

commercial message unless specifically authorized by the Zoning Board of Appeals.

- (e) Sign area is further limited to one square foot of signage per linear foot of frontage. Said frontage shall be the linear feet of the building which faces the access roadway.
 - (f) Wall signs for businesses occupying other than the first floor may be permitted by the Zoning Board of Appeals. Said permit shall require the written permission of the owner of the property. Secondary wall signs shall not exceed 48 square feet in area. No more than two such secondary wall signs shall be allowed for any building.
 - (g) No more than one wall sign for each store or business occupying a building shall be permitted. The aggregate total of all signage allowed shall not exceed 150 square feet in area. Sign permit may be issued only after written permission for said signs is authorized by the Zoning Board of Appeals.
- (6) Lease, for rent, construction signs.
- (a) Any sign designed to advertise to lease or for rent may be permitted subject to the sizes authorized in § 135-904.2 above and shall comply with § 135-906 of this bylaw.
 - (b) No temporary lease or rent sign shall be permitted to display visibly to the major roadway after any permanent signage is permitted for the property.
 - (c) Temporary lease or rent signs may be displayed and visible to the access roadway for no longer than six months after permanent signage is permitted.
 - (d) Construction signs may be permitted only for the length of time the building is actually under construction.
 - (e) The size of construction signage and exact wording of said signs shall be determined by the Zoning Board of Appeals at the time of application.
 - (f) Construction signs shall comply with the provisions of § 135-906.
- (7) Window sign.
- (a) Permanent window signs shall not occupy more than 20% of the total area of the window or other architectural detail or opening in which they are displayed. If the lettering in such display occupies more than three inches in height it shall be debited against the total allowable wall sign area permitted for each business or building facade.
 - (b) Temporary window signs shall not occupy more than 15% of the total area of the window in which they are displayed. Such signs are considered temporary for the purposes of this section if the sign is applied or displayed for a limited period.
- B. Prohibition of off-premises commercial signs. All off-premises commercial signs are prohibited.

§ 135-904.3. Commercial area. [Amended 5-18-1987 ATM by Art. 29; 5-11-1988 ATM by Art. 39; 1-8-1990 STM by Art. 12]

A. Permitted signs.

- (1) Signage in any commercial area shall be permitted subject to the same provisions and restrictions of § 135-904.2.

B. Prohibition of off-premises commercial signs. All off-premises commercial signs are prohibited.

§ 135-904.4. Open space and conservancy areas. [Amended 5-18-1987 ATM by Art. 29; 5-11-1988 ATM by Art. 39; 5-16-2001 ATM by Art. 54]

A. Permitted signs.

- (1) In an Open Space and Conservancy District, no signs will be permitted except street signs and safety signs designed to inform the public of hazards, and name and street number for any authorized building in said district. Any sign in an Open Space and Conservancy District must be authorized in writing by the Conservation Commission and permitted by the Zoning Board of Appeals.

B. Prohibition of off-premises commercial signs. All off-premises commercial signs are prohibited.

§ 135-904.5. Special regulations for gasoline service stations and repair garages only. [Amended 5-18-1987 ATM by Art. 29; 5-11-1988 ATM by Art. 39]

A. Gasoline service stations and repair garages may be permitted signs subject to the regulations set forth below.

- (1) Service stations or garages located in a general business area, a highway business area, or an industrial area may be allowed signs only after review and as permitted by the Zoning Board of Appeals. [Amended 5-16-2001 ATM by Art. 54]

(a) One ground sign containing the logo of the oil company.

- (i) In a general business area said ground sign shall not exceed 60 square feet in area and shall be no higher than 20 feet above ground level.

- (ii) In a highway business or industrial area said ground sign shall not exceed 150 square feet in area and shall be no higher than 40 feet above ground level.

(b) One sign displaying the prices of gasoline only.

- (i) Said sign shall not exceed 30 square feet in area per face.

- (ii) Said sign shall be no lower than 10 feet.

(c) One permanently fixed sign advertising lubrication products not exceeding 12 square feet in area.

- (d) One permanently fixed sign advertising accessories, e.g., tires, wipers, etc., not exceeding 12 square feet in area.
- (e) One permanently fixed sign advertising services, e.g., lube, oil change, mufflers, etc., not exceeding 12 square feet in area.
- (f) One wall sign displaying the name and/or company logo on the building not exceeding 150 square feet or one square foot of signage per each linear foot of building fronting on a way, whichever is least.
- (g) Any other signage attached to canopies, coverings, pumps, etc., authorized by the Zoning Board of Appeals which is designed to assist or advise the public and required by state law as to the type of product. Such additional signage shall not exceed 150 square feet in aggregate total. [Amended 5-16-2001 ATM by Art. 54]

B. Prohibition of off-premises commercial signs. All off-premises commercial signs are prohibited.

§ 135-904.6. Village Zoning Overlay District: rules and regulations for signs. [Added 5-14-2002 STM by Art. 14]

Sign regulation. Applicants subject to the Village Zoning Overlay District shall comply with all provisions of the sign regulations as stated in Article IX, §§ 135-901 to 135-911 except for the following:

- (a) Signs defined as “ground signs” shall not exceed 12 feet in height.
- (b) Signs defined as “window signs” shall not exceed 10% of the window or other architectural detail.
- (c) Signs defined as “wall signs” shall not exceed two feet in height.
- (d) Sign material should be consistent with the original construction materials and architectural style of the existing or proposed building on which each sign is to be displayed.

§ 135-905. Illumination. [Amended 5-16-2001 ATM by Art. 54]

Moving, flashing or animated signs are prohibited except for a minimum of sixty-second intervals needed for the functioning of a clock, thermometer or calendar. Automatically or manually continuous changing message signs are not permitted. The source of illumination for any sign shall be a white, steady, stationary light of reasonable intensity, shielded and directed solely at the sign, or a white interior light of reasonable intensity; however, neon tubes or similar devices are not permitted. No illuminated or spotlighted sign shall extend over a street nor shall any sign be permitted which will obstruct the free and clear vision of those traveling on a street. No sign may be illuminated between 1:00 a.m. and 6:00 a.m., except signs identifying police or fire stations or other such signs as the Zoning Board of Appeals may specifically authorize to be illuminated at other hours, if the Zoning Board of Appeals finds that the nature of the use on the premises is such that such illumination should be permitted in the

public interest. No outdoor floodlighting or decorative lighting shall be permitted except lighting designed to illuminate walks, driveways, doorways, outdoor living areas or outdoor recreational facilities and excepting temporary holiday lighting in use for no longer than a four-week period in any calendar year, except for decorative floodlighting on institutional or historic buildings and on the national and state colors. The provisions of this paragraph shall apply not only to exterior signs but also to interior signs that are designed or placed so as to shine through windows or doors of the building.

§ 135-906. Temporary signs [Amended 5-18-1987 ATM by Art. 29; 5-16-2001 ATM by Art. 54; 1-27-2003 STM by Art. 11D]

Temporary signs which comply with this bylaw are permitted in all districts as specified herein. Before a temporary sign shall be erected or displayed, a permit shall be obtained from the Inspector of Buildings of his designee. A fee of \$25 shall be required for such a temporary sign permit. No temporary signs except political signs shall be attached to or supported by a portable contrivance, wheeled or not wheeled. No vehicle, trailer, balloon, kite, boat, pennant, flag or similar device shall be used as a temporary or permanent means of exhibiting a sign which may circumvent or derogate from the intent of this bylaw. Temporary signs shall be freestanding and not attached to any building, tree, post or other such means. The construction of the sign or signs shall be to the satisfaction of the Inspector of Buildings or his designee as to material and public safety.

§ 135-907. Construction.

No sign shall be painted or posted directly on the exterior surface of any wall, including windows and doors. All signs must be painted or otherwise securely affixed to a substantial intermediary removal surface and such surface shall be securely affixed to the wall of a building. This shall not prevent, however, installation of a sign by individual letters cut or squarely affixed to the outside wall of a building. The affixing of the sign to intermediate surface and of the intermediary surface to the wall of the building shall be subject to the approval of the Inspector of Buildings.

§ 135-908. Administration. [Amended 5-18-1987 ATM by Art. 29; 10-26-1993 STM by Art. 15; 5-16-2001 ATM by Art. 54]

- A. Permits. No sign shall be erected on the exterior of any building or on any land unless and until an application for the erection of such sign has been filed with the Inspector of Buildings and or the Code Compliance Officer, with such information and drawings as he may require, and a permit for the erection of the sign has been issued by him. The fee for such permits shall be determined from time to time by the Board of Selectmen of the Town. The provisions of this section shall not apply to:
- (1) In residential areas, permitted signs, except such as by the terms of the Zoning Bylaws are permitted only with specific permission from the Zoning Board of Appeals.
 - (2) In business areas, one real estate sign of not over six square feet in total area advertising the sale or rental of the premises on which it is located.

- B. Appeal. A person aggrieved by the refusal of the Inspector of Buildings to issue a permit for the erection of a sign or by any order of the Inspector of Buildings under this bylaw may appeal to the Zoning Board of Appeals. The provisions of the Zoning Bylaw as to the time for taking such appeal and as to the notice of and hearing thereon shall be the same as appeals which are otherwise made under the Zoning Bylaw to the Zoning Board of Appeal.
- (1) The Zoning Board of Appeals hearing appeals from the refusal of the Inspector of Buildings to issue a permit for the erection of a sign or from the decision of the Inspector of Buildings under this section shall have the right to grant relief from the bulk and dimensional requirements of Article IX, upon a determination that a legitimate hardship, financial or otherwise, exists which specifically relates to the shape, topography, soil condition or uniqueness of the land, building or structure to which the sign is placed or affixed and which does not derogate or detract from the goals and purposes expressed in this article or the Zoning Bylaw.
- C. Enforcement. The Inspector of Buildings is hereby designated as the officer in charge of the enforcement of this bylaw and the provisions of the Zoning Bylaw shall apply to this bylaw.

§ 135-909. Nonconforming signs. [Amended 5-18-1987 ATM by Art. 29]

- A. Nonconformance of accessory and nonaccessory signs. Accessory signs legally erected before the adoption of this article shall be exempt from its provisions; provided, however, that no such sign shall be permitted if it is, after the adoption of this article, enlarged, redesigned or altered in any way, excluding repainting, except to conform to the requirements of this article and provided further that any such sign which has deteriorated to such an extent that the cost of restoration would exceed 35% of the replacement cost of the sign at the time of the restoration shall not be repaired or rebuilt or altered except to conform to the requirements of this article. Any exemption provided in this § 135-909 shall terminate with respect to any sign which:
- (1) Shall have been abandoned;
 - (2) Advertises or calls attention to any products, businesses or activities which are no longer sold or carried on, whether generally or at the particular premises; or
 - (3) Shall not have been repaired or properly maintained within 30 days after notice to that effect has been given by the Inspector of Buildings. The time for performance of any act required shall be extended by a period equal to any delay caused by or resulting from act of God, war, civil commotion, fire, casualty, labor difficulties, shortages of labor, materials, or equipment, government regulations, act or default of Town, or other causes beyond such party's reasonable control, whether such time be designated by a fixed date, fixed time, or otherwise, provided affected parties give written notice to the Town within 10 days after occurrence of the event giving rise to applicability of this section. Shortage of funds shall in no event be deemed a cause for delay.
- B. Notwithstanding Paragraph A, any accessory sign not in conformance with § 135-905 of this article must conform within two years after the adoption of this article.

- C. Notwithstanding Paragraph A, any painted wall sign, roof sign or projecting sign existing prior to the adoption of this bylaw shall be brought into conformance with the provisions of this bylaw within two years after the adoption of this article.
- D. Nonaccessory signs not conforming with the provisions of this article shall be removed within two years after the adoption of this article.

§ 135-910. Severability.

The invalidity of any section or provision of this article shall not invalidate any other section or provision hereof.

§ 135-911. Exemption.

The provisions of this bylaw shall not apply to any sign, the face of which will not exceed 12 inches in height and 18 inches in width, erected pursuant to the Adopt an Island Program to be administered by the Board of Selectmen or its designee.