

### **ART. II-8-11. TEMPORARY SIGNS Draft for Council Introduction 5/14/2018; Re-introduced 7/23/18; Re-introduced 11/26/18**

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#### **Sec. 8-355. Purpose.**

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The purpose of this article is to permit temporary ~~advertising and informational~~ signs while preventing the proliferation of signs and creating hazards to traffic.

(Ord. of 5-30-2012)

#### **Sec. 8-356. Definitions.**

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The definitions in Div. [II-19-1-2](#) of the zoning and site plan review ordinance apply to this article except for *free standing signs*. For purposes of this section, free standing sign refers to any sign placed in or on the ground and includes A-frame signs. Terms not defined shall have the customary dictionary meaning.

(Ord. of 5-30-2012)

#### **Sec. 8-357. Applicability.**

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Unless otherwise exempted this article applies to all exterior temporary signs in the town. Temporary signs shall not be counted in calculating the maximum number of permanent signs allowed on a lot or the maximum gross display area allowed on a wall which are regulated by [Art. II 19.1](#), Zoning and Site Plan Review Ordinance.

(Ord. of 5-30-2012)

#### **Sec. 8-358. Exemptions.**

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- A. ~~Signs on town owned or controlled lots and rights of ways and s~~Signs erected or placed by the town are exempt from this article.
- B. ~~Signs placed by the state.~~
- C. ~~Signs required by municipal, state or federal law.~~

(Ord. of 5-30-2012)

#### **Sec. 8-359. Authority and administration.**

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This article shall be administered and enforced by the Code Division and enforced by the Code Enforcement Officer or their designee, except for those signs as regulated in Sec. 17-4. Any person who places or causes to be placed a sign in violation of this article commits a civil violation for which a civil penalty of no less than one-hundred dollars (\$100.00) shall be imposed. Each day a sign remains in violation of this article constitutes a separate violation.

(Ord. of 5-30-2012)

### **Sec. 8-360. Validity and severability.**

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This article applies in addition to the restrictions and requirements applicable to signs under the town zoning and site plan review ordinance and any other town ordinance. Should any section or provision of this article be declared by any court to be invalid, such decision shall not invalidate any other section or provision. This article shall not be construed to repeal any existing bylaws or ordinances, or to impair the provisions of private restrictions placed upon property.

(Ord. of 5-30-2012)

### **Sec. 8-361. Permit required.**

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Temporary signs, ~~except temporary advertising signs and new business/business relocation signs~~ do not require a permit but must comply with all provisions of this article.

(Ord. of 5-30-2012)

### **Sec. 8-362. Prohibitions.**

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All temporary signs not expressly permitted by this article are prohibited.

(Ord. of 5-30-2012)

### **Sec. 8-363. General.**

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Temporary signs ~~are permitted and~~ shall conform to standards within ~~municipal~~, state or federal ordinances, statutes or regulations and the following standards:

1. Signs that create a traffic hazard or impede vehicular, pedestrian or cycling traffic on designated travelways, sidewalks, lanes or paths are prohibited and will be removed by the Town.
2. Signs are permitted in the public right of way and shall:
  - a. not be placed within 30 feet of another temporary sign in the public right of way bearing the same or substantially the same message;
  - ~~b. not be located in the area between the travel way and a sidewalk;~~
  - ~~c. not be located within the travel way including medians and traffic islands;~~
  - ~~d. not require any digging or excavation;~~
  - ~~e. not exceed thirty-six (36) inches in height four feet in height;~~
  - ~~f. not exceed 167 square feet in size; and~~
  - ~~g. contain the name, phone number, and address of the person, entity or organization that placed the sign and the time period the sign will be maintained.~~
3. Temporary Prohibitions. Any signs, or part of a sign, shall not:

- a. be attached to ~~fences, trees, any vegetation, utility poles;~~
  - b. ~~be placed for more than 42 days per calendar year in a right of way;~~
  - c. ~~be placed for more than 120 days per calendar year on a lot;~~
  - d. be illuminated ~~either internally or externally; internal and external, is prohibited.~~
  - e. ~~shall not be placed in a position that will obstruct or impair vision or traffic, either pedestrian or vehicular;~~
  - f. ~~No sign or part of a sign shall~~ consist of or include visible moving parts, pennants, ribbons, streamers, balloons, spinners or other similar devices to attract attention.
  - g. ~~shall not infringe on handicap accessibility, nor in any manner create a hazard or disturbance to the health and welfare of the general public.~~
4. ~~Unless specifically permitted in Sec. 8-364, no signs are permitted in any public right-of-way.~~
  5. ~~No digging or excavation shall occur within any public right-of-way.~~
  6. ~~Signs under this section are exempt from setback requirements in the zoning and site plan review ordinance.~~
  7. ~~No sign may be placed within five (5) feet of street pavement.~~
  8. ~~Maximum allowable height for free standing signs is ten 10 feet, except for signs placed in a street right-of-way between five (5) and fifteen (15) feet from the edge of the street pavement, where signs are limited to thirty six (36) inches in height.~~

~~(Ord. of 5-30-2012)~~

**Sec. 8-364. ~~Types of~~ Temporary signs permitted on lots.**

Signs on a lot shall not be placed within 30 feet of another temporary sign on the lot bearing the same or substantially the same message.

<u>Table 8-364.1 Temporary Free-standing Signs on Lots</u>		
<u>Standard</u>	<u>Residential Districts</u>	<u>All Other Districts</u>
<del>Maximum number per business or residence</del>	<u>1</u>	<u>1</u>
<del>Maximum sign size (square feet of sign display area)</del>	16	<u>32</u>
<del>Maximum height (feet including sign support structure)</del>	<u>6</u>	<u>10</u>

<u>Table 8-364.2 Temporary Wall Signs on Lots</u>		
<u>Standard</u>	<u>Residential Districts</u>	<u>All Other Districts</u>
<del>Maximum number per business or residence</del>	<u>1</u>	<u>1</u>
<del>Maximum size (square feet)</del>	<u>32</u>	<u>64</u>

1. ~~Signs giving public notice. One (1) sign of a temporary nature such as an advertisement of a charitable function, notice of meeting or other non-commercial sign of a similar nature is permitted on the lot where the event occurs for a period not to exceed thirty (30) days and shall be removed by the organization that posted the sign. Freestanding, A-frame, and wall signs are~~

allowed with a maximum size of twelve (12) square feet of display area in the F, RA, RB & RC districts and sixteen (16) square feet of display area in the SB, BP, MUC, VMU & CO districts.

2. *Real estate signs.* One (1) temporary freestanding or wall real estate sign may be erected advertising the sale, lease, or rental of the premises upon which the sign is located for the duration of the availability of the property. Maximum allowed size is nine (9) square feet of display area in the F, RA, RB & RC districts and sixteen (16) square feet of display area in the SB, BP, MUC, VMU & CO districts.
3. *Development or construction site.* One (1) temporary development or construction sign may be erected on the project site provided such sign shall be limited to a general identification of the project and shall be removed within thirty (30) days after completion of the project. Maximum size of a freestanding sign is sixteen (16) square feet of display area. Wall signs in the F, RA, RB & RC districts may be sixteen (16) square feet of display area and thirty two (32) square feet of display area in the SB, BP, MUC, VMU & CO districts.
4. *Political signs.* Signs bearing political messages relating to an election, primary or referendum may be placed in any district, except in a floodplain. Political signs may be placed within a right-of-way in such locations as will not create a safety hazard, not prior to six (6) weeks before the election, primary or referendum to which they relate and must be removed by the candidate or political committee not later than one (1) week after election day.
5. *New business or business relocation signs.* A maximum of two (2) temporary signs may be erected to announce a new business or a relocated business provided each sign is no larger than eight (8) square feet of display area and is removed within sixty (60) days of installation. Home occupations are not eligible for temporary signs under this article. Sign types permitted are:
  - a. One (1) wall sign which may consist of any material and temporarily cover a permanent wall sign or temporarily attached to a wall, and
  - b. Either a free-standing sign which may utilize existing sign posts or be on new posts that are removed at the end of the time period, or an A-frame which must be removed during non-business hours.
  - c. Location shall be on the same property as the business and shall not interfere with sight distance from any egress.
6. *Farm stand signs.* Signs erected by growers of fresh fruit and vegetable crops advertising those fresh fruit and vegetable crops are permitted if crops are offered for sale by the grower on the premises on which those crops are grown and if the following requirements are met:
  - a. Signs may be erected, maintained and kept in place only from June 1st to December 1st of each year.
  - b. Signs may advertise only those fruits and vegetables that are available for immediate purchase.
  - c. No grower may have more than six (6) signs posted or in place within the town at any one (1) time, not more than four (4) of which may be located off the premises on which these crops are grown.
  - d. No signs may exceed six (6) square feet of display area, and all signs must be located within three (3) miles, by road of the farm stand.
  - e. Signs may be erected on off premise private property, but only with the landowner's prior, written consent. Signs may also be erected within, but only at the outside edge of, rights of way that receive no federal aid.
7. *Temporary advertising signs.*

- a. ~~*Applicability.* Any individual business owners may place temporary advertising signs in accordance with this section. Home occupations are not eligible for temporary signs under this section.~~
  - b. ~~*Exemptions.* Signs permitted under this section are exempt from the Route One and Exit 10 design guidelines.~~
  - c. ~~*Standards.*~~
    1. ~~One (1) temporary advertising sign may be placed for up to seven (7) consecutive days for up to four (4) non-consecutive occurrences per calendar year for each business.~~
    2. ~~The following types of temporary advertising signs are permitted:~~
      - i. ~~Wall~~
      - ii. ~~Freestanding. Freestanding signs are not permitted in VC 1.~~
      - iii. ~~A-frame. A-frame signs under this section are not permitted in VC 1.~~
    3. ~~Non-electronic changeable copy is permitted on all sign types.~~
    4. ~~Maximum allowable size is sixteen (16) square feet of display area.~~
    5. ~~Minimum required height for lettering is five (5) inches.~~
    6. ~~Businesses located on a lot with frontage on a street may place a temporary sign within the right-of-way adjacent to the property boundary if permission is obtained from whoever controls the right-of-way.~~
    7. ~~Temporary advertising signs shall not cover permanent sign content.~~
  - d. ~~*Registration of signs.*~~
    1. ~~Any business owner intending to use this section shall register all signs with the code division on a form provided by the town.~~
    2. ~~The initial registration shall include the dates of the initial temporary sign occurrence and be accompanied by a twenty-five dollar (\$25.00) fee.~~
    3. ~~The applicant must register thereafter for each additional occurrence declaring specific dates for temporary sign placement with no additional fee charged.~~
    4. ~~The registration period shall be the effective date of this article through December 31, 2013.~~
  - e. ~~*Sunset clause.* This section for temporary advertising signs is repealed effective December 31, 2013, unless further legislative action is taken to extend the provision.~~
8. ~~*Temporary A-Frame Signs in VC Districts.*~~
- a. ~~*Applicability.* Any individual business owner may place temporary advertising signs in accordance with this section provided that the building entrance where the sign is placed is in conformance with the setback requirements under Sec. 19-11 of the Zoning and Site Plan Review Ordinance. This section is in addition to:~~
  - b. ~~*Standards.*~~
    1. ~~One (1) A-frame temporary advertising sign may be utilized during business hours.~~
    2. ~~No more than one (1) sign per building entrance.~~
    3. ~~Sign shall be within twelve (12) feet of the building entrance.~~

4. ~~Sign shall be a minimum of three (3) feet from any entrance, stairs or other pedestrian access.~~
5. ~~Sign shall be located in a well-lit area after sunset.~~
6. ~~Sign may be in the public ROW if a revocable license agreement and waiver of liability are executed and permission granted by the town.~~
7. ~~Sign shall be stored inside outside business hours.~~
8. ~~Signs shall be weighted or secured to avoid being carried away.~~
9. ~~No add-ons such as balloons, flags, streamers or lighting are permitted.~~
10. ~~No changeable copy is permitted. Chalkboard or white board is allowed.~~
11. ~~Maximum allowable size is six (6) square feet of display area on each sign face, with legs a maximum of six (6) inches in height.~~

(Ord. of 5-30-2012; Ord. of 5-13-2013)

FOOTNOTE(S):

~~—(11)—~~

**Editor's note**—~~The zoning, flood prevention and protection and site plan regulations of the town are not printed in this Code, but are on file in the town clerk's office.~~