

## SECTION 11. SIGNS

**A. Purposes** The purposes of this section are: to enhance and preserve the scenic beauty of the community; to protect property values; to encourage effective use of signs to support a healthy business climate; to reduce sign clutter and advertising distractions and obstructions; and to reduce hazards that may be caused by signs.

### B. Applicability

1. This section shall apply to all exterior signs and lighted interior signs located within the Town of Greenville and visible from a public way or private road or street. For purposes of this section a "public way" includes state and town-owned roads and streets, town-owned sidewalks and parking lots, and town and state-owned snowmobile and ATV trails.

2. "Sign" is defined as an object or device or part thereof, visible from a public way or private road or street, which is used to advertise, identify, display, or direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, advertising flags, fixtures, colors, illuminations or projected images.

3. Exceptions. The following types of signs are exempt from the requirements of Section 11

Signs:

a. Signs pursuant to and in discharge of any governmental function, or required by law, ordinance or governmental regulation;

b. Public safety signs;

c. Customary holiday decorations;

d. The flags of any nation, state, town, or military or service organization;

e. Town of Greenville Wayfinding signs and Gateway signs, excepting that approval from the Code Enforcement Officer is required prior to installation; and

f. Official Business Directional Signs (OBDS), which are signs erected and maintained in accordance with the Maine Traveler Informational Services Act, 23 M.R.S. §§ 1901- 1925. (Note: In accordance with state law, an applicant for an OBDS must submit their application to the town Code Enforcement Officer for approval, prior to the submitting the application to the Maine Department of Transportation.)

**Commented [JW1]:** Lighting of landscaping, monuments, plaques, flagpoles and similar installations shall be fully shielded, and focused directly at the target so that the lamp is not visible from a butting streets or lots.

**Commented [JW2]:** The town may want any lighting on a gateway or wayfinding sign to comply with the sign lighting portion of this ordinance.

### C. Conflicts with Other Standards and Regulations

1. These standards do not supersede any state or federal requirements. Where any apparent conflicts between local, state, and federal standards occur, the more restrictive standard shall apply. Where conflicts between Section 11 and any other Town of Greenville ordinance or regulation occurs, the more restrictive requirement shall apply.

2. Off-premises signs are prohibited in accordance with the Maine Traveler Informational Services Act, 23 M.R.S. §§ 1901-1925.

### D. Non-Conforming Signs (Grandfathered Signs)

The eventual elimination of non-conforming signs is an objective of Section 11. Such elimination of non-conforming signs shall be brought about over a period of time and in such a manner as to avoid an adverse impact on vested rights of the sign's owner and to avoid undue hardship.

1. Definition. A non-conforming sign is an otherwise legally erected sign that does not comply with Section 11, including location, structure, size, dimension, setback, or type, as of the adoption or amendment of Section 11.

**Commented [JW3]:** addition of "lighting" here

2. A non-conforming sign may be maintained, given new text, lettering, colors, or logos, or otherwise altered, as long as there is no change to the size, location, or dimensions of the sign, and as long as the braces, uprights, poles, or any portion of the system used to affix the sign to the ground, wall or structure is not changed. A non-conforming sign may not be altered in such a manner as to enlarge, extend the life of, or otherwise increase the nonconforming condition.

3. No illumination may be added to any non-conforming sign except if such illumination complies with the provisions of Section 11.

4. A non-conforming sign may be retained and maintained unless and until one of any of the following occurs:

a. No later than 12 months following the cessation of a non-residential business or other use that has a non-conforming sign, unless a new non-residential business or other use occupies the building before the end of the 12 month period.

b. Upon the change of use of a structure utilizing a non-conforming sign, when such change in use is a Conditional Use that requires Site Plan Review by the Planning Board unless the Planning Board approves both the new use and the continuation of the signage.

c. The condition of the non-conforming sign deteriorates to the point where it is considered a safety hazard, or if the sign fails to meet the requirements for maintenance under subsection G.

#### **E. Permitting and Fees**

1. No person, firm, or corporation shall erect a sign or a sign structure of any kind without a permit issued by the Code Enforcement Officer, unless exempted in subsections B or F.

2. Existing signage. Any of the following changes to existing signage, including changes to a non-conforming sign, requires a permit, unless exempted in subsection B or F:

a. Change in location;

b. Change in the dimensions of a sign to increase the size or height of the sign;

c. Significant change in structural construction, such as change from one to two sign posts, change from a freestanding sign to a ground mounted sign, or change from a building wall sign to a free standing sign; and

d. Illumination of an existing sign that is not already illuminated, or significant changes in type or configuration of existing illumination.

3. All applications for sign approval shall be made using the Sign Permit Application Form and shall be accompanied by the required fee as set forth in the Town of Greenville Fee Schedule.

4. Late fee. Signs that have been erected without a permit as required in these provisions shall pay a \$50 late fee upon application if no action has been taken after 10 days' notice by the Code Enforcement Officer.

5. An application for a permit shall include a completed application form with the name, address, and contact information of the sign owner, and an attached drawing of the sign(s) that includes the following information:

a. Sign location: property tax map and lot number, and posted speed limit (miles per hour);

b. Specific location: the distance (in feet) of the sign to the center line of any adjacent streets(s) or road(s), the distance (in feet) of the sign to side and front lot lines of the property on which it is to be located, and the distance (in feet) of the sign to associated buildings or sites of activity(s);

c. Dimensions, lettering and graphics of the sign face area(s);

- d. Type of sign and all dimensions (freestanding sign, ground sign, kiosk, roof sign, canopy sign, and projecting sign, etc., or any combination of these);
- e. Dimensions of the building face (for wall-mounted signs only) to include length of building and square footage of face of the building, excluding doors and windows;
- f. A sketch and description of lighting for the sign, if applicable;
- g. A labeled description of the sign materials (wood, stone, aluminum, etc.); and
- h. Any other information requested by the Code Enforcement Officer to allow for a determination that the sign meets the provisions of this section.

**Commented [JW4]:** perhaps an opportunity to make this a requirement and not "if applicable"?

6. Calculation of number, size, and height of signs.

- a. Each substantially different face of a sign shall constitute a separate sign for the purpose of counting the number of signs.
- b. The "sign area" shall be calculated in square feet, and shall include the face of a sign, including text, insignia, background, borders, and structural supports. The structural supports shall be excluded if they do not constitute a major part of the sign, or if the structure is not used to identify or attract attention to what is being publicized.
  - i. Two sided signs. Only one side of a sign shall be counted when determining the area of such sign, unless the messages are different on each side in which case both sides of the sign are counted;
  - ii. Within or on structures. When the graphic representation of the sign occurs on a sign board, the area of the sign shall be calculated by the square footage of the sign board. For illuminated signs, all portions of the sign which are illuminated shall be included in the square footage. In other cases where lettering is attached to a structure and no sign board is utilized, the square footage of the sign shall be calculated by drawing a rectangle around all portions of the lettering and logo, if present; the square footage of the sign shall be the area of the rectangle.
- c. The "height" of a sign shall be the vertical distance of the sign measured from the finished grade, not to include a landscape mound or berm, to the highest point of the sign.

**F. Signs Not Requiring a Permit**

The following types of signs do not require a sign permit, and do not count towards the total number of signs allowed on a property, unless otherwise indicated in subsection I (Temporary Signs). A sign that does not require a permit is still subject to the provisions of subsections G and I.

1. Residential signs, including family name signs, decorative flags, and temporary yard sale and item-for-sale signs, but not including home occupation signs as defined in subsection H.
2. Street address numbers may be of reflective materials but shall not exceed 2 square feet in area.
3. Traffic control signs and traffic flow informational signs to assist visitors in entering, parking, not parking, exiting, or finding activities or services at the site. A maximum of 2 of these types of signs per non-residential use are allowed, with each sign not to exceed 2 square feet in area and not to exceed 7 feet in height from ground level.
4. Two flags, advertising products, services or "open" or "closed", but not containing manufacturer names or logos, per premises; flags shall not to exceed 15 square feet in area.
5. Historic plaques, memorial signs, or tablets; these shall not exceed 4 square feet in area.

6. Land use signs, such as "No Hunting", "No Trespassing", and similar signs.
7. School-related scoreboards, sponsor, and athletic field signs.
8. Transit system signage.
9. Special advertising and promotional signs.
  - a. One portable sign with the maximum allowable dimensions of 2 feet by 4 feet, such as a two-sided sandwich board sign, is allowed per property, provided the sign is only placed outside during business or operation hours (not overnight), and not placed in a manner that would otherwise be construed to be intended for permanent (non-portable) use. A portable sign is not considered a temporary sign, but is for prolonged and/or regular use, which may be used for menus, special features, activities and prices that may change from time to time. Wooden, chalkboard and white board signs are allowed. Portable signs shall not be internally or externally illuminated.
  - b. One additional sign meeting these specifications (9.a, above) is allowed where the premises have frontage on more than one public way.
  - c. These signs shall be located on-premises a minimum of 2 feet from the edge of a public road. In situations where a downtown non-residential use lacks on-premises space to have this signage, the Code Enforcement Officer may grant a waiver to allow one sign meeting the specifications of 9.a. above, as long as there is at least 36 inches of safe sidewalk passage for pedestrians and handicapped access, and the sign owner provides proof of liability insurance naming the Town as the insured party for any sign located within the public way.
  - d. In no case shall signs be placed in a manner that creates a safety hazard.
10. Temporary signs in accordance with subsection I (Temporary Signs).
11. Motor vehicles and trailers
  - a. A motor vehicle or trailer displaying advertisements is exempt from these regulations, if it has a valid state registration and is otherwise legally allowed to operate on a public road.
  - b. Motor vehicles and trailers not meeting the requirements of subsection 11.a above may not be used as either on-premises or off-premises signage parked in a manner intended to be readily visible from a public way.
12. Signs permitted through the Maine Department of Transportation not related to traffic or roadway rules and information, and located within the road right-of-way to include service club signs, scenic byway signs, adopt-a-highway signs, and similar signage.
13. Town of Greenville signs, used for informational or economic development purposes (e.g., Town Office, Fire Station, Police Station, parking, etc.).
14. Political signs.

Commented [JW5]: Great!

#### **G. Restrictions and Requirements Applicable to All Signs**

1. All signs must be located on the premises on which the business or organization is located, unless specifically exempted from this requirement within Section 11.
2. Prohibited signs and displays. No sign shall:
  - a. be attached to any traffic control sign or device, or public utility pole or fixture;

- b. exceed 20 feet in height as measured from the finished grade, not to include a landscape mound or berm;
- c. be located where, by reason of position, shape, wording or color, it interferes with or obstructs the view of pedestrian or vehicular traffic or is confused with any authorized traffic sign, signal or device;
- d. be located within the public road right-of-way, unless specifically allowed in these provisions;
- e. consist of banners, pennants, ribbons, streamers, sheets, spinners or other moving devices;
- f. have visible moving parts or blinking, moving or glaring illuminations;
- g. be signage attached to or printed on any balloon, kite or other aerial device, whether tethered or untethered;
- h. be a portable sign mounted on a trailer with changeable letters; or
- i. be internally, or digitally, or electronically illuminated unless allowed in subsection G.6.

3. Hand lettered signs must be stenciled or laid out in a well-designed, professional manner.

4. Sign maintenance. Signs shall be maintained in a safe and secure condition. If the Code Enforcement Officer determines a sign is not secure, safe, or in a good state of repair, the officer shall give written notice to the owner or the person responsible for maintenance of the sign. If the defect in the sign is not corrected within the time allowed by the Code Enforcement Officer, the sign owner will be in violation of this Ordinance and subject to the provisions of Article II.

5. Any sign which advertises a business or activity no longer conducted or a product no longer sold on the premises, shall be taken down and removed by the owner, agent or person having control of the premises within 30 days of the closure or discontinuance of the advertised business, activity, or campaign, or within 30 days after a written notice from the Code Enforcement Officer stating that such sign must be taken down and removed, whichever occurs first. A supporting structure for a sign need not be removed, unless it fails to meet the sign maintenance requirements in subsection G.4, above.

6. Lighting of signs.

- a. Signs may only be illuminated by stationary, shielded, non-flashing light sources, directed solely at the sign and not casting light off the premises. Any sign lighting that creates a safety hazard or glare to pedestrians, motorists or cyclists must be replaced to address the safety hazard or removed entirely.
- b. External sign illumination should be fully shielded and should not produce a glare that is distracting to motorists, pedestrians, or cyclists. Fixtures should be aimed so light is directed only onto the sign. Top-mounted shielded lighting or indirect lighting is preferred over ground-mounted lighting as it has reduced impacts on light pollution and glare.
- c. Internally illuminated signs. The following uses may have one internally illuminated sign as one of its allowed signs: 24-hour convenience stores, gas stations, sleeping accommodations, banks, and emergency services.
- d. Neon window signs. Neon tube lettering or graphics may be used for window signs and may not exceed 25% of the window area in which they are located.
- e. Digital or electronic signs are prohibited. Any sign that in whole or in part uses electronic or digital means to display words, symbols, figures or images, including signs that can be electronically or mechanically changed by remote or automatic means is prohibited.

**Commented [JW6]:** The term full cutoff has and is being used to describe luminaires that have no direct uplight (nothing above horizontal).

**Commented [JW7]:** stronger language required here so that only top mounted, direct lighting is required, not preferred.

**Commented [JW8]:** Here is opportunity to think about the need for internally illuminated signs. Are they really necessary? Agree with emergency services, but a regularly lit sign (in an already dark area) may be sufficient. Perhaps they can be limited by a timer or less lumens can be used as tools.

f. Notwithstanding the restrictions in subsections 6.d. and 6.e. immediately preceding, gas stations may have one neon, digitally-controlled sign advertising the type and price of fuel.

#### **H. General Standards Applicable to Signs Requiring a Permit**

This section applies to permanent signs associated with businesses, organizations, home occupations, and residential and commercial developments. Unless otherwise specified, a business, organization or activity is allowed a total of 2 advertising signs which must comply to the following standards. Additional signage may be allowed in accordance with subsections F and I.

1. Outdoor signs may be freestanding signs, ground signs, kiosks, wall signs, roof signs, canopy signs, awnings, marquees, and projecting signs, or a combination of these.
2. Sign area, unless otherwise specified where the more restrictive provision shall apply:
  - a. In areas where the posted speed limit is less than 35 miles per hour, no sign shall exceed 26 square feet in area.
  - b. In areas where the posted speed limit is 35 miles per hour to 45 miles per hour, no sign shall exceed 32 square feet in area.
  - c. In areas where the posted speed limit is 45 miles per hour or greater, no sign shall exceed 50 square feet in area.
3. Signs for properties with more than one business or organization.
  - a. Buildings or sites with up to 2 businesses or organizations may have 2 signs per business or organization which relate to their name, goods, and services. One of these signs shall not exceed the sign area specified in subsection H.2 above, and the other sign shall not exceed 12 square feet in area. (Additional signage may be allowed in accordance with subsections F, H and I.)
  - b. Signs for properties with 3 or more businesses or organizations are allowed the following:
    - i. One identification or directory sign conveying the overall identity for the property, which may include the names of individual tenants of the property. This sign shall be located near the main entrance.
    - ii. Properties fronting on 2 or more public streets, such as corner lots, are allowed an identification sign for each street.
    - iii. Each business or organization is also permitted two exterior identification signs not to exceed 12 square feet in area mounted on a building, or if located in a business or industrial park-type setting, one freestanding sign not to exceed 12 square feet located at the entrance to the business or location.
    - iv. Signage for multiple-tenant properties shall be coordinated in color, materials, lighting and content.
  - c. A master signage plan for a multiple-tenant property shall be required. The plan shall describe the size, location, lighting, color and materials for all proposed signage, including directional and informational signs.
  - d. Additional signage allowed, as follows:
    - i. Two non-illuminated awning or marquee signs per building in accordance with subsection H.6a.

ii. Wall signage on any building exposed to a public street, sidewalk, or parking lot in accordance with subsection H.6b.

4. Residential development signs. A residential development, including a mobile home park, may have one sign at each driveway entrance to a public road or street, not to exceed 16 square feet in area per sign.

5. Lettering, graphics, and materials.

a. Lettering and graphics on signage should be sized appropriate to the posted speed limit (for motorist visibility), unless expressly for pedestrian use.

b. Hand lettered signs must be stenciled or laid out in a well-designed, professional manner.

c. Signs must be constructed using a solid frame structure with durable materials, including but not limited to wood, metal, stone, or plastic, and should be natural looking in appearance.

d. Signs designed to be consistent with the Moosehead Region Brand in color, size, materials, lettering style, are strongly encouraged.

6. Building mounted signs. Building mounted signs should be considered part of the building design and should be scaled and designed to fit the building. The owner of any sign extending over or onto a sidewalk or other public way must provide to the Code Enforcement Officer proof of liability insurance naming the Town as the insured party for the sign.

a. Projecting or blade signs, awning and marquee signs shall be securely attached to the building, and shall not interfere with vehicle, pedestrian, or cyclist safety. No sign shall be lower than 8 feet vertically above ground level, and no sign shall exceed 12 square feet in area.

b. Wall signs stenciled, printed, painted or affixed directly onto the wall of a building, including any lettering, symbols, or graphics that advertise a commercial use, product, service or activity shall have an aggregate area not exceeding 10% of the solid wall surface which excludes windows and doors. All wall signs must run parallel to a public way.

c. Roof signs shall be securely mounted on the building, and no roof sign shall be: erected such that its top edge is above the main roofline; on any roof surface other than those roofs immediately above the first story; or be more than 4 feet above the drip edge. Roof sign area shall not exceed the following:

i. In areas where the speed limit is less than 35 miles per hour, the roof sign shall not exceed 20 square feet with a maximum sign face height of 2 feet.

ii. In areas where the speed limit is 35 miles per hour or more, a roof sign shall not exceed 24 square feet with a maximum sign face height of 2½ feet.

iii. A roof sign for a building housing two or more non-residential uses shall be limited to 12 square feet per business with a maximum sign face height of 2 feet per business or organization. All roof signs on a single roof must be identical in area and shape.

**Commented [JW9]:** Is there a concern that roof signs could be lit?

7. Freestanding canopy signs.

a. Canopy signs that include the business or use name, or any kind of related product or service shall be counted towards the property's total allowed number of signs.

b. Canopy signs associated with a business or activity that has secured conditional use approval from the Planning Board shall not be counted towards the property's total allowed number of signs. This includes, but is not limited to, fuel island canopy signs for gas stations.

c. Canopy signs shall not extend above or beyond the outer edges of the canopy.

8. Ground signs. Ground signs may be constructed of brick, masonry, or stone, the bottom of which is directly and permanently attached to the ground and physically separated from another structure. The area of each side of a ground sign shall be considered to be that of the smallest rectangle which encompasses the outline of the sign. Any side area shall not exceed 8 square feet.

9. Window signs. All window signs and graphics may not cover more than 30% of the total glass surface of any building facade facing any road or street. Buildings with more than one side facing a road or street are allowed 30% window coverage per side/frontage. Window signs shall not apply to the maximum number of allowed signs if the lettering and graphics are for directional, way finding, or informational purposes, and not scaled to serve as advertisement and identification visible from the road or street or by motorists. Temporary window signs do not require a permit.

10. Home occupation signs. One exterior display sign is permitted, and it cannot exceed 12 square feet. Home occupation signs will be allowed in all districts where home occupations are allowed.

11. Signs in Resource Protection Districts, Shoreland Overlay Districts, including the Critical Watershed Overlay Districts must meet the requirements in Article VII. Section 8 Signs. Where there is a conflict between the standards in Article VI, Section 11 and Article VII, Section 8, the more restrictive provisions shall apply.

#### I. Temporary signs

1. Definition: A temporary sign is a sign that is not designed or intended to be permanently mounted or affixed to the ground, a building, a window, or a structure, and which is displayed only for a temporary or limited timeframe, and that otherwise meets the provisions of this subsection (I).

2. Temporary signs do not require a permit if they meet the requirements of this subsection (I). Temporary signs must also comply with subsections G.

3. Temporary signs shall be securely attached or anchored to the ground, building or other permanent structure, and shall not be placed in a position that will obstruct or impair vision or traffic, either pedestrian or vehicular, 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. The total number of temporary signs or features for an individual property shall not exceed 4 signs per business or use, per 100 feet of road frontage, at any one time. Temporary political signs shall be exempt from this restriction.

5. Temporary signs giving notice or relaying information such as political posters, advertisements of charitable functions, civic, educational, non-profit or other organization notices of meetings and signs of a similar nature are allowed for a period of time as specified by state law or a maximum of 30 days if not specified by state law, without a permit, provided no such sign shall exceed 32 square feet in total area.

6. Temporary real estate signs advertising the sale, lease, or rental of the premises upon which the sign is located are allowed without a permit and shall be removed by the owner or agent within 30 days of sale, lease or rent. Not more than one temporary real estate sign shall be permitted per lot, with the following exceptions: properties with multiple units for sale, whether commercial or residential, shall be permitted one temporary real estate sign per unit; lots with two frontages may have one sign per unit for each street frontage. The sign area of each sign shall not exceed 8 square feet. In no case shall temporary real estate signs constitute more than 20 square feet, if more than one such sign is on the property.

7. Temporary development or construction site signs are allowed without a permit provided such signs do not exceed 16 square feet in area, or 32 two square feet in aggregate if more than one such sign is on the property, and are limited to a general identification of the project, building, owner, contractor, or other indication of the business conducting the site work, and shall be removed upon completion of the project.

**Commented [JW10]:** Should temporary signs be lit? If not perhaps there is an opportunity to include that here.

8. Temporary event signs. New business openings, and business advertising sales or other special events shall be permitted to have temporary signs for limited time period without a permit, subject to the following limitations: the sign shall not exceed 20 square feet in area; the sign shall be displayed no earlier than one month before the event; and all signage shall be removed within two weeks of the special event ending.