

(Text for Section 7, relating to Article #26 on Spring Town Meeting Warrant)

## **SECTION 7: SIGN REGULATIONS**

### **1. Purpose**

The purpose of this section of this Bylaw shall be to coordinate the type, placement, and scale of signs within the different zoning districts to recognize the commercial communication requirements of all sectors of the business community and to encourage the innovative use of design and aesthetic consideration.

### **2. Administration and Enforcement**

- A. No signs shall be attached, erected or otherwise installed on any property without first obtaining a permit from the Building Inspector, such permit to be granted only in accordance with the following regulations. Temporary political signs shall be permitted and shall be exempt from obtaining a sign permit from the Building Inspector.
- B. The Building Inspector is authorized to order the repair or removal of any sign and its supporting structure which in his judgment is dangerous or in disrepair or which is erected or maintained contrary to this Bylaw. Whenever a Building Inspector is appointed, the Board of Selectmen shall send his name and address to the Outdoor Advertising Board. No sign shall be erected, altered or enlarged until a permit has been issued by the Building Inspector. Such permit shall be issued only if the sign complies or will comply with all applicable provisions of this Bylaw.

### **3. General Requirements**

- A. MOVEMENT. In all districts no exterior or interior sign readily visible from the exterior of the building shall be illuminated by ~~other than a steady white light, with no flashing or interruption,~~ nor shall any sign be rotated, oscillated, or designed to *physically* turn *in any fashion, including fluttering* by wind power, ~~or shall in any way be other than stationary. Portions of a sign consisting solely of indicators of time and/or temperature except for excavating signs shall not be permitted to use LED type displays or means of illumination.~~
- B. ILLUMINATION. No sign shall be illuminated between the hours of 10:00 p.m. and 6:00 a.m., unless in the case of a business sign, the premises on which it is located are open for business. ~~Signs may be illuminated only by the following means~~ Illuminated signage shall be allowed only as follows:
  - (1) By a external white, steady, stationary light of reasonable intensity shielded and directed solely at the sign; ~~or,~~
  - (2) Where not otherwise prohibited, by internal, non-exposed white backlighting of reasonable intensity; ~~or,~~

- (3) An electronic message center utilizing LED (light emitting diode) or similar technology, shall be permitted only subject to the following requirements and limitations:
- a. Such a sign shall be permitted only in the CBD, B, LM, HB and IND districts and then only subject to the additional provisions provided in Section 7:8.A and Section 7:8.B;
  - b. Such a sign shall be prohibited in all residential zoning districts;
  - c. Where permitted, such a sign shall display static images for a period of a minimum of one (1) second before instantaneously transitioning to another static image. Transitions from one static image to the next shall not include animation, flashing or create the appearance of any movement whatsoever.
  - d. Such a sign, where permitted, shall be equipped with automatic dimming technology which automatically adjusts the display's brightness based on ambient light; and
  - e. No electronic message center sign shall exceed a brightness level of .3 foot candles above ambient light as measured using a foot candle (lux) meter at a distance of one hundred (100) feet from the display.
- C. COLOR. No sign shall contain colored lights except for temporary warning signs for the safety of the public, or an electronic message center where permitted. In the case of multi-tenant free-standing or ground signs, the sign shall contain a continuous background color for the entire sign area and each business displayed thereupon, shall be permitted to utilize their corporate color for lettering and / or their corporate logo.
- D. HEIGHT. In all districts, no exterior sign shall have a height greater than the highest point on the roof of the main building to which it pertains (whether or not attached thereto) or greater than twenty-five (25) feet above the mean grade of the principal frontage street, whichever is highest.
- E. ROOF SIGNS. No sign shall be placed upon or extend above the roof line of the building to which it is attached.
- F. PUBLIC SAFETY. A sign (including temporary interior window displays or banners) or its illuminator shall not by reason of its location, shape, size or color interfere with traffic or be confused with or obstruct the view of the effectiveness of any official traffic sign, traffic signal, or traffic marking. Therefore, flashing or animated signs are not permitted and red, yellow, or green colored lights shall not be permitted. No sign shall be erected so as to obstruct any door, window, or fire escape on a building. If lighting is provided, the source of light shall be shielded as to prevent

direct glare from the light source onto any public street or onto adjacent property and maintain a clear line of sight for vehicles entering or exiting the premises.

- G. **NUMBER OF SIGNS.** No more than two (2) signs for the principal identification of the business shall be allowed for any one business or industrial establishment. No more than one (1) sign shall be allowed for any one premise in residential districts. The limitation as to the number of signs permitted does not apply to door or wall-mounted directory, incidental, identification, or portable signs. Traffic or directional signs, which are necessary for the safety and direction of residents, employees, customers, and visitors, whether in a vehicle or on foot, of any business, industry, or residence are also not included in this limitation.
- H. **INDEMNIFICATION AND INSURANCE.** All persons involved in the maintenance, installation, alteration, or relocation of projecting signs within ten (10) feet of or upon any public right-of-way or property shall agree to hold harmless and indemnify the Town, its officers, agents, and employees, against any and all claims of negligence resulting from such work insofar as this Bylaw has not specifically directed the placement of a sign.

#### **4. Prohibited Signs**

- A. No sign shall be attached to a radio, television or water tower, or any other type of tower or smoke stack.
- B. No mobile or moveable sign on wheels or other devices, including "A-frame" or "Sandwich" signs, which permit relocation from one spot to another shall be permitted, except for temporary warning signs for the safety of the public.
- C. No animated signs are permitted.
- D. No free-standing signs are permitted in the Central Business District.
- E. All signs not otherwise permitted by this section are hereby prohibited.

#### **5. Exempt Signs**

- A. The following types of signs do not require a permit under this section but must be in conformance with all other requirements of this Bylaw and any other applicable Bylaws, laws, and rules and regulations:
  - (1) A Directional sign.
  - (2) Construction signs of thirty-two (32) square feet or less.

- (3) Changeable, traffic or directional signs owned or installed by a government agency shall be permitted in all districts.
- (4) Holiday or special events decorations.
- (5) Nameplates of one (1) square foot or less.
- (6) Political signs.
- (7) Public signs or notices, or any sign relating to an emergency.
- (8) Real estate signs provided they do not exceed a total area of ten (10) square feet.
- (9) Incidental signs.
- (10) Historic plaques or markers.

## **6. Signs Permitted in All Districts**

- A. All exempt signs not requiring permits under this Bylaw.
- B. Non-illuminated political signs.
- C. Directional/information sign(s) per lot as required.
- D. Temporary signs listed under Section 7.10 of the Zoning Bylaw.

## **7. Signs Permitted in All Residential Districts**

In a residential district, the following signs are permitted:

- A. All signs permitted in Section 7.6 of the Zoning Bylaw.
- B. One identification sign for each dwelling unit, provided: such sign shall not exceed four (4) square foot in surface area; if lighted, it shall be illuminated with white light by indirect method only; and it shall not be used other than for identifying the occupancy.
- C. One identification sign for each membership club, funeral establishment, hospital, church, other place of public assembly, community facility or public utility use, provided: the sign shall not exceed ten (10) square feet in surface area; and if lighted, it shall be illuminated with white light by indirect method only.
- D. One unlighted temporary sign relating to a new residential subdivision during the actual period of construction, provided: it shall not exceed thirty-two (32) square feet in surface area; and it shall be set back at least ten (10) feet form any street lot line.
- E. Except for professional nameplates and the residential nameplate, any other sign in a residential district shall be set back at last one-half of the required depth of the front yard.

## 8. Signs Permitted in Non-Residential Districts

- A. In the CBD or B districts, signs permitted under Section 7.6 and 7.7 of the Zoning Bylaw and the following signs are permitted:
- (1) One sign on up to two exterior walls of an establishment, if such walls face a public way or contain a public entrance. Any such sign must be either flat against the wall or perpendicular to it. Signs shall be externally lit from the front. Back lighting of signs is prohibited. If attached flat against the wall, the sign shall not extend beyond the building lines, and the area of the sign may not exceed the lesser of:
    - (a) Ten (10) percent of the building façade or wall area; or
    - (b) Thirty (30) square feet or, if perpendicular to the building, the sign shall not project more than four (4) feet from the building nor exceed five (5) square feet in area. Such sign shall pertain only to name, slogan, motto, trademark of nature of business in generic terms. Roof signs and V-shaped signs are not permitted.
  - (2) One directory sign of the establishments occupying a building at each public entrance to the building. Such directory shall not exceed an area determined on the basis of one (1) square foot for each establishment occupying the building.
  - (3) The Building Inspector may permit the erection of a free-standing sign in the B District if the Building Inspector finds that the sign complies with Section 7.3 of the Zoning Bylaw and with the purposes of this Bylaw. If such permission is granted, the Building Inspector shall impose such terms and conditions as deemed necessary to promote the purposes of this Bylaw; provided, however, that no such sign shall exceed forty (40) square feet in area or be located within one hundred (100) feet of an existing residential district zoning boundary line, or within fifty (50) feet of a non-residential commercial building or commercial property boundary line, or within ten (10) feet of the paved portion of the street which provides access for the property on which the sign is to be located.
  - (4) The Building Inspector may permit a ground sign of up to fifty-six (56) square feet in the CBD and B districts if:
    - (a) it meets the illumination requirements of this Section of the Bylaw;
    - (b) at no point does the sign exceed six (6) feet in height; and

- (c) the sign is located more than five (5) feet from a street lot line; or, ten (10) feet from a side lot line.
- (5) In the CBD, all awnings may be used as signage but only on the surface of awning aprons;
- (6) Building numbers shall be located on all buildings. Retail/commercial building numbers shall be a minimum of six (6) inches in height, and a maximum of ten (10) inches in height.
- (7) Retail signs along sidewalks shall be located a minimum of eight (8) feet above a pedestrian sidewalk; and
- (8) Temporary signs with a specific date of expiration, such as banners, shall be allowed, after review and approval by the Building Inspector for compliance with Section 7.10 of the Zoning Bylaw.
- (9) An electronic message center shall be permitted as wall or ground signs by special permit subject to the area and location restrictions of this section and subject to Section 7:3.B(3). A free standing sign shall be permitted by special permit in the B District subject to the provisions of Section 7:8.A.

B. In the LM, HB and IND districts, signs permitted under Sections 7.6 and 7.7 of the Zoning Bylaw and the following signs are permitted.

- (1) Signs attached to walls in the HB and IND districts limited to ten (10) percent of the wall area to which they are attached but not more than one hundred (100) square feet, except if the sign is located along US Route 1 where one hundred and fifty (150) square feet shall be allowed;
- (2) Ground or free-standing signs with an area of up to one hundred (100) square feet, except if located along US Route 1 where 150 square feet shall be allowed. Free-standing signs shall not be less than eight (8) feet from ground level;
- (3) In-lieu of a free-standing sign, the Building Inspector may permit a ground sign of up to one hundred (100) square feet in the LM, HB and IND Districts, if:
  - (a) it meets the illumination requirements of this Section of the Bylaw;
  - (b) at no point does the sign exceed eight (8) feet in height; and
  - (c) the sign is located more than five (5) feet from a street lot line; or, ten (10) feet from a side lot line.
- (4) One directory sign of the establishments occupying a building at each public entrance to the building. Such directory shall not exceed an area determined on the basis of one (1) square foot for each establishment occupying the building.
- (5) As part of the Site Plan Review, the Planning Board may determine that an alternative exterior lighting plan is consistent

with the materials used for the sign and the associated lighting is not detrimental to abutting uses.

- (6) An electronic message center shall be permitted as a wall, ground, or free-standing sign, subject to the area and location restrictions of this section and subject to Section 7:3.B(3).

## 9. Non-Conforming Sign

See Non-Conforming Situations listed under Section 9 of the Zoning Bylaws.

## 10. Temporary Signs

- A. The maximum size shall be forty (40) square feet.
- B. Except for political signs, all temporary sign permits shall be limited to a thirty (30) day time of service with a sixty (60) day time limitation before a new permit can be issued.
- C. Temporary signs may be either attached to building or detached. If detached, setbacks shall be at least ten (10) feet from any lot line.
- D. Temporary signs shall not be internally illuminated.
- E. No temporary sign shall be placed so as to obstruct any means of egress or rights-of-way, sidewalks, etc.
- F. No temporary sign shall be placed such that it obstructs vision or creates a pedestrian or vehicular traffic hazard.
- G. Temporary signs shall not be allowed on a lot in a residential district.
- H. Before a temporary sign (~~other than~~ excluding a temporary sign placed in a window and political signage), shall be erected, there shall be deposited with the Building Inspector, a sum as set forth in the Inspection Fee Schedule in cash for each sign. The deposit shall be refunded only upon the removal of the sign by the owner or his agent. Temporary signs which do not comply with this Bylaw may be authorized by the Building Inspector for public or charitable purposes. The following Temporary Signs apply:
  - (1) Temporary Window Signs/ Banners. Temporary interior window displays or temporary banners shall be permitted except as provided below. Temporary shall be construed to mean any period not exceeding thirty (30) consecutive days; and
  - (2) Temporary Lease or Sale Sign. In any district one unlighted

temporary sign offering premises for sale or lease for each parcel in single ownership shall be permitted provided: it shall not exceed six (6) square feet in surface area; and, if free-standing, it shall be set back at least ten (10) feet from the street lot line.

- I. In any district one unlighted temporary sign of an architect, engineer or contractor erected during the period such person is performing work on the premises on which such sign is erected shall be permitted provided: it shall not exceed four square feet in surface area: and it shall be set back at least ten (10) feet from the street lot line.

Or to take any other action relative thereto. (Petition of the Board of Selectmen)