

**Articles 33 and 34 - Markup of Zoning Bylaw Section XXIIA Based on Motions
March 25, 2015 Version**

Article 33: See pages 6, 7, & 12 of 19 for amendments to Section XXIIA

Article 34: See pages 13 of 19 for amendments to Section XXIIA

* **NOTE:** Deletions shown as ~~**bold strikethrough**~~; existing language to be readopted shown as **bold underlined**; proposed language to be added shown as **bold double underlined**.

SECTION XXIIA. SIGNS.

A. TITLE.

This section shall hereafter be known and cited as the “Town of Wellesley Sign Bylaw” or “Sign Bylaw.”

B. PURPOSE.

1. Purpose. This Section was enacted with the following purposes:

- a. To protect the rights of individuals and businesses to convey their messages through signs;
- b. To encourage the effective use of signs as a means of communication;
- c. To promote and protect business viability and economic opportunity;
- d. To improve traffic and pedestrian safety as it may be affected by distracting signs;
- e. To preserve the natural beauty and environment, as well as the architectural and historical assets, of the Town;
- f. To protect the public health, safety, and general welfare;
- g. To encourage and promote aesthetic integrity, village character, creativity and community appearance by exercising reasonable control;
- h. To encourage compatibility and harmony with surrounding buildings, land and land uses;
- i. To ensure the fair and consistent enforcement of sign standards; and
- j. To make it easier, faster, and more economically efficient to apply for a sign permit.

C. DEFINITIONS.

Words and phrases used in this Section shall have the meanings set forth herein. Words and phrases not defined herein, but defined in the Town of Wellesley Zoning Bylaw, shall be given the meanings set forth in such Bylaw. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise.

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Headings or captions are for reference purposes only and shall not be used in the interpretation of this Section.

Abandoned Sign - Any sign associated with a use which has ceased operations for sixty (60) or more days and/or contains or exhibits broken panels, visible rust, visible rot, damaged support structures, or missing letters or which is otherwise dilapidated, unsightly, or unkempt.

Address Sign - A sign indicating the numerical location, or numerical and street location, of a particular property.

Animated Sign - Any sign, or part of a sign, that uses any movement or change of lighting or color to depict action or create a special effect or scene.

Audible Sign - Any sign which emits a sound which is audible or emits a signal which can be converted into audible sounds, whether by radio or other means.

Awning - Any device, fixed or retractable, of any material, which extends over or otherwise covers a sidewalk, courtyard, walkway, eating area, driveway, or other area or space whether that area or space is intended for pedestrians, vehicles or other purposes. Also known as a “canopy.”

Awning Sign - Any sign that is a part of, attached to, or displayed on an awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window, or outdoor service area.

Banner - A sign placed above or across a public or private street or way with the prior written permission of the Board of Selectmen; the Board of Selectmen shall determine the terms and conditions for the use of such sign, including, but not limited to, dimensional and length of time of allowances. Neither flags nor awning signs are considered banners.

Beacon - Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also, any light with one or more beams that rotate or move.

Building Sign - Any sign attached to any part of a building, as contrasted to a ground sign.

Business Establishment - Any non-residential use, whether or not consisting of one (1) or more buildings. In a building with more than one (1) non-residential tenant, each tenant shall constitute a separate business establishment.

Changeable Copy - Any lights, lettering, or images that may be electronically or manually changed to form a sign message or messages.

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Commercial Districts - Shall refer to the Business Districts, Business Districts A, Industrial, Industrial A, Lower Falls Village Commercial District, and Wellesley Square Commercial District.

Commercial Message - Any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.

Director - The Planning Director of the Town of Wellesley, or his or her designee for a particular purpose.

Directional Signs - Any sign limited solely to directing both vehicular and pedestrian traffic within or setting out restrictions on the use of parking areas.

Directory Sign - A sign which may be utilized by multiple business establishments occupying a single building with a shared public entrance.

Entrance - A means of accessing a building. For the purpose of regulating signage the following are types of entrances:

- a. Public Entrance - An entrance to a single business establishment available for use by the general public during hours of operation.
- b. Principal Entrance - The primary public entrance to a single business establishment.
- c. Secondary Entrance - A public entrance to a single business establishment that is additional to the principal entrance.
- d. Shared Public Entrance - A common public entrance that provides access to multiple business establishments but does not directly access any single business establishment.

Externally Illuminated Sign - A sign illuminated by an external light source directed solely toward such sign.

Facade of the Business Establishment - That portion of the building wall facing a street or containing a public entrance, which corresponds to the height and width of the interior space rented or owned by the tenant of the business establishment.

Flag - Any fabric or bunting containing colors, patterns, or symbols used as a symbol of a government or other entity or organization.

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Flashing Sign - A sign, the illumination of which is not kept constant in intensity at all times when in use or which exhibits marked changes in lighting effects.

Gasoline Filling Station - A business engaged, as a primary purpose, in the retail dispensing of motor vehicle fuels to the public.

Ground Sign - Any sign, supported by structures or supports that are placed on or anchored in the ground, independent from any building or other structure.

Inspector of Buildings - The Inspector of Buildings of the Town of Wellesley, or his or her designee for a particular purpose.

Institutional Use - For the purpose of this Section, shall mean any religious or educational use.

Internally Illuminated Sign - A sign illuminated by an internal light source, utilizing translucent panels, canvas or other fabric, letters, devices or other similar components to create an image by allowing light to pass through. A "Reverse Lit" sign is not an internally illuminated sign.

Lot - An area of land in single ownership with definite boundaries, established by a recorded plan or deed, including a lot created by combining several previously recorded lots, and used or available for use as a site of one (1) or more buildings or for any other purpose.

Moving Sign - Any and every sign any part of which moves, is designed to move, or to be moved, by any means.

Multi-Faced Sign - Any sign consisting of more than one (1) sign face.

Non-Conforming Sign - Any sign legally erected prior to the adoption of this section, or any amendment thereof, which does not conform to the requirements of this section or such future amendments.

Normal Grade - The lower of 1) existing grade prior to construction or 2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign.

Obscene Matter - As defined in M.G.L. Chapter 272, § 31.

Office and Professional Districts - Shall refer to the Administrative & Professional Districts, Limited Business Districts, Educational Districts, Educational Districts A, and Educational Districts B.

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Out-of-Store Marketing Device - An out-of-store marketing device is any facility or equipment which is located outside of a primary building on a site zoned for non-residential uses, which is used for the primary purpose of providing a product or service without the owner's or agent's immediate presence, and which is manufactured to include a color, form, graphic, illumination, symbol, and/or writing thereon to communicate information regarding the product or service provided thereby to the public. Examples of out-of-store marketing devices include: fuel pumps, bank ATM units, vending machines, newspaper racks, drink machines, ice boxes, and phone booths.

Open Face - A type of sign and/or sign illumination utilizing an open or clear plastic sign face, allowing the light source to be visible.

Pennant - Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in a series, designed to move in the wind. Also known and referred to as a streamer.

Permanent Sign - Any sign of a type and construction as not to be easily or readily removed, which, when installed, is intended for permanent use. Types of permanent signs include, but are not limited to, standing signs, wall signs, awning signs, and window signs.

Person - A natural or legal person, including a partnership, trust, corporation or similar entity.

Portable Sign - A sign which is not permanently affixed to the ground or to a structure, including but not limited to signs on trailers which are parked in such a manner as to serve the purpose of a sign.

Principal Building - The building in which the principal use of the lot is conducted. Non-residential lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages, and other structures with clearly accessory uses shall not be considered principal buildings.

Projecting Sign - A type of wall sign which is perpendicular to the wall to which it is attached and projects away from such wall.

Residential Districts - Shall refer to the Single Residence Districts, Single Residence Districts A, Town House Districts, General Residence Districts, General Residence Districts A, Multi-Family Residence Districts, Limited Residence Districts, and Limited Apartment Districts.

Reverse Lit - A type of sign and/or sign illumination using an opaque face and sides, generally constructed of aluminum, and a clear polycarbonate back or no back. Light does not pass through the face of the sign, but rather comes out of the back of the sign and is cast off the wall behind the sign, thereby creating a silhouette of the outline of the

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sign face. Also known and referred to as “Reverse Back Lit”, “Halo”, or “Halo Lit” sign or sign illumination.

Roof Sign - Any sign erected and constructed above, or projecting above, the lowest point of the eave or the top of a parapet wall of any building, or which is painted or otherwise attached or affixed to a roof.

Sign - Any device, fixture, placard, or structure affixed to, supported by, or suspended by a stationary object, building or the ground that uses any color, form, graphic, illumination, symbol, or writing to communicate information of any kind to the public.

Sign Face - That part of a sign that is or can be used for the purpose of advertising, identification or conveying a message.

Sign Permit - A permit issued by the Inspector of Buildings allowing a sign to be installed on a piece of property.

Standard Informational Sign - A sign with no one side consisting of an area greater than six (6) square feet, with a sign face made for short term use, containing no reflecting elements, flags, or projections and which, when erect, stands at a height not greater than six (6) feet. Sandwich board signs shall be considered to be a type of standard informational sign.

Standing Sign - A permanent sign erected on or affixed to the ground and not attached to a building.

Temporary Sign - Any and every sign which by its design and/or use is temporary in nature and/or is not permanently mounted. Neither flags nor awning signs are considered temporary signs.

Town - The Town of Wellesley, Massachusetts.

Wall Sign - A permanent building sign not considered to be a roof sign, window sign, temporary sign, temporary window sign, or directory, attached to or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building. Wall signs may be mounted parallel or perpendicular to a wall, subject to the requirements herein.

* **NOTE:** The motion for Article 33 proposes to delete the definition of the term “Window Sign” in its entirety, readopting only the language shown underlined and double underlined below.

Window Sign - **Any sign attached, painted or otherwise similarly affixed directly to the glass surface of a window or door, either inside or outside the building, and/or any illuminated sign installed inside the building within one (1) foot of the glass**

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surface of a window or door, and designed to be visible from the exterior of the structure.

D. POWERS AND DUTIES OF PERSONNEL.

The Inspector of Buildings is hereby authorized and directed to interpret, administer and enforce this Section.

E. APPLICABILITY.

The standards and regulations of this Section shall apply to all signs erected, maintained, or replaced in any district within the corporate limits of the Town of Wellesley.

F. SIGN PERMITS.

1. Sign Permit Required. Unless a Sign Permit is specifically not required by the standards of this Section, it shall be unlawful for any person to erect or replace a sign without first having obtained a Sign Permit. Refer to Table 22A.1 to determine if a Sign Permit is required for a specific sign type.
2. Application Submittal and Content. When required by this Section, Sign Permit applications shall be filed in the office of the Inspector of Buildings upon forms furnished by that office. The submittal of the following information, material and fees shall constitute a complete application:
 - a. The application shall describe and set forth the following:
 - i. The type and purpose of the sign(s) as defined in this Section (i.e. wall sign, window sign, etc.);
 - ii. Dimensions and area of the sign(s), including letter height and aggregate sign area if more than one (1) sign and/or sign face;
 - iii. Materials and colors of the sign(s);
 - iv. Type of illumination;
 - v. Number, type and area of existing signs;
 - vi. Height of sign;
 - vii. The zoning district in which the subject property is located;
 - viii. The Business Certificate ID number, if a non-residential use;

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- ix. The name, address, telephone number and signature of the business owner;
 - x. The name, address, telephone number and signature of the owner of the property upon which the sign is to be located. The owner's agent may sign if an authorization letter from the property owner is submitted; and
 - xi. The name, address, and telephone number of the contractor.
- b. The following attachments, and necessary copies as required by the Inspector of Buildings, shall be submitted:
- i. For standing signs, a location plan or survey showing the property upon which the subject sign is to be located, the proposed location of the subject sign on the property, the distance of the proposed sign from the subject property's boundaries, and all existing structures or buildings on the subject property. Such plan shall be to a legible engineer's scale;
 - ii. For all signs, dimensioned drawings of the sign including lettering, borders, proposed color scheme, height and other design elements. Such drawings shall be to a legible architect's scale;
 - iii. For wall, awning and window signs, a dimensioned drawing or photograph of the façade indicating the placement of the signs, area of the façade of the business establishment, and height of the sign. Such drawings shall be to a legible architect's scale;
 - iv. Color photographs of the property including all buildings and the proposed sign location; and
 - v. For all signs, a copy of a letter from the Planning Director indicating the recommendation of the Design Review Board or, for signs requiring a Special Permit, a copy of a letter from the Zoning Board of Appeals indicating approval of the Special Permit.
- c. Appropriate fees, as set from time to time by the Board of Selectmen and/or the Planning Board, shall be paid.
3. Processing Time; Permit Issuance. The Town shall process all complete and accurate Sign Permit applications within thirty (30) days of the Inspector of Buildings' actual receipt of a complete (per F.2. of this Section) and accurate application and upon remittance of the appropriate fee. No Sign Permit shall be issued by the Inspector of Buildings sooner than thirty (30) days unless the advisory recommendation of the

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Design Review Board has been received. If the advisory recommendation of the Design Review Board is not received within thirty (30) days, the Inspector of Buildings shall act on the Sign Permit.

4. Application Rejection. The Inspector of Buildings shall reject any application that is incomplete (per F.2. of this Section), that contains false material statements or omissions, or that is for a sign which would violate any standard within this Section within thirty (30) business days of receipt of said application.
5. Resubmission. A rejected application later resubmitted in conformity with this Section shall be deemed to have been submitted on the date of resubmission, instead of the original submission date. An application which is resubmitted shall meet all the standards for an original application.
6. Permit Revocation. Should it be determined that a Sign Permit was issued in error and/or pursuant to an application containing a false material statement or omission, or for a sign not meeting the standards of this Section, the Inspector of Buildings shall revoke said permit and the subject sign shall be immediately removed.
7. Expiration Date. A Sign Permit shall become null and void if the sign for which the permit was issued has not been installed and completed within six (6) months after the date of issuance; provided, however, that where an applicant can demonstrate that a commercial entity was timely engaged to construct the permitted sign, but the fabrication has not yet been completed, one (1) ninety (90) day extension may be granted by the Inspector of Buildings. No refunds shall be made for a permit after the permit is issued. If later an individual desires to erect a sign at the same location, a new application for the sign must be processed and another fee paid in accordance with the fee schedule applicable at such time.

G. DESIGN REVIEW.

1. Design Review Required. All signs requiring a Sign Permit or Special Permit under the provisions of this Section shall require the review of the Design Review Board (refer to subsection H. for DRB Special Permit review procedures).
2. Process. Following the Inspector of Buildings' receipt of a complete and compliant Sign Permit application (per F.2. of this Section), the applicant shall submit a Design Review Board application, attachments, and the appropriate number of copies to the Planning Director, upon forms furnished by that office. The submitted application and attachments shall include the information and documents as required under subsection I., Sign Permits, 2., Application Submittal and Content, a. and b., of this Section (excluding those letters indicating the recommendation of the DRB or the action of the ZBA). The application shall be scheduled for review by the Design Review Board at the next meeting of the Board not less than seven (7) days following the Director's receipt of the application. The Design Review Board shall render an advisory

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recommendation regarding the design of the sign within thirty (30) days of the Director's receipt of a Design Review Board application. Failure of the Design Review Board to make a recommendation within thirty (30) days from the date of the submission of application materials to the Director shall be deemed to constitute a recommendation for approval. The Director shall forward such recommendation in writing to the applicant and the Inspector of Buildings, to be either hand-delivered or mailed.

3. Criteria for Review. The Design Review Board's review and advisory recommendation of proposed signs shall be based on the following:
 - a. Those criteria contained in Section XXII, *Design Review*, Part C., *Design Criteria*, Subpart 4., *Signs and advertising devices*, of this Bylaw;
 - b. The Design Guidelines Handbook as referenced in Section XXII, *Design Review*, Part D., *Design Guidelines Handbook*, of this Bylaw;
 - c. Consideration of how the proposed sign(s) relates to:
 - i. The context of the building façade;
 - ii. Buildings in the immediate vicinity of the sign;
 - iii. The basic pattern of the street front to which the sign is oriented; and
 - iv. The size, brightness, style, height and colors of other permanent structures and elements in the immediate vicinity; and
 - d. Consideration of whether the proposed sign(s) is:
 - i. Sized and located so as to avoid obscuring existing architectural features such as columns, sill lines, roof eaves, and cornices;
 - ii. Comprised of materials and colors that reflect the character of the building to which it is attached or associated with; and
 - iii. Displaying graphics, symbols, logos, and/or letters of a size that are proportional to the sign and the building to which it is attached or associated with, does not create a sign with a cluttered appearance, and are legible and visible to both vehicle operators and pedestrians; such graphics, symbols, logos, and/or letters on secondary signs should be proportionally smaller than those on a primary sign.
4. Recommendation. The Design Review Board's advisory recommendation shall take one of the following forms:

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- a. Approval: The Design Review Board shall recommend the approval of proposed signs that meet the Criteria for Review and comply with all requirements of this Section.
- b. Approval with Conditions: The Design Review Board shall recommend the approval with conditions of proposed signs that comply with the requirements of this Section, but do not meet the Criteria for Review. The Design Review Board may recommend conditions that require changes to the sign; conditions shall relate to the Criteria for Review with the intent being that the conditions serve to conform the sign to such Criteria.
- c. Denial: The Design Review Board shall recommend denial of all proposed signs that do not comply with the requirements of this Section; the Design Review Board may recommend denial of Sign Permits that do not meet the Criteria for Review if, in the opinion of the Board, there are no possible conditions which will allow the sign to more closely meet the Criteria for Review.

H. SPECIAL PERMITS.

1. Special Permit Granting Authority. The Zoning Board of Appeals (“ZBA”) shall serve as the Special Permit Granting Authority for all Special Permits for signs and shall consider requests for Special Permits in accordance with this subsection and Section XXV., Special Permit Granting Authority, of the Zoning Bylaw.
2. Circumstances in Which a Special Permit May Be Sought. Special Permits may be considered and issued for any request for relief from the requirements of this Section; however, Special Permits may not be issued to allow those signs indicated in subsection I., Exempt and Prohibited Signs and Devices, 2., Prohibited Signs, b. through p., of this Section.
3. Required Findings. A Special Permit for a sign may be issued provided the ZBA makes the following findings:
 - a. The sign is otherwise in compliance with the provisions of this Section;
 - b. Sign scale is determined to be in reasonable relation to development scale, viewer distance and travel speed, and sign sizes on nearby structures;
 - c. Sign size, shape, and placement serve to define or enhance architectural elements of the building such as columns, sill lines, cornices, and roof edges, and does not unreasonably interrupt, obscure, or hide them;
 - d. Sign design is in reasonable continuity with the mounting location, height, proportions and materials of other signage on the same or adjacent structures;

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- e. Sign materials, colors, lettering style, illumination and form are reasonably compatible with building design, neighborhood context and use; and
 - f. Sign size, location, design and illumination are not judged to present a safety hazard to vehicular or pedestrian traffic.
4. Design Review. Prior to the granting of a Special Permit by the ZBA, the Design Review Board shall submit an advisory recommendation on the Special Permit to the ZBA. Such recommendation shall address compliance of the sign with H.3., Required Findings. An unfavorable report of the Design Review Board shall indicate which of the findings were not met and shall state what modifications to the sign or signs could be made to render a favorable report. Failure of the Design Review Board to make such report within thirty (30) days from the date of the submission of application materials to the Design Review Board shall be deemed by the ZBA to constitute a favorable report.

I. EXEMPT AND PROHIBITED SIGNS AND DEVICES.

- 1. Exempt. The following signs shall not count toward the total amount of signage allowed and shall be exempt from regulation under this Section:
 - a. Any public notice or warning required by a valid and applicable federal, state, or local law, regulation, or statute;

* **NOTE:** The motion for Article 33 proposes to delete item “b”, below, in its entirety, readopting the provision with a modification to ensure that regulated window signs inside a building but not attached to a window or door, are not exempted.

- b. ~~Any sign inside a building, not attached to a window or door~~ except for regulated window signs;
- c. Banners;
- d. Address signs, the letter and number height of which does not exceed eight (8) inches;
- e. Flags;
- f. Works of art that do not include a commercial message;

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* **NOTE:** The motion for Article 34 proposes to amend items “g” and “h”, below, and add item “i,” which exempts the noted signs from regulation under the Sign Bylaw.

- g. Traffic control signs on private property, such as Stop, Yield, and similar signs, the face of which meet Department of Transportation standards and which contain no commercial message of any sort; ~~and~~
 - h. Signs located on property owned by the Town and approved by the Board of Selectmen; and
 - i. Signs sanctioned by the Town of Wellesley Historical Commission, which display historical information about buildings, properties, people and the like, and not exceeding two (2) square feet in area. Such signs may be wall or ground mounted.**
2. Prohibited Signs. The following types of signs are prohibited in the Town:
- a. Any sign not specifically identified in Table 22A.1, Signage Allowances Based on Zoning District or Use, as allowed or any sign not allowed by the issuance of a Special Permit;
 - b. Promotional beacons, laser lights or images;
 - c. Audible signs;
 - d. Moving signs;
 - e. Roof signs;
 - f. Signs in the right-of-way, other than those belonging to a government, public service agency, or railroad;
 - g. Signs mounted or located on a tree, utility pole, or other similar structure;
 - h. Portable signs;
 - i. Signs which depict obscene matter or are considered obscene matter, as defined in M.G.L. Chapter 272, § 31;
 - j. Signs which advertise an activity which is illegal under federal, state or local laws;
 - k. Signs not in good repair, in violation of codes, or containing or exhibiting broken panels, visible rust, visible rot, damaged support structures, or missing letters;

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- l. Abandoned signs, identifying abandoned or discontinued business. Such signs shall be removed within sixty (60) days following the abandonment or discontinuance as ordered by the Inspector of Buildings;
- m. Animated signs; flashing signs;
- n. Imitation traffic signs, signs which contain or are an imitation of an official traffic sign or signal or contain the words “stop,” “go,” “slow,” “caution,” “warning,” or similar words in such a manner as to resemble official traffic control signs;
- o. Pennants; and
- p. Signs and/or portions of signs rented, leased, and/or purchased by an individual, group and/or business and located upon property to which such individual, group and/or business does not possess a Business Certificate ID to operate a commercial activity. This prohibition shall not apply to signs attached or affixed to, or an integral part of, out-of-store marketing devices or to standard informational signs installed on a property during such time that permitted construction activity is occurring, the property is being considered for sale, lease, or rent, and/or beginning thirty (30) days before and ending five (5) days after any federal, state or local election, ballot initiative or referendum.

J. MEASUREMENT OF SIGN AREA AND HEIGHT.

1. Measurement of Sign Area.

- a. Generally. Sign area shall be computed as the area within the smallest single rectangle or square enclosing the extreme limits of the sign face including any cabinet or frame or material, texture, or color forming an integral part of the sign face used to differentiate the sign face from the structure upon which it is placed. For purposes of determining the maximum size limitations, any intermediary removable surface to which a sign is attached shall be deemed part of the sign, and any sign composed of separate letters, numbers, or symbols cut into or attached to a wall or painted on or otherwise attached to an awning, canopy, or window shall be deemed to occupy the entire area within a single rectangle or square enclosing the extreme limits of the sign, including any structural elements.
- b. Structure. The computation of the area of a sign face shall not include the structure, supports, or uprights on which the sign face is placed or any portions of a sign structure that are not intended to contain any message or idea and are purely structural or decorative in nature, other than those parts contained within the rectangle or square that delimits the sign face.
- c. Changeable Copy. For any signs on which the words, letters, figures, symbols, logos, fixtures, colors, or other design elements routinely change or are intended

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to be changed from time to time, the sign face area shall include the entire area within which any words, letters, figures, symbols, logos, fixtures, colors, or other design elements may be placed, together with any frame or material, texture or coloring forming an integral part of the sign face or used to differentiate the sign face from the structure upon which it is placed.

- d. Multi-Faced Signs. For multi-faced signs, the sign area shall be the sum of the area of both sign faces and shall be limited to the maximum sign area for the sign type in the specific zoning district or for the specific use.
2. Measurement of Sign Height.
 - a. Ground Signs. The height of a standing sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest component of the sign. Where the normal grade is below the normal grade of a public street, the sign base can be raised to the elevation of the normal grade of the street before the height limitations are applied (surveyor's certificate required).
 - b. Building Signs. The height of a wall sign shall be determined to be the vertical distance measured from grade to the top of the highest attached component of the sign.

K. LOCATION, CONSTRUCTION AND DESIGN STANDARDS.

1. Setback. Unless a more restrictive setback is specified otherwise in this Section, all Ground Signs, whether permanent or temporary, shall be set back at least fifteen (15) feet from the nearest property line, whether or not said line abuts a public or private street or way; except Standard Informational Signs which may be located anywhere on the lot, but shall not create a traffic safety hazard by blocking visibility of traffic on a public street from a driveway and shall not overhang a public sidewalk.
2. Corner Clearance. All signs shall meet the corner clearance requirements contained within the Town Bylaws.
3. Right-of-Way. No sign or any part thereof, except authorized government, public service agency, or railroad signs, shall be located in any right-of-way. Any pre-existing sign which projects into, on or over a public sidewalk, street or way shall be subject to the provisions of the State Building Code regulating such signs and shall be subject to bonding and/or insurance requirements as determined by the Board of Selectmen.
4. Compliance with Building Code. All signs permitted under this Section shall be constructed and installed in accordance with the applicable provisions of the State Building Code and with the reasonable requirements of the Inspector of Buildings.

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5. Maintenance. All signs, together with the structural elements, shall be kept in good repair and in a proper state of preservation to the reasonable satisfaction of the Inspector of Buildings. The Inspector of Buildings may order the removal of any sign that is not maintained in accordance with the provisions of this Section, the State Building Code and/or the Zoning Bylaw.
6. Installation. No sign shall be painted or posted directly on the exterior surface of any wall. All signs must be painted, posted or otherwise securely attached to a substantial intermediary removable surface which shall be securely attached to the building; however, the foregoing shall not prevent the installation of a sign consisting of individual letters or devices securely attached to the exterior wall of the building. Installed signs shall display the name of the installer and the permit number issued by the Inspector of Buildings in a conspicuous location.
7. Illumination.
 - a. Permitted: The following types of illumination shall be allowed:
 - i. Externally Illuminated Signs: Signs may be externally illuminated by white, steady, stationary light shielded and directed solely at the sign; and
 - ii. Reverse Lit Signs: Signs may be reverse lit, illuminated by white light only.
 - b. Prohibited: The following types of illumination shall be prohibited, except as may be permitted by the issuance of a Special Permit:
 - i. Internally Illuminated Signs;
 - ii. Open Face Channel Letters; and
 - iii. Exposed neon tubing or exposed LEDs.
 - c. Time: Unless a business establishment is open to the public, no sign shall be illuminated between the hours of 12:00 a.m. and 6:00 a.m.

L. REGULATIONS BASED ON SIGN TYPE.

1. Standing Signs.
 - a. Location: Standing signs shall be located on the same lot with the principal building.
2. Wall Signs.

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- a. Orientation: A wall sign shall be mounted parallel or perpendicular to the wall of the building and shall not project beyond the face of the wall to which it is attached.
 - b. Projection: A wall sign shall not project more than one (1) foot, in the case of a sign mounted parallel to a wall, or four (4) feet in the case of a sign mounted perpendicular to a wall, from the face of the wall to which it is attached. No wall sign shall project into, on or over a public sidewalk, street or way.
 - c. Location: Wall signs shall be mounted on the façade of the business establishment owned or leased by the Sign Permit applicant.
3. Awning Signs.
- a. Location: Awning signs shall be mounted on the façade of the business establishment owned or leased by the Sign Permit applicant.
 - b. Display: Awning signs shall be painted on or attached flat against the surface of the awning or canopy and shall not be attached to or displayed on the underside.
4. Temporary Signs and Temporary Window Signs.
- a. Registration: Prior to their installation, temporary signs and temporary window signs shall be registered with the Inspector of Buildings.
 - b. Time: Lots or business establishments upon which a temporary sign and/or temporary window sign is allowed, per Table 22A.1, Signage Allowances Based on Zoning District or Use, shall be limited to display such signs for a period not exceeding thirty (30) days with no more than three (3) such thirty (30) day periods permitted per calendar year. Thirty (30) day periods may be utilized consecutively.

M. SIGNAGE ALLOWANCES BASED ON ZONING DISTRICT OR USE.

If not otherwise stated, any sign not specifically allowed in a zoning district or for a specific use as provided herein shall be prohibited, except as otherwise provided for under this Section. The following table (Table 22A.1, Signage Allowances Based on Zoning District or Use) provides standards governing signs within specific zoning districts or for specific uses. Specific uses shall be allowed signage as indicated for such use rather than based on the zoning district of such use, unless the signage allowances of the zoning district are less restrictive than those indicated for the specific use. Signs for which a permit is not required shall meet all other provisions of this Section applicable to the subject sign.

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* **NOTE:** Table 22A.1, *Signage Allowances Based on Zoning District or Use*, omitted to avoid formatting issues; the Table is not affected by the motions under Articles 33 and 34.

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N. NON-CONFORMING SIGNS.

Any non-conforming sign may continue to be maintained but shall not be enlarged, redesigned or altered in any way unless it is brought into conformity with the requirements of this Section and the Zoning Bylaw. This shall not include the substitution or interchange of poster panels, painted boards, or dismountable material on non-conforming signs, which shall be permitted. Any such sign which has been destroyed or damaged to such an extent that the cost of restoration would exceed thirty-five percent (35%) of the replacement value of the sign at the time of the destruction or damage, shall not be repaired or rebuilt or altered unless in conformity with this Section.

The exemption herein granted shall terminate with respect to any sign which:

- a. Shall have been abandoned;
- b. Advertises or calls attention to any products, businesses or activities which are no longer carried on or sold, whether generally or at the particular premises; or
- c. Shall not have been repaired or properly maintained within sixty (60) days after notice to that effect has been given by the Inspector of Buildings.