

Town of Milton
Proposed Sign Bylaw, Draft 1
Last updated August 26, 2015

To see if the Town will vote to amend Chapter 10 of the General Bylaws, known as the Zoning Bylaws, as follows:

Section I. Definitions is hereby amended by adding the following definitions:

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.”

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.

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.

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.

Façade 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.

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

Sign Permit – A permit issued by the Building Commissioner allowing a sign to be installed on a piece of property.

Sign – Any letter, number, word, address, symbol, drawing, picture, design, device, article or object, regardless of the material and manner of composition or construction, that has the primary purpose of identifying or indicating any premises, products, businesses, uses or activities.

Sign, Abandoned – 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.

Sign, Accessory – Any sign that, with respect to the premises on which it is erected, advertises or indicates one or more of the following: the person occupying the premises, the business transacted on the premises, and directional or parking instructions, or the sale or letting of the premises or any part thereof.

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

Sign, Animated – 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.

Sign Area, Area of a Sign, Signage – The entire area within a single continuous perimeter, and a single plane, composed of a square, circle or rectangle which encloses the extreme limits of the advertising message or announcement or wording together with any frame, background, trim or other integral part of the display excluding the necessary supports or uprights on which such sign is placed. Sign area of a standing or pole sign is the entire area of one side of such sign such that two faces which are back to back are counted only once for the purposes of standing or pole sign area.

Sign, Audible – 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.

Sign, Awning – 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.

Sign, 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.

Sign, Bracket – A sign mounted perpendicular to the building by means of a bracket, the design of which is meant to be decorative and integral to the sign's design, below which hangs the sign in a manner to withstand public or property damage from wind.

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

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

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

Sign, Edge Lit Sign – A sign which is constructed such that both the face of the sign and the face of the letters are opaque. The sign itself is stencil cut with push-through letters.

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

Sign, Facelit – (Sign, Internally Illuminated) – 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. Neither a "Reverse Lit" sign nor an "Edge Lit" sign is an internally illuminated sign.

Sign, Facing or Face – The surface of a sign board, background area, and structural trim upon, against, or through which a message is displayed or illustrated on the sign.

Sign, Flashing – 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.

Sign, Freestanding – A sign not a part of or attached to any building but generally located elsewhere on a lot.

Sign, Ghost – An advertisement that was installed prior to 1960. Such “ghost sign” shall be allowed by Special Permit from the Board of Selectmen to remain, to be stabilized or restored to the original condition when such sign is considered an important reflection of the everyday social and economic life of years past. Such signs shall not count toward the allowable square footage or allowable number of signs of a business or parcel of land.

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

Sign, Moving – Any and every sign any part of which moves, is designed to move, or to be moved, by any means. Signs which incorporate in any manner flashing, moving, or intermittent lighting, excluding public service signs showing time and temperature. These include promotional beacons, laser lights, or images.

Sign, Multi-faced – Any sign consisting of more than one (1) sign face.

Sign, Non-Accessory Sign – A billboard, sign, or other advertising device which does not come within the other definitions of sign in this Section.

Sign, Non-Conforming – 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.

Sign, 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.

Sign, Permanent – 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.

Sign, 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.

Sign, Portable – A free-standing sign not permanently affixed, anchored, or secured to the ground or structure on the lot it occupies, including trailered signs but excluding signs affixed to or painted on a vehicle, unless the primary function of that vehicle is as a sign and not for the transport of goods or merchandise.

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

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

Sign, Roof – 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, Standard Informational – 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.

Sign, Standing – A permanent sign erected on or affixed to the ground and not attached to a building. The sign shall not exceed fifteen (18) feet in height with eight (8) feet of clearance under the sign area and erected upon supporting devices or stands. Also known as a pylon.

Sign, Temporary – 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.

Sign, Wall – 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.

Sign, Primary Wall – A sign on the building face fronting on a street or parking lot frontage.

Sign, Secondary Wall – A sign located on any building face fronting on a street or parking lot frontage other than that of the primary wall sign. The cumulative area of all secondary wall signs shall not exceed fifty (50) percent of the maximum possible area of the primary wall sign.

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

***Section III.B.3: Signs and Billboards and Section III.C: Business District
Uses Paragraphs 3, 4, and 5 are hereby replaced in full with the following
addition to Section III. Use Regulations Subsection (tbd): Signs.***

1. Intent and Administration

(a) **Intent** – It is recognized that signs perform important functions in the community which are essential for the public safety and general welfare, such as communicating messages, providing information about goods and services available, and providing orientation. It is further recognized that because of their potential detrimental impact to the visual and perceptual environment, signs must be regulated in order to:

- Prevent hazards to vehicular and pedestrian traffic.
- Prevent conditions which have a blighting influence and contribute to declining property values.

- Provide for easy recognition and legibility of all permitted signs and other uses in the immediate vicinity.
- Preserve the amenities and visual quality of the town and curb the deterioration of the community environment.
- Support business vitality by avoiding burdensome procedures and restrictions.

(b) **Powers and Duties of Personnel** – The Building Commissioner is hereby authorized and directed to interpret, administer and enforce this Section.

(c) **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 Milton. All signs shall comply with the regulations for the erection and construction of signs contained in the Building Code of the Commonwealth of Massachusetts and other applicable bylaws of the Town of Milton.

(d) **Pertinence to Other Laws** – All signs shall be subject to any and all other applicable by-laws and regulations of the Town of Milton and the Commonwealth of Massachusetts. Nothing in this by-law is intended to limit the exercise of the right of free speech guaranteed under the Constitutions of the United States or the Commonwealth of Massachusetts.

(e) **Interpretation and Conflict Clause** – These regulations are not intended to interfere with, abrogate, or annul any other bylaw, regulation, statute, or other provision of law. Where any provision of these regulations imposes restrictions different from those imposed by any other regulations, bylaw, or other provision of law, whichever provisions are more restrictive or impose higher standards shall apply.

(f) **Severability Clause** – The invalidity of any section or provision of this bylaw or its application to any sign, shall not invalidate any other section or provision, or application of this bylaw.

2. Process for Sign Permit and Special Permit

(a) **Sign Permit** – All persons desiring to erect, install, place, construct, alter, move or maintain a sign shall apply to the Building Commissioner for a permit. Signs that do not require a Sign Permit (Subsection 5a Exempt Signs) are excluded from this requirement.

(b) **Application Submittal and Content** – The applicant must submit a completed submittal packet to the Planning Department. The packet must include the following, unless specifically noted:

- (1) Include four (4) copies of an elevation drawing; preferably at a scale of $\frac{1}{4}$ inch equals 1 foot. Include dimensional information for the sign, the building façade (if applicable), and the relationship of the sign to the frontage of the building.
- (2) Include material specifications. This includes color swatches and construction and application methods.
- (3) Include four (4) copies of sign drawings; preferably at a scale of $\frac{1}{2}$ inch equals 1 foot. Should show exact letter style and size, method of lighting, colors, and materials.
- (4) Include four (4) copies of sign cross-section, preferably at a scale of 1 inch equals 1 foot.
- (5) Include two (2) copies of a color photograph of the existing storefront or façade and the storefronts or facades to either side.
- (6) Applicant's name, phone number, email, and address. If the Applicant is a sign contractor, then the packet must also provide the owner's name, phone number, email, and address.
- (7) OPTIONAL: Please include two (2) copies of a photo illustration of the proposed design.
- (8) The following calculations are required:

- Demonstrate Allowable Sign Area – Multiply the width of the storefront by two (2). This is your Allowable Sign Area in square feet.
- Demonstrate the total area of all proposed signs – Measure from the extreme limits of the message or sign background, i.e. the smallest rectangle that wholly contains the sign or message.
- Demonstrate Window Sign Area – Total window sign area may not exceed 25% of the total glass area or the difference between the Allowable Sign Area minus the area of the Primary Sign, whichever is less.

(c) Processing Time; Sign Permit Issuance; Special Permit Issuance – The Town shall process and complete and accurate Sign Permit applications within thirty (30) days of the receipt of a complete and accurate application by the Planning Department, including remittance of the appropriate fee. If the Sign Review Committee approves a Sign Permit, or the Board of Selectmen approves the Special Permit, the Building Commissioner may issue a Sign Permit, provided that all applicable building code regulations and zoning regulations within his jurisdiction have been met.

(d) Application Rejection – The Building Commissioner shall reject any application that is incomplete, 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.

(e) 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.

(f) Right of Appeal – Any applicant for a Sign Permit, any person who has been ordered by the Building Commissioner to incur expense in connection with a sign, and any person dissatisfied with any refusal, order, or decision of the Building Inspector, may appeal to the Board of Selectmen within twenty (20) days from the date of such refusal, order, or decision.

(i) After notice given to the public and abutting property owners and/or residents, the Board of Selectmen shall hold a public hearing. Applying the Standards in Subsection 2j, the Board shall affirm, annul, or modify such refusal, order, or decision. The action of the Building Commissioner may be annulled or modified only by a majority decision of the Board. If the action of the Commissioner is modified or annulled, the Building Commissioner shall issue Sign Permit or order in accordance with the decision of the Board.

(g) 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 Building Commissioner shall revoke said permit and the subject sign shall be immediately removed.

(h) Expiration Date – A Sign Permit shall become null and void if the sign for which the permit was issued has not be 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 as not yet been completed, one (1) ninety (90) day extension may be granted by the Building Commissioner. 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.

- (i) Removal of Signs – The Building Commissioner shall order the removal of any signs erected or maintained in violation of this bylaw. Fourteen (14) days notice in writing shall be given to the owner of such sign, or of the building, structure, or premises on which such sign is located, to remove the sign or to bring it into compliance with the bylaw.
- (j) Penalties – Any sign owner or owner of property on which a sign is located who violates or permits a violation of this bylaw, shall be subject to fines as established in by the Board of Selectmen, said fine to be imposed after the later of (1) the state of issuance of any written notice given by the Building Commissioner or (2) the date of conclusion of any appeal therefrom. Each two-week period the violation persists shall constitute a separate offence.
- (k) Special Permit – The Board of Selectmen shall serve as the Special Permit Granting Authority for all Special Permits for signs and shall consider request for Special Permits in accordance with this Section and *Section IX.C. Special Permits or Other Permits*, of the Zoning Bylaw.
 - (1) 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 5c Prohibited Signs*.
 - (2) Granting of a Special Permit – Any Special Permit granted by the Board of Selectmen shall be by majority vote and shall specify the reasons for allowing the requested relief. The Board shall set forth appropriate conditions and safeguards whenever in its opinion they are desirable. Each decision shall be filed in the office of the Town Clerk within thirty (30) days after the hearing by the Building Commissioner and a copy of the decision shall be sent by mail or delivered to the appellant and any other person appearing at the hearing and so requesting in writing. Failure to file a decision within thirty (30) days after the hearing shall not be deemed to be approval of any relief sought.
 - (3) Required Findings – A Special Permit for a sign may be issued provided that the Board of Selectmen makes the following findings:
 - The sign is otherwise in compliance with the provisions of this Sign bylaw;
 - Sign scale is determined to be in reasonable relation to development scale, viewer distance and travel speed, and sign sizes on nearby structures.
 - 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.
 - Sign design is in reasonable continuity with the mounting location, height, proportions and materials of other signage on the same or adjacent structures.
 - Sign materials, colors, lettering, style, illumination and form are reasonably compatible with building design, neighborhood context, and use.
 - Sign size, location, design, and illumination are not judged to present a safety hazard to vehicular or pedestrian traffic.

3. Design Review Process

- (a) Design Review Required – All signs requiring a Sign Permit or Special Permit under the provisions of this Section shall require the review of the Sign Review Committee.

(b) Sign Review Committee – The Board of Selectmen shall appoint the Sign Review Committee on an annual basis. The Committee will have four members, one of whom is the Director of Planning and Community Development and the others of whom are residents of or owners of businesses within the Town of Milton. At least one member shall be an architect, sign designer, graphic designer, urban designer, or planner. The members shall choose a chairman annually. The Committee shall act according to the requirements of this Section.

(c) Process – Following the receipt by the Planning Department of a complete application, the Planning Department will forward the appropriate number of copies of the application and all supporting materials to the Sign Review Committee for review. The application will include all information and documents defined in Section 2.

- (1) The application shall be scheduled for review by the Sign Review Committee at the next meeting of the Committee.
- (2) The Sign Review Committee shall render its recommendation within 30 (thirty) days of the Chairman's receipt of the complete application.
 - If the application is for a Sign Permit, the recommendation shall be sent to the Building Commissioner and the applicant.
 - If the application is for a Special Permit, the Sign Review Committee shall forward its recommendation to both the Building Commissioner and the Board of Selectmen.
- (3) Failure of the Sign Review Committee to make a recommendation within thirty (30) days from the state of the submission of application materials to the Chairman shall be deemed to constitute a recommendation for approval.
- (4) The Chairman shall forward such recommendation in writing to the applicant and the Building Commissioner, to be either hand-delivered or mailed.

(d) Recommendation – The Sign Review Committee's recommendation shall take one of the following forms:

- (1) Approval – The Sign Review Committee shall recommend the approval of proposed signs that meet the Criteria for Review and comply with all requirements of this bylaw.
- (2) Approval with Conditions – The Sign Review Committee 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 Sign Review Committee may recommend conditions that require changes to the sign; conditions shall relate to the Criteria for Review with the intent being that the conditions require the sign to conform to the Criteria.
- (3) Denial – The Sign Review Committee shall recommend denial of all proposed signs that do not comply with the requirements of this Section; the Sign Review Committee may recommend denial of Sign Permits or Special Permits that do not meet the Criteria for Review if, in the opinion of the Committee, there are no possible conditions which will allow the sign to more closely meet the Criteria for Review.

(e) Criteria for Review – The Sign Review Committee's review and advisory recommendation of proposed signs shall be based on the following:

- (1) The Town of Milton Sign and Façade Design Handbook, as adopted and amended by the Board of Selectmen.
- (2) Section 4: Allowable Signs
- (3) Section 6: Location, Construction, and Design Standards of this bylaw
- (4) Consideration of how the proposed sign(s) relates to:
 - The context of the building façade.
 - Buildings in the immediate vicinity of the sign.
 - The basic pattern of the street front to which the sign is oriented.
 - The size, brightness, style, height and colors of other permanent structures and elements in the immediate vicinity.
 - Consideration of whether the proposed sign(s) is
 - Sized and located so as to avoid obscuring existing architectural features such as columns, sill lines, roof eaves, and cornices.
 - Displaying graphics, symbols, logos, and/or letters which are legible and visible to both vehicle operators and pedestrians, are of a size that is proportional to the sign and the building to which it is attached or associated with, does not create a sign with a cluttered appearance. Such graphics, symbols, logos, and/or letters on secondary signs should be proportionally smaller than those on a primary sign.

4. Allowable Signs

- (a) The following signs are allowed by Sign Permit in all Residential Districts:
 - (1) Sign pertaining to the lease or sale of a lot or building without the need for a permit under this bylaw, provided that such signs do not exceed a total area of nine (9) square feet, until such time as all lots, apartments, condominiums, or houses have been rented or sold.
 - (2) One contractor's sign, not exceeding nine (9) square feet in area (except as otherwise provided by law) maintained on the property while construction is in progress, and containing information relevant to the project. Such sign shall not require a permit under this bylaw and shall be removed within three days after completion of construction.
 - (3) One sign identifying each public entrance to a subdivision or multi-family development such as apartments, condominiums, or town houses, of not more than twenty (20) square feet in area. In addition, each family unit may carry a single sign of not more than one square foot, without time limit.
 - (4) A sign for a nonconforming business allowed in the Residential District as either a pre-existing nonconforming businesses or a business allowed under a Special Permit by the Planning Board or Zoning Board of Appeals. Signs for businesses in a Residential District shall follow the requirements in Sections 4b, 5, and 6 of this bylaw.
- (b) The following signs are allowed by Sign Permit in all Business Districts:
 - (1) Total Sign Area – Unless otherwise hereinafter provided, the total area of all signs erected on a lot shall not exceed two (2) square feet in area for each horizontal linear foot of the building face(s) parallel to, or substantially parallel to, a street line.

However, if the primary facade is on a parking area, then said facade shall be used to determine the amount of allowable signage.

(2) Principal Signs – No more than two principal signs shall be allowed for each business establishment. A principal sign may be a flat wall sign, a projecting sign, or a freestanding sign.

- Wall Sign – The total area of all flat wall signs shall not exceed fifty (50) square feet on any one wall of the business establishment. Flat wall signs shall not project more than twelve (12) inches from the face of the wall. Subject to the requirements of the Section 6, a flat wall sign may be located anywhere on any wall of a building, provided that it does not conceal any part of a window, and that its length does not exceed seven-eighths (7/8) of the facade of the business establishment.
- Projecting Sign – A Projecting Sign shall not extend beyond the curb line or more than 50 inches, exclusive of any supporting structure from the building. A projecting sign shall not be less than 10 feet from the ground level at the base of the building. Allowable area of a projecting sign will be computed as one-half (1/2) square foot for each horizontal linear foot of the façade of the establishment on which it hangs. Such sign shall not extend above the building, nor be more than twelve (12) square feet in area.

(3) Secondary Signs – If a business establishment consists of more than one building, or if a building has secondary frontage on a street or parking area, a secondary sign may be affixed to one wall of each building or to the second side. Secondary signs shall not exceed one square foot for each horizontal linear foot of secondary frontage on a street or parking lot, and said area shall be limited to 50% of the area allowed for the Primary Sign.

(4) Directory Sign – Where there are three (3) or more businesses on a lot, or there are businesses without an entrance on the street frontage, a directory may be permitted for the purpose of traffic direction and control. The size of the directory shall not exceed nine (9) square feet plus one and one-half (1.) square feet per business establishment. Such a directory shall be included in the calculation of total permitted sign area for the lot.

(5) Awning Sign – Retractable, fabric awnings projecting from the wall of a building for the purpose of shielding the doorway or windows from the elements may include signage on the valance. Such signage shall not be included in the calculation of the total permitted sign area for the lot, provided that no lettering or symbol is greater than six (6) inches in height. No awning may extend within two (2) feet of a curbline.

(6) Window Signs – Script describing a product or theme and not including the name of the business. Such signage shall not require a permit under this bylaw or be included in the calculation of the total permitted sign area for the lot, provided that no lettering or symbol is greater than six (6) inches in height.

(7) Sidewalk Signs – One “A” frame Sandwich Board sign per business premises shall be permitted in addition to the other signs permitted under this Section 4. Sidewalk Signs are not permitted within the public right-of-way. Such signs are subject to the following conditions:

- The sign shall only be displayed in front of the place of business, adjacent to the buildings only, and not along the curb.
- The sign shall be displayed only during the months of May-October.
- The sign shall not exceed 24" in width and 48" in height.
- The sign shall not be made entirely of plastic, nor shall it be primarily devoted to a single product.
- The sign shall advertise the business and the good and services available on the premises.
- The sign shall not be allowed on the public sidewalk or a public road.
- The sign shall be free of sharp corners, protrusions and devices which could inadvertently cause injury.
- The sign must be constructed with a cross-brace for stability; the sign must have sufficient strength to stand by itself, without the use of other materials to stabilize it.
- The sign may be displayed only during business hours and must be removed thereafter.
- The Building Commissioner shall issue a sticker permit on an annual basis, which shall be attached to the interior of the Sidewalk Sign. Sidewalk Signs without the correct annual permit shall be removed by the order of the Building Commissioner.
- Liability insurance coverage shall be carried, and evidence of same may be requested by the Building Commissioner. Said insurance must cover personal injuries or property damage which may occur in such areas. Such liability insurance coverage shall be extended to include the Town of Milton as an additional insured on the liability insurance policy in the amount of one million dollars (\$1,000,000) per claim and two million dollars (\$2,000,000) per occurrence for any and all claims which may arise, for any reason, as a result of the placement of such sign. The business shall also require the insurer to give at least thirty (30) days written notice of termination, reduction or cancellation of the policies to the Town.

(c) The following signs are allowed by Sign Permit in Any District:

- (1) Religious and Educational Non-profit Institutions – One sign, including bulletin or announcement board, identification sign or entrance marker is allowed for the principal entrance to the premises of a church, synagogue or other religious institution or school, museum, library, or other not-for-profit organization, not exceeding twelve (12) square feet in area. One additional sign, not exceeding twelve (12) square feet in area is also allowed if the establishment has frontage on a second public way. Up to nine (9) additional square feet of signage is also allowed to provide information to users on the site, provided that no single sign exceeds three (3) square feet.
- (2) Restaurants – In addition to other signs permitted by this bylaw, restaurants and other food service establishments may post an actual menu on the building where the premises are located near the main entrance door of the establishment without obtaining a permit under this bylaw.

- (3) Bed and Breakfasts – A bed and breakfast may not have more than one permanent sign. The sign may be externally illuminated by white, steady, stationary light shielded and directed downward solely at the sign. The sign is not to exceed eight (8) square feet in area. If a ground sign, it must be set back not less than half the depth of the front yard setback.
- (4) Gasoline Service Stations – One identification sign not to exceed thirty-five (35) square feet in area. Pricing signs for gasoline services stations may be maintained, provided the total of said signs does not exceed thirty-five (35) square feet in area with no single sign to exceed five (5) square feet in area. Pricing signs may not be illuminated by bare bulbs. All other signage is regulated by Subsection 4b.
- (5) Directional and Traffic Safety Signs – Signs indicating “entrance,” “exit,” “parking,” or similar traffic directional information, shall not exceed three (3) square feet in area per sign. Provided these signs are erected on the lot pursuant to a town or state regulation, they shall not be counted in the maximum sign number and sign area requirements for the lot. Signs indicating parking for a specific business shall be limited to one sign per five spaces.

5. Exempt Signs, Existing Signs, and Prohibited Signs

- (a) Exempt Signs – The signs in this subsection do not require a Sign Permit or Special Permit, unless noted below. In addition to the signs marked “Y” or “Y with conditions” under the “Exempt” column in Table 1, the following signs shall be allowed by right in any zoning district of the Town.
 - (1) Any public notice or warning required by a valid and applicable federal, state, or local law, regulation, or statute.
 - (2) Any sign inside a building not attached to, or within twelve inches of and visible through, a window or door.
 - (3) Address signs, the letter and number height of which does not exceed eight (8) inches.
 - (4) Names of buildings, date of erection, monumental citations, and commemorative tablets, when made a permanent and integral part of a building, not to exceed ten (10) square feet.
 - (5) 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 on any sort.
 - (6) Building identification signs located on property owned by the Town and approved by the Board of Selectmen.
 - (7) Signs sanctioned by the Town of Milton Historical Commission, which display historical information about buildings, properties, people and the like, and not exceeding two (2) square feet in area.
 - (8) Banners or Sidewalk Signs providing notice of a public event or advertising a charitable, religious, or educational event, may be placed within the Town right-of-way if approved by the Board of Selectmen or its designee. Such banners may be displayed in location designated by the Board of Selectmen for a period of time not to exceed eight (8) consecutive days, the first of which shall occur not more than seven (7) days prior to such entertainment or event. All said Banners or Sidewalk Signs shall be removed within twenty-four (24) hours after such entertainment or event.

(9) Holiday decorations and lights when in season.

(10) Public Interest Signs containing cautionary messages, such as "Beware of Dog" or "No Trespassing," provided they do not exceed two (2) square feet in area.

(11) Paper or cardstock window signs advertising any campaign, drive, event or activity of a civic, philanthropic, educational or religious organization for noncommercial purposes, provided that they are to be removed within sixty (60) days of initial display.

(12) Temporary display of charitable ideas or expression of political, religious, ideological ideas shall be exempt from the provisions of this bylaw, provided that they are to be removed within sixty (60) days of initial display, and subject to the following conditions:

- No such sign shall be affixed to a tree or utility pole or otherwise erected in a public way.
- Signs may be erected on Town property only with the approval of the Board of Selectmen.
- Temporary signs erected on Town property or public right-of-way or other disapproved locations not meeting all of the foregoing conditions may be removed and stored at a Town facility awaiting the owner's retrieval for a period not to exceed thirty (30) days, after which they may be discarded.

(13) Temporary Sale Signs – Temporary signs, advertising special promotions or sale of merchandise, may be attached to or located only within the interior of a window or door of the business offering the sale, and shall not require a permit under this bylaw or be considered in calculating the total permitted sign area for the lot. Such signs must be registered with the Building Commissioner prior to their installation. Each business establishment 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 used consecutively.

(b) Existing Signs – Existing Signs are defined as those erected before adoption of this bylaw, and are classified into one of four separate categories. These are:

- Conforming signs which comply with all provisions of this bylaw in its most recently amended form.
- Prohibited signs, as specified in SubSection 5c.
- Non-conforming signs, which do not comply with one or more provisions of this bylaw, in its form prior to its adoption, but which are not described as prohibited signs in Subsection 5c.
- Non-conforming protected signs, which fully complied with the zoning bylaw prior to adoption of this bylaw.

(1) Removal of Existing, Non-conforming Signs – Non-conforming signs which are enlarged, reworded, redesigned, replaced, or altered in any way including repainting in a different color or relettering, shall comply immediately with all provisions of this bylaw; and provided further that any such sign which has deteriorated to such an extent that the cost of restoration would exceed thirty-five (35) percent of the replacement value of the sign at the time of replacement shall not be repaired or rebuilt except to conform to the requirements of this bylaw.

(2) Abandonment of or Failure to Maintain Sign – Any sign which shall have been abandoned or which shall not have been repaired or properly maintained within sixty (60) days after notice in writing to that effect has been given by the Building Commissioner must be brought into compliance with this bylaw.

(c) Prohibited Signs – In addition to the signs marked “N” in Table 1, the following signs are prohibited:

- (1) Any new or existing sign not erected pursuant to and in accordance with the requirements of this bylaw.
- (2) Any sign which advertises or calls attention to any products, businesses, or activities which are no longer sold or carried on at any particular premises. No such sign shall remain in place or on vacated premises for more than ninety (90) days from the date the vacancy commenced.
- (3) Signs advertising businesses, services, or activities located at different premises from the premises on which the sign is located, except Banners permitted by the Board of Selectmen as defined in Subsection 5a.
- (4) Window signs which cover more than twenty-five (25) percent of the window or which obstruct the middle third of the window or door such that eye-level view through the window is blocked.
- (5) Signs erected so as to obstruct any door, window, or fire escape on a building.
- (6) Signs in the public right-of-way, other than those belonging to a government, public service agency, or railroad unless defined as Exempt in Subsection 5a.
- (7) Signs which are pasted, attached, mounted, or located in the public right-of-way on a tree, utility pole, fence, or structures such as overpasses and bridges or other similar structure. Signs pasted or attached to other signs are prohibited unless such subsidiary portions are an integral part of the total sign design.
- (8) 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.

6. Location, Construction and Design Standards

(a) Measurement of Sign Area – The area of the sign shall include the board or other material, including framing, of which the sign is a part. Each face of a multi-faced sign or of a double-faced sign shall be included so long as it can be seen from a public way or area open to the public. The area of an irregularly shaped sign shall be that of the smallest rectangle that wholly contains the sign.

- (1) 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.

(b) Measurement of Sign Height

- (1) 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 or the street before the height limitations are applied (surveyor's certificate required).

(2) 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.

(c) 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.

(d) Corner Clearance – All signs shall meet the corner clearance requirements contained within the Town Bylaws.

(e) Right-of-Way – No sign or any part thereof, except authorized government, public service agencies, or railroad signs, shall be located in any right-of-way, except for signs which are allowed to project over a public sidewalk subject to the conditions in this section or Temporary Signs and Banners allowed by the Board of Selectmen. Any pre-existing sign which projects into, on or over a public street or way or pre-existing or new sign that projects over a public sidewalk shall be subject to bonding and/or insurance requirements as determined by the Board of Selectmen. All signs projecting over a public right-of-way shall be subject to the provisions of the State Building Code regulating such signs.

(f) 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 Building Commissioner.

(g) 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 Building Commissioner, The Building Commissioner 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.

(h) 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 Building Commissioner in a legible manner but inconspicuous location.

(i) Illumination

(1) Permitted – The following types of illumination shall be allowed:

- Externally Illuminated Signs – Signs may be externally illuminated by white, steady, stationary light shielded and directed downward solely at the sign.
- Reverse Lit and Edge Lit Signs – Signs may be illuminated by white light only.

(2) Prohibited – The following types of illumination shall be prohibited:

- Facelit Signs
- Open Face Signs
- Signs fabricated with letters, numbers, designs, or images consisting of an exposed or visible light source emitted from the face of the sign, including, but

not limited to, incandescent and fluorescent bulbs, LED price signs, LED and digital displays, and neon tubes.

- (3) Time – No sign shall be illuminated between the hours of 11:00 p.m. and 6:00 a.m., unless the business establishment is open to the public during those hours.
- (4) Intensity – Exterior illumination of signs shall be so shaded, shielded, or directed that they shall not reflect or shine on or into neighboring premises or into any public street. The intensity of such light shall be deemed acceptable if it does not exceed a factor of 3 above the ambient light intensity at any point on the ground when measured with an incident light meter and the following procedure:
 - The intensity of the sign illumination, in foot-candles, is measured with all normal background and ambient illumination on.
 - With the sign turned off, the same measurement is repeated.
 - The ratio of the measurements in (a) to that in (b) shall not exceed 3.

TABLE 1

(See Section 1 Definitions and Subsection 4, 5 and 6 above for conditions)

Sign Type	Sign Permit	Special Permit	Exempt (No Permit)
Abandoned	N	N	N
Accessory	Y		
Address			Y with conditions
Animated	N	N	N
Audible	N	N	N
Awning	Y		
Banner			Y with conditions
Beacon	N	N	N
Bracket	Y with conditions		
Changeable Copy	N	N	N
Directional	Y		
Directory	Y		
Edge Lit Sign	Y with conditions		
Externally Illuminated	Y with conditions		
Facelit/Internally Illuminated	N	N	N
Flashing	N	N	N
Freestanding	Y with conditions		
Ghost	Y with conditions		
Moving	N	N	N
Multi-faced	Y		
Open-Face	N	N	N
Pennant	N	N	N

Sign Type	Sign Permit	Special Permit	Exempt (No Permit)
Portable	N	N	N
Projecting	Y with conditions		
Reverse-Lit	Y with conditions		
Roof	N	N	N
Sidewalk	Y with conditions		
Standard Informational	Y		
Standing	Y with conditions		
Temporary Sale Signs	Y with conditions		Y with conditions
Wall	Y with conditions		
Wind	N	N	N
Window	Y with conditions		