in addition to any other remedies provided by law.

§ 165-9 Fees.

All fees associated with this chapter shall be charged to **the** applicant pursuant to Chapter 27 of the Victor Town Code.

§ 165-10 Sign maintenance.

All *signs* in the Town of Victor shall be properly maintained at all times. The *Code Enforcement Officer* shall have the authority to order the painting, repair or removal of a *sign* and accompanying landscaping which constitutes a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence or abandonment. Notification shall be by personal delivery or by certified mail. If the maintenance notice is not complied with within 15 days, it shall become an order to abate the *sign* or perform the maintenance or repair specified therein.

§ 165-11 Review; appeal.

- A. All appeals from a ruling or determination of an administrative officer made hereunder shall be taken to the Zoning Board of Appeals. All decisions made in accordance with the provisions of this chapter shall be filed in the office of the Town Clerk.

- B. Every request for a variance from the provisions hereof on the ground that the strict application of this chapter shall work an injustice by reason of practical difficulty shall be taken before the Zoning Board of Appeals.
- C. Applications for renewal of a variance shall be supported by the same quantum of evidence required for the initial grant. The Zoning Board of Appeals may impose reasonable condition(s) to the granting of a variance, which may include durational limitations.
- D. Except as otherwise provided above, the procedure before the Zoning Board of Appeals shall be governed by the applicable provisions of Chapter 211 of the Code of the Town of Victor and the Town Law. Review of determinations made hereunder by the Zoning Board of Appeals shall be governed by Article 78 of the New York Civil Practice Law and Rules and the Town Law. Any such proceeding shall be commenced within 30 days of the filing of the decision sought to be reviewed and served upon the *Code Enforcement Officer* and the Town Clerk.
- E. Review of determinations made hereunder by the Planning Board shall be governed by Article 78 of the New York Civil Practice Law and Rules and the Town Law. Any such proceeding shall be commenced within 30 days of the filing of the decision sought to be reviewed and served upon the *Code Enforcement Officer* and the Town Clerk.
- F. Abandonment of variance. If a *sign* for which a variance has been granted hereunder is not erected within one year from the date of the variance, or if a *sign* for which a variance has been granted hereunder is removed for a continuous period of one year, the variance for said *sign* shall be deemed abandoned and of no effect.

#1

RESOLUTION NO.

**AMEND RESOLUTION NO. 119 CORRECTING THE 2025 BUDGET AMENDMENT
AMOUNT TO THE FUND CAPITAL RESERVES MOVING FROM UNAPPROPRIATED
UNASSIGNED FUND BALANCE**

WHEREAS, on April 27, 2026, the Town Board approved Resolution No. 119, increasing the 2025 Budget to Fund Capital Reserves Moving Funds from Unappropriated Unassigned Fund Balance, and

WHEREAS, the amount in the Resolution was incorrect and did not match the approved amount in the Audit Report with the corrected amount listed below, and

RESOLVED, that the Town Board approves amending the 2025 Budget to allocate excess Fund Balance in the amount of Two Million Seven Hundred and Sixty-Seven Thousand and Nine Hundred and Seventeen Dollars 00/100 (\$2,767,917.00) to the Capital Reserve – R1 Buildings and Land Account for possible future Town Highway facility, and

	TO:			FROM:	
ACCOUNT NO.	DESCRIPTION	AMOUNT	ACCOUNT NO.	DESCRIPTION	AMOUNT
A.0878.001	Capital Reserve-R1 Buildings and Land	\$2,767,917	A.0917.000	Unassigned Fund Balance	\$2,767,917

RESOLVED, that the Town Board authorizes the Finance Director to make all necessary entries to achieve this budget amendment upon Town Board approval, and further,

RESOLVED that a copy of this resolution be forwarded to the Town Clerk and Finance Director.

RESOLUTION NO. 119

AMEND THE 2025 BUDGET INCREASING THE A FUND CAPITAL RESERVES MOVING FROM UNAPPROPRIATED UNASSIGNED FUND BALANCE

Motion was made by Councilman Condon, seconded by Councilwoman Ogra to adopt the following resolution:

5 Ayes (Marren, Condon, Cusimano, Ogra, Tipton) 0 Nays

WHEREAS, the Town of Victor A Fund Unassigned Unappropriated Fund Balance as a percentage is within the target range (18% - 22%) per the Town of Victor Fund Balance Policy, and

WHEREAS, a Buildings and Land Fund was established on January 22, 2001, by Resolution #58 to “finance the cost of construction, reconstruction or acquisition of buildings or other property”, and

WHEREAS, the proposed allocation would result in 18% of 2026 Budget Allocations, it is prudent that we utilize excess Unassigned Fund Balance to save for future Capital Building and Land needs, and

WHEREAS, As a result of the current financial condition of the Highway Part Town DB Fund, and based on the recommendation of the finance department, the Town Board has determined not to utilize the capital reserve dollars for street improvements and equipment originally budgeted and opted to utilize available unassigned fund balance.

WHEREAS, the Capital Reserve – R1 Buildings and Land Fund exists in the Town A Fund budget as Account A.0878.001, now, therefore, be it

RESOLVED, that the Town Board approves amending the 2025 Budget to allocate excess Fund Balance in the amount of Two Million Nine Hundred and Thirty Thousand and Seven Hundred and Thirty-Six Dollars 00/100 (\$2,930,736.00) to the Capital Reserve – R1 Buildings and Land Account for possible future Town Highway facility, and

	TO:			FROM:	
ACCOUNT NO.	DESCRIPTION	AMOUNT	ACCOUNT NO.	DESCRIPTION	AMOUNT
A.0878.001	Capital Reserve-R1 Buildings and Land	\$2,930,736	A.0917.000	Unassigned Fund Balance	\$2,930,736

RESOLVED, that the Town Board authorizes the Finance Director to make all necessary entries to achieve this budget amendment upon Town Board approval, and further,

RESOLVED that a copy of this resolution be forwarded to the Town Clerk and Finance Director.

#2

RESOLUTION NO.

AMEND 2026 BUDGET TO INCLUDE ASSOCIATED REVENUE AND EXPENSE ITEMS FOR 2026 FIRE PROTECTION FUND AND ACCEPTANCE OF THE FUNDS FROM THE FISHERS FIRE DISTRICT

WHEREAS, the Fisher’s Fire District has been approved to dissolve on October 1, 2025, creating additional need for EMS within the newly created Fire District One and Fire District Two; and

WHEREAS, Section 122-b 1{c} of the New York General Municipal Law authorizes the Town to supply ambulance services for the furnishing of pre-hospital emergency treatment or for transporting sick or injured persons; and

WHEREAS, Victor Fire District and Bushnell’s Basin Fire Association each has provided the Town with a 15-month contract agreement for coverage in the two newly formed Fire Protection Districts to end December 31, 2026; and

WHEREAS, the Town excepted the final funding from Fisher Fire District ending April 15, 2026, in the amount of One million Nine Hundred and Twenty-One Thousand Three Hundred and Thirty-Four 57/100 (\$1,921,334.57); and

WHEREAS, the Town is anticipating approximately Seven Hundred Thousand dollars (\$700,000.00) in additional expenses remaining to be funded from Fisher’s Fire District consisting primarily of New York State Retirement contributions to be allocated to Fire Protection contractual (SF1.3410.400) and Unappropriated Fund Balance (SF1.0911.000) in the amount of One million Two Hundred and Twenty-One Thousand three hundred and thirty four 57/100; and

WHEREAS, funds need to be appropriated in the 2026 Budget to reflect the revenue and expense items for the current year as indicated below:

Revenue:

SF1.2770	Miscellaneous Revenue	\$ 1,921,334.57
	Total Revenue	\$ 1,921,334.57

Expense:

SF1.3410.400	Fire Protection Contractual	\$ 700,000.00
SF1.0911.000	Unappropriated Fund Balance	\$ 1,221,334.57
	Total Expense	\$ 1,921,334.57

Now, therefore, be it

RESOLVED, that the Town Board approve amending the 2026 Budget to appropriate the funds received from the Fisher’s Fire District in the amount of One million Nine Hundred and Twenty-One Thousand Three Hundred and Thirty-Four 57/100 (\$1,921,334.57) to Miscellaneous Revenue (SF1.2770) and with the associated increase in Expense accounts as indicated above; and

BE IT FINALLY RESOLVED, the Town Clerk to provide a copy of this resolution to the Town Finance Director and Town Clerk.

#3

RESOLUTION NO.

AUTHORIZATION FOR THE PURCHASE OF PAVING SERVICES FROM VILLAGER CONSTRUCTION FOR THE 2026 CONSTRUCTION SEASON BY PIGGYBACKING OFF MONROE COUNTY BID, BP0101-24 GROUP 1 AND 3 FOR EQUIPMENT AND SERVICES

WHEREAS, the Highway Department has the need for paving town roads for the 2026 road construction season, and;

WHEREAS, these services are available off Monroe County Bid Award #BP0101-24 Contract Group 1 and 3 through Villager Construction, Inc. and have been approved by Villager Construction via the April 21st, 2026, letter allowing political subdivisions to participate in piggybacking off this contract; and

WHEREAS, funds are available in the 2026 Budget line-item DB.5110.400 General Repairs Contractual and DB.5112.400 Improvements Contractual for the purchase of paving services for highway road construction now, therefore, be it

RESOLVED that the Town Board authorizes the Highway Superintendent to piggyback off Monroe County Bid #BP0101-24, Group 1 and 3 for the purchase of paving services for 2026 town road construction season; and further

RESOLVED that a copy of this resolution be forwarded to Highway Superintendent, Town Clerk, Finance Department and Villager Construction, Inc. 425 Old Macedon Center Road, Fairport, New York 14450

#4

RESOLUTION NO.

AUTHORIZATION FOR THE PURCHASE OF MILLING SERVICES FROM VILLAGER CONSTRUCTION FOR THE 2026 CONSTRUCTION SEASON BY PIGGYBACKING OFF MONROE COUNTY BID, BP0101-24 GROUP 1 AND 3 FOR EQUIPMENT AND SERVICES

WHEREAS, the Highway Department has the need for milling town roads for the 2026 road construction season, and;

WHEREAS, these services are available off Monroe County Bid Award #BP0101-24 Contract Group 1 and 3 through Villager Construction, Inc. and have been approved by Villager Construction via the April 21st, 2026, letter allowing political subdivisions to participate in piggybacking off this contract; and

WHEREAS, funds are available in the 2026 Budget line-item DB.5110.400 General Repairs Contractual and DB.5112.400 Improvements Contractual for the purchase of milling services for highway road construction now, therefore, be it

RESOLVED that the Town Board authorizes the Highway Superintendent to piggyback off Monroe County Bid #BP0101-24, Group 1 and 3 for the purchase of milling services for the 2026 town road construction season; and further

RESOLVED that a copy of this resolution be forwarded to Highway Superintendent, Town Clerk, Finance Department and Villager Construction, Inc. 425 Old Macedon Center Road, Fairport, New York 14450

#5

RESOLUTION NO.

ACKNOWLEDGEMENT OF THE APPOINTMENT OF TO THE MOTOR EQUIPMENT OPERATOR POSITION FOR THE TOWN OF VICTOR HIGHWAY DEPARTMENT

WHEREAS, a vacancy exists in the Highway Department due to the retirement of James Mattoon from the position of Motor Equipment Operator from the Town of Victor Highway Department effective on January 30, 2025, thereby creating a Motor Equipment Operator vacancy in the Highway Department, and

WHEREAS, interviews were conducted by Mark Years – Highway Superintendent, Greg Knapp – Deputy Highway Superintendent, and Tina Kolaczyk - Human Resources, and

WHEREAS, Mark Years – Highway Superintendent, wishes to appoint _____ to the position of Motor Equipment Operator; now, therefore be it

RESOLVED that the Town Board acknowledges the appointment of _____ to the Motor Equipment Operator position for the Highway Department, effective on June 1, 2026, at a salary of \$31.49/hour (thirty-one dollars and forty-nine cents) and is to be funded from line DB.5130.100 Machinery.Personal Services in the 2026 Operating Budget, and be it further

RESOLVED that a copy of this resolution be forwarded to the Highway Superintendent, _____, Human Resources, and the Finance Department.

#6

RESOLUTION NO.

ACKNOWLEDGEMENT OF APPOINTMENT OF NATHAN MACBRIDE AND LEWIS WATSON TO PART-TIME SEASONAL HIGHWAY LABORER POSITION

WHEREAS, Nathan MacBride and Lewis Watson were interviewed for the Part-Time Seasonal Highway Laborer positions by an interview committee consisting of Mark Years – Highway Superintendent, Greg Knapp – Deputy Highway Superintendent, and Tina Kolaczyk - Human Resources, and

WHEREAS, the interview committee wishes to appoint Nathan MacBride and Lewis Watson to the Part-Time Seasonal Highway Laborer positions with a starting date of June 1, 2026; now, therefore be it

RESOLVED that Nathan MacBride and Lewis Watson be appointed to the Part-Time Seasonal Highway Laborer positions with a starting date of June 1, 2026 at a of \$23.38/hour (twenty-three dollars and thirty-eight cents) to be charged to the 2026 Town Budget account #DB.5110.100 – General Repairs. Personal Services, and be it further

RESOLVED that a copy of this resolution be sent to Nathan MacBride, Lewis Watson, Highway Superintendent, Finance Department, and Human Resources.

#9

RESOLUTION NO. **REQUEST FOR CERTIFICATE OF LIABILITY INSURANCE WAIVERS**

WHEREAS, the Town Board adopted the Resolution # 234 – Town of Victor Contract Procedures on June 13, 2016; and

WHEREAS, per the Contract Process, contractors and vendors who cannot obtain a Certificate of Liability Insurance which is in accordance with the Town’s insurance requirements in order to perform their contracted service for the Town of Victor may appeal to the Victor Town Board for a Waiver of the Certificate of Liability Insurance; and

WHEREAS, the Town wishes services to be provided by the following vendors, who are requesting the waiver of providing a Certificate of Liability Insurance to the Town of Victor:

<u>Vendor</u>	<u>Activity / Event</u>	<u>Location of Event</u>	<u>Amount of Contract</u>	<u>Duration of Contract</u>	<u>Reason for Exemption</u>
Vera Forster	Community Chorus Accompanist	Varies	\$2,100.00	December 31, 2026	Insufficient Coverage

Now, therefore, be it

RESOLVED that the Town Board grants the Certificate of Liability Insurance Waivers for the following service provider:

<u>Vendor</u>	<u>Activity / Event</u>	<u>Location of Event</u>	<u>Amount of Contract</u>	<u>Duration of Contract</u>	<u>Reason for Exemption</u>
Vera Forster	Community Chorus Accompanist	Varies	\$2,100.00	December 31, 2026	Insufficient Coverage

And be it

RESOLVED that a copy of this resolution be sent to Brian Emelson, Director of Parks and Recreation, Karen Bodine, Town Clerk, and Vera Forster.

#7

RESOLUTION NO. **LIMITED PERMISSION ALCOHOLIC BEVERAGE PERMIT**

WHEREAS, the Town has a Limited Permission Alcohol Use Policy and permit relating to the Consumption and / or Dispensing of Alcoholic Beverages in certain Town of Victor parks during special events; and

WHEREAS, the Department of Parks and Recreation will be hosting the annual Sid Partington Memorial Summer Concert in the Park series at Victor Municipal Park on Thursdays, July 2nd, 9th, 16th, 23rd, 30th, August 6th, 13th from 6:00 – 8:30 pm; and Taco Tuesday at Dryer Road Park on Tuesdays, June 16th, July 21st, August 18th and September 15th from 5:30 – 8:30 pm; and

WHEREAS, it is the desire of the Department of Parks and Recreation to have No BS Brewing Company (Sid Partington Memorial Summer Concert in the Park series) and Peacemaker Brewing Company (Taco Tuesday at Dryer Road Park series) on site to dispense alcohol at the eleven events and they have applied for a Special Events – Temporary Bar and Wine permit through the New York State Liquor Authority; now, therefore, be it

RESOLVED that the Town Board hereby authorizes the issuance of a Limited Permission Alcoholic Beverage Permit by the Town of Victor Department of Parks and Recreation to No BS Brewing Company to dispense alcohol at the Sid Partington Memorial Concert in the Park series and Peacemaker Brewing Company to dispense alcohol at the Taco Tuesday at Dryer Road Park series conditioned upon 1) approval of the Special Events – Temporary Bar and Wine Permit Application by the New York State Liquor Authority to No BS Brewing Company and Peacemaker Brewing Company for dispensing alcohol at the summer events, and 2) the issuance of a Certificate of Insurance from No BS Brewing Company and Peacemaker Brewing Company naming the Town of Victor as an Additional Insured, and complies with the requirements of the Town Code and Policy for Dispensing and Consumption of Alcohol; and be it further

RESOLVED, that a copy of this resolution be forwarded to Director of Parks and Recreation, Town Clerk and Amy Waters, No BS Brewing Company and Todd Reardon, Peacemaker Brewing Company.

#8

RESOLUTION NO.

AGREEMENT- VERA FORSTER COMMUNITY CHORUS DIRECTOR

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Vera Forster for management and direction of the Victor Community Chorus; and

WHEREAS, the Contractor has provided the Town with all the appropriate documents to support the proposed service agreement; now, therefore, be it

RESOLVED that the Town Board authorizes the Town Supervisor and the Director of Parks and Recreation to enter into agreement with Vera Forster under the terms and conditions as provided for in the contract kept in the subject matter file in the Town Clerk's Office for a fixed fee of Two-Thousand One Hundred Dollars (\$2,100.00) to be paid from the 2026 Budget Line item A.6772.400 Programs for the Aging - Contractual; and further

RESOLVED that this resolution is conditioned upon receiving approvals from the Town's Insurance Broker, or an insurance waiver from the Town Board, and the Attorney for the Town; and further

RESOLVED that a copy will be forwarded to the Director of Parks and Recreation, Finance Director, Town Clerk, and Vera Forster.