

# Historic Design Guidelines

City of Binghamton , New York

## FINAL REPORT

September 2011



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**City of  
Binghamton**  
*Restoring The Pride*



# ACKNOWLEDGEMENTS

## City of Binghamton Historic Design Guidelines

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### 3. LOCAL PRESERVATION ORDINANCE

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ARTICLE XII, Landmarks Preservation Commission [Adopted 12-18-1978 by Ord. No. 273-78 (Ch. 2, Div. 13, §§ 2-163.32 through 2-163.41, of the 1970 Code); Amended 4-21-10 by Ord. No. 19-2010]  
 § 18-75. Purpose [Amended 4-21-10 by Ord. No. 19-2010]

It is hereby declared as a matter of public policy that the protection, enhancement and perpetuation of landmarks and historic districts are necessary to promote the economic, cultural, educational, and general welfare of the public. Inasmuch as the identity of a people is founded on its past and inasmuch as Binghamton has many significant historic, architectural and cultural resources, which constitute its heritage, this act is intended to:

- A. Protect and enhance the landmarks and historic districts, which represent distinctive elements of Binghamton's historic, architectural, and cultural heritage;
- B. Foster civic pride in the accomplishments of the past;
- C. Protect and enhance Binghamton's attractiveness to visitors and the support and stimulus to the economy thereby provided;
- D. Ensure new or remodeled structures, located within historic districts, be designed and constructed to harmonize with structures located within the historic district;
- E. Strengthen the economy of the City and provide a stimulus to new business; and
- F. Ensure the harmonious, orderly, and efficient growth and development of the City.

§ 18-76. Historic Preservation Commission [Amended 4-21-10 by Ord. No. 19-2010]

- A. In order to effectuate the purpose and intent of this article, there is hereby established in and for the City of Binghamton a commission to be known as the Binghamton Historic Preservation Commission ("the Commission").
- B. This Commission shall be one and the same as the Commission on Architecture and Urban Design.
- C. The Commission shall consist of eleven (11) members to be appointed, to the extent available in the community, by the mayor and composed of:
  - An architect experienced in working with historic buildings;

- A historian;
- A resident of a historic district;
- An engineer or contractor experienced in working with historic buildings;
- A community member who has demonstrated significant interest in and commitment to the field of historic preservation evidenced either by involvement in a local historic preservation group, employment or volunteer activity in the field of historic preservation, or other serious interest in the field; and

All members shall have a known interest and/or expertise in historic preservation, real estate law, architectural development, and/or economic development within the City of Binghamton.

Persons eligible for membership shall be persons who, by training, experience, interests or expertise, are qualified to carry out the duties of the Commission, as set forth herein.

D. Ex officio members shall include, to the extent available, the Mayor, the Planning Director, a Code Inspector, a member of the Susquehanna Heritage Area Commission, a member of the Preservation Association of the Southern Tier (PAST), a member from Binghamton Downtown Inc., a member of Broome County Department of Planning and Economic Development, and other persons whom the Mayor or the Commission may appoint, which persons shall have experience or specialized talents deemed useful to the Commission. Ex officio members shall have no voting privileges.

E. Commission members shall serve for a term of three (3) years, with the exception of the initial term of one of the eleven members, which shall be one year, one, which shall be two years, and one, which shall be three years.

F. A member of the Commission may be removed by the Mayor for good and sufficient cause, after he or she has been afforded an opportunity to be heard in his or her defense.

G. A vacancy occurring in the membership of the Commission from any cause shall be filled by the Mayor, for the unexpired term of the member whose office has become vacant. Recommendations for filling vacancies may be made to the Mayor by the Commission, which recommendations shall be made within 30 days after the date when such vacancies occur.

H. The Chairman and Vice Chairman of the Commission shall be elected by and from among the members of the Commission.

I. The powers of the Commission shall include:

- (1) Engage staff and/or professional consultants as necessary to carry out the duties of the Commission, subject to the availability of funding and subject to approval by the City Council and the Mayor;
- (2) Promulgate rules and regulations as necessary to carry out the duties of the Commission;
- (3) Adopt criteria for the identification of significant historic, architectural, and cultural landmarks and for the delineation of historic districts;
- (4) Conduct surveys of significant historic, architectural, and cultural landmarks and historic districts within the City;
- (5) Designate identified structures or resources as landmarks and historic districts;
- (6) Accept on behalf of the City government of the donation of facade easements and development rights and the making of recommendations to the City government concerning the acquisition of facade easements or other interests in real property as necessary to carry out the purposes of this act;
- (7) Increase public awareness of the value of historic, cultural and architectural preservation by developing and participating in public education programs;
- (8) Seek out local, State, Federal, or private funds for historic preservation, and make recommendations to the Binghamton City Council concerning the most appropriate uses of any funds acquired;
- (9) Recommend acquisition of a landmark structure by the City government where its preservation is essential to the purposes of this act and where private preservation is not feasible;
- (10) Approve or disapprove applications for Certificates of Appropriateness pursuant to this act;
- (11) Approve or disapprove the design of buildings, bridges, approaches, gates, steps, fences, lamps and/or other structures or additions which shall be erected upon any street or property owned, leased, or occupied by the City, or involving the use of funds or monies of or from the City prior to implementation; and
- (12) Recommend that the Binghamton City Council exercise its authority to exempt such structures, as may be designated by the Commission as having historical and architectural value, from municipal taxation for such period of years as the Council may determine; provided, however, that the owner of such structures, for themselves, their heirs and assigns, shall agree by covenant, contained in duly executed instruments, capable of being recorded, in the Broome County Clerk's Office, land records, the Clerk of the City of Binghamton, and the Commission, that those structures shall never be altered or demolished without the approval of the Commission. [Previously § 18-79(g)]

J. The Commission shall meet at least monthly on a specific date and time to be determined yearly by the Commission, but meetings may be held at any time on the written request of any two of the Commission members or on the call of the Chairman or the Mayor.

K. A quorum for the transaction of business shall consist of six (6) of the Commission's members, but not less than a majority of the full-authorized membership may grant or deny a Certificate of Appropriateness.

§ 18-77. Designation of Landmarks or Historic Districts [Amended 4-21-10 by Ord. No. 19-2010]

A. The Commission may designate an individual property as a landmark if it:

- (1) Possesses special character or historic or aesthetic interest or value as part of the cultural, political, economic or social history of the locality, region, state or nation; or
- (2) Is identified with historic personages; or
- (3) Embodies the distinguishing characteristics of an architectural style; or
- (4) Is the work of a designer whose work has significantly influenced an age; or
- (5) Because of unique location or singular physical characteristic, represents an established and familiar visual feature of the neighborhood.

B. The Commission may designate a group of properties as a historic district if it:

- (1) Contains properties which meet one or more of the criteria for designation of a landmark; and
  - (2) By reason of possessing such qualities, it constitutes a distinct section of the City.
- The boundaries of each historic district designated henceforth shall be specified in detail and shall be filed, in writing, in the City Clerk's Office for public inspection.

C. Unless as determined by the Commission to have exceptional importance, properties which have achieved significance within the last fifty (50) years shall not be considered eligible for designation.

D. Notice of a proposed designation shall be sent by registered mail to the owner of the property proposed for designation, describing the property and announcing a public hearing by the Commission to consider the designation. Where the proposed designation involves so many owners that individual notice is infeasible, notice may instead be published at least once in a newspaper of general circulation at least ten (10) days prior to the date of the public hearing. Once the Commission has issued notice of a proposed designation, no building or demolition permits shall be issued by the building inspector until the Commission has made its decision.

E. The Commission shall hold a hearing prior to designation of any landmark or historic district, which shall be open to members of the public. The Commission, property owners and any interested parties may present testimony or documentary evidence at the hearing which will become part of

a record regarding the historic, architectural, or cultural importance and/or architectural, cultural, or economic impact of the proposed landmark or historic district. The record may also contain staff reports, public comments, or other evidence offered outside of the hearing.

- F. Within seven days after designation of a landmark or historic district, the Commission shall file a copy of such designation with the Planning Commission and with the Common Council. Within 30 days of the designation by the Commission, the Planning Commission shall file a report with the Council with respect to the relation of such designation to the Master Plan, the zoning laws, projected public improvements and any plans for the redevelopment of the site or area involved. The Council shall, within 30 days from the date of submission of the report of the Planning Commission to the Council, approve or disapprove, or refer back to the Commission for modification, said proposal. Any designation approved by the Council shall be in effect on and after the date of approval by the City Council.
- G. The Commission shall forward notice of each property designated as a landmark and the boundaries of each designated historic district to the office of the Broome County Clerk for recordation.

§ 18-78. Certificate of Appropriateness for Alterations or New Construction Affecting Landmarks or Properties within Historic Districts [Amended 4-21-10 by Ord. No. 19-2010]

No person shall carry out any exterior alteration, restoration, reconstruction, new construction, or moving of a landmark or property within a local historic district, nor shall any person make any material change in the appearance of such property, its light fixtures, signs, awnings, fences, steps, paving or other exterior elements which affect the appearance and cohesiveness of the landmark or historic district, without first obtaining a Certificate of Appropriateness from the Commission.

§ 18-79. Criteria for Approval of a Certificate of Appropriateness [Amended 4-21-10 by Ord. No. 19-2010]

- A. In passing upon an application for a Certificate of Appropriateness, the Commission shall not consider changes to interior spaces, unless they are open to the public. The Commission's decision shall be based on the following principles:
- (1) Properties which contribute to the character of the historic district shall be retained, with their historic features altered as little as possible;
  - (2) Any alteration of existing properties shall be compatible with their historic character, as well as with the surrounding district; and
  - (3) New construction shall be compatible with the area in which it is located.

B. In applying the principle of compatibility, the Commission shall consider the following factors:

- (1) The general design, character and appropriateness to the property of the proposed alteration or new construction;
- (2) The scale of proposed alteration or new construction in relation to the property itself, surrounding properties, and the historic character of the area;
- (3) Texture, materials, and color and their relation to similar features of other properties in the immediate vicinity;
- (4) Visual compatibility with surrounding properties, including proportion of the property's front facade, proportion and arrangement of windows and other openings within the facade, roof shape, and the rhythm of spacing of properties on streets, including setback; and
- (5) The importance of historic, architectural or other features to the significance of the property.

§ 18-80. Certificate of Appropriateness Application Procedure [Amended 4-21-10 by Ord. No. 19-2010]

A. Prior to the commencement of any work requiring a Certificate of Appropriateness, the owner shall file an application for such a certificate with the Commission. The application shall contain:

- (1) Name, address and telephone number of applicant;
- (2) Location and photographs of property;
- (3) Elevation drawings of proposed changes, if available;
- (4) Perspective drawings, including relationship to adjacent properties, if available;
- (5) Samples of color or materials to be used;
- (6) Where the proposal includes signs or lettering, a scale drawing showing the type of lettering to be used, all dimensions and colors, a description of materials to be used, method of illumination, and a plan showing the sign's location on the property; and
- (7) Any other information which the Commission may deem necessary in order to visualize the proposed work

B. If the applicant is requesting to use materials or design(s) inconsistent with the historic character of the building due to economic hardship, in addition to the information required in Sect 6(A) of this ordinance the applicant shall provide the information as established in Sect 12 below.

C. No building permit shall be issued for such proposed work until a Certificate of Appropriateness has first been issued by the Commission. The Certificate of Appropriateness required by this act shall be in addition to and not in lieu of any building permit that may be required by any other ordinance of the City of Binghamton.

- D. The Commission shall approve, deny, or approve with modifications the permit within forty-five (45) days from initial Commission review of the completed application. The Commission may hold a hearing on the application at which time an opportunity will be provided for proponents and opponents of the application to present their views.
- E. All decisions of the Commission shall be in writing. A copy shall be sent to the applicant by registered mail and a copy filed with the City Clerk's Office for public inspection. The Commission's decision shall state the reasons for denying or modifying any application.
- F. Certificates of appropriateness shall be valid for twelve (12) months. If after this period it is the determination of the Commission that insufficient progress has been made on the project, the applicant will be required to reapply if they still wish to undertake work on the property.

§ 18-81. Hardship Criteria for Alterations or New Construction Affecting Landmarks or Properties within Historic Districts [Amended 4-21-10 by Ord. No. 19-2010]

An applicant whose application for a Certificate of Appropriateness for a proposed alteration or new construction has been denied may apply for relief on the ground of hardship. In order to prove the existence of hardship, the applicant shall establish that the denial imposes an undue economic burden or that the property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible, as set forth in Sect 12 of this ordinance.

§ 18-82. Determination of Historic Significance for Demolition [Amended 4-21-10 by Ord. No. 19-2010]

No person shall carry out demolition of a structure more than forty (40) years old without first obtaining a negative Determination of Historic Significance from the Commission. This section shall not apply to those buildings and structures which have been determined to be a danger to the health, safety or welfare of the public in that they have been determined to have sustained damage and to be beyond repair in accordance with Chapter 203, Unsafe Buildings, of the Code of the City of Binghamton.

§ 18-83. Criteria for Determination of Historical Significance for Demolition [Amended 4-21-10 by Ord. No. 19-2010]

The Commission's Determination of Historic Significance shall be based on the following considerations which are based on the United States Secretary of the Interior Standards for Historic Preservation:

- (1) If the structure is an outstanding example of a structure or memorial representative of its era, either past or present; or

(2) If the structure is one of the few remaining examples of a past architectural style or combinations of styles; or

(3) If the structure is associated with a historical person or event of significance to the City, region, state or nation.

§ 18-84.1. Procedure for Determination of Historical Significance for Demolition [Amended 4-21-10 by Ord. No. 19-2010]

A. Prior to demolition of any building more than forty (40) years old, the owner shall file an application for a Determination of Historic Significance with the Commission. The application shall contain:

- (1) Name, address and telephone number of applicant;
- (2) Location and interior and exterior photographs of the building;
- (3) History of the building, if known;
- (4) Photographs of surrounding properties;
- (5) Proposed future use of the site;
- (6) Reason for requesting Determination of Historic Significance

B. Deterioration caused by deliberate neglect of maintenance or repairs by owner shall not be considered valid grounds for a negative Determination of Historic Significance or for the approval of a demolition permit application.

C. No demolition permit shall be issued for such a building until a negative Determination of Historic Significance has been issued by the Commission. The Determination of Significance required by this act shall be in addition to and not in lieu of any demolition permit that may be required by another ordinance of the City of Binghamton.

D. The Commission shall issue a Determination of Historic Significance within forty-five (45) days from initial Commission review of the completed application, unless an extension of this deadline is agreed upon by both the Commission and the applicant. The Commission may hold a hearing on the application at which time an opportunity will be provided for proponents and opponents of the application to present their views.

E. All decisions of the Commission shall be in writing. A copy shall be sent to the applicant by registered mail and a copy filed with the City Clerk's Office for public inspection. The Commission's decision shall state the reasons for positive or negative Determination of Historic Significance.

§ 18-84.2. Hardship Criteria for Demolition [Amended 4-21-10 by Ord. No. 19-2010]

An applicant whose proposed demolition has been denied due to a positive Determination of Historic Significance may apply for relief on the ground of hardship. In order to prove the existence of hardship, the applicant shall establish that:

- (1) The property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible;
- (2) The property cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return; and
- (3) Efforts to find a purchaser interested in acquiring the property and preserving it have failed.

§ 18-84.3. Hardship Application Procedure [Amended 4-21-10 by Ord. No. 19-2010]

- A. After receiving written notification from the Commission of the denial of a Certificate of Appropriateness or the denial of demolition permit due to a positive Determination of Historic Significance, an applicant may commence the hardship process. No building permit or demolition permit shall be issued unless the Commission makes a finding that a hardship exists.
- B. The owner may be required to submit any of the following information by affidavit to the Commission for evaluation and recommendation.
  - (1) For all property:
    - (a) The assessed value of the land and improvements thereon according to the last two (2) assessments; the current fair market value of the property as determined by at least two (2) independent appraisals;
    - (b) Real estate taxes for the previous two (2) years;
    - (c) Any listing of the property for sale or rent, price asked, and offers received, if any;
    - (d) Any consideration by the owner as to profitable adaptive uses for the property;
    - (e) An estimate of rehabilitation and/or construction cost to restore the structure to active use;
    - (f) Exceptions: when a property owner is financially unable to meet the requirements set forth in the subsection, the Commission may waive some or all of the requirements and/or request substitute information that a property owner may obtain without incurring any costs.
  - (2) In addition to subsection 1 above, owners of income-producing property shall submit the following:
    - (a) Annual gross income from the property for the previous two (2) years;

(b) Itemized operating and maintenance expenses for the previous two (2) years, including proof that adequate and competent management procedures were followed;

(c) Annual cash flow, if any, for the previous two (2) years;

(d) Proof that efforts have been made by the owner to obtain a reasonable return on investment based on previous service.

- C. An applicant may request a waiver of one or more of the submittal requirements based on the specific nature of the case.
- D. The Commission shall issue a decision on the hardship application within forty-five (45) days from initial Commission review of the completed application. The Commission may hold a hearing on the application at which time an opportunity will be provided for proponents and opponents of the application to present their views.
- E. The applicant shall consult in good faith with the Commission, local preservation groups and interested parties in a diligent effort to seek an alternative that will result in preservation of the property.
- F. All decisions of the Commission shall be in writing. A copy shall be sent to the applicant by registered mail and a copy filed with the City Clerk's Office for public inspection. The Commission's decision shall state the reasons for granting or denying the hardship application. If the application is granted, the Commission shall approve only such work as is necessary to alleviate the hardship.

#### § 18-85.4. Enforcement [Amended 4-21-10 by Ord. No. 19-2010]

All work performed pursuant to a Certificate of Appropriateness issued under this ordinance shall conform to any requirements included therein. It shall be the duty of the City Staff to inspect periodically any such work to assure compliance. In the event work is found that is not being performed in accordance with the Certificate of Appropriateness, or upon notification of such fact by the Commission, the Building Code Enforcement Officer shall issue a stop work order and all work shall immediately cease. No further work shall be undertaken on the project as long as a stop work order is in effect.

#### § 18-85.5. Maintenance and Repair Required [Amended 4-21-10 by Ord. No. 19-2010]

Nothing in this ordinance shall be construed to prevent the ordinary maintenance and repair of any exterior architectural feature of a landmark or property within a historic district, which does not involve a change in design, material, color or outward appearance.

- A. No owner or person with an interest in real property designated as a landmark or included within a locally designated historic district shall permit the property to fall into a serious state of disrepair so as to result in the deterioration of any exterior architectural feature which would, in the judgment

of the Commission, produce a detrimental effect upon the character of the historic district as a whole or the life and character of the property itself.

B. Examples of deterioration include, but are not limited to:

- (1) Deterioration of exterior walls or other vertical supports.
- (2) Deterioration of roofs or other horizontal members.
- (3) Deterioration of exterior chimneys.
- (4) Deterioration or crumbling of exterior stucco or mortar.
- (5) Ineffective waterproofing of exterior walls, roofs or foundations, including broken windows or doors.
- (6) Defective or insufficient weather protection for exterior wall coverings, including lack of paint, or weathering due to lack of paint or other protective covering.
- (7) Deterioration of any feature so as to create a hazardous condition, which could lead to the claim that demolition, is necessary for the public safety.

C. Vacant properties shall be maintained in accordance with the City of Binghamton vacant property ordinance (§265-14).

#### § 18-85.6. Violations [Amended 4-21-10 by Ord. No. 19-2010]

- A. Failure to comply with any of the provisions of this ordinance shall be deemed a violation and the violator shall be liable to a fine of not less than one hundred (\$100) dollars nor more than five hundred (\$500) dollars or to imprisonment not exceeding fifteen (15) days, or to both such fine and imprisonment together with the cost of any clean-up, removal, or other remedial action, to be recovered by the City in a civil action for each day the violation continues.
- B. Any person or entity of any kind who demolishes, alters, constructs, or permits a designated property to fall into a serious state of disrepair in violation of this ordinance shall be required to restore the property and its site to its appearance prior to the violation. Any action to enforce this subsection shall be brought by the City Attorney. This civil remedy shall be in addition to and not in lieu of any criminal prosecution and penalty.
- C. Any person or entity of any kind who demolishes a designated property or a property located within the boundaries of a historic district without a Certificate of Appropriateness for demolition, in addition to any fine or imprisonment, may have one of the following penalties imposed by the Courts as recommended by the Commission by a majority vote. These penalties shall be in addition to and not in lieu of any criminal prosecution and penalty.

(1) For a Noncontributing Property, prohibition or restriction of building permits for new construction on the site and permits involving work in the public right-of-way for not more than seven (7) years, but not less than thirty (30) days. A Noncontributing Property is considered to be any property located within the boundaries of a designed historic district which does not contribute to the overall historic character of the historic district, as determined by the Commission based upon the United States Secretary of the Interior Standards for Historic Preservation.

(2) For Contributing Property or Historic Landmark, prohibition or restriction of building permits for new construction on the site and permits involving work in the public right-of-way for not more than seven (7) years, but not less than two (2) years. A Contributing Property is considered to be any property located within the boundaries of a designed historic district which contributes to the overall historic character of the historic district, as determined by the Commission based upon the United States Secretary of the Interior Standards for Historic Preservation. A Historic Landmark property is a property which has been designed for its individual merits.

D. The following factors shall be considered in imposing any penalty or remedy.

(1) Whether than structure, site, or Historic Landmark is one of the last remaining examples of its kind in the neighborhood, city, or region.

(2) Whether there exists sufficient documentation, plan, or other data so as to make reconstruction feasible.

(3) The age of the original structure, site, or Historic Landmark and all subsequent additions and modifications.

(4) The physical condition of the structure, site, or Historic Landmark immediately prior to its total or partial demolition.

(5) The amount of demolition sustained by the structure, site, or Historic Landmark.

(6) Whether or not, had total or partial demolition occurred, the structure, site, or Historic Landmark could have been put into a reasonable economic use either prior to or after rehabilitation.

(7) Whether the structure, site, or Historic Landmark was eligible for inclusion on the National Register of Historic Places immediately prior to its total or partial demolition.

(8) Whether the structure, site, or Historic Landmark is included on the National Register of Historic Places.

(9) Whether the responsible party has a legal or equitable interest in the structure, site, or Historic Landmark.

§ 18-85.7. Appeals [Amended 4-21-10 by Ord. No. 19-2010]

Any person aggrieved by a decision of the Commission may, within 15 days of the decision, file a written application with the City Council for review of the decision. Reviews shall be conducted based on the same record that was before the Commission and using the same criteria.

§ 18-85.8. Continuation of previous designations [Added 11-3-1980 by Ord. No. 243-80; Amended 4-21-10 by Ord. No. 19-2010]

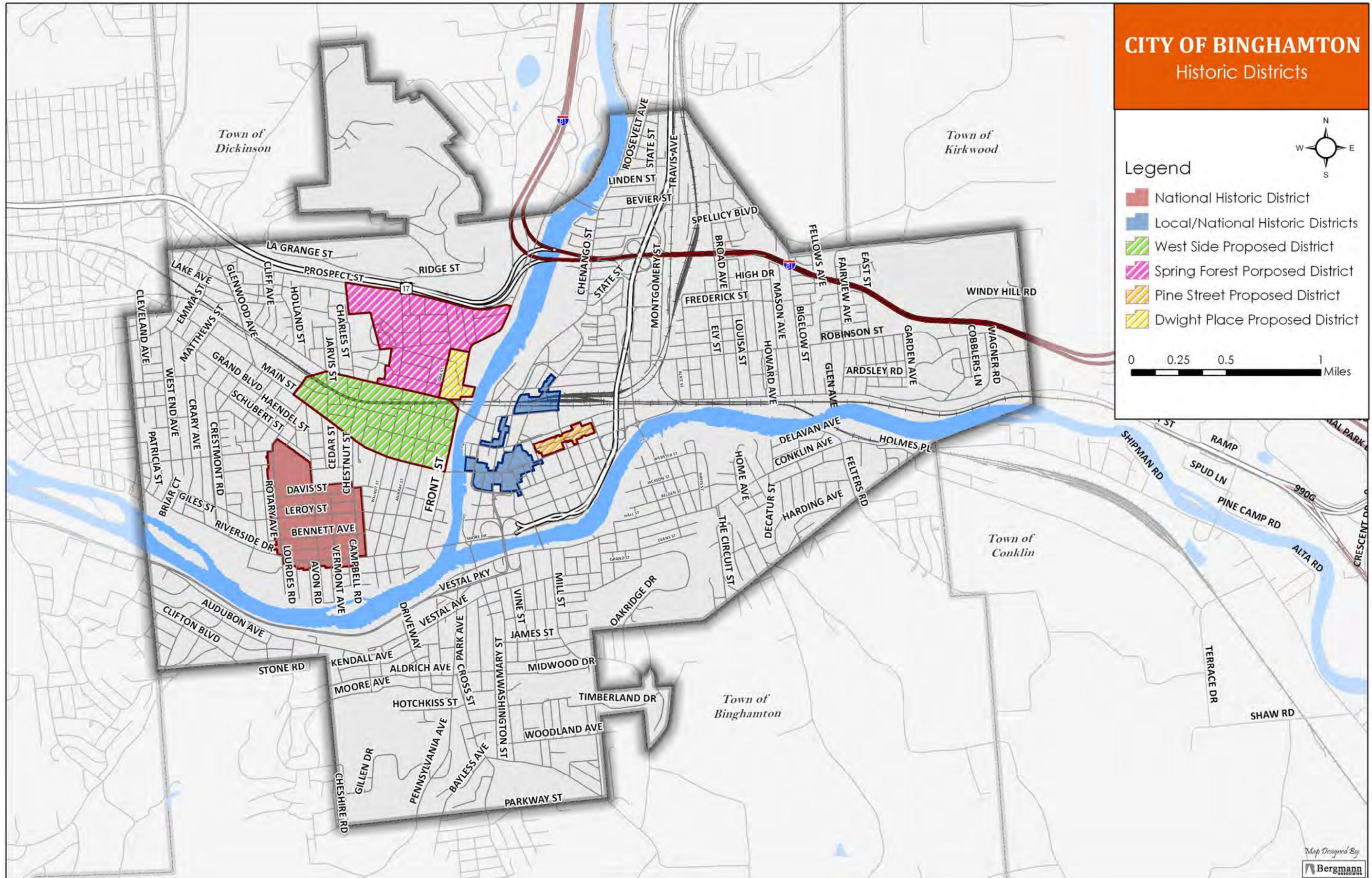
Any designation of a landmark or historic structure made by the Commission on Architecture and Urban Design pursuant to Article VI of this chapter shall remain in full force and effect.

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## 4. LOCAL LANDMARKS AND HISTORIC DISTRICTS

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## City of Binghamton Local Landmark Properties

<u>ADDRESS</u>	<u>NAME</u>	<u>PROPERTY INFORMATION</u>
9 Asbury Court	Gen. Jones Mansion	Circa 1880 Queen Anne. Built and owned by General Edward F. Jones, the founder of the Jones Scale Works. Known as “Jones of Binghamton” and “Jones he pays the freight.”
54 Baxter Street	St. Mary’s Russian Orthodox Church	1916 Byzantine. Formerly belonged to the Synod of Empirical Russia and the Patriarch of Moscow. Immigration theme. Architectural Integrity.
4 Chapin Street		Circa 1896. Queen Anne. Excellent condition. Joseph M. Johnson, insurance man and secretary of Binghamton Railroad lived here in 1896.
8 Chapin Street		1898. Resident in 1898 was J. Porter Parsons, Manager of I.G. Perry. Attributed to Perry.
14 Chapin Street		Circa 1914. Queen Anne. Architecturally Intact.
55 Chapin Street		Circa 1919. Apartment building. Arts and crafts. Architecturally Intact.
149, 151, 153, 155, 157, 159, 163 Chapin Street		1850-1900. Group of Homes still virtually unaltered and representative of Parlor City homes built for businessmen and community leaders of early Binghamton.
81 Chenango Street	Greyhound Building	1938. Art Deco/Art Modern – one of the most outstanding intact examples of such architecture in the City.
107 – 111 Chenango Street		American Renaissance
150 Chenango Street	Erie Railroad Freight House	Circa 1910. Academic revival. Historically important freight terminal. Loading and storage facility.
212 Chenango Street		In Railroad Terminal Historic District.
213 Chenango Street		1888. Mixed use since 1893. In Railroad Terminal Historic District.
215 – 219 Chenango Street		1876 – 1885. Railroad Terminal Historic District.
229 Chenango Street	Wales Building	1890. Railroad Terminal Historic District.
233 – 239 Chenango Street		1885 to 1891. Railroad Terminal Historic District.

## City of Binghamton Local Landmark Properties

<u>ADDRESS</u>	<u>NAME</u>	<u>PROPERTY INFORMATION</u>
3 Chestnut Street	McLean House	Circa 1901. Queen Anne. Excellent condition. Occupied by McLean family for two generations. Owned major department store in Downtown Binghamton for over 75 years.
4 Chestnut Street		Circa 1915. Elizabethan Revival.
5 Chestnut Street		Circa 1901. Queen Anne. Excellent condition. Charles I. MaGuire-Stationer.
6 Chestnut Street		Circa 1893-1894. Queen Anne.
7 Chestnut Street		Circa 1890. Queen Anne.
8 Chestnut Street		Circa 1915. Arts & Crafts. Double family.
10 Chestnut Street		Circa 1912. Four Square.
12 Chestnut Street		1891. Shingle Queen Anne. Excellent integrity. Queen Anne window, fish scale shingles.
150 Clinton Street	St. Cyril's Church	First Slovak Church organized in 1905 by First Ward immigrants. Immigration theme.
226 Clinton Street	Sokolvonja	Circa 1939. Build by Lithuanian Immigrants. Immigration theme.
280 Clinton Street	St. Michael's Church	1916. Romanesque Gothic. One of the oldest organized Slovanic Churches in Binghamton area. Immigration theme.
315 Clinton Street	Lithuanian National Association	Circa 1917. Built by independent members of the Lithuanian community for use as a social and recreational center. Immigration theme.
324 Clinton Street	Ascension Slovak Lutheran Church	1909. Slovak Lutherans. Immigration theme.
360 Clinton Street	Holy Spirit Byzantine Church	Immigration theme.
12 Corbett Avenue	St. Gregory Armenian Church	1876 American Gothic. Immigration theme.
126 Court Street	Centenary Methodist Church	1866 Victorian Gothic. Oldest Methodist building and congregation in Binghamton. Designed by Isaac Perry.
191 Court Street	Monday Afternoon Club Phelps Mansion	1870 French Mansard. Isaac Perry, Architect. Sherman Phelps, Mayor of Binghamton in 1872 lived there.

## City of Binghamton Local Landmark Properties

<u>ADDRESS</u>	<u>NAME</u>	<u>PROPERTY INFORMATION</u>
192 Court Street	St. Mary's Church	1887 Romanesque. Immigration theme.
214 Court Street	Holy Trinity Greek Church	1927. Originally a Sons of Italy Lodge.
22 Eldredge Street		1885-1889. Railroad Terminal Historic District.
24 Eldredge Street		1885-1889. Railroad Terminal Historic District.
3 Florence Street		Circa 1893. Queen Anne. Pointed Queen Anne Window, third floor.
2 Front Street		Circa 1893. Queen Anne. Typical of Binghamton homes in the late 1800's.
20 Front Street		Circa 1887. Colonial Revival. Built by the locally prominent Corbet family.
22 Front Street	Randall House	Circa 1830. Greek Revival. Altered in 1865 to Renaissance Revival. Part of Roberson.
23 Front Street		Circa 1885. Queen Anne. Designed by Sanford Lacey.
29 Front Street		Circa 1900. Colonial Revival Eclectic. Built by the Davidge Family. Sanford Lacey, Architect.
32 Front Street		1906. Italian Renaissance Revival. Built for Alonzo Roberson. Primary culture center in Broome County. C. Edward Vosbury, Architect.
33 Front Street		Circa 1889. Queen Anne. Owners included; Gilbert Furman, owner of Binghamton Opera House, Norman Phelps, Superintendent of Binghamton Gas Light Company.
35 Front Street		Circa 1892. Queen Anne. Built for Meagley family. E. Bartoo, Architect.
37 Front Street		Circa 1892. Queen Anne. Owned by Tiffany family. Near twin of 35 Front St. E. Bartoo, Architect.
46 Front Street		1911. Eclectic, rich in classical detail. Built for Frank B. Newell, son of Francis T. Newell, longstanding President of First National Bank and grandson of William Wentz who laid out the original street plans for Binghamton. Frank B. Newell was a prominent Binghamton businessman. C. Edward Vosbury, Architect.

## City of Binghamton Local Landmark Properties

<u>ADDRESS</u>	<u>NAME</u>	<u>PROPERTY INFORMATION</u>
51 Front Street		Circa 1850. Simple Italiante.
53 Front Street		Circa 1897. Queen Anne owned by local businessman.
55 Front Street		1937.
61 Front Street		Circa 1893. Victorian attributes in modest Queen Anne. Home to local businessman.
63 Front Street		1828. Federalist House. Altered in 1840 to Greek Revival. Built by Franklin Whitney, son of Binghamton's founder, General Joshua Whitney, II.
66 Front Street		Circa 1869. French Revival with Mansard roof and detailed cornices. Home of local artist Fred Sidney Smith.
70 Front Street		Circa 1904. John N. Bogart, cigar manufacturer, listed as owner in 1904.
74 Front Street		Circa 1885. Eastlake.
80 Front Street		Circa 1885. Queen Anne.
86 Front Street		Circa 1885. Late Italiante.
92 Front Street	Mealy Building	Circa 1890. Queen Anne with later fourth story.
113 Front Street	First Congregational Church	Circa 1869. Gothic. Site significant to development of the City. Binghamton incorporated as a village at this site in 1834 when it housed Peterson's Tavern.
116 Front Street		Circa 1858. Italiante with Gothic influences. B.F. Sisson lived there until 1891. Prominent local businessman. Colonial Revival porch.
122 Front Street		Circa 1860. Gothic Revival with Colonial Revival alterations.
126 – 128 Front Street		Circa 1855. Gothic Revival with Colonial Revival rehabilitation. Foster Disinger House.
130 Front Street		Originally firehouse for Engine Company #1.
135 Front Street		Circa 1876 – 1885. Queen Anne. William W. Sisson, original owner.

## City of Binghamton Local Landmark Properties

<u>ADDRESS</u>	<u>NAME</u>	<u>PROPERTY INFORMATION</u>
136 Front Street		Circa 1885.
141 Front Street		Circa 1870s. Superior interpretation of Stick Style. Unique – has remained intact. C.F. Sisson first resident.
144 –150 Front Street		Circa 1857. Mansard roof.
147 Front Street		Circa 1883. Queen Anne. Owned by local businessman.
151 Front Street		Circa 1885. Queen Anne. Specialty grocer occupied it in 1887.
171 Front Street	Charles Samuel Hall House	1854 Tuscan Villa. Charles Samuel Hall assisted in drafting the first City of Binghamton Charter in 1867.
186 Front Street		Circa 1907. Four square. Built for Daniel O'Neil, physician.
218 Front Street	Babcock Home	Circa 1885. Queen Anne.
222 Front Street		Circa 1888. Queen Anne. Very intact.
224 Front Street.		Circa 1883. Queen Anne.
226 Front Street		Circa 1885. Queen Anne.
236 Front Street		Circa 1882 – 1885. Dwightville.
237 Front Street		Circa 1882 – 1885. Dwightville.
238 Front Street		Circa 1882 – 1885. Dwightville.
241 Front Street		Circa 1882. Dwightville Gothic.
242 Front Street		Circa 1882. Dwightville Gothic.
244 Front Street		Circa 1882. Dwightville Gothic.
246 Front Street		Circa 1880 – 1885. Eastlake. Built by Dr. C. F. Millspaugh.
248 Front Street		Circa 1880 – 1885. Dwightville.
256 Front Street		Circa 1880 – 1885. Dwightville.
45 Glenwood Avenue	John Hus Presbyterian Church	1923 Bohemian and Czechoslovakian influence. Immigration/migration theme.

## City of Binghamton Local Landmark Properties

<u>ADDRESS</u>	<u>NAME</u>	<u>PROPERTY INFORMATION</u>
98 – 100 Glenwood Avenue	St. Joseph's Church	1916/1949. Immigration/migration theme.
23 Henry Street	Republican Building	Circa 1890. Excellent example of the City's large, late 19 <sup>th</sup> century commercial structures. Once housed the <u>Binghamton Republican</u> local weekly, then daily newspaper.
7 Johnson Avenue		Circa 1910. Four Square Queen Anne.
11 Johnson Avenue		Circa 1902 – 1903. Queen Anne. Carriage House for 84 Riverside Drive. C. Edward Vosbury, Architect.
15 Johnson Avenue		Circa 1920. Four Square Queen Anne.
5 Leroy Street		Circa 1900. Colonial Revival. Excellent condition.
9 Leroy Street		Circa 1893. Renaissance Revival (modified). Originally a rectory for St. Patrick's Church.
11 Leroy Street		Circa 1872. Gothic Revival. Excellent condition. Isaac G. Perry, Architect. Stewart Wells, Contractor.
14 Leroy Street		1876 – 1885. Eclectic in excellent condition.
7 Lewis Street		Circa 1913. Built for Armour Meat Company.
31 – 34 Lewis Street	Kilmer Building	1903. American Renaissance. Built for Jonas Kilmer for his manufacture of "proprietary medicines." This successful business made the Kilmer's community leaders.
45 Lewis Street	Station Square Rail Station	1900-1901. Richardsonian Romanesque. Important symbol associated with development of City and marketing of the areas products.
1 Main Street		Circa 1880. Victorian
3 Main Street		Circa 1870. Storefront originally owned by J. W. Lyon.
21 Main Street		Circa 1920.
25 Main Street	Proctor Building	Circa 1897. Dutch Baroque. Very elaborate. Apts. And professional offices. C. Edward Vosbury, Architect.
27 Main Street		Circa 1875. Stick Style.

## City of Binghamton Local Landmark Properties

<u>ADDRESS</u>	<u>NAME</u>	<u>PROPERTY INFORMATION</u>
42 – 44 Main Street	Trinity Memorial Church	1895 – 1897. Gothic Style. Excellent condition. Sanford O. Lacey & Company Architect.
50 Main Street		Circa 1929. Tudor Revival Apartment House.
51 Main Street		Circa 1890. Excellent Queen Anne.
53 Main Street		Circa 1885. Early Queen Anne, front tower.
55 Main Street		Circa 1875. Stick Style. Classical Revival veranda with Ionic columns and dentils. Charles Stone resided here from 1882 – 1929. Directly responsible for erection of Stone Opera House in 1892. Founder of Court Street, East End and west Side Electric Street Railroads. Patent lawyer and carriage hardware manufacturer.
64 – 66 Main Street	Masonic Temple	1922. Art Deco. Ionic stone columns in two story high Greek Temple portico.
67 Main Street		Circa 1885. Italian Villa.
71 Main Street	J. Stewart Wells House	Circa 1870. Transitional Italiante to American Renaissance. Excellent condition. Built by J. Stewart Wells, possibly designed by Isaac Perry. Wells – leading local contractor builder of many important local structures designed by Perry.
72 Main Street	Redeemer Lutheran Church	Circa 1910 Cornerstone. Simple Gothic.
73 Main Street		Circa 1890. Queen Anne. Later altered to Colonial Revival.
80 Main Street	West Presbyterian Church	Circa 1897. Sanford O. Lacey
82 Main Street		Circa 1880's. Queen Anne. Stately homes existed on either side of the street housing prominent citizens who were key to the development of Binghamton. One of the surviving homes with minimal changes or alterations.
84 Main Street		Circa 1890. Queen Anne. Stately homes existed on either side of the street housing prominent citizens who were key to the City's development. Very good condition.

## City of Binghamton Local Landmark Properties

<u>ADDRESS</u>	<u>NAME</u>	<u>PROPERTY INFORMATION</u>
85 Main Street	Tabernacle Methodist Church	1883. Gothic. T.I. Lacey.
86 Main Street		Circa 1873 – 1882. Stick Style.
88 Main Street		Circa 1870. Owned by same family (Cady) for over a century. Local businessmen.
110 Main Street		Circa 1890. Queen Anne. Palmer Building. Street Commercial.
112 ½ - 114 Main Street		Circa 1900. Victorian Business.
121 Main Street		Circa 1905. Main Street Baptist Church. Gardner & Bartoo, Architects.
127 Main Street		Circa 1890. Queen Anne. Stately homes existed on either side of the street housing prominent citizens who were key to the City's development. Very good condition.
129 Main Street	Harlow E. Bundy House	1880 – 1890. Queen Anne. Bundy was the originator of International Time Recorder, forerunner of IBM Corp. Excellent condition. Lacey.
130 Main Street		Circa 1890. Queen Anne.
131 ½ Main Street		Circa 1890. Queen Anne.
134 Main Street		Circa 1890. Queen Anne. Stately homes existed on either side of the street housing prominent citizens who were key to the City's development. Very good condition.
136 Main Street		Circa 1890. Queen Anne. Stately homes existed on either side of the street housing prominent citizens who were key to the City's development. Very good condition.
142 Main Street		Circa 1890. Queen Anne. Stately homes existed on either side of the street housing prominent citizens who were key to the City's development. Very good condition.
180 Main Street	West Main Street Firehouse	Circa 1900. American Renaissance. Built to house the Alert Hose Co., No. 2 which serviced the rapidly developing west Side of Binghamton. E. Bartoo, Architect.
5 McDonald Avenue		Circa 1894. Dwightsville.

## City of Binghamton Local Landmark Properties

<u>ADDRESS</u>	<u>NAME</u>	<u>PROPERTY INFORMATION</u>
7 McDonald Avenue		Circa 1885. Fine Queen Anne. Dwight Block bandstand moved to form porch.
13 McDonald Avenue		Circa 1889. Queen Anne. Dwightsville.
14 McDonald Avenue		Circa 1890. Queen Anne. Dwightsville.
17 McDonald Avenue		Circa 1893. Queen Anne. Dwightsville.
18 McDonald Avenue		Circa 1890. Simple Queen Anne. Dwightsville.
2 Millard Avenue		Circa 1914. Four Square, Arts and Crafts details with modern siding. Owned by Fred Gillen, Resident Manager, Stone Opera House.
4 Millard Avenue		Circa 1913. Four Square Colonial Revival.
51 Mygatt Street	Spring Forest Cemetery	Isaac Perry designed the iron gates. Many influential citizens buried there; Daniel Dickinson, Whitney Family, and Isaac Perry.
5 Murray Street		Circa 1904. Queen Anne. Once home of William Circa Hawes, Secretary and Treasurer of Stow Manufacturing.
7 Murray Street		Circa 1891. Queen Anne. Built for Charles Cary, Railroad Contractor. Excellent condition.
8 Murray Street		Circa 1893. Queen Anne. Former owners include; Kent, owner of Cigar factory and William Estus, owner of the Binghamton Brickyard about 1910. E. Bartoo, Architect.
9 Murray Street	Comstock House	Circa 1891. Queen Anne. Excellent condition. E. Bartoo, Architect.
10 Murray Street		Circa 1885. Queen Anne.
14 - 16 Murray Street		Circa 1908. Queen Anne. Double family house.
17 Murray Street		Circa 1885 – 1893. Queen Anne. Excellent condition. County Clerk resided here in 1893.
18 Murray Street	Glidden House	Circa 1893. Queen Anne. Excellent condition. E. Bartoo, Architect.
19 Murray Street		Circa 1886. Queen Anne. Excellent condition. Jesse Bartoo, carriage maker lived here in 1893. E. Bartoo, Architect.

## City of Binghamton Local Landmark Properties

<u>ADDRESS</u>	<u>NAME</u>	<u>PROPERTY INFORMATION</u>
25 Murray Street		Circa 1894. Queen Anne.
26 Murray Street		Circa 1903. Queen Anne. Excellent condition.
27 Murray Street		Circa 1893. Queen Anne.
29 Murray Street		Circa 1885 – 1893. Wood shingles.
105 Murray Street		Circa 1917. Four Square. Stucco-tile roof.
107 Murray Street		Circa 1908. Colonial Revival.
109 Murray Street		Circa 1897. Queen Anne.
110 Murray Street		Circa 1897. Queen Anne.
111 Murray Street	John T. Whitamore House	Circa 1885 – 1893. Restored to excellent condition.
116 Murray Street		Circa 1890. Queen Anne. Carved porch gable.
1 – 17 North Depot Street & 19 – 25 North Depot Street		1876 – 1885. Italian/Victorian commercial. North Depot Street is considered the railroad transportation hub of Binghamton. It is one of the only remaining granite cobbled streets in the area. In the second half of the 19 <sup>th</sup> century, this street was lined with cigar manufacturers. At the turn of the Century, Binghamton was the nation's second largest producer of cigars.
6 Oak Street		Circa 1896. Excellent condition. Wood shakes. Frank Snyder Home Coal Company Executive.
7 Oak Street	Frank Titchener House	Circa 1911. Colonial Revival.
8 Oak Street	Jerome Hadsell House	Circa 1901. Queen Anne. Excellent condition.
9 Oak Street	Spaulding Family House	Circa 1901. Colonial Revival. Excellent condition. Owner of local bakery.
10 Oak Street		Circa 1895. Queen Anne. Excellent condition.
11 Oak Street		Circa 1895. Queen Anne. Most buildings in this area, such as this one, were built around the turn of the century, many having been built for prominent businessmen in the city and influenced in design by the popular styles of the day.
14 Oak Street		Circa 1894. Stick Style.

## City of Binghamton Local Landmark Properties

<u>ADDRESS</u>	<u>NAME</u>	<u>PROPERTY INFORMATION</u>
15 Oak Street		Circa 1890. Fine Queen Anne. Built for Edmund Titchener, Wire Manufacturer.
23 Oak Street		Circa 1895. A simple shingle Queen Anne. Built for Harry Hennessey, Lawyer.
27 Oak Street		Circa 1894.
31 Oak Street		Circa 1910. Colonial Revival. Built for Thomas Walker, Trainman.
32 Oak Street		Circa 1876 – 1883.
33 Oak Street		Pre 1870. Excellent condition.
34 Oak Street		1885 – 1893. Queen Anne.
35 Oak Street		Circa 1900. Excellent condition. Polyganal turret with conical roof.
36 Oak Street		Circa 1892.
38 Oak Street		Circa 1885 – 1893. Excellent condition
40 Oak Street		1885 – 1893. Wood Shingle; great condition.
41 Oak Street		1885 – 1893.
42 Oak Street		1885 – 1893. Queen Anne. Excellent condition. Double family house.
44 Oak Street		Circa 1850. Greek Revival. Once located on Main Street.
45 Oak Street		Circa 1904. American Renaissance. Constructed with steel girders from “Old Court Street Bridge.” Fred Hinds, Attorney and Samuel Vail of Bail Ballou Press lived here. Designed by A. T. Lacey, Architect.
46 Oak Street		1929. Moved from 4 Leroy Street in 1986. In excellent condition.
49 Oak Street		Circa 1906. Colonial Revival.
6 Riverside Drive		Circa 1900 – 1907. Georgian Revival. Excellent condition. First owned by Charles McKinney, a Binghamton coal merchant. He “introduced coal as a commodity into this section of the state.”

## City of Binghamton Local Landmark Properties

<u>ADDRESS</u>	<u>NAME</u>	<u>PROPERTY INFORMATION</u>
8 Riverside Drive	Jones/Winam House	Circa 1840. Greek Revival. Outstanding example of such architecture. Originally owned by Joseph R. Jones, Manufacturer of straw goods. Moved from Front Street to its present location.
9 Riverside Drive	Kilmer Mansion	1898. Queen Anne. Excellent condition. Built for Jonas Kilmer from the fortune amassed from the famous Swamp Root Medicine. C. Edward Vosbury, Architect.
10 Riverside Drive	Davidge House	1906. Queen Anne. Built for John Davidge, leading community citizen. Truman Lacey, Architect.
16 Riverside Drive		1901. Georgian Revival in the Colonial mode. Classical details. Built for E.J. McTighe, owner of a wholesale grocery firm, "ranked as the second largest of its kind in this section of New York State", according to Binghamton historian William Seward.
18 Riverside Drive		Circa 1899. Queen Anne. Excellent condition. Fine example of a Parlor City House. Built for O.S. Diefendorf, Engraver.
22 Riverside Drive		Circa 1900. Queen Anne. In excellent condition. First resident was Charles E. Titchener, prominent businessman and director of many local firms such as the Binghamton Gas Co.
28 Riverside Drive		1887 – 1888. Queen Anne. Excellent condition.
29 Riverside Drive		1908. Queen Anne. Excellent condition.
30 Riverside Drive		Circa 1876 – 1885. Colonial Revival.
32 Riverside Drive		Circa 1894. Renaissance/Baroque Revival. Excellent condition. Originally owned by John Malloy, tanner.
34 Riverside Drive		1885 – 1893. Queen Anne.
35 Riverside Drive		Circa 1896.
37 Riverside Drive		Circa 1893. Queen Anne.
40 Riverside Drive		Circa 1898. Queen Anne. Excellent condition. Frank E. Harris, flavoring abstract manufacturer lived here in 1898. Designed by Isaac Perry.

## City of Binghamton Local Landmark Properties

<u>ADDRESS</u>	<u>NAME</u>	<u>PROPERTY INFORMATION</u>
42 Riverside Drive		Circa 1910. New wings – brick painted.
43 Riverside Drive		1894. Decorative wood timbers in the gable ends and the steep gables and doorway with Tudor arch recall late Medieval forms popular in the Queen Anne style that originated in England.
44 Riverside Drive	Clark House	Circa 1909. Queen Anne. C. Edward Vosbury, Architect. Excellent condition.
45 Riverside Drive		1885 – 1893. Queen Anne. Built for J. Edward Raymond, Insurer.
46 Riverside Drive		Circa 1901. Queen Anne. Excellent condition. Local businessman lived here first.
47 Riverside Drive		1912. Contains Tudor style elements. Excellent condition. E. Bartoo, Architect.
48 Riverside Drive		1918. Colonial Revival. Excellent condition. Built by Edwin R. Weeks, of Weeks and Dickinson, a Binghamton music firm.
50 Riverside Drive		Circa 1921. French Baroque. First resident was Archibald Whitelaw, treasurer and manager of Fowler, Dick & Walker, Inc.
51 Riverside Drive		Circa 1923. Colonial Revival. Owned by auto dealer, Francis A. Moffitt of B.O. Moffitt's Sons. E. Bartoo and E. Dickerman, Architects.
66 Riverside Drive		Circa 1918. Colonial Revival. Excellent condition. Built for W. R. Miller, Wholesale and Retail stationers.
72 Riverside Drive		Circa 1895. Queen Anne.
76 Riverside Drive		1885 – 1893. Queen Anne.
78 Riverside Drive		1885 – 1893. Queen Anne. Excellent condition.
80 Riverside Drive		1885 – 1893. Queen Anne. Excellent condition. C. Edward Vosbury, Architect.
82 Riverside Drive		1885 – 1893. Built for Frederic Jenkins, Lawyer.
84 Riverside Drive		1902 – 1903. Queen Anne. Excellent condition. C. Edward Vosbury, Architect.

## City of Binghamton Local Landmark Properties

<u>ADDRESS</u>	<u>NAME</u>	<u>PROPERTY INFORMATION</u>
133 Riverside Drive		Ca1924. Colonial Revival. Benjamin Kroehler, V.P. and Manager of Kroehler Manufacturing. T.I. Lacey & Sons, Architect.
140 Riverside Drive		Circa 1920. Louis Clinton, Owner of Lestershire Spool Manufacturing.
425 Robinson Street	Binghamton Inebriate Asylum	1858. Gothic Revival. Isaac Perry, Architect, won a national competition for the design of this building which was the first “Inebriate Asylum for the reformation of the poor and destitute inebriate.”
180 State Street		1885 – 1891. Outstanding example of a late 19 <sup>th</sup> Century commercial block. Excellent condition. In the State Street & Henry Street Historic District.
182 – 184 State Street		Circa 1890. American Renaissance Commercial. Carriage door lead to courtyard. Crystal Spring Brewing Company. In the State Street & Henry Street Historic District.
186 State Street		Circa 1880’s – 1890’s. Good example of late 19 <sup>th</sup> Century industrial block. Design and details outstanding. In the State Street & Henry Street Historic District.
196 – 200 State Street		1888. Outstanding example of late 19 <sup>th</sup> Century industrial block. Design and details outstanding. In the State Street & Henry Street Historic District.
202 – 204 State Street		1885 – 1891. One of the most distinguished structures in Historic District. Detailings and design are excellent representatives of both the Gothic and Romanesque Revival styles of architecture. In the State Street & Henry Street Historic District.
206 – 208 State Street	State Armory, Armory Theater	1881. Excellent representation of Gothic and Romanesque Revival in detailing and design. In the State Street & Henry Street Historic District.
209 State Street		1913 – 1917. Retains amazing degree of architecture integrity; exterior of architecture integrity, exterior façade in good condition. In the State Street & Henry Street Historic District.

## City of Binghamton Local Landmark Properties

<u>ADDRESS</u>	<u>NAME</u>	<u>PROPERTY INFORMATION</u>
211 State Street		1913 – 1917. Retains amazing degree of architecture integrity; exterior of architecture integrity, exterior façade in good condition. In the State Street & Henry Street Historic District.
213 State Street		1913 – 1917. Retains amazing degree of architecture integrity; exterior of architecture integrity, exterior façade in good condition. In the State Street & Henry Street Historic District.
215 – 217 State Street		1885 – 1891. Excellent example of late 19 <sup>th</sup> Century brick industrial and commercial block. In the State Street & Henry Street Historic District.
221 – 223 State Street	D'Angelo Building	1928. Representative example of a single story early 20 <sup>th</sup> Century office and garage. In the State Street & Henry Street Historic District.
229 – 231 State Street	Gaylord Building.	Circa 1902. Second Renaissance Revival. In the State Street & Henry Street Historic District.
375 State Street	The Trolley Barn	1893. Built as eastern end and main terminus for Binghamton Railway Company. Trolley rides were 5 cents.
7 St. John Avenue		Circa 1907. Simple Queen Anne. Millard Dietrich, Foreman.
9 St. John Avenue		Circa 1893. Simple gable and Queen Anne. Frank Goviden, Telegrapher.
10 St. John Avenue		Circa 1903. Four Square Arts and Crafts. Patrick Quilter, Seed Salesman.
11 St. John Avenue		Circa 1893. Queen Anne. George Bean of Bean & Co., Grocers.
12 St. John Avenue		Circa 1907. Queen Anne.
14 St. John Avenue		Circa 1915. Four Square, Arts & Crafts.
1 – 3 ½ Vincent Street		Circa 1899. Queen Anne. Apartment Building.
18 Vincent Street		Circa 1894. Queen Anne. Excellent condition.
20 Vincent Street		Circa 1890. Somewhat typical of large clapboard residences built at the turn of the century.
21 Vincent Street		1896. Queen Anne.

## City of Binghamton Local Landmark Properties

<u>ADDRESS</u>	<u>NAME</u>	<u>PROPERTY INFORMATION</u>
22 Vincent Street		Circa 1890. Queen Anne.
24 Vincent Street		Circa 1901. Queen Anne. Excellent Condition.
89 Walnut Street	Hemingway House	Circa 1870 – 1880. Tuscan Villa. May have been designed by Isaac Perry and built by S. Wells.
191 Washington Street	Christ Church	1853. Gothic Revival. Richard Upjohn, Architect. Spire of church added in 1903 with stone quarried from the original quarry in Guilford, N.Y. J. Stewart Wells, Contractor.
217 – 219 Washington Street		1887 . Restored to excellent condition. Outstanding example of a late 19 <sup>th</sup> Century commercial block. In State/Henry Streets Historic District. Once housed <u>Daily Herald</u> , the <u>Evening Herald</u> , one of the leading daily papers in the Southern Tier.
236 Washington Street	Forum Theater	1919. Constructed as the Binghamton Theater with 2,220 seats.
245 – 249 Washington Street		1923. Representative of Academic Revival Style. Excellent example of an early 20 <sup>th</sup> Century brick club lodge. Excellent condition and integrity. Originally the Elks Club building.
250 Washington Street		Circa 1850. Greek Revival. Queen Anne additions.
255 Washington Street		1916. Arthur T. Lacey, Architect. One of the most outstanding structures in the City. Highly ornate and nearly entirely intact. Constructed as “Kulurah Temple.”
257 Washington Street		1926. Conrad & Cummings, Architect. Good example of an early 20 <sup>th</sup> Century Lodge. Initial use was Eagles Club Lodge.
260 – 262 Washington Street	Hotel Windermere	1885 – 1891. Excellent example of a late 19 <sup>th</sup> Century residential hotel. Presently undergoing restoration.
218 – 224 Water Street		1886. Victorian Commercial and 1906 Neo-Classical. Constructed for John Hull to house Hull-Grummand Company, Cigar Manufacturers.

## City of Binghamton Local Landmark Properties

<u>ADDRESS</u>	<u>NAME</u>	<u>PROPERTY INFORMATION</u>
319 – 325 Water Street		1912. Originally constructed as the Binghamton Ice Cream factory. Excellent example of early 20 <sup>th</sup> Century industrial architecture. Only remaining piece of the 1911-1912 industrial development of Noyes Island. (Official designation pending.)
22 Winding Way		Circa 1882. Part of Dightsville. Designed by Lacey. Tells the story of simple housing in Binghamton.
City of Binghamton Recreation Park Carousel		1925. Donated by George F. Johnson. Carousel one of six in area donated by G.F. Johnson for the sole use of the public, free of charge.
City of Binghamton First Ward Park		Developed by the Endicott Johnson Corporation as a community park in a “worker’s” neighborhood.
City of Binghamton South Washington Street Park		1886. Multispan Lenticular. William O. Douglas, Designer and Engineer. One of only three in New York State of this type.
Ross Park Zoo Carousel		1875. Donated by Eratus Ross. Reputed to be second oldest zoo in the country. Carousel built in 1919 by Allen Herschell Company and donated by the Johnson Family.



## 5. SIGN ORDINANCE

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### ARTICLE XI, Sign Regulations

#### § 410-58. Purpose and intent.

The purpose of this article is to promote the public health, safety, and welfare by establishing standards and criteria for the construction, installation, maintenance, and operation of outdoor advertising, outdoor advertising signs, and outdoor signs of all types in the City of Binghamton, which are subject to the provisions of this article. It is the further purpose to provide for the removal of those signs that do not comply with these regulations. More specifically, this article is intended to:

- A. Enhance and protect the physical appearance of the municipality.
- B. Protect property values.
- C. Promote and maintain visually attractive, high-value residential, commercial, and industrial districts.
- D. Promote the economic well being of the community by creating a favorable physical image.
- E. Ensure that signs are located and designed to:
  - (1) Provide an effective means of directional information in the community.
  - (2) Afford the community an equal and fair way to advertise and promote its products and services.
  - (3) Reduce sign clutter and the distractions and obstructions that may contribute to traffic accidents, and to reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way.
  - (4) Preserve scenic views and the visual character of neighborhoods, historic districts and parkland.
- F. Afford businesses, individuals, and institutions a reasonable opportunity to use signs as an effective means of communication.
- G. Provide review procedures that assure that signs are consistent with the City of Binghamton's objectives and within the City's capacity to efficiently administer the regulations.
- H. Prohibit all signs not expressly permitted by this article.

#### § 410-59. Sign permit required.

No sign shall be erected, enlarged, expanded, altered or relocated unless a sign permit evidencing the compliance of such work with the provisions of this article and other applicable provisions of this chapter shall have first been issued in compliance with § 410-68 of this chapter. Routine sign maintenance and changing of parts designed to be changed shall not, standing alone, be considered an alteration of the sign requiring the issuance of a sign permit.

#### § 410-60. Definitions; classifications.

A. As used in this article, a "sign" is any object, device, display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an

object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination or project images. "Sign" does not include the flag of any nation, organization of nations, state or city, or fraternal, religious or civic organizations. "Sign" does not include merchandise, pictures or models of products or services incorporated in a window display; works of art which in no way identify a product; or scoreboards located on athletic fields.

B. Definitions and classification of signs. For purposes of this chapter, signs shall be defined and classified in the following manner:

*General definitions.*

**ABANDONED SIGN** -- A sign which no longer correctly directs or exhorts any person, advertises a bona fide business, lessor, owner, product or activity conducted or product available on the premises where such sign is displayed.

**ALTERATION** -- Any change of copy, sign face, color, size, shape, illumination, position, location, construction, or supporting structure of any sign.

**ANIMATED SIGN** -- Any sign which includes action or motion. For purposes of this article, this term does not refer to flashing, changing or indexing, all of which are separately defined.

**AREA OF SIGN** -- The area of the largest single face of the sign within a perimeter which forms the outside shape, including any frame, or forms an integral part of the display, but excluding the necessary supports or uprights on which the sign may be placed. If the sign consists of more than one section or module, all areas will be totaled.

**AWNING** -- An overhead structure attached to a building wall that consists of fabric or other material covering a frame extending 12 inches from the face of a building.

**BARE BULB ILLUMINATION** -- Permitted subject to the same restrictions applicable to flashing signs.

**BUILDING FRONTAGE** -- The linear width of a building facing the right-of-way which is the address side of the building.

**BUSINESS FRONTAGE** -- The property lines or lease lines at the front of the location of the main public entrance of said building.

**CANOPY** -- A permanently roofed shelter covering a sidewalk, driveway or other similar area, which is supported by the building to which it is attached.

**CAUD** -- Commission on Architecture and Urban Design; see Chapter 18, Boards, Commissions and Committees, Article VI, of the Code of the City of Binghamton.

**CONTROLLED-ACCESS HIGHWAY SIGN** -- Any sign identifying premises offering food, lodging, or places of business that engage in supplying goods and services to motorists, and where such businesses are directly dependent upon the adjacent expressway for business.

**COPY/GRAPHICS** -- Words, letters, numbers, figures, designs, or other symbolic representations incorporated into a sign.

**COPY AREA** -- The area in square feet of the smallest geometric figure which can be drawn so as to enclose the actual copy of a sign. For an internally illuminated sign, the entire illuminated face is to be considered the copy area. The copy area of a sign is calculated on one face of the sign only.

**DOUBLE-FACED SIGN** -- Sign with faces on both sides showing in opposite directions. Each sign face is considered when computing the area of the sign.

**ELECTRIC SIGN** -- Any sign containing electrical wiring which is attached or intended to be attached to an electrical energy source.

**ERECTED** -- Attached, altered, built, constructed, reconstructed, enlarged or moved, and shall include the painting of wall signs, but does not include copy changes on any sign.

**EXEMPT SIGNS** -- Signs exempted from normal permit requirements.

**EXTERNAL ILLUMINATION** -- The lighting of an object from a light source located a distance from the object.

**FLAME** -- Flame as a source of light is subject to the limitation imposed by fire codes but is limited to eating and drinking places and to hotels and lodging places. (See Chapter 235, Fire Prevention, of the Code of the City of Binghamton.)

**FLASHING SIGN** -- Any sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of animation or an externally mounted intermittent light source.

**GRAND OPENING** -- A promotional activity not exceeding 30 calendar days used by newly established businesses, within two months after initial occupancy, to inform the public of their location and services available to the community. "Grand Opening" does not mean an annual or occasional promotion by a business.

**HEIGHT OF SIGN** -- The vertical distance measured from the grade to the highest point of the sign.

**HISTORIC DISTRICT** -- The regulation of signs in historic districts shall be subject to the additional provisions provided in Chapter 18, Boards, Commissions and Committees, Article XII, Landmarks Preservation Commission, of the Code of the City of Binghamton.

**HOLIDAY DECORATIONS** -- Signs in the nature of decorations clearly incidental to and customarily and commonly associated with any national, local or religious holiday; any other provisions of this section to the contrary notwithstanding, such signs may be of any type, number, area, height, location, illumination or animation.

**ILLEGAL SIGN** -- Any of the following:

- (a) A sign erected without first obtaining a permit and complying with all regulations in effect at the time of its construction or use;
- (b) A sign that was legally erected but whose use has ceased because the business it identifies is no longer conducted on the premises;
- (c) A sign that was legally erected which later became nonconforming and then was damaged to the extent of 50% or more of its current replacement value;

(d) A sign that is a danger to the public or is unsafe; or

(e) A sign that pertains to a specific event that has not been removed within five days after the occurrence of the event.

**ILLUMINATED SURFACE COLORS** -- Internal illumination, i.e., a light source concealed or contained within the sign, and which becomes visible in darkness through a translucent surface.

**INTERNALLY ILLUMINATED SIGN** -- Any sign which has the source of light entirely enclosed within it, not visible to the eye. The source may be fluorescent lamps, incandescent bulbs, or neon tubing.

**LAMPBANK** -- The portion of a message center that the public views daily for advertising, public service, time and temperature, animations and pictorials. A lampbank consists of columns and rows of lamps that are controlled by lampbank control.

**MARQUEE** -- A permanently roofed structure attached to and supported by a building and projecting from the building.

**NEON SIGN** -- Glass tube lighting in which a gas and phosphors are used in combination to create a colored light.

**NONCONFORMING SIGN** -- Any sign lawfully existing on the effective date of this chapter or any amendment to it rendering such sign nonconforming, which does not comply with all the standards and regulations of this article or any amendment hereto.

**OFFICIAL SIGN** -- Any sign erected by any governmental agency or at the direction of any governmental agency.

**PAINTED WALL** -- An advertisement, painted pictorial or symbol painted on the wall of a building so that it shows to passing traffic.

**PARAPET** -- That portion of a building wall that rises above the roof level.

**ROOF LINE** -- That top edge of the roof or the top of the parapet, whichever forms the top line of the building silhouette. Where a building has several roof levels, the roof line shall be the roof level belonging to that portion of the building on which the sign is to be located.

**ROTATING SIGN** -- Any sign or portion of a sign which moves in a revolving or similar manner, but not including multiprism indexing signs.

**SIGN STRUCTURE** -- Any structure which supports, has supported or is capable of supporting a sign, including decorative cover.

**SINGLE-FACE SIGN** -- A sign with copy on one face only, normally mounted against a wall or structure to be seen in one direction only.

**SWINGING SIGN** -- A sign installed on an arm or spar, or suspended, that is not, in addition, permanently fastened in a fixed manner to an adjacent wall or upright pole.

**TIME AND TEMPERATURE DISPLAY** -- Electronic devices which register time and/or temperature by means of clock faces, dials, incandescent bulbs or reflective devices.

*Functional types.*

ADDRESS SIGN -- A sign containing only the name or symbol of an owner, occupant or use, and/or the street of the building premises.

BILLBOARD -- See "off-premises advertising sign."

BULLETIN BOARD SIGN -- A sign which identifies an institution or organization on whose premises it is located and which contains the name of the institution or organization, the name of (or names of) the person connected with it, and greetings, announcements of events or activities occurring at the institution or similar messages.

BUSINESS SIGN -- A sign used for identification purposes to direct attention to a business or profession conducted upon the premises at which the sign is located, and which may also refer to goods or services produced, offered for sale or obtained at such premises.

CHANGEABLE COPY SIGN (CHANGING SIGN) -- A sign on which message copy can be changed through use of manually attachable letters and numerals or by electronic switching of lamps or illuminated tubes. This includes public service information displays or any sign which features automatic switching.

CONSTRUCTION SIGN -- A temporary sign placed on a construction site during the period of such construction, listing the name of the project, names of the architects, engineers, contractors and similar artisans, and the owners, financial supporters, sponsors and related information.

DIRECTIONAL SIGN -- Any sign which is designed and erected solely for the purpose of traffic or pedestrian direction and which is placed on the property to which or on which the public is directed. Such a sign contains no advertising copy.

DIRECTORY SIGN -- Any sign listing the names, and/or use, and/or location of the various businesses or activities conducted within a building or group of buildings.

INFORMATION SIGN -- A sign giving directions or information without advertising. Examples include "parking area," "one-way drive," "rest rooms," or "delivery area."

JOINT IDENTIFICATION SIGN -- A sign which serves as a common or collective identification for two or more commercial business or industrial uses, sharing an office plaza, shopping center, industrial park or the like, and which is located on such premises.

MEMORIAL SIGN -- A sign or tablet memorializing a person, event, structure or the like.

NAMEPLATE -- A nonelectric sign identifying only the name and occupation or profession of the occupant of premises on which the sign is located. If any premises includes more than one occupant, "nameplate" refers to all names and occupations or professions as well as the name of the building and directional information.

OFF-PREMISES ADVERTISING SIGN -- Any sign identifying or advertising goods, products, services or facilities offered at a different location from where the sign is installed.

ON-PREMISES ADVERTISING SIGN -- Any sign identifying or advertising a business, person, activity, goods, products or services located on the premises on which the sign is installed.

**ON-SITE INFORMATIONAL SIGN** -- A sign commonly associated with, and limited to, information and directions necessary or convenient for persons coming on the property, including signs marking entrances and exits, parking areas, one-way drives, rest rooms, pickup and delivery areas and the like.

**POLITICAL SIGN** -- Any temporary sign which displays the name and/or picture of any individual seeking election or appointment to a public office, or pertaining to a forthcoming public election or referendum, or pertaining to or advocating political views or policies.

**PUBLIC SERVICE INFORMATION SIGN** -- A sign capable of transmitting by intermittent lighting variable information to the public, such as the date, time and temperature, stock report, storm warning, weather information, traffic control messages, news stories, etc. Public service messages do not include advertising, announcement of private events, promotion messages or political campaign promotions.

**REAL ESTATE SIGN** -- A temporary sign pertaining to the sale, lease, or rental of the property upon which it is located.

**SANDWICH BOARD SIGN** -- A sign with no electrical power supply, supported only by its own weight and which lays on the sidewalk in front of the business.

*Structural types.*

**A-FRAME** -- A type of sign construction in which the back bracing is in the slope of an "A."

**AWNING SIGN** -- A sign that is painted or printed on or attached to an awning.

**BANNER, FLAG, PENNANT** -- A sign, with or without characters, illustrations or ornaments, applied to cloth, paper, fabric or other flexible backing.

**CANOPY SIGN** -- See "awning or canopy sign."

**DETACHED SIGN** -- See "freestanding sign" or "ground sign."

**FASCIA SIGN (or WALL SIGN)** -- A sign attached to or erected against a wall of a building, with the face parallel to the building wall.

**FREESTANDING SIGN** -- A sign supported by one or more columns, uprights, or braces in or upon the ground, not attached to or forming part of a building; it is a first-party business or identification sign.

**GROUND SIGN** -- A sign erected on a freestanding frame, or structure such as concrete, masonry, wood, etc., and not attached to any building. See "freestanding sign."

**MARQUEE SIGN** -- A sign attached to, or forming part of, a marquee.

**POLE SIGN** -- A sign that is mounted on a freestanding pole or similar supports.

**PORTABLE SIGN** -- An accessory sign, illuminated or nonilluminated, which is not permanently affixed to the ground or to a building or structure.

**PROJECTING SIGN** -- A sign which is attached directly to a building face or wall and which extends more than 12 inches from the face of the wall. The area of a projecting sign is calculated on one face of the sign only.

ROOF SIGN -- Any sign erected upon, against or directly above a roof or on top of or above the parapet of a building.

ROTATING SIGN -- Any sign or portion of a sign which moves in a revolving or similar manner, but not including multiprism indexing signs.

TEMPORARY SIGN -- Any sign, banner, pennant or advertising display to be displayed for a specified limited period.

TRAILER SIGN -- A sign which is not structurally attached to the ground or to a building, but which is mounted on a trailer, platform or other device which may be moved from one location to another.

UNDER-CANOPY OR -MARQUEE SIGN -- A sign suspended below the ceiling or roof of a canopy or marquee.

WALL SIGN -- A sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and which does not project more than 18 inches from such building or structure.

WINDOW SIGN (ILLUMINATED) -- A sign installed inside the premises, usually within 12 inches of the window through which it can be seen.

WINDOW SIGN (NONILLUMINATED) -- A sign which is applied or attached to the exterior or interior surface of a window.

#### § 410-61. General standards.

The following general standards shall apply to all signs:

A. Sign measurement. The area of a sign shall include all lettering, wording, designs and symbols, together with the background, whether open or enclosed, on which they are displayed. The supporting structure or bracing of a sign shall be omitted in measuring the area of the sign unless such structure or bracing is made part of the message face of the sign. Any part of a sign permanently affixed (i.e., bolted down, nailed or painted in any way) will be counted as part of the sign's square footage.

(1) Signs consisting of individual letters, words or symbols: Where a sign consists of individual letters, words or symbols, the sign area shall be the area of the smallest rectangle which completely encompasses all such letters, words or symbols and any accompanying background of a color different than the color of the surface to which the sign is attached or applied.

(2) Double-faced signs: Where a sign has two faces, only the area of one face is considered in calculating the area of the sign.

B. Height of signs. Sign height shall be measured between grade and the highest element of the sign face.

C. An approved testing agency label shall be affixed to any sign having an electrical component. New York State Board of Fire Underwriters' approval is acceptable in lieu of the above, provided that

a valid inspection certificate is presented to the Building Inspector. See § 410-24J for illumination standards.

D. Style and design. Lettering shape and color employed on a sign shall be compatible with the form, color and materials of the building that the sign identifies.

E. Electrical elements. All wiring, fitting and materials used in the construction, connection and operation of electrically illuminated signs shall be in accordance with the provisions of § 225-4 of the Code of the City of Binghamton.

F. Structural elements. The construction and structural components of all signs shall be in accordance with the standards and regulations of the New York State Building Construction Code, Fire Code of New York State, Mechanical Code of New York State and the Electrical Code of New York State. All signs and supporting structures shall be constructed to withstand a wind loading of 30 pounds per square foot.

G. Obstruction of accessways. No sign or sign structure shall obstruct free ingress or egress from a fire escape door, window, sidewalk or other required accessway.

H. Obstruction of light, air or ventilation. No sign shall be erected or maintained within the zone of light obstruction for any window opening into any habitable room of any residential unit. The zone of light obstruction is a segment of a cone described horizontally by an arc drawn from the center line to the window, measured horizontally, extending to 70° on either side of the center line, at a radius of 40 feet, and described vertically by the space between a plane extending horizontally from the window sill and a plane extending from the top of the window at an angle of 160° to the face of the building.

Obstruction of Light and Air

(Illustration I)

Obstruction of Light and Air

(Illustration II)

I. Traffic safety.

(1) Traffic control. No sign shall be maintained at any location where, by reason of its position, size, shape, content, lighting, or color, it may obstruct, impair, obscure, interfere with the view of, or be confused with, any traffic-control sign, signal or device, or where it may interfere with, mislead or confuse traffic.

(2) Visual obstruction. No sign, nor any part of a sign other than a supporting pole or brace no greater than 18 inches in width or diameter, shall be located lower than 10 feet from the grade at the curb or street line within a triangle formed by connecting the center lines of any two intersecting streets as herein provided. (At any intersection where at least one of the intersecting streets is a major or secondary street as designated on the official map of the City, the sides of the triangle formed by the center lines of the intersecting streets shall be 120 feet in length as measured outward from the point of intersection of said center lines along such center lines. At all other intersections, each of such sides shall be 80 feet in length.)

## Traffic Safety

### J. Sign maintenance.

(1) Responsibility. The owner of a sign and the owner of the premises on which each sign is located shall be jointly and severally liable to maintain such sign, including its illumination sources, in neat and orderly condition and good working order at all times, and to prevent the development of any corrosion, rotting or other deterioration in the physical appearance or safety of such sign. This includes graffiti, peeling paint, faded colors and damaged materials.

(2) Unsafe signs. Unsightly, damaged, deteriorated sign or signs in danger of falling shall be put in order or removed upon written notice from the Building Inspector. Immediate compliance is expected for the repair or removal of unsafe signs. If compliance is not achieved within the time period specified in such notice, the sign shall be repaired or removed by the City and the costs assessed to the sign owner.

(3) Removal; property owners' responsibility for removal of signage upon termination of occupancy or use of premises. Written permission of the owner of a property is required in the application for a permit to erect any sign. In giving written permission, the owner of the property assumes full financial responsibility for removal of the signage within 30 days from termination of occupancy or use. Failure to remove may result in removal by the City, with all charges incurred assessed to the property owner.

§ 410-62. Signs specifically prohibited in all districts; signs allowed by permit only.

The following signs are prohibited in all districts and new signs shall not be erected. Existing signs are grandfathered and must be maintained or removed at the request of the Building Inspector.

A. Advertising signs. Advertising signs are expressly prohibited except upon permit issued by the Common Council as provided herein.

(1) Common Council approval. Within 30 days, or such longer period as may be agreed upon by the applicant, of receipt and review of the written recommendations of the Planning Commission, the Common Council shall either deny the permit or, by ordinance duly adopted, approve the permit, with or without modifications to be accepted by the applicant as a condition of such approval. The failure of City Council to act within the aforementioned time period shall be deemed a final denial of the permit.

(2) Review by the Planning Commission. Before consideration of the Common Council, an applicant shall first submit an application to the Planning Commission for review. The Planning Commission shall consider the application at the next regularly schedule meeting and thereafter forward to the Common Council its written recommendation within 30 business days following such meeting. In its report, the Planning Commission may recommend approval, approval with modification or disapproval. In reaching its decision, the Planning Commission shall consider:

(a) Whether the proposed sign will have a substantial or undue adverse effect upon adjacent properties, the character of the neighborhood, traffic safety, and other matters affecting the public health, safety and general welfare.

(b) Whether the proposed sign will be constructed or arranged so as not to dominate the immediate vicinity or interfere with the development or use of neighboring property.

(c) Whether the proposed design will result in the destruction, loss or damage of any natural, scenic or historic features of significant importance.

(d) Whether the proposed design will be compatible with the physical environment and aesthetically harmonious with the surrounding area.

(e) Whether the proposed location and placement of the sign will create any traffic or safety hazards.

(f) Whether the placement of the sign is necessary or desirable to provide a service which is in the interest of public convenience or which contributes to the general welfare of the community.

B. Mechanically moving signs.

C. Portable and trailer signs are permitted only with a permit issued through the Office of Building and Construction.

§ 410-63. Multiple-use buildings; off-street parking; illumination.

A. Buildings in joint occupancy or multiple uses. Each leaseable unit on the ground floor of any one building will be considered separately for signage. Establishments located above ground level are not permitted signs or graphics at ground level unless there is a separate entrance at ground level. Wall or window signs on the door or adjacent to the door shall be permitted in this case; however, only one sign per establishment will be permitted. Only window or wall signs are permitted for such establishment, and the size of wall or window signs set forth in this chapter will apply. In no case shall the architectural character of the building be violated by placement of these signs.

B. Off-street parking. Signs may be displayed on the side or rear of a building adjacent to an off-street parking area if the off-street parking area is 40 feet or more in width.

C. Multiple frontages. If a building has front, side or rear access to two or more streets, highways, expressways, or public rights-of-way, each side of the building is to be separately considered for purposes of determining compliance with the provisions of this chapter. Area allowances for signs may be utilized only on the side of the building from which they are calculated.

D. Determination by CAUD. The CAUD shall determine procedures and standards regarding the limitations established by this section and the character of the activity and of the surroundings in which it is located.

E. Illumination. The following types of illumination for all activities are permitted, subject to the limitations indicated in this section:

(1) Flashing signs.

(a) Flashing signs are permitted for:

[1] Cinemas and/or theaters having fixed seating and stage.

[2] Eating and drinking establishments featuring live entertainment.

(b) Flashing signs are not permitted in the following areas:

- [1] In areas designated as residential or institutional, or within 500 feet of such areas; or
- [2] On streets and highways on which the legal traffic speed is in excess of 30 miles per hour.
- (2) Illuminated surface colors, internal illumination: permitted.
- (3) Floodlight illumination: no illumination, provided that the floodlight or spotlight is positioned so that no light shines onto an adjoining property or in the eyes of motorists or pedestrians.
- (4) Bare bulb illumination: permitted, subject to the same restrictions applicable to flashing signs.
- (5) Neon tube illumination; i.e., a light source supplied by a neon tube which is bent to form letters, symbols, pictorials, or other shapes: subject to same restrictions applicable to flashing signs.
- (6) Flame. Flame as a source of light is subject to the limitation imposed by fire codes but is limited to eating and drinking places and to hotels and lodging places. (See Chapter 235, Fire Prevention, of the Code of the City of Binghamton.)
- (7) LED lights and signs: permitted only in C-1 Service Commercial and C-2 Central Business Districts.
- (8) Illuminated sandwich board signs are not permitted.

§ 410-64. Permitted signs.

The following signs are permitted in any district without a sign permit or fee:

- A. Address signs, provided that such signs are limited to no more than one sign per occupancy, and shall be limited to not more than two square feet.
- B. Construction signs: limited to one sign of not more than 96 square feet per lot. Such sign must be removed within 14 days after construction is completed.
- C. Governmental signs.
- D. Flags and emblems: flags and emblems of a governmental, civic, philanthropic, educational or religious organization.
- E. Historical or architectural designation signs: limited to not more than one wall or ground sign per structure, building or site. Such sign may not be more than three square feet in area and, if a ground sign, shall be not more than four feet above grade to top of sign, and shall be set back at least five feet from any lot line. Such signs must be approved by CAUD.
- F. Memorial signs, provided that such signs are an integral part of the building or structure, or are made of a durable material such as bronze, stone, or concrete. Such signs must be approved by CAUD.
- G. On-site informational signs: not more than one sign per building or structure, not more than five square feet in area, and if a ground sign or pole sign not more than five feet above grade.
- H. Holiday decorations, provided that such signs shall be displayed for a period of not more than 60 consecutive days, nor more than 10 days following the holiday in connection with which they are displayed.
- I. Political signs, provided that such signs are not more than 32 square feet in area if located in a commercial or industrial district or four square feet in a residential district; are limited to not more than

one per lot; are located entirely on private property pursuant to the owner's consent; are clearly marked with the name, address and telephone number of the person responsible for the removal of such sign; are erected not more than 60 days prior to any general, special or primary election, and are removed within 14 days following such election; and are erected only in the district in which the candidate is running for office.

J. Private event signs: temporary signs advertising private events, such as bingo games, fairs, and the like; provided that such signs are no more than five square feet in area; are limited to one per street line; and comply with all the regulations of Subsection K.

K. Private sale signs, provided that such signs are no more than five square feet in area; are located entirely on the premises where such sale is to be conducted or on other private property pursuant to the owner's consent; are clearly marked with the name, address and telephone number of the person responsible for the removal of such sign; are erected not more than 24 hours in advance of such sale; and are removed on the day following the conclusion of such sale.

L. Real estate signs: one real estate sign per lot, provided that the sign does not exceed eight square feet in area per residential lot, 32 square feet in area per commercial lot, or 50 square feet in area per industrial lot. Real estate signs shall be removed within two weeks following the sale or rental of the property.

M. Warning signs, provided that such signs are wall or ground signs, are not more than three square feet in area each, and are illuminated only by an indirect source of light.

N. Roadside mailbox bearing a name and/or address number and installed according to U.S. Postal Service requirements.

§ 410-65. District regulations.

A. Residential (R-1, R-2, and R-3) Districts. Signs shall be permitted in residential districts as follows:

(1) Functional types permitted:

(a) Business signs, where accessory to a nonconforming use with permit; maximum area two square feet. (See § 410-34N and O for home occupations.)

(b) Signs permitted in any residential district without permit or fee as provided in § 410-64 of this chapter (examples: address sign, flags, real estate signs, political signs).

(2) Structural types permitted:

(a) Pole signs. The minimum setback of any part of a sign or structure shall be not less than five feet from all other lot lines.

(b) Wall signs. Wall signs may be attached flat to or pinned away from the wall, and may not project from the wall by more than six inches.

(3) Maximum height permitted:

(a) Pole signs: four feet.

(4) Illumination: not permitted.

B. Service Commercial (C-1) District. Signs shall be permitted in the C-1 District as follows:

(1) Functional types permitted:

- (a) Business signs and on-premises signs.
- (b) Changeable copy signs.
- (c) Temporary signs.
- (d) Signs permitted in any residential district without permit or fee as provided in § 410-64 of this chapter (examples: address sign, flags, real estate signs, political signs).

(2) Structural types permitted:

(a) Awning or marquee.

[1] Maximum sign size permitted: 16 inches high by six feet long, but in no case may the length exceed more than three-quarters the width of the marquee.

[2] The bottom of the sign may not be less than 10 feet above the finished grade.

(b) Wall signs. Wall signs may be attached flat to or pinned away from the wall, and may not project from the wall by more than six inches.

(c) Ground signs.

[1] The edge of the building or structure in which the activity is conducted must be set back at least 25 feet from the edge of the roadway.

[2] The minimum setback shall be not less than five feet from any property line.

[3] No ground sign may be located closer than 50 feet to any other ground sign.

(d) Pole signs. The minimum setback of any part of a sign or structure shall be not less than five feet from all other lot lines.

(e) Projecting signs/V-shaped signs.

[1] Projecting signs over private property must be not less than 10 feet above the finished grade and may not project more than six feet from the building wall, inclusive of supporting members.

[2] A projecting sign may not be located within four feet of the exterior corner of a building or structure.

(f) Window signs.

(g) Sandwich board signs.

(h) Parking lot rate signs.

(3) Number of signs permitted: two signs per street frontage for each activity.

(4) Maximum area permitted:

(a) Awning signs may not exceed 1/2 square foot in area for each linear foot of frontage on each street elevation.

(b) Wall signs shall not extend over the roof line. One sign shall be permitted per building. The maximum size of the sign shall neither exceed 25% of the facade wall area nor be greater than 72 square feet, whichever is less.

(c) Ground signs shall not exceed 40 square feet and may not exceed eight feet above grade. Only one sign per tax parcel is permitted.

(d) Pole signs shall not exceed 75 square feet and may not exceed 25 feet above grade. One sign per tax parcel is permitted.

(e) Projecting signs/V-shaped signs: only one sign per use. All projecting signs shall be double-faced, and the angle at the vertex of the signs shall not exceed 5°. Signs may not exceed 20 square feet.

(f) Window signs may not cover more than 50% of a window; only one sign per window.

(g) Sandwich board signs. One sandwich board sign is permitted for each business. Said sign cannot exceed eight square feet in area per side. Said sign must be removed at the close of each business day. The applicant must provide an insurance rider naming the City of Binghamton as an additional insured on a primary noncontributory basis or other form found acceptable by the City of Binghamton Corporation Counsel.

(h) Parking lot rate signs. One per lot entrance may not exceed six square feet.

(5) Illumination: permitted.

C. Central Business District (C-2). Sign shall be permitted in the C-2 District as follows:

(1) Functional types permitted:

(a) Business signs and on-premises signs.

(b) Changeable copy signs.

(c) Temporary signs.

(d) Signs permitted in any residential district without permit or fee as provided in § 410-64 of this chapter (examples: address sign, flags, real estate signs, political signs).

(2) Structural types permitted:

(a) Awning or marquee.

[1] Maximum sign size permitted: 16 inches high by six feet long, but in no case may the length of an under-canopy sign exceed more than three-quarters the width of the marquee.

[2] The bottom of the sign may not be less than 10 feet above the finished grade.

(b) Wall signs. Wall signs may be attached flat to or pinned away from the wall, and may not project from the wall by more than six inches.

(c) Ground signs.

[1] The edge of the building or structure in which the activity is conducted must be set back at least 25 feet from the edge of the roadway.

[2] The minimum setback shall be not less than five feet from any property line.

[3] No ground sign may be located closer than 50 feet to any other ground sign.

(d) Pole signs. The minimum setback of any part of a sign or structure shall be not less than five feet from all other lot lines.

(e) Projecting signs/V-shaped signs.

[1] Projecting signs over private property must be not less than 10 feet above the finished grade and may not project more than six feet from the building wall, inclusive of supporting members.

[2] A projecting sign may not be located within four feet of the exterior corner of a building or structure.

(f) Window signs.

(g) Sandwich board signs.

(h) Parking lot rate signs.

(3) Number of signs permitted: two signs per street frontage for each activity.

(4) Maximum area permitted:

(a) Awning signs may not exceed 1/2 of a square foot (1/2 square foot) in area for each linear foot of frontage on each street elevation.

(b) Wall signs shall not extend over the roof line. One sign shall be permitted per building. The maximum size of the sign shall neither exceed 25% of the facade wall area nor be greater than 72 square feet, whichever is less.

(c) Ground signs shall not exceed 40 square feet and may not exceed eight feet above grade. Only one sign per tax parcel is permitted.

(d) Pole signs shall not exceed 50 square feet and may not exceed 25 feet above grade. One sign per tax parcel is permitted.

(e) Projecting signs/V-shaped signs: only one sign per use. All projecting signs shall be double-faced, and the angle at the vertex of the signs shall not exceed 5°. Signs may not exceed 20 square feet.

(f) Window signs may not cover more than 50% of a window; only one sign per window.

(g) Sandwich board signs. One sandwich board sign is permitted for each business. Said sign cannot exceed eight square feet in area per side. Said sign must be removed at the close of each business day. The applicant must provide an insurance rider naming the City of Binghamton as an additional insured on a primary noncontributory basis or other form found acceptable by the City of Binghamton Corporation Counsel.

(h) Parking lot rate signs: one per lot entrance, which may not exceed six square feet.

(i) Illumination: permitted.

D. Medical, Neighborhood Commercial, Limited Neighborhood Commercial (C-3, C-4, and C-6) Districts. Signs shall be permitted in the C-3, C-4, and C-6 Districts as follows:

(1) Functional types permitted:

(a) Business signs and on-premises signs

(b) Changeable copy signs.

(c) Temporary signs.

(d) Signs permitted in any residential district without permit or fee as provided in § 410-64 of this chapter (examples: address sign, flags, real estate signs, political signs).

(2) Structural types permitted:

(a) Awning or marquee.

[1] Maximum sign size permitted: 16 inches high by six feet long, but in no case may the length of an under-canopy sign exceed more than three-quarters the width of the marquee.

[2] The bottom of the sign may not be less than 10 feet above the finished grade.

(b) Wall signs. Wall signs may be attached flat to or pinned away from the wall, and may not project from the wall by more than six inches.

(c) Ground signs.

[1] The edge of the building or structure in which the activity is conducted must be set back at least 25 feet from the edge of the roadway.

[2] The minimum setback shall be not less than five feet from any property line.

[3] No ground sign may be located closer than 50 feet to any other ground sign.

(d) Pole signs. The minimum setback of any part of a sign or structure shall be not less than five feet from all other lot lines.

(e) Projecting signs/V-shaped signs.

[1] Projecting signs over private property must be not less than 10 feet above the finished grade and may not project more than six feet from the building wall, inclusive of supporting members.

[2] A projecting sign may not be located within four feet of the exterior corner of a building or structure.

(f) Window signs.

(g) Sandwich board signs.

(3) Number of signs permitted: one sign per street frontage for each activity.

(4) Maximum area permitted:

(a) Awning signs may not exceed 1/2 of a square foot (1/2 square foot) in area for each linear foot of frontage on each street elevation.

(b) Wall signs shall not extend over the roof line. One sign shall be permitted per building. The maximum size of the sign shall neither exceed 25% of the facade wall area nor be greater than 72 square feet, whichever is less.

(c) Ground signs shall not exceed 40 square feet and may not exceed eight feet above grade. Only one sign per tax parcel is permitted.

(d) Pole signs shall not exceed 40 square feet and may not exceed 20 feet above grade. One sign per tax parcel is permitted.

(e) Projecting signs/V-shaped signs: only one sign per use. All projecting signs shall be double-faced, and the angle at the vertex of the signs shall not exceed 5°. Signs may not exceed 20 square feet.

(f) Window signs may not cover more than 50% of a window; only one sign per window.

(g) Sandwich board signs. One sandwich board sign is permitted for each business. Said sign cannot exceed eight square feet in area per side. Said sign must be removed at the close of each business day. The applicant must provide an insurance rider naming the City of Binghamton as an additional insured on a primary noncontributory basis or other form found acceptable by the City of Binghamton Corporation Counsel.

(5) Illumination: permitted.

E. Neighborhood Office (C-5) District. Signs shall be permitted in the C-5 District as follows:

(1) Functional types permitted:

(a) Business signs and on-premises signs.

(b) Temporary signs.

(c) Signs permitted in any residential district without permit or fee as provided in § 410-64 of this chapter (examples: address sign, flags, real estate signs, political signs).

(2) Structural types permitted:

(a) Awning or marquee.

[1] Maximum sign size permitted: 16 inches high by six feet long, but in no case may the length of an under-canopy sign exceed more than three-quarters the width of the marquee.

[2] The bottom of the sign may not be less than 10 feet above the finished grade.

(b) Wall signs. Wall signs may be attached flat to or pinned away from the wall, and may not project from the wall by more than six inches.

(c) Ground signs.

[1] The edge of the building or structure in which the activity is conducted must be set back at least 25 feet from the edge of the roadway.

[2] The minimum setback shall be not less than five feet from any property line.

[3] No ground sign may be located closer than 50 feet to any other ground sign.

(d) Pole signs. The minimum setback of any part of a sign or structure shall be not less than five feet from all other lot lines.

(e) Window signs.

(3) Number of signs permitted: one sign per street frontage for each activity.

## (4) Maximum area permitted:

(a) Awning signs may not exceed 1/2 square foot in area for each linear foot of frontage on each street elevation.

(b) Wall signs shall not extend over the roof line. One sign shall be permitted per building. The maximum size of the sign shall neither exceed 25% of the facade wall area nor be greater than 72 square feet, whichever is less.

(c) Ground signs shall not exceed 40 square feet and may not exceed eight feet above grade. Only one sign per tax parcel is permitted.

(d) Pole signs shall not exceed 40 square feet and may not exceed 20 feet above grade. One sign per tax parcel is permitted.

(e) Window signs may not cover more than 50% of a window; only one sign per window.

## (5) Illumination: permitted.

F. Urban Business Park (I-1) District. Signs shall be permitted in the I-1 District as follows:

## (1) Functional types permitted:

(a) Business signs and on-premises signs.

(b) Changeable copy signs.

(c) Temporary signs.

(d) Signs permitted in any residential district without permit or fee as provided in § 410-64 of this chapter (examples: address sign, flags, real estate signs, and political signs).

## (2) Structural types permitted:

(a) Awning or marquee.

[1] Maximum sign size permitted: 16 inches high by six feet long, but in no case may the length of an under-canopy sign exceed more than three-quarters the width of the marquee.

[2] The bottom of the sign may not be less than 10 feet above the finished grade.

(b) Wall signs. Wall signs may be attached flat to or pinned away from the wall, and may not project from the wall by more than six inches.

(c) Ground signs.

[1] The edge of the building or structure in which the activity is conducted must be set back at least 25 feet from the edge of the roadway.

[2] The minimum setback shall be not less than five feet from any property line.

[3] No ground sign may be located closer than 50 feet to any other ground sign.

(d) Projecting signs/V-shaped signs.

[1] Projecting signs over private property must be not less than 10 feet above the finished grade and may not project more than six feet from the building wall, inclusive of supporting members.

[2] A projecting sign may not be located within four feet of the exterior corner of a building or structure.

(e) Window signs.

(f) Parking lot rate signs.

(3) Number of signs permitted: two signs per street frontage for each activity.

(4) Maximum area permitted:

(a) Awning signs may not exceed two square feet in area for each linear foot of frontage on each street elevation.

(b) Wall signs shall not extend over the roof line. One sign shall be permitted per building. The maximum size of the sign shall neither exceed 25% of the facade wall area nor be greater than 72 square feet, whichever is less.

(c) Ground signs shall not exceed 50 square feet and may not exceed 10 feet above grade. Only one sign per tax parcel is permitted.

(d) Projecting signs/V-shaped signs: only one sign per use. All projecting signs shall be double-faced, and the angle at the vertex of the signs shall not exceed 5°. Signs may not exceed 20 square feet.

(e) Window signs may not cover more than 50% of a window; only one sign per window .

(f) Parking lot rate signs: one per lot entrance, which may not exceed six square feet.

(5) Illumination: permitted.

G. Industrial, Light/Medium, Industrial, Heavy (I-2, I-3) Districts. Signs shall be permitted in the I-2 and I-3 Districts as follows:

(1) Functional types permitted:

(a) Business signs and on-premises signs.

(b) Changeable copy signs.

(c) Temporary signs.

(d) Signs permitted in any residential district without permit or fee as provided in § 410-64 of this chapter (examples: address sign, flags, real estate signs, and political signs).

(2) Structural types permitted:

(a) Awning or marquee.

[1] Maximum sign size permitted: 16 inches high by six feet long, but in no case may the length of an under-canopy sign exceed more than three-quarters the width of the marquee.

[2] The bottom of the sign may not be less than 10 feet above the finished grade.

(b) Wall signs. Wall signs may be attached flat to or pinned away from the wall, and may not project from the wall by more than six inches.

(c) Ground signs.

[1] The edge of the building or structure in which the activity is conducted must be set back at least 25 feet from the edge of the roadway.

[2] The minimum setback shall be not less than five feet from any property line.

[3] No ground sign may be located closer than 50 feet to any other ground sign.

(d) Pole signs. The minimum setback of any part of a sign or structure shall be not less than five feet from all other lot lines.

(e) Projecting signs/V-shaped signs.

[1] Projecting signs over private property must be not less than 10 feet above the finished grade and may not project more than six feet from the building wall, inclusive of supporting members.

[2] A projecting sign may not be located within four feet of the exterior corner of a building or structure.

(f) Window signs.

(g) Parking lot rate sign.

(3) Number of signs permitted: two signs per street frontage for each activity.

(4) Maximum area permitted:

(a) Awning signs may not exceed two square feet in area for each linear foot of frontage on each street elevation.

(b) Wall signs shall not extend over the roof line. One sign shall be permitted per building. The maximum size of the sign shall neither exceed 25% of the facade wall area nor be greater than 72 square feet, whichever is less.

(c) Ground signs shall not exceed 60 square feet and may not exceed 10 feet above grade. Only one sign per tax parcel is permitted.

(d) Pole signs shall not exceed 50 square feet and may not exceed 25 feet above grade. One sign per tax parcel is permitted.

(e) Projecting signs/V-shaped signs: only one sign per use. All projecting signs shall be double-faced, and the angle at the vertex of the signs shall not exceed 5°. Signs may not exceed 20 square feet.

(f) Window signs may not cover more than 50% of a window; only one sign per window.

(g) Parking lot rate signs: one per lot entrance, which may not exceed six square feet.

(5) Illumination: permitted.

§ 410-66. Permits.

No sign shall be erected, altered or relocated without permit except as provided herein, except those found in

§ 410-64.

§ 410-67. Categories of review; application process.

A. Signs for which a permit must be obtained in accordance with the provisions of this Article XI shall fall into one of the following categories:

(1) Series A: any sign within a designated historic district or within the Susquehanna Heritage Area. Review of, and decision on, any Series A review shall be made by the Commission on Architecture and Urban Design (CAUD).

(2) Series B: any sign that is located within the City of Binghamton that is outside a designated historic district or the Susquehanna Heritage Area. Review of, and decision on, any Series B review shall be made by the Planning Department, except that the staff may request that such review and decision be made by the Commission on Architecture and Urban Design (CAUD).

B. A permit application shall be filed with the Office of Building and Construction. The application shall contain:

(1) The name and address of the sign owner, the owner of the premises on which the sign is to be erected and the sign erector.

(2) Scaled drawings showing the design and location of the sign, including an accurate plot plan and such other pertinent information as may be required to determine that the required standards are met. A photograph or rendering including all dimensions is required.

(3) Insurance.

(a) The applicant shall place on file with the Office of Building and Construction, without cost to the City, satisfactory evidence of public liability insurance and of property damage insurance, in amounts deemed reasonable and sufficient by the Office of the Corporation Counsel, based upon a schedule developed by said office. Said insurance shall insure the City of Binghamton against any loss, injury or damage arising out of the granting of the permit or from any negligence of the applicant, his or her servants, agents or

employees in connection with the operations or with any and all work related thereto. Such insurance shall be issued in the name of the City of Binghamton as an "additional insured on a primary noncontributory basis."

(b) Such insurance shall remain in force throughout the effective period of the permit and/or any authorized extension or extensions thereof and shall carry an endorsement to the effect that the insurance company will give at least 30 days' prior written notice to the City of Binghamton Office of the Corporation Counsel of any modification or cancellation of such insurance.

(c) The provisions of this subsection shall not in any way limit the rights of the City to bring any action or proceeding against the applicant, his or her agents or employees to recover damages suffered by the City and caused by the applicant, his or her agents or employees.

§ 410-68. Administration of sign regulations.

A. Permit required. Except as expressly provided herein, no sign shall be erected, enlarged, altered or relocated unless an application for a sign permit evidencing the compliance of such work with the

provisions of this section and other applicable provisions of this chapter shall have first been issued by the Building Inspector.

(1) A sign permit shall be required whenever there is any change in the structural form of any preexisting sign regardless of whether there is a change in ownership of the sign or the premises on which it is located.

(2) Routine sign maintenance or changing of parts designed to be changed shall not be considered an alteration requiring a sign permit.

#### B. Fees.

(1) The permit and license fees for the erection, maintenance and continued operation of signs shall be as set from time to time by the City Council. An additional fee shall be charged for illuminated signs. Signage exempt from fees includes those found in § 410-64.

(2) Where there is more than one sign on a property, a separate fee shall be collected for each sign.

#### C. Violations and penalties.

(1) Violations. The Office of Building and Construction shall have the authority to enforce the removal of any signs that are in violation of this chapter. Any person, firm, corporation or other entity who uses or maintains or causes to be used or maintained any sign or any part thereof for any purpose other than the uses permitted therefor by this chapter, or who erects, enlarges, moves, alters or maintains, or causes to be erected, enlarged, moved, altered or maintained, any sign or any part thereof, except in accordance with the provisions of this chapter or any regulation made under authority conferred thereby, or who uses or maintains, or causes to be used or maintained, any sign or any part thereof which has been erected, enlarged, moved or altered, other than in conformity with the provisions of this chapter, or who otherwise violates or causes to be violated any provision of this chapter, or who allows any violation of this chapter on premises owned or leased by him, or otherwise under his or her control, including his or her agent or contractor, shall be guilty of a violation.

#### (2) Procedure.

(a) In the event that any sign is erected, constructed, reconstructed, altered, converted, relocated or maintained, or any sign or premises is used in violation of this chapter, or any regulation made pursuant thereto, or any authority conferred thereby, the Building Inspector shall serve written notice, either by personal service or by certified mail, return receipt requested, addressed to the premises of such violation, on the person or corporation permitting or committing the same. Unless action to correct the violation is taken within 10 days from the date of service of the notification, that person or entity shall be considered in

violation of this chapter. If, after 30 days from the aforementioned date, the violations have not been corrected, the Building Inspector shall cause the removal of such sign and charge the owner of the sign and/or premises for the cost of removal.

(b) Penalties. The City may bring a civil action to recover a penalty, not exceeding \$500, for any violation of any provision of this chapter. The City may also maintain an action or proceeding in a court of competent jurisdiction to compel compliance with or to restrain by injunction any violation.

§ 410-69. Variance procedure.

Where a sign permit is denied by the Office of Building and Construction, the applicant is entitled to petition the Zoning Board of Appeals, which shall hear and decide all appeals pursuant to Article XIV of this chapter. Such appeals shall be taken by filing with the Supervisor of Building and Construction a notice of appeal and specifying the grounds thereof. The Supervisor of Building and Construction shall forthwith transmit to the Zoning Board of Appeals all papers pertaining to the application for the sign permit. In making a decision, the Zoning Board of Appeals shall consider the standards applicable to an area variance.

§ 410-70. Nonconforming signs.

A. Every sign existing at the time of adoption of this chapter may continue although not in conformity with the provisions herein.

B. Removal of nonconforming on-premises signs. Any sign, except advertising signs, lawfully existing and erected before June 6, 1983, but which becomes nonconforming by virtue of this chapter, shall be removed when the business to which such sign is related ceases or is sold or transferred to a new owner.

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## 6. FREQUENTLY ASKED QUESTIONS

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### Q: What is a historic property?

A: A historic property is a property that is designated or has been determined eligible at the local, state, or federal level. Properties eligible for local historic designation must either be important for representing broad patterns of history, for their association with the life of a historically significant person, or for conveying high architectural or artistic value.

### Q: How do I know if my property is a historic resources?

A: Please contact the Historic Preservation Planner to find out if your property qualifies as a historic property.

### Q: Is my property designated?

A: The city maintains a list of all locally designated properties. This includes individually designated properties as well as historic districts. You can check whether your property is designated with the Historic Preservation Planner.

### Q: What if my property qualifies as a historic resource?

A: If your property qualifies as a historic property or is located within the boundaries of a historic district, all exterior alterations, additions, and repairs require a review by the Commission on Architecture & Urban Design (CAUD). This includes alterations that do not require a permit. If you are unsure if your project requires review, contact the Historic Preservation Planner for guidance.

### Q: What is CAUD and what does it do?

A: CAUD stands for Commission on Architecture and Urban Design. It is comprised of members of the public, who oversee the establishment and preservation of historic landmarks and historic districts in the City of Binghamton. To this end, they are authorized by City ordinance to review proposed exterior alterations to all historic landmarks or properties located within historic districts. They can then decide to issue a Certificate of Approval, Approval with Conditions, Denial, or Economic Hardship based on their findings.

**Q: Does that mean that if my property is designated and I want to paint it, I have to be reviewed by CAUD?**

A: Yes. All exterior changes to a designated property must go through the CAUD review process. This includes, but is not limited to painting, window and door replacement, walls and fences, and signage.

**Q: Is there a fee for a CAUD review?**

A: No.

**Q: How do apply for CAUD approval?**

A: See Chapter 4 of the Historic Design Guidelines for additional information on approvals process. The first step is to meet with the Historic Preservation Planner, who can go over your proposed plan and provide some guidance on what might be acceptable. The next step is to fill out a CAUD Design Review Application, which can be downloaded from CAUD section of the Planning, Housing, and Community Development website ([click here](#)). Submit your completed application to the Historic Preservation Planner, along with copies of architectural drawings, photographs of the property, product samples or brochures, or any other materials necessary for CAUD to make proper review (consult with the Historic Preservation Planner as to what materials may be required for your specific project). After you submit your application materials, city staff will review them for completeness and submit a report to CAUD, detailing the proposal and staff findings. The application will be reviewed at the monthly CAUD meeting (held the last Tuesday of every month, at 12:00 noon, in the Planning Conference Room, 4th Floor, City Hall).

**Q: My proposal was denied by CAUD. What can I do now?**

A: See Chapter 4 for additional information. You have several options if CAUD denies your request.

1. You can make changes to the proposal and resubmit your application to CAUD.
2. You can find a different use for the property in question.
3. You can abandon the project.
4. You can appeal to the City Council within 15 days.

**Q: If I have more questions, whom should I talk to?**

A: Call the city Historic Preservation Planner at (607) 772-7028 or email us at [planning@cityofbinghamton.com](mailto:planning@cityofbinghamton.com).

## 7. APPLICATION FOR PROJECT REVIEW

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The following pages contain the City's application for Design / Project Review.

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#### 4. Proposed Work

In accordance to Section 7209 and 7307 of Article 147 of the State Education Law, some Project submissions may require the stamped seal of a licensed Architect, Engineer or Landscape Architect.

##### **Description of work proposed to the building, site, or historic feature.**

Attach additional sheets if necessary.

- Location or proposed change: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- Materials to be used: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- Dimensions: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- Colors: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- Company or Manufacturer: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- Describe proposed demolition or removal of building features or materials: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Contractor: \_\_\_\_\_

Phone # \_\_\_\_\_

Architect or Engineer: \_\_\_\_\_

Phone # \_\_\_\_\_

Construction Schedule: \_\_\_\_\_

Building Permit Application # (if required) \_\_\_\_\_

Sign Permit Application # (if required) \_\_\_\_\_

**5. Reason for Design Review**

Briefly describe below the reason(s) for undertaking this project. Include any pertinent current or future plans for the building under review or for the property in general. Attach additional sheets if necessary.

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**6. Additional Materials**

The submission of additional materials for review by the Commission may be necessary for this application to be considered complete. The submission of these materials is intended to expatiate the review process. Failure to include sufficient information may delay the Commission’s decision on an application. Such a delay may require the applicant to submit their application for a later scheduled meeting. Please contact City Staff to determine what additional information may be necessary. These materials may include, but are not limited to:

- Photographs of the property and surrounding neighborhood
- Architectural drawings/elevations
- Site plans
- Product samples and/or manufacture documentation
- Color and/or texture samples
- Conceptual art

Return this completed application to the address at the top of this form. Applications must be received at least **7 working days** prior to the regularly scheduled meeting of the Commission on Architecture and Urban Design. Questions or concerns can be directed to the Department of Planning, Housing & Community Development at (607) 772-7028.



## 8. APPLICATION FOR DETERMINATION OF SIGNIFICANCE

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**4. Building Description**

EXTERIOR (check all that apply):

wood clapboard     wood shingle     vertical board     plywood  
 stone     brick     poured concrete     concrete block  
 vinyl siding     aluminum siding     other: \_\_\_\_\_

FOUNDATION:

stone     brick     poured concrete     concrete block

ROOF:

asphalt shingle     asphalt roll     wood shingle     metal     slate

Other materials w/locations: \_\_\_\_\_

Alterations (if known): \_\_\_\_\_ Date: \_\_\_\_\_

CONDITION:

excellent     good     fair     deteriorated

**5. Reason for Determination of Significance**

Briefly describe below the reason(s) for seeking a Determination of Significance. Include any current or future plans for the building under review or for the property in general. Attach additional sheets if necessary.

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Return this completed application to the address at the top of this form. Applications must be received at least **7 working days** prior to the regularly scheduled meeting of the Commission on Architecture and Urban Design. Questions or concerns can be directed to the Department of Planning, Housing & Community Development at (607) 772-7028.

## 9. OTHER PRESERVATION RESOURCES

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### Resources and Organizations

#### City of Binghamton

The City of Binghamton is dedicated to the preservation of its historic landmarks, neighborhoods and districts. Additional information on historic preservation is available through the City of Binghamton Department of Planning, Housing and Community Development, located on the 4<sup>th</sup> floor of City Hall.

- Forms, printed materials and on-line links to other resources are available at:  
<http://www.cityofbinghamton.com/department.asp?zone=dept-planning&pid=85&pm=page>
- The City's Historic Preservation Planner may be reached at (607) 772-7028.

#### Preservation Association of the Southern Tier (PAST)

The Preservation Association of the Southern Tier is dedicated to promoting the preservation of historically significant buildings, sites and places in Broome and Tioga Counties. They promote community education, host special events to increase and raise awareness, and lead efforts to save important landmarks and buildings in the two-county region. A variety of information is available on the PAST website, including links to newsletters, how to join PAST, local resources, information on special events, and links to educational resources such as tax incentives and how to research your historic home.

- The PAST website is: <http://www.pastny.org/index.php>
- PAST is located at 89 Court Street (Perry Building) in Binghamton, NY. Current phone number is 607-237-0887.

#### American Institute of Architects Southern New York

<http://www.aiasny.org/>

#### National Trust for Historic Preservation Northeast Office

[www.preservationnation.org/northeast](http://www.preservationnation.org/northeast)

#### New York State Office of Parks, Recreation and Historic Preservation

<http://www.nysparks.com/shpo/>

## Lead Paint Resources

The United States Environmental Protection Agency offers a full range of information and easy-to-use guides associated with the identification, safety concerns, and rules associated with lead paint:

- Great starting point for access to information associated with lead paint, including access to local contractors, EPA Regional office contact information, facts, health effects, and more.  
<http://www.epa.gov/lead/>
- Renovation, Repair and Painting Rule (EPA)  
<http://epa.gov/lead/pubs/renovation.htm>
- Field Guide: Lead Paint Safety  
<http://www.epa.gov/lead/pubs/leadsafetybk.pdf>
- Website with a range of basic information on lead paint safety  
[http://www.pueblo.gsa.gov/cic\\_text/housing/finlead/leadhelp.html](http://www.pueblo.gsa.gov/cic_text/housing/finlead/leadhelp.html)
- Brochure: The Lead-Safe Certified Guide to Renovate Right  
<http://www.epa.gov/lead/pubs/renovaterightbrochure.pdf>
- Brochure: Protect Your Family From Lead in the Home  
<http://www.epa.gov/lead/pubs/leadpdf.pdf>

## National Park Service Preservation Briefs

The National Park Service, Division of Technical Preservation Services, offers a series of *Preservation Briefs* which provide guidance on a range of preservation-specific topics associated with the preservation, rehabilitation and restoration of historic buildings. The *Preservation Briefs* are available on-line at <http://www.cr.nps.gov/hps/tps/briefs/presbhom.htm>. Hard copies of the *Briefs* may be purchased from the Government Printing Office Online Bookstore / TPS Publications Catalog at <http://bookstore.gpo.gov/>. The following list identifies the 47 briefs currently available.

- 01: Assessing Cleaning and Water-Repellent Treatments for Historic Masonry Buildings
- 02: Repointing Mortar Joints in Historic Masonry Buildings
- 03: Conserving Energy in Historic Buildings
- 04: Roofing for Historic Buildings
- 05: The Preservation of Historic Adobe Buildings
- 06: Dangers of Abrasive Cleaning to Historic Buildings
- 07: The Preservation of Historic Glazed Architectural Terra-Cotta
- 08: Aluminum and Vinyl Siding on Historic Buildings: The Appropriateness of Substitute Materials for Resurfacing Historic Wood Frame Buildings
- 09: The Repair of Historic Wooden Windows
- 10: Exterior Paint Problems on Historic Woodwork
- 11: Rehabilitating Historic Storefronts
- 12: The Preservation of Historic Pigmented Structural Glass (Vitrolite and Carrara Glass)
- 13: The Repair and Thermal Upgrading of Historic Steel Windows
- 14: New Exterior Additions to Historic Buildings: Preservation Concerns
- 15: Preservation of Historic Concrete
- 16: The Use of Substitute Materials on Historic Building Exteriors
- 17: Architectural Character - Identifying the Visual Aspects of Historic Buildings as an Aid to Preserving Their Character
- 18: Rehabilitating Interiors in Historic Buildings - Identifying Character-Defining Elements
- 19: The Repair and Replacement of Historic Wooden Shingle Roofs
- 20: The Preservation of Historic Barns
- 21: Repairing Historic Flat Plaster - Walls and Ceilings
- 22: The Preservation and Repair of Historic Stucco

- 23: Preserving Historic Ornamental Plaster
- 24: Heating, Ventilating, and Cooling Historic Buildings: Problems and Recommended Approaches
- 25: The Preservation of Historic Signs
- 26: The Preservation and Repair of Historic Log Buildings
- 27: The Maintenance and Repair of Architectural Cast Iron
- 28: Painting Historic Interiors
- 29: The Repair, Replacement, and Maintenance of Historic Slate Roofs
- 30: The Preservation and Repair of Historic Clay Tile Roofs
- 31: Mothballing Historic Buildings
- 32: Making Historic Properties Accessible
- 33: The Preservation and Repair of Historic Stained and Leaded Glass
- 34: Applied Decoration for Historic Interiors: Preserving Historic Composition Ornament
- 35: Understanding Old Buildings: The Process of Architectural Investigation
- 36: Protecting Cultural Landscapes: Planning, Treatment and Management of Historic Landscapes
- 37: Appropriate Methods of Reducing Lead-Paint Hazards in Historic Housing
- 38: Removing Graffiti from Historic Masonry
- 39: Holding the Line: Controlling Unwanted Moisture in Historic Buildings
- 40: Preserving Historic Ceramic Tile Floors
  
- 41: The Seismic Retrofit of Historic Buildings: Keeping Preservation in the Forefront
- 42: The Maintenance, Repair and Replacement of Historic Cast Stone
- 43: The Preparation and Use of Historic Structure Reports
- 44: The Use of Awnings on Historic Buildings: Repair, Replacement and New Design
- 45: Preserving Historic Wooden Porches
- 46: The Preservation and Reuse of Historic Gas Stations
- 47: Maintaining the Exterior of Small and Medium Size Historic Buildings