

Introduced by Legislators David Denenberg and David Mejias

Local Law 12-2007

A LOCAL LAW to amend the Administrative Code, in relation to the licensing of sign hangers in Nassau County.

BE IT ENACTED by the County Legislature of the County of Nassau as follows:

Section 1. Chapter XXI of chapter 272 of the laws of 1939, constituting the Nassau County Administrative Code, is amended to add a new a new Title D-14, to read as follows:

Title D-14

Licensing of Sign Hangers

Section 21-24.1 This Legislature finds that currently sign hangers and riggers are not required to be licensed. Persons who hang signs should have the ability to read plans and specifications relating to sign construction and hanging including supports and framework and must possess knowledge of problems and practices of sign construction. They should also possess the knowledge of risks, precautions, safe loads, types of rigging, size & strength of ropes, cables, block sand derricks and the characteristics, uses and misuses of the tools involved. Without proper qualifications and financial responsibility the public safety is at risk and personal injury and property damage can occur. This legislation requires any person erecting covered signs to be licensed by the county in order to protect and promote the public health safety and welfare of all persons in Nassau County.

§21-24.2 Definitions.

“Commissioner” means the commissioner of the Office of Consumer Affairs.

“County” means the County of Nassau.

“Office” means the Office of Consumer Affairs.

“Display sign” means a structure that exceeds seventy five square feet in area or twenty five pounds in weight and is arranged, intended, designed or used as an advertisement, announcement or direction including, but not limited to, signs, sign screens, billboards, awnings and advertising devices of every kind.

“Sign hanger” means any person who builds, erects, hangs, suspends, hoists, lowers, attaches, maintains or removes any kind of display sign, but shall not include an owner of residential property who himself or herself installs a display sign on his or her property.

“Structure” means any stationery combination of materials built or erected, including, but not limited to, a building, bridge, framework, billboard, railroad trestle, awning or other object that has been put together from many different parts.

§21-24.3 General license requirements.

a. No sign hanger may install, construct, reconstruct, alter or repair any display sign upon any structure or upon the exterior walls or roof of any structure located in the County, or remove any display sign from any structure or exterior walls or roof of any structure located in the County, without having first obtained a license from the Commissioner in accordance with and subject to the provisions herein.

§21-24.4 Issuance of License

The Commissioner shall promulgate rules specifying the qualifications and procedures for licenses required hereunder. The Commissioner may require the applicant to submit to an oral, written and/or practical examination in order to determine fitness and qualifications of applicants and their possession of the skills necessary for safe and proper sign hanging, including, but not limited to, the ability to read plans and specifications related to sign construction and knowledge of tools, risks and safety precautions. The Commissioner shall require evidence of insurance. The Commissioner shall issue a license to each applicant who has submitted satisfactory evidence of (1)

insurance; (2) his or her qualifications; and (3) paid the required fee, as specified in the rules promulgated pursuant to this section.

§21-24.5 Term of license; renewal.

All licenses, issued by the Commissioner under the provisions of this title shall expire two years from the date of issuance thereof, and may be renewed, provided that application for renewal of the license is made thirty calendar days prior to the expiration date of the license. All applications for renewal of a license shall be accompanied by the required renewal fee and information from the applicant which satisfies the commissioner as to his or her qualifications. If application for renewal is not made as provided above, the commissioner may, nevertheless, renew the license provided the applicant pays an additional fee and provided further that the applicant satisfies the commissioner as to his or her qualifications.

§21-24.6 Use of license.

No holder of a license issued under this title shall authorize, consent to or permit the use of his or her license by or on behalf of any other person and any person who has not qualified and obtained a license under this title shall not hold himself or herself out to the public as licensed or as the holder of a license issued under this title, either directly or indirectly, by means of signs, sign cards, metal plates, stationery, or in any other manner whatsoever; provided, however, that this section shall not be construed to prohibit the use of a license by the holder thereof for or on behalf of a partnership, corporation or other business association, provided that at least one member of the partnership or at least one officer of the corporation is licensed for the same business, trade or calling, and that all work performed by such partnership or corporation is performed by or under the direct supervision of such license holder or holders.

§21-24.7 License fee

The fee for a sign hanger license shall be two hundred fifty dollars and the license shall be valid for a period of two years from the date of issuance. The renewal fee for such license shall be two hundred dollars. If application for renewal is not made within thirty calendar days prior to the expiration date of the license, the applicant shall be required to pay an additional fee of thirty dollars.

§21-24.8 Violations and penalties.

Any person who shall violate any of the provisions of this title shall be guilty of a Class A misdemeanor. Such person shall also be subject to the payment of a civil penalty of not more than five thousand dollars, after being provided with an opportunity to be heard in a proceeding conducted in accord with due process by the Office of Consumer Affairs.

§ 21-24.9 Exemptions.

The provisions of this title shall not apply to County employees working in within the scope of their employment, sign painters or sign cleaners.

§21-24.10 Severability. If any clause, sentence, paragraph, subdivision, section or part of this local law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 2. Effective date.

This local law shall take immediately, except that no enforcement of the provisions of sections 21-24.4 or 21-24.7 shall take place until ninety days following the promulgations of rules by the Commissioner of Consumer Affairs pursuant to section 21-24.3 of the Nassau County Administrative Code as added by section one of this local law.