

ZONING ORDINANCE EXCERPT

4.11 Signs (Amended 2009, 2010, 2011, 2013, 2015, 2016, 2021, 2022, 2023)

A. PURPOSE AND INTENT

These sign regulations are meant to enhance the aesthetic environment and the Town's ability to attract sources of economic development and growth, to avoid excessive levels of visual clutter or distraction that are potentially harmful to property values, business opportunities and community appearance, to reduce hazards to the traveling public from cluttered, distracting or illegible signage, and to minimize the possible adverse effect of signs on nearby property.

B. SIGN PERMIT

1. All commercial, non-residential and home occupation signs exceeding four (4) square feet in area, must receive a permit from the Land Use Department unless exempted by a specific provision in this Ordinance.
2. Sign Permit applications are approved by the Land Use Department if the proposed sign conforms to the Town's Zoning Ordinance and Regulations.

All sign permit applications must be completed and submitted to the Land Use Department. The application shall include the proposed location of the signage, the size of each sign, the method of illumination if applicable, and any other information requested on the application.

The Land Use Department shall review the sign application and approve or deny it within 30 days of receipt of all required and/or requested information. The Land Use Department's decision or inaction may be appealed to the Zoning Board of Adjustment.

Unless otherwise noted in this Section 4.11, all signs require a permit.

Signs located in the Historic District may require additional review and approval.

C. SIGN STANDARDS

1. All signs shall be designed and constructed in accordance with this Zoning Ordinance.
2. A sign not meeting the standards of this section, but which was erected legally prior to March 2009 shall be considered a non-conforming structure under Section 4.11.C.
3. Any sign qualifying as a non-conforming structure which is removed under the provisions of this section may be re-erected or replaced by an equivalent sign within one (1) year, but not afterward, in accordance with Section 4.11.C.1. (Amended 2021)
4. No sign shall be so erected, maintained or lighted such that it creates any traffic hazard.
5. The owner of any sign which is in disrepair shall be notified by the Land Use Department that such sign, if not repaired or replaced within 30 days of notice, shall be removed by order of the Land Use Department. (Amended 2021)

D. COMMERCIAL SIGNS

1. Each business may erect one (1) sign on each façade of the structure abutting a public street. Signs that are affixed to the building shall have a maximum combined surface area of one (1) square foot for each foot in width of the structure on the side that the sign is attached or 32 square feet, whichever is less. The sign shall not extend above the parapet or eaves. *(Amended 2021)*
2. Signs projecting over public rights-of-way shall be allowed in conjunction with the business they serve if all of the following conditions are met:
 - a. The sign size does not exceed three (3) feet x five (5) feet, for a total of 15 square feet of surface area per side.
 - b. No portion of the sign is located less than 12 feet from the surface of the right-of-way.
 - c. No portion of the sign extends over the vehicular traveled area of the right-of-way.
3. All signs associated with a business which ceases operation must be removed within 30 days of the closure.

E. FREE-STANDING SIGNS

1. A free-standing sign is defined as any sign affixed to or sitting on the ground.
2. Free-standing signs shall not exceed 32 square feet in area on either side.
3. The overall height of any free-standing sign shall not exceed 16 feet above grade. The height of a sign shall be measured to the highest point of the sign, including any structural or ornamental projections above the sign proper, from the average ground level above which the sign is located.
4. Free-standing signs shall be setback a minimum of five (5) feet from any lot line or right of way.
5. One (1) free standing sign may be placed on a property with a commercial use. Where multiple businesses occupy one (1) building or are on one (1) lot, no more than two (2) free standing signs may be erected on the property. Signs may not exceed 32 square feet in area on each of two (2) sides. *(Amended 2021)*
6. Persons conducting home occupations may erect a single sign not exceeding one (1) square foot on or adjacent to their mailbox. *(Amended 2021)*

F. OFF-PREMISES SIGNS *(Amended 2023)*

1. Off-Premises Signs are defined here as any sign visible from a public right-of-way identifying or advertising a business, person, activities, goods, products, or services not located on the premises where the sign is installed and maintained.
2. Except as listed under Off-Premises Sign Exemptions, Off-Premises Signs of any size or type are not allowed in any district.
3. Off-Premises Sign Exemptions - Any and all off-premises signs, allowed under the following exemptions, must have written permission of the property owner. Permitting requirements, if any, are noted below:

- a. Off-Premises Signs connected to seasonal, agricultural retail sales, hayrides, fruit picking, etc. are allowed during the period of the activity by permit issued by the Land Use Department. They shall not exceed 20 square feet and shall be displayed only for the dates and location(s) specified in the permit. (*Adopted 2010, 2013*)
- b. Up to two (2) Off-Premises Signs connected to a yard sale are permitted to be displayed for 24 hours prior to the sale and shall be removed within two (2) hours of its end. They shall not exceed 8" x 18" (*Amended 2010*)
- c. Off-Premises Signs connected to events sponsored by non-profit institutions are permitted to be displayed for 14 days prior to the event and shall be removed within 24 hours of the termination of the event. Such signs shall not exceed 20 square feet (*Adopted 2010*)
- d. Off-Premises Signs, at the end of a road, advertising properties for sale or rent shall be allowed. Such signs shall not exceed nine (9) square feet in area and shall be removed at such time as the property is leased or sold.
- e. Off-premises Sandwich board signs must be less than two feet wide and less than three feet high. Sandwich board signs may not obstruct a sidewalk to less than 48 inches of clear travel path. Such signs may only be displayed while the business is open. Sandwich board signs shall be made of wood or weighted down such that they are not affected by less than storm force winds. Signs located in the Historic District may require review and approval by the Land Use Department.

G. SIGNS PROHIBITED IN ALL DISTRICTS

1. Signs with flashing lights.
2. Signs with symbols or messages that move, or which change periodically on any electronic or mechanical basis.
3. Signs with revolving or moving elements, except for a barber pole.
4. Signs that change display when viewed from different angles.

H. ILLUMINATED SIGNS

Internally lit signs such as neon and LED signs are generally prohibited; however, the Planning Board, as part of Site Plan Review, may grant a Conditional Use Permit for such signs if it finds (i) that special circumstances, including relatively high traffic speeds, would limit the visibility of an externally-lit sign, (ii) that such sign would not adversely affect the neighborhood's character, and (iii) that such sign is consistent with the objectives of this section and of the Site Plan Review Regulations. (*Amended 2011, 2016*)

Exception: One (1) internally lit "OPEN" sign is allowed on each façade of the structure abutting a public street in addition to any other permitted signs. Any such sign must conform with the restrictions contained in Article 4.11,G and the area of the illuminated portion of the sign shall not exceed two (2) square feet (*Adopted 2011*)

J. TEMPORARY SIGNS

In addition to any allowed signage, one (1) flag, banner or balloon not to exceed 12 square feet in area shall be allowed in any zone except in the Historic District. The following temporary signs are allowed and do not require a permit provided they are on the property where the “event,” is occurring and they comply as written below: *(Amended 2022)*

Agricultural: Property at which seasonal agricultural retail sales, hayrides, fruit picking, etc. are occurring may have temporary signs in connection with such activities.

Auction Signs: Signs are permitted on property at which an auction is occurring; they shall not exceed nine (9) square feet in area and shall comply with all other requirements established by this Ordinance and shall not be posted more than 24 hours prior to the sale’s commencement and shall be removed no more than two (2) hours after its end. A maximum of two (2) off-premises signs are also allowed during the same time period.

Construction: Property in any District, which is under construction or renovation may have one (1) sign not exceeding 32 square feet. The sign shall not be illuminated. It may be displayed for the duration of the work being performed. Such signs shall be removed immediately upon project completion. *(Amended 2021)*

One-time Annual Events: Such signs shall not exceed 12 square feet in area and two (2) in number. No temporary sign used in connection with an on-premises event shall be displayed for more than 30 consecutive days. *(Amended 2021)*

Portable Sign: A sign not permanently attached to a building, the ground or a vehicle. Portable signs are signs designed to be transportable and include, but are not limited to, the following: Signs designed to be transported by means of wheels, balloons used as signs, signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business. One (1) portable sign shall be allowed in any zone twice a year for periods not to exceed 30 days. The maximum area of the sign shall not exceed 32 square feet.

Political Signs: A sign that conforms to the provisions of RSA 664:17 and other applicable State laws.

Real Estate Signs: Properties which are for sale or rent may have on-premises signs without a permit. Such signs shall not exceed nine (9) square feet in area and shall be displayed until such time as the property is leased or sold. *(Amended 2021)*

Seasonal Signs: A sign used in connection with a business or operation that is open to the public less than six (6) months per year shall not exceed 32 square feet and is allowed in any zone subject to all other sections of Article IV. Businesses which have successive seasonal operations may have a continuing series of seasonal signs, one (1) sign at a time.

Yard Sale Signs: Signs shall not exceed 18” x 18” and shall comply with all other

requirements established by this Ordinance and shall not be posted more than 24 hours prior to the sale's commencement and shall be removed no more than two (2) hours after its end. A maximum of two (2) off-premises signs connected with a yard sale are allowed.

K. MEASUREMENT OF SIGNS

The area of a sign equals the area of the smallest rectangle or circle through which the entire sign can fit; excluding structural supports which do not contribute through shape, color, or otherwise to the sign's message; but including any separate surface, board, frame or shape on or within which the sign is displayed. For signs the components of which are painted or engraved on, or otherwise applied directly to a building or other structure, the sign area shall include any background of a different color, material or appearance from the remainder of the wall or structure, and shall in any event enclose all letters, figures or representations related to the sign.

L. ADDITIONAL TYPES OF ALLOWED SIGNS (*Amended 2021*)

- a. Canopy Sign: A sign that is a part of, or attached to a canopy, awning or other fabric, plastic or structural protective cover over a door, window or outdoor service area. One (1) canopy sign may be allowed on a lot in the zone where a permitted business is conducted. The maximum area of the sign shall not exceed 12 square feet.
- b. Marquee Sign: A free-standing sign including but not limited to movie or theater type marquee, with manually changeable lettering. One (1) marquee sign may be allowed on a lot in a zone where a permitted business is conducted. The maximum area of the sign shall not exceed 32 square feet.
- c. Onsite Directory Sign: A type of free-standing sign whose purpose is to indicate the name and direction of multiple businesses located on the same lot. An onsite directory sign shall be permitted on a lot in the zone where multiple businesses are located on the lot. The maximum area of the sign shall not exceed a total of 40 square feet. An onsite directory sign for a business park comprised of separate, individually owned lots may be allowed by Special Exception through the Zoning Board of Adjustment.

M. SIGN EXEMPTIONS

The following signs shall be exempt from the provisions of this section of the Zoning Ordinance:

1. All signs erected or posted by any agency or office of the Federal, State, or local government for the specific use of said agency or office.
2. All "Private Property" signs and those forbidding trespass, hunting or other activities on the property.
3. All signs on private property intended to regulate, or guide activities on the property, even though such signs may be visible from other property or properties, are allowed.