

SECTION 5.11 - 19 Zoning and Site Plan Review Ordinance Excerpt

Signs

5.11 Signs - General Provisions

- a. Purpose. The purpose of regulating signs is to promote and protect the public health, welfare and safety by regulating existing and proposed outdoor advertising, outdoor advertising signs, and outdoor signs of all types; to protect property values, enhance and protect the physical appearance of the community, preserve the scenic and natural beauty and provide a more enjoyable and pleasing community; to reduce sign or advertising distractions and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by signs overhanging or projecting over public right of way, provide more open space and curb the deterioration of natural beauty and community environment and to promote Falmouth as a distinctive community.
- b. Sign Permits. After the effective date of this ordinance, and except as otherwise herein provided, no person shall erect or move any signs without first applying for and obtaining from the Building Inspector a sign permit. Applications shall be on forms prescribed and provided by the Building Inspector setting forth such information as may be required by him for a complete understanding of the proposed work.

Temporary signs, except temporary business signs, do not require a permit but must conform to all provisions of this Ordinance. [Amended 5/28/96]

- c. Permit Fees. No sign permit shall be issued until the prescribed fee has been paid as established by the Town Council.[Amended 8/27/07]
- d. Maintenance and Conformance of Signs. No sign shall be erected or altered except in conformity with the provisions herein. The sign must be kept clean, neatly painted and free from all hazards, such as, but not limited to, faulty wiring and loose fastenings, and must be maintained at all times in such safe condition so as not to be detrimental to the public health or safety or detrimental to physical appearance or scenic or natural beauty of the community, or constitute a distinction or obstruction that may contribute to traffic accidents.
- e. General Safety Standards for Signs. No sign, whether new or existing, shall be permitted that causes a sight, traffic, health or welfare hazard, or results in a nuisance, due to illumination, placement, display, or manner of construction.
- f. Exceptions. For the purpose of this ordinance, the term "sign" does not include signs erected and maintained for public safety and welfare or pursuant to and in discharge or any governmental function, or required by law, ordinance or governmental regulation, or to "name signs" not exceeding one (1) square foot in area identifying occupants of the premises where such sign is located.
- g. Planning Board site plan approval under the procedures, submission requirements, and performance standards of Section 9 of this ordinance shall be required for the installation, replacement, or alteration of any sign in excess of twenty (20 sq. ft.) square feet of display area.

SECTION 5. SPECIFIC REQUIREMENTS (cont.)

5.12 Temporary Signs

The following temporary signs are permitted and shall conform to standards within municipal, state or federal ordinances, statutes or regulations:

- a. **Temporary Signs Giving Notice.** Signs of a temporary nature such as, advertisements of charitable functions, notice of meetings and other non-commercial signs of a similar nature, are permitted for a period not to exceed thirty (30) days and shall be removed by the person(s) who posted the signs. Temporary signs specified in this section shall not be attached to fences, trees, utility poles, or the like, and shall not be placed in a position that will obstruct or impair vision or traffic or in any manner create a hazard or disturbance to the health and welfare of the general public. [Amended 1/24/00]
- b. **Temporary Real Estate Signs.** One temporary real estate sign, attached to a building or free standing, may be erected advertising the sale, lease, or rental of the premises upon which the sign is located.
- c. **Temporary Development or Construction Site.** One temporary development or construction sign, attached to a building or free standing, may be erected 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.
- d. **Political Signs.** Signs bearing political messages relating to an election, primary or referendum may be placed in any district, except in a floodplain. Notwithstanding section 5.13, political signs are not subject to lot line setbacks and may be placed in a public right of way in such locations as will not create a safety hazard. Political signs may not be placed within a right-of-way or elsewhere 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 on week after Election Day. [Adopted 1/24/00]
- e. **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:
 - (1) Signs may be erected, maintained and kept in place only from June 1st to December 1st of each year.
 - (2) Signs may advertise only those fruits and vegetables that are available for immediate purchase.
 - (3) No Grower may have more than 6 signs posted or in place within the Town of Falmouth at any one time, not more than 4 of which may be located off the premises on which these crops are grown.
 - (4) No signs may exceed six (6) square feet in area, and all signs must be located within 3 miles, by road of the farm stand.
 - (5) Signs may be erected on 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. [Adopted 1/24/00]

SECTION 5. SPECIFIC REQUIREMENTS (cont.)

- f. Other Temporary Signs. One temporary sign, attached to the building or free-standing, may be erected to announce a new business or a relocated business provided such sign shall be limited to eight (8) square feet and be removed within thirty (30) days. A permit is required for a temporary business sign. All other temporary signs for commercial purposes and all other temporary signs not expressly permitted by this subsection are prohibited. [Adopted, 4/27/87.] [Amended, 1/24/00]

5.13 Regulations Applicable to Signs in All Districts

The following provisions relating to signs are applicable in all districts.

- a. Signs identifying the name, address, and profession of a permitted home occupation or a lawfully existing nonconforming home occupation are allowed provided such sign does not exceed two (2) square feet in area, is non-illuminated, and is mounted flat against the wall of the principal building.
- b. A bulletin board or similar sign in connection with any church, museum, library, school or similar public structure is allowed.
- c. No sign shall project over a public right of way.
- d. No sign shall have visible moving parts, blinking, moving or glaring illumination, or any part consisting of banners, pennants, ribbons, streamers, spinners or other similar devices.
- e. A string of lights shall not be used for the purpose of advertising or attracting attention unless as an integral part of a permitted sign.
- f. Any sign which no longer advertises a bona-fide business conducted, product sold, activity or campaign being conducted, or public notice, shall be taken down and removed by the owner, agent or person having the beneficial use of the building or premises upon which such sign may be found within ten (10) days after written or personal notification from the Building Inspector, except in the case of temporary signs which shall be removed in accordance with Section 5.12.
- g. No billboards or other off-premises signs, including official business directional signs as defined in 23 MRSA, subsection 1903, shall be constructed, erected, or maintained in any district, except as expressly permitted by the terms of this Ordinance, nor shall any banner, streamer, pennant, ribbon, spinner, or similar device be constructed or erected in any district.
- h. Directional signs solely indicating ingress and egress placed at driveway locations, containing no advertising material, having a display area not exceeding three (3) square feet, and not extending higher than seven (7) feet above ground level, are permitted.
- i. Nonconforming signs may continue but may not be altered or relocated on the same premises without approval by the Board of Zoning Appeals as a conditional use. Nonconforming signs located within the public right of way shall not be permitted to be altered or relocated within the public right of way. [Adopted, 4/27/87.]
- j. Identification signs indicating the location of, or direction to, a separate function performed within one portion of that building may be erected over or by the doorway or entrance to such portion of the building. The sign area shall not exceed ten (10%) percent of the area of such doorway or entrance to such portion of the building.

SECTION 5. SPECIFIC REQUIREMENTS (cont.)

- k. No sign shall be erected in a floodplain.
- l. A sign with a double signboard or display area shall be construed to be one sign for the purpose of this Ordinance.
- m. No portable or roof signs shall be permitted.
- n. Minimum lot line setbacks for all signs shall be fifteen (15) feet unless otherwise specified.
- o. Maximum gross display area of wall signs shall not exceed ten (10%) percent of the wall area to which it is attached.

5.14 Maximum Size of Freestanding Signs (sq. ft.)

Type of sign	F	RA, RB & RC	SB, BP, MUC & VMU	CO
Temporary signs giving notice	12	12	16	16
Temporary real estate	9	9	16	16
Temporary construction	16	16	16	16
Bulletin Board Home	24	24	24	24
Home Occupation	2	2	-	2
Advertising	16	-	100	48

SECTION 5. SPECIFIC REQUIREMENTS (cont.)

5.15 Maximum Size of Wall Signs (sq. ft.)

Type of sign	F	RA, RB & RC	SB, BP, MUC & VMU
Temporary signs giving notice	12	12	16
Temporary real estate	9	9	16
Temporary construction	16	16	32
Bulletin Board Home	24	24	24
Home Occupation	2	2	-
Advertising	50	-	100

5.16 Maximum Number of Freestanding Signs Per Lot

<u>District</u>	<u>Temporary</u>	<u>Permanent</u>
F	1	1
RA, RB & RC	1	1
SB, BP, MUC & VMU	2	2
CO	1	1

5.17 Free-Standing Signs - Other Requirements

Unless otherwise provided, free standing signs in the Suburban-Business, Route 1 Business and Commercial districts shall conform to the following:

- a. Maximum gross display area one hundred (100) square feet measure from the tops of the topmost display elements to the bottom of the lowest display element including any blank space between the elements.
- b. Maximum length and height sixteen (16) feet.
- c. Minimum distance between signs one hundred (100) feet.
- d. Minimum lot line setback, two hundred (200) feet from a "Residential" or "Farm and Forest " district, fifteen (15) feet from all other lot lines.

5.18 Wall Signs - Other Requirements

Unless otherwise provided, wall signs shall conform to the following:

- a. Maximum gross display area shall not exceed ten (10%) percent of the wall area to which it is attached. Where two signs are utilized, the gross display area shall be the area of both signs added together.
- b. Maximum height seven (7) feet above the eaves.

SECTION 5. SPECIFIC REQUIREMENTS (cont.)

- c. No wall sign shall extend beyond the wall to which it is attached or party wall separating occupancies.

5.19 Illuminated Signs

Illumination of signs shall be permitted only between the hours of 7:00 a.m. and 11:00 p.m., except that this time restriction shall not apply to the illuminated signs of retail establishments during such hours as the establishments are lawfully open to the public. Within the BP and VMU Districts, no sign with internal illumination shall be permitted.