

**NOTICE OF PUBLIC HEARING
PROPOSED AMENDMENTS TO CITY SIGN ORDINANCE
CITY OF BELFAST CITY COUNCIL**

The City of Belfast City Council, at its meeting of Tuesday, August 16, 2016, beginning at 7:00 p.m. or as soon as practical thereafter, in the Council Chambers of Belfast City Hall, which is located at 131 Church Street, shall conduct a public hearing regarding proposed amendments to the City Code of Ordinances, Chapter 86, Signs. A prime purpose of the amendments is to 'codify' the current Sign Ordinance so it is in the same format as other City Ordinances. The amendments also establish new standards to allow the display of temporary political signs in the public right-of-way, and to make limited changes to the current sign standards.

Persons who may be affected by the proposed amendments are encouraged to attend the August 16 public hearing and to offer comment. Alternatively, comment can be submitted in writing to Wayne Marshall, City Planner, City of Belfast, 131 Church St, Belfast, ME, 04915, or by email to wmarshall@cityofbelfast.org. The language for the proposed Ordinance amendments can be viewed on the City website, cityofbelfast.org, reference Planning and Codes tab, and a copy is re available for inspection at the Code and Planning Offices in City Hall during normal business hours, Monday - Friday, 8:00 am - 5:00 pm. Questions regarding the proposal should be directed to Wayne Marshall, City Planner, at 338-1417 x 25, or by email at wmarshall@cityofbelfast.org.

AGENDA TOPIC 10.

TO: MAYOR & CITY COUNCIL
FROM: WAYNE MARSHALL, CITY PLANNER
DATE: AUGUST 9, 2016
RE: POLITICAL SIGNS & CITY SIGN ORDINANCE

REQUESTED ACTIONS

Action # 1: The Council should conduct the scheduled public hearing on the Sign Ordinance.

Action #2: The Council, at the Second Reading, should decide if you want to adopt, adopt with revisions or to reject the proposed amendments. If you choose to make significant changes, I recommend that the Council schedule a new hearing and second reading.

The proposed amendments address two main issues:

- Implementing the Council action of June 7, 2016, at which you directed that I rewrite the political sign provisions in the City Sign Ordinance to parallel those in State law.
- Adopting amendments to the City Sign Ordinance, most of which are changes in the format of the Ordinance, so that it can be codified and published in the City Code of Ordinances.

BACKGROUND INFORMATION - POLITICAL SIGNS

As the Council is aware, the current Belfast Sign Ordinance prohibits the display of political signs in the public right of way. The provisions of the Belfast Sign Ordinance supersede and are more strict than State law which allows the temporary display of political signs in the public right-of-way. For each of the past 7 years or so the Council has stated that you are comfortable with the display of temporary political signs in the right-of-way, subject to the restrictions identified in a policy statement that the Council annually adopted.

The Council, at your recent June 7, 2016 meeting, directed that I rewrite the current Sign Ordinance provisions to allow temporary political signs in the public right-of-way. I am now presenting the proposed revisions for your consideration, and seek to have such adopted prior to the upcoming fall elections so everyone is clear regarding how Belfast regulates political signs. The amendments I have prepared incorporate the provisions of State law which allow the display of political signs in the public right-of-way, subject to several restrictions identified in the previously adopted policy statement. The additional restrictions involve prohibiting the display of signs in sections of the downtown area, and on most City properties. I also have included a provision to make it clear that political signs are allowed on private property. The proposed revisions are identified in Article III of the attached amended Sign Ordinance; reference pages 7 - 10.

BACKGROUND INFORMATION - CODIFICATION OF CITY SIGN ORDINANCE

The current City Sign Ordinance, originally adopted in July 1991, and which has been amended from time to time over the intervening years, has never been codified, which means that it is not in the same format as most other City Ordinances. And, because it has not been codified, it has never been included in the published City Code of Ordinances. I have now rewritten the current Ordinance so that it is in the same format (numbering system) as other Ordinances. If you choose to adopt the proposed amendments, this will allow the Sign Ordinance to be published in the City Code and to be made more readily available to the public.

I offer a few comments about this effort.

- 1) My main goal in undertaking this effort is to enable the current Ordinance to be codified and published in the Code of Ordinances. As such, I have mostly tried to stay away from making policy changes through these amendments, and have renumbered the Ordinance provisions, and proposed language to clarify Ordinance requirements to make them more consistent. For example, the City has made changes to its zoning districts over the years, both the names of districts and the boundaries of these districts, and our current Ordinance does not reflect many of these changes. This is a glaring problem that warrants correction.
- 2) I and most all who use the Sign Ordinance recognize that it is often confusing and that it is out of date and has not kept up with changes in Sign technology, particularly the advent of digital signs. For example, many of our definitions need additional refinement beyond what I have proposed in these amendments. That said, I have not attempted to make major changes to the Ordinance to try and address issues such as this. I view such amendments as being beyond the scope of my main goal and involving too much time to achieve at this time. I view that type of effort as one which involves broad public participation, greater research, and an extensive commitment of staff time.
- 3) Continuing, although I really question if some of the current standards that regulate signs are appropriate, such as the size of signs that are permitted in many of the zoning districts, I have generally avoided (see #4 below) making significant changes to the size of a sign that is permitted in a respective zoning district or the number of signs that are permitted. If the City wants to jump into the issue of revamping regulatory standards regarding the size, number, type and location of signs, I would strongly recommend that the City undertake an effort that involves broad public participation, including participation from area businesses. As I have often stated, nearly every business and organization has and depends on signage, and most have a personal perspective on the signage that they view as necessary to help their business succeed.
- 4) Although I have generally avoided making policy changes, I have taken the liberty of proposing changes to some current sign provisions. For example, I am recommending, partly based on past discussions with the Planning Board, that the size of a sign for a home occupation be increased from 2 square feet to 4 square feet. Further, I am recommending that the number of signs allowed in the GP-A and GP-B zones for a business be decreased from the current 8 signs allowed to 2 signs, and that internally illuminated signs be

prohibited. I note that the number of businesses located in above two zones are very few, particularly because the amount of land area in these zoning districts has decreased dramatically over the years, and that none of the existing businesses display anywhere near 8 signs. I also have included a specific provision that would allow the First Church to have a 25 square foot sign rather than a 15 square foot sign that is allowed for other users in the zone, mostly because of the size of the property and the historic character of the Church.

In conclusion, I view the codification of the Ordinance and ensuring that current language is more consistent with the currently adopted zoning districts as a critical first step to even considering making needed long-term changes to the Ordinance. Further, as the City implements more of the recommendations in the Future Land Use Plan, these amendments will make it simpler to have the Sign Ordinance remain consistent with changes in the zoning districts. Ultimately, I view the City adopting a table for its sign standards, similar to what we are now doing for the uses permitted in the respective zoning districts.

I am asking that you support the adoption of the proposed amendments and that you (like I have tried to do) avoid 'getting into the weeds' by proposing numerous amendments, regardless of how warranted some of the recommendations may be. While I would like to do more, and believe that such is warranted, at present, I do not believe that making changes to the Sign Ordinance is as high of a priority as other City projects.

I would be happy to respond to any questions.

PROPOSED AMENDMENTS to CITY CODE OF ORDINANCES
CITY of BELFAST CITY COUNCIL
SECOND READING & PUBLIC HEARING
TUESDAY, AUGUST 16, 2016
CHAPTER 86, SIGNS
CODIFICATION of SIGN ORDINANCES & CHANGES
REGARDING POLITICAL SIGNS & TEMPORARY SIGNS

Notes Regarding The Proposed Ordinance Amendments

- 1) The City Sign Ordinance, which has not been codified, identifies the City standards that apply to the regulation of all signs. Section 3 identifies the City standards that apply to the regulation of temporary signs, including temporary political signs. Since the early 1990's, the City of Belfast Sign Ordinance has included a regulation that prohibits the display of temporary political signs in the public right-of-way, and a second regulation that strictly limits the display of temporary political signs located on private property. The City of Belfast is now considering amendments to the above standards. The proposed amendments would result in the City generally relying upon State guidelines for the regulation of temporary political signs in the public right-of-way. Further, the amendments would establish new standards regarding the display of temporary political signs on private property.
- 2) As noted above, the City Sign Ordinance has never been codified, meaning that it is not in the appropriate format to be published in the City Code of Ordinances. The City is now proposing to codify the Sign Ordinance. Most proposed amendments involved with this codification effort involve format changes and ensuring that the Ordinance (reference Article VI) identifies the appropriate zoning district for the respective regulatory standards. The proposed amendments, however, in some cases do effect the size and/or number of signs which can be displayed. Examples of the proposed changes include increasing the size of a sign for a home occupation from 2 square feet to 4 square feet, and decreasing the number and amount of signage allowed in the General Purpose A and B zoning districts.
- 3) The Belfast City Council conducted the First Reading of this proposal at its meeting of July 19, 2016, and is scheduled to conduct the Second Reading and public hearing at its meeting of August 16, 2016. The City Council has the authority to adopt the proposed amendments, to adopt the amendments with revisions, or to reject the proposed amendments following the Second Reading.
- 4) Language that is proposed to be added to the Ordinance is identified in **Red Font**. Language proposed to be deleted from the Ordinance is identified in ~~Blue Strike-Through-Font~~. Language that is in Black Font is existing language that is not proposed to be amended.

TEXT OF PROPOSED AMENDMENTS

~~CITY OF BELFAST SIGN ORDINANCE~~

CHAPTER 86, SIGNS

ARTICLE I. ~~SECTION 1. GENERAL~~ **GENERAL PROVISIONS** ~~provisions~~

~~1.1~~ **Sec. 86-1. Purpose.** The purpose of regulating signs is to promote and protect the public health, safety and welfare by regulating existing and proposed outdoor advertising, outdoor advertising signs, and outdoor signs of all types. ~~;~~ **The sign regulations adopted by the City are intended to help achieve the following public purposes:** to protect property values; enhance and protect the physical appearance of the community; preserve the scenic and natural beauty; ~~and~~ provide a more enjoyable and pleasing community; ~~to~~ reduce sign or advertising distractions and obstructions that may contribute to traffic accidents; reduce hazards that may be caused by signs overhanging or projecting over **a** public right of way; provide more open space; and curb the deterioration of natural beauty and community environment.

With respect to the City regulatory policy ~~Furthermore, the purpose~~ of allowing businesses that depend on walk-by customers to display sandwich board signs located on the public sidewalk, **the purpose** is to encourage a colorful and healthy business environment in a pedestrian oriented downtown and waterfront area. In addition, such signs are intended to assist the public to more easily find downtown and waterfront businesses and to enhance the character and streetscape of the downtown, while not unduly interfering with the public's ability to easily use downtown sidewalks.

~~1.2~~ **Sec. 86.2. Sign **P**ermits and application.** Except as otherwise herein provided, no person shall erect, modify or move any signs without first applying for and obtaining from the Code Enforcement Officer a sign permit. **The Code Enforcement Officer shall issue a sign permit for an application that is in compliance with the provisions set forth in this chapter.** ~~The a~~Applications shall be on forms prescribed and provided by the Code Enforcement Officer setting forth such information as may be required by him for a complete understanding of the proposed work. ~~Should a~~ **A sign that is ~~be~~ electrically illuminated shall require** an electrical permit ~~would be required~~.

~~1.3~~ **Sec. 86-3. Maintenance and **C**onformance of **S**igns.** No sign shall be erected or altered except in conformity with the provisions **of this chapter** ~~herein~~. The sign must be kept clean, neatly painted and free from all hazards, such as, but not limited to, faulty wiring and loose fastenings, and must be maintained at all times in such safe condition so as not to be detrimental to the public health or safety or detrimental to physical appearance or scenic or natural beauty of the community, or

constitute a distraction or obstruction that may contribute to traffic accidents.

1.4 Sec. 86-4. General Safety Standards for Signs. No sign, whether new or existing, shall be permitted that causes a sight, traffic, health or welfare hazard or results in a nuisance due to illumination, placement, display, or manner of construction. No sign shall project over a traveled way (**street or road**).

1.5 Sec. 86-5. Exceptions. For the purpose of this ordinance, the term "sign" does not include signs erected and maintained for public safety and/or welfare or pursuant to and in discharge of any governmental function, or required by law, ordinance or governmental regulation, nor to a "name sign" not exceeding one (1) square foot in area identifying the name(s) of the residents of the premises where such sign is located.

1.6 Sec 86-6. Severability: In the event that any section, subsection or any portion of this **chapter ordinance** shall be declared by any court of competent jurisdiction to be invalid for any reason, such a decision shall not be deemed to affect the validity of any other section, subsection or other portion of this **chapter ordinance**, to this end; the provisions of this **chapter ordinance** are hereby declared severable.

1.7 Sec 86-7. Penalties: Any person, including but not limited to a landowner, a landowner's agent or a contractor, who violates any provision of this **chapter ordinance** shall be penalized in accordance with Title 30-A M.R.S.A. Subsection 4452 as now existing or subsequently amended.

In addition, the City of Belfast shall be entitled to all of the relief, including its costs and legal fees as allowed by said section 4452. Notwithstanding any provision to the contrary, including the provisions of 30-A M.R.S.A. Subsection 4452, as now existing or amended in the future, the City of Belfast shall be entitled to judgment against any violator for its costs, expert witness fees, code enforcement expenses and attorneys' fees incurred in enforcing this **chapter Ordinance**.

The City of Belfast shall also have the right to enforce **the provisions of this chapter Ordinance** through civil action, either at law or equity. The enforcement provisions herein contained shall exist in addition to those which may exist under Maine statutory law or Maine Rule of Civil Procedure 80K, or any other court rule or statutory provision.

Each and every day of violation shall constitute a new and separate offense for which a minimum penalty of \$100.00 shall be assessed.

1.8 Sec. 86-8. Violations: It shall be the duty of the Code Enforcement Officer to enforce the provisions of this **chapter ordinance**.

~~1.9 — Permits: A permit application shall be required for all signs as herein provided.~~

1.10 Sec. 86-9. Fees: Fees for all sign permit applications shall be determined by the Belfast City Council, **and an applicant for a sign permit shall pay the identified fee as a condition of issuance of a permit by the Code Enforcement Officer.**

~~1.11 — Review of sign permit applications: All applications for sign for sign permits shall be reviewed by the Code Enforcement Officer for compliance with this Ordinance. The Code Enforcement Officer shall issue sign permits for all applications that [which] are in compliance with the provisions set forth in this Ordinance~~

Sec. 86-10 through 86-24. (Reserved)

ARTICLE II. SECTION 2 DEFINITIONS

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this Article, except where the context clearly indicates a different meaning. The definition of other words, terms and phrases used in this chapter shall have the meanings ascribed to them in the City Code of Ordinances, Chapter 66, General Provisions, except where the context clearly indicates a different meaning.

Billboard Off-premise sign. A **sign structure** designed, intended or used for advertising a product, property, business, entertainment, service, amusement or the like, and not located where the matter advertised is available, **sold** or occurs. ~~A billboard is deemed to be a sign as otherwise defined herein.~~

Business. In the event two or more businesses are located on the same property **and request to be eligible for signage as separate businesses**, the businesses must (1) keep separate sets of financial records, (2) file separate tax returns for each business, **and** (3) have separate tax numbers and (4) be in a different ownership.

Directory Board. A wall sign erected on a building wall at the ground floor level and containing name identification for more than one activity or business located on a single premises or a group of contiguous premises. Each listing shall be no larger than one (1) square foot. A directory board shall be considered to be one sign, **however, a directory board sign shall not affect the number of signs which an activity or business shall be permitted to display pursuant to requirements of Article VI of this chapter.**

Districts. Districts as set forth in Article VI ~~Section 6~~ are as defined in the City Code of ~~Belfast Zoning~~ Ordinances, **Chapter 102, Zoning**, and/or as recodified and re-enacted.

Ground Ssign. An outdoor sign which is directly and permanently supported and physically separated from any other structure and contains information on no more than two activities or businesses. A ground sign shall have a maximum height of 25' from the ground level. It shall not be erected in or project over the public right-of-way.

Identification Ssign. A sign indicating the location of, or direction to, a separate function performed within one portion of that building. Examples of identification signs are: "entrance", "exit", "auditorium", etc. Identification signs do not name or advertise the activity conducted within or without the premises. Such a sign shall not exceed 5 ~~square-feet~~ and shall not ~~be included as signage affect the number of signs which an activity or business shall be permitted to display pursuant to requirements of Article VI of this chapter.~~

Monument sign. A monument sign is a type of ground mounted sign which is less than 10 feet in height.

Nonconforming sign is a sign which was legally existing on a property as of the date of enactment of this **Chapter, July 1, 1991, or the effective date of respective amendments adopted to this Chapter Ordinance.**

~~**Person.** Includes a firm, association, organization, partnership, trust company, or corporation as well as an individual but does not include a governmental unit.~~

~~**Premises.** One or more parcels of land which are in the same ownership and are contiguous.~~

Public Wway. Any way designed for vehicular or pedestrian use and which is maintained with public funds.

Portable Ssign. A sign not designed or intended to be permanently affixed into the ground or to a structure.

Projecting Ssigns. An outdoor sign which is attached to a wall at an angle. **A projecting signs shall must clear the ground by at least eight (8) feet and contain advertising for no more than two activities or businesses, must clear the ground by at least eight (8) feet and shall may not project over a public road right-of-way, except sSigns in the Downtown Commercial, Waterfront Mixed Use**

1 and Waterfront Mixed Use 2 zoning dDistricts may overhang the sidewalk in the right of way.

Roof Rridge. The uppermost portion of the roof.

Roof Sign. A sign located upon or over a roof of a building. A roof sign is a sign located above drip edge line of roof.

Sandwich Board **S**ign: A free-standing sign that may be located on the public sidewalk ~~in the City's Downtown Commercial, Waterfront I-A, and Waterfront I-B zoning districts~~ that satisfies the requirements of **Article V Section 5.4** of this Chapter ~~the City of Belfast Sign Ordinance~~.

Shopping Complex/**I**ndustrial **P**ark **S**ign. A free standing **sign structure** erected on a suitable foundation and designed to provide advertising space for more than two activities or businesses on a single premises or group of contiguous premises.

Sign. "Sign" means any structure, display, logo, device or representation which is designed or used to advertise or call attention to anything, person, business, activity or place and is visible to the public. It does not include the flag, pennant or insignia of a nation, state or **municipality town**. Whenever dimensions of a sign are specified they shall include frames. Each visible face of a sign shall constitute a separate sign, except that a sign with two faces shall be counted as one sign, provided the distance between the two faces does not exceed 12 inches.

Sign Area. The area of the square, rectangle, triangle, circle, or combination thereof, which encompasses the facing of a sign, including copy, insignia, background and borders. The structural supports of a sign ~~are to~~ **shall** be excluded in determining the **signable** area. Where a supporting structure bears more than one sign, all such signs on the structure shall be considered as one sign, and so measured. The area of one face of a two-sided sign shall be considered in determining the total area of the sign.

Sign Face. The surface of a sign visible to the public. ~~Except as provided in 2.15. Each sign face counts as one sign.~~

Temporary on-premise advertising Sign. An **on-premise** sign or advertising display ~~(such as a political poster)~~ designed, **and** intended to be displayed or displayed for a short period of time. ~~(Time limit of 3 months with possible approval for an additional 3 months.)~~ A sale banner **(on-premise)** shall be considered a temporary sign.

Temporary off-premise event sign. A sign or advertising display for a specific event sponsored by a charitable, community or similar organization that is designed and intended to be displayed and displayed for a short period of time that is located within the public road right-of-way.

Temporary political sign. A sign bearing a political message relating to an election, primary or referendum.

Temporary ~~W~~window ~~S~~sign. A sign which is not permanently attached to the window, which is intended to be displayed **and is displayed** for a ~~short~~ period of time **that not to exceed** (~~time limit~~ 30 days, ~~permit required~~).

Wall ~~S~~sign. An outdoor sign which is attached flat to, painted on, or pinned away from a building wall or part thereof, and does not project more than 18 inches from the wall. The sign is defined as being within the perimeter of the message.

Wall ~~A~~area. The area of the facade of a building up to the roof line.

Visible. Capable of being seen without visual aid by a person of normal visual acuity.

Sec. 86-30 to 86-39 (Reserved)

ARTICLE III. ~~SECTION 3. Temporary~~EMPORARY signsSIGNS (Size not to exceed size limit for the zone in which they are located.)

~~3.1~~ Sec 86-40. Temporary on-premise advertising signs~~Giving Notice.~~

A nonresidential use may display a temporary on-premise advertising sign subject to the following standards:

- a) **The sign shall be constructed of light non-permanent material such as but not limited to cloth, canvas, fabric, or plywood.**
- b) **The sign shall be displayed for a period of no longer than 30 days.**
- c) **The sign shall be affixed and displayed in such a manner and location so as not to cause a public safety concern.**
- d) **The sign shall be maintained in good condition.**

A temporary on-premise advertising sign does not require a permit from the Code Enforcement Officer.

~~Signs of a temporary nature such as advertisements of charitable functions, and notices of meetings are permitted for a period not to exceed ten (10) days and shall be removed by the person(s) who posted the signs within forty-eight (48) hours after fulfilling its function. Temporary signs specified in this section shall not be attached or painted to fences, trees, or other natural features, utility poles, or the like and shall not be placed in a position that will obstruct or impair vision or traffic or in~~

~~any manner create a hazard or disturbance to the health and welfare of the general public. No permit shall be required but the Code Enforcement Officer shall be notified. Such notification shall include: (1) when it is to be placed, (2) nature of the sign(s) and (3) who will be responsible to remove the signs.~~

3.2.1 Sec. 86-41. Temporary Political Signs on Public Property or in the public right-of-way.

~~Temporary political signs located on public property or within rights-of-way shall be prohibited in all Zoning Districts.~~

Signs bearing political messages relating to an election, primary or referendum, shall not be placed within the right-of-way prior to 6 weeks before the election, primary or referendum to which they relate and must be removed by the candidate or political committee not later than one week thereafter. The placement of such a sign also is subject to the following standards:

- a) A person who chooses to erect or display a sign shall use the utmost consideration and good judgment in the placement of a sign to ensure it does not interfere with the public safety of the traveling public, including motorists, bicyclists and pedestrians. All signs must allow good visibility for both vehicular and pedestrian traffic patterns. Any sign determined to be impeding such visibility or similar safety concerns can be removed by City law enforcement, public safety, code enforcement and/or public works officials.
- b) A person who chooses to display a temporary political sign shall affix the sign to its own stake or post and set it in the ground, and shall ensure it is securely in the ground. Any sign that is not securely in the ground or which is detached from its stake or post can be removed by City law enforcement, public safety, code enforcement and/or public works officials if they deem such to pose a safety concern or that the sign is in disrepair.
- c) Pursuant to state law, a political sign in view of any highway or near a highway cannot resemble an official traffic control device, such as but not limited to a stop sign or speed limit sign.
- d) No person shall erect or display a temporary political sign on any of the following City owned properties or within the road right-of-way adjacent to these properties: Armistice Bridge (Belfast Footbridge), Boathouse at Steamboat Landing and Steamboat Landing Park, Belfast Common, Heritage Park, City Park, Belfast City Hall (Church St), Belfast Police Department (High Street), Belfast Public Library (High Street), Thompson's Wharf, Belfast Boat Harbor (City Landing) and accompanying parking lot, Washington Street parking lot, Cross Street parking lot, Beaver Street parking

lot, any and all RSU # 71 School buildings, Belfast Public Works Department, Belfast Wastewater Treatment Plant, Belfast Transfer Station, Belfast Municipal Airport, and any and all City cemeteries. Further, persons who chose to erect or display a temporary political sign on any property owned or controlled by the Waldo County government, the State of Maine or the United States Federal Government are advised to seek the permission of the respective authority regarding their policies for placement of a sign.

- e) A person may erect or display a temporary political sign within the road right of way adjacent to the following City properties: Walsh Field; Sportsman Park; Whales Park; Eleanor Crawford Park (corner of High Street and Church Street, provided signs do not interfere with garden installed by the Belfast Garden Club); the City Fire Department (limited to the corner of the Fire Dept near the Museum and that the placement of the sign does not interfere with the use of the Fire Department); Kirby Pond (the Muck, provided the sign does not interfere with use of the Pond or its facilities); and the former City dump property located on Pitcher Road.
- f) No person shall erect, maintain, or display a sign on any City owned property or within a public right-of-way that is located on the identified portions of the following streets: Main Street, between Court Street and the Front Street; Church Street, between Market Street and Spring Street; High Street, between Bridge Street and Spring Street; Cross Street, between Spring Street and Main Street; Front Street, between the westerly corner of the Wastewater Treatment Plant property, Map 11, Lot 124 and Commercial Street; Beaver Street (all of street); and Pendelton Lane (all of street).
- g) During the time period that absentee voting is permitted, no person shall erect, maintain or display a sign on any City owned property, within a public road right-of-way, or on vehicles parked for more than 30 minutes within such a public right-of-way, if it is located within 250 feet of either entrance of Belfast City Hall which is located on Church Street and High Street. This standard, however, does not prevent the display of a political sign on any private property located within 250 feet of Belfast City Hall, or within any public right-of-way on a privately owned property, such as but not necessarily limited to the driveway and parking area that serves Key Bank and surrounding properties.

Further, no political signs shall be displayed within a public road right-of-way or on vehicles parked for more than 30 minutes within such a public right-of-way, that are located within 250 feet of the entrance to a polling place when the polling place is open.

In all cases, the display of political signs in any area used as a polling place shall be governed by the requirements of State law.

- h) Pursuant to Maine State law, Title 23, Section 1917-A, no person shall take, deface or disturb a lawfully placed sign bearing political messages relating to a general election, primary election or referendum.

~~3.2.2~~ **Sec. 86-42. Temporary Political signs on private property.**

~~shall conform to size restrictions of the district on which they are located and shall be permitted for a period of thirty (30) days before the election date to which the sign refers and must be removed within five (5) days after the election has occurred.~~ A political sign or signs may be erected on private property outside of the road right-of-way limits of a public way, provided that no individual sign is greater in size than 32 square feet. Persons who chose to erect a political sign on private property shall ensure that the sign is securely affixed in its location.

~~3.2.3~~ **Sec. 86-43 Temporary Construction Signs.**

- a) ~~A Temporary signs~~ announcing construction ~~or~~ development of a particular project ~~is are~~ permitted to be located on a property without a permit issued by the Code Enforcement Officer, subject to the following requirements: the sign is located outside of the public right-of-way, the sign is no greater than 32 square in size, the sign is not displayed more than 7 days prior to the start of construction and is removed within 21 days of the completion of construction, and the sign is properly affixed in the ground. ~~for a period not to exceed 9 months and are subject to the size limitations of 3.2.2.~~
- b) A temporary construction sign which is greater than 32 square feet in size shall require a permit from the Code Enforcement Officer. With the exception of the size of the sign, all standards identified in a) above shall apply to such a temporary construction sign.

~~3.2.4 Signs located on trailer/office trailer are permitted for duration of active construction and not to exceed six (6) months.~~

Sec. 86-44 through 86-60 (Reserved)

ARTICLE IV SECTION 4. Regulations REGULATIONS applicable APPLICABLE to TO signs SIGNS in IN all ALL districts DISTRICTS.

The following provisions shall apply relating to signs erected are applicable in all zoning districts.

4.1 Sec. 86.61 Home Occupation.

One sign identifying the name, address and profession of a permitted home occupation, **class 2 or class 3, or home occupation (expanded definition)** or a lawfully existing nonconforming home occupation is allowed provided such sign does not exceed **24** square feet in area, **and no side of the sign is greater than 2 feet 6 inches in length.** ~~Home Occupations (Expanded Definition) are allowed one sign which does not exceed 2 square feet. A sign permit is required for signs for Home Occupations and Home Occupations (Expanded Definition).~~

4.2 Sec. 86.62 Bulletin Boards.

A bulletin board or similar sign in connection with any church, museum, library, school or similar public structure not exceeding 12 square feet is allowed, provided said bulletin board is attached to building and not internally lighted. ~~Registration of a bulletin board is required.~~

4.3 Sec 86.63. Signs with moving parts, blinking lights, or glaring illumination.

No sign, except traditional barber poles for licensed barber shops, shall have visible moving parts, blinking, moving or glaring illumination. This regulation does not prohibit a wall name sign consisting solely of a rectangular banner made of a flexible cloth-type material, attached at all corners either perpendicular or flat, and conforming to all provisions of **Article V Section 5.4.** This provision does not prohibit a sign which is in the form of a flag or banner provided said banner flag is attached to a pole. (A permit is required for a flag/banner).

4.4 Sec. 86.64. Lights Strings.

A string of lights shall not be used for the purpose of advertising or attracting attention unless used as part of a holiday celebration.

4.5 Sec. 86.65. Obsolete Signs which no longer advertise a Bonafide Business.

Any sign which no longer advertises an ongoing **active** bona fide business conducted, product sold, or activity being conducted, ~~or public notice~~ shall be **considered an obsolete sign and shall be** taken down and removed by the owner, agent or person having the beneficial use of the building or premises upon which such sign may be found within **30 days after receiving written notification from the code enforcement officer.** ~~12 months or should the sign fall into a state of disrepair.~~ **Failure to comply with such notice shall constitute a violation of the terms of this Chapter.**

4.6 Sec 86.66 Illumination.

Illuminating signs whose specific purpose is outlining any part of a building, such as a gable, roof, sidewalk or corner, are prohibited.

4.7 Sec 86.67. Illumination in Residential Districts.

In Residential Districts **1, 2 and 3, Residential II and Residential Growth**, illumination of signs **(for uses which are permitted to have an illuminated sign)** shall be permitted only between the hours of 7:00 a.m. and **10:00** p.m., except that this time restriction shall not apply to ~~the~~ illuminated signs of emergency facilities **and retail establishment as the establishments are awfully open to the public.**

4.8 Sec. 86-68 Setback.

District setback requirements shall not apply to signs,⁵ however, no sign, **except as may be permitted in the Downtown Commercial, Waterfront Mixed Use 1 or Waterfront Mixed Use 2 zoning districts**, shall project over the public right-of-way ~~if it is located in a District which has a front setback building requirement under the Belfast Zoning Ordinance and or as recodified and re-enacted.~~ No ground signs shall be permitted in the public right of way.

4.9 Sec. 86-69 Directional Signs.

In addition to the maximum number and size of signs permitted, directional signs solely indicating ingress and egress placed at driveway locations, containing no advertising material, having a display area not exceeding five (5) square feet, and not extending higher than seven (7) feet above ground level, are permitted, except in the Residential Districts. ~~(No A permit shall not be required for such directional signage.)~~

4.10 Sec. 86-70 Nonconforming Signs.

Legally nonconforming signs may continue but may not be altered or relocated on the same premises, except in compliance with the provisions of this **Chapter ordinance**. **Notwithstanding this provision, a legally nonconforming sign that is nonconforming with respect to the size of the sign or the height of the sign may continue when an owner replaces a sign, provided other elements of the sign are in conformance with provisions of this Chapter. Further, if there are more legally established nonconforming signs on a property than the total number of signs permitted on a property for the respective zoning district in which the property is located, said signage can continue, provided the nonconforming signage is not removed for a period of 12 months.**

4.11 Sec. 86-71 Mobile Signs.

No mobile or portable signs shall be permitted.

4.12— Sec. 86-72 Off-Premise Signs.

There shall be no off-premises signs except as are regulated by the following State of Maine legislation: 23 M.R.S.A. 1901-1925 (as amended) Maine Traveler Information Act, and 23 M.R.S.A. 4206 Maine Transportation Act, or subsequent amendments or re-codification. The placement of signs, bulletins or any other matter on City owned poles is prohibited without prior approval of the Belfast City Council. No off premise signs shall be allowed within the areas bounded as follows: Beginning at a point on the easterly shore of the Passagasswaukeag River and the Route #1 Memorial bridge thence westerly and southerly along the centerline of the Route 1 bypass to the point where the Route #1 bypass intersects Northport Ave. thence westerly along the southerly boundary of Belfast Tax Map 52 Lot 25 to the shore of the Belfast Bay thence northerly back to the point of beginning. **The above defined area does not include the on and off ramps from Route 1.**

4.13 Sec. 86-73 Reserved Parking Signs.

Reserved parking signs shall not exceed 2 square feet and shall contain no advertising except name of person(s) who is reserving the space. (Lettering for authorization shall not exceed 1" in height). No such sign shall be placed on or in a public right of way or street to reserve parking.

4.14 Sec. 86-74 Credit Card Signs.

A maximum limit of 2 credit card signs for each credit card honored per business shall be permitted for any business. Said signage shall (not be counted as signage provided no credit sign is greater less than one square foot in size.)

4.15 Sec. 86-75 Real Estate Signs.

A Real Estate Sign is are allowed (without a permit) provided said sign does not exceed 24" by X 24" and is located on the property which is offered for sale. A sign that is greater than the above size may be permitted subject to issuance of a sign permit by the code enforcement officer and compliance with the sign standards that apply to the respective zoning district in which the property advertised for sale is located.

4.16 –Reader Boards

~~A Reader board, permanently mounted on a pole or post(s), which does not exceed 15 sq.ft. may be allowed in the General Purpose A and General Purpose B, Highway Commercial, Waterfront III and Waterfront IV Districts. This sign shall require a permit but would not be counted in signage. Reader Boards greater than 15 sq. ft. would be allowed; however, any square footage exceeding 15 sq.ft. shall be applied against the total square footage of signage allowed in that district.~~

4.17 Sec. 86-76 Gasoline Ppump Ssigns.

A **maximum limit** of 6 gasoline pump signs/logo will not be counted as signage provided the sign/logo is part of the pump and not attached to a post or mounted on top of the pump **and the size of any sign** does not exceed 2 square feet.

4.18 Sec. 86-77 Vending Mmachines.

A maximum of Up to two vending machines **shall will** be permitted with one sign per machine, **provided the** (machine sign **does shall** not exceed the size of the front face of the vending machine). Should a business have more than 2 vending machines, said machine/sign shall be screened from public view or the signs shall be counted as signage under **Article Section 6**.

4.19 Sec. 86-78 Signs on a municipal sidewalk or road.

Except as provided in Article V, Sec 86-124 and Article VI, Sec. 86-151, nNo sign shall be permitted on a permanent or temporary basis on any municipal road or sidewalk.

Sec. 86-79 Sign that is in poor condition.

The owner of a sign shall regularly maintain a sign in good condition. The code enforcement officer has the authority to determine if a sign is being properly maintained and to issue a written notice of violation to the owner of a sign who is not properly maintaining the sign. Failure to comply with such notice shall constitute a violation of the terms of this Chapter.

Sec. 86-80 Signage of special merit.

The City recognizes that property owners in Belfast have used art and architectural enhancements to adorn their buildings. For example, the MacDonaldis in Belfast has a carved bear and the Colonial Theatre has an elephant on the roof of the building. Such “art” shall not be considered signage, provided that the “art” does not include any type of indicator signage regarding the use of the property.

Sec. 86-81 to 86-120 (Reserved)

~~SECTION 5~~ CHAPTER V. ~~Specific~~PECIFIC StandardsTANDARDS

~~5.1 Shopping Complex/Industrial Park Sign. A shopping plaza mall may have one shopping Complex/Industrial Park sign. Each business within the plaza, mall or park may have a sign within the Shopping Complex/Industrial Park Sign.~~

~~5.1.1 In the Highway Commercial Waterfront III, Waterfront IV, and all Industrial Districts the following requirements shall be met, with regard to 5.1 above:~~

~~The total Shopping Complex/Industrial Park sign size may not exceed:~~

~~A maximum of fifty (50) square feet for five (5) or fewer businesses.~~

~~A maximum of seventy-five (75) square feet for six (6) to ten (10) businesses.~~

~~A maximum of one hundred (100) square feet for more than ten (10) businesses.~~

~~5.1.2 The maximum height shall be twenty-five (25) feet.~~

Sec. 86-121. Multiple business sign.

A multiple business sign is a common sign on a single frame and in a single location that is used to advertise multiple businesses located on one property or in the same building; a common sign. Said sign can be erected as a free-standing sign or as an on building sign. The size of the sign permitted in a respective zoning district is identified in the standards in Article 6. No new free-standing sign shall be greater than 25 feet in height.

~~5.2~~ Sec. 86-122 Ground signs ~~other requirements~~

~~Unless otherwise provided, all ground signs shall conform to the following:~~

~~5.2.1 a.~~ The maximum gross sign area of each sign face shall not exceed the maximum sign size **for the respective zoning district identified in the standards in Article VI as for under section 6** measured from the top of the top most sign elements to the bottom of the lowest sign element including any blank space between the elements.

~~5.2.2~~ **b.** Maximum height **for a ground sign** is twenty-five (25) feet, **subject to any**

restrictions identified in Article VI.

~~5.2.3. Total maximum sign area of all ground signs on a premises is limited to 50 square feet.~~

5.3. Sec. 86-123 Wall, Pprojecting and Rroof Ssigns –Other Requirements. Unless otherwise provided, wall, projecting and roof signs shall conform to the following:

~~5.3.1 Wall Signs—Maximum gross sign area shall not exceed ten percent (10%) of the wall area or the maximum sign size allowed in that district or whichever is larger. —Where two or more signs are utilized, the gross sign area shall be the area of both— signs added together. A maximum of two wall signs shall be allowed with two additional signs not to exceed 32 sq. feet each. Wall signs are permitted only in Waterfront III, and Waterfront II, Highway Commercial, Industrial I, Industrial II, Industrial III, and Industrial IV.~~

5.3.2 a. Roof Ssigns. Maximum height shall not exceed height of roof ridge, except in **the zoning districts identified in Article VI, Sec 86-154, Highway Commercial, Waterfront 3, Waterfront 4 and General Purpose District** where **a** sign may not exceed 10 feet above roof ridge.

5.3.3 b. Projecting Ssigns. No wall or projecting sign shall extend beyond the wall to which it is attached or party wall separating occupancies into the wall area of other premises.

~~5.3.4 Total maximum sign area is limited to the maximum area referred to in Section 6.~~

5.4 Sec. 86-124 Sandwich Bboard Ssign: A sandwich board sign shall comply with all of the following requirements to obtain a permit.

5.4.1 a. Size of Ssign: The maximum footprint or base (as extended) of a sign shall be 4 square feet. The maximum height of a sign shall be 42 inches. A sign shall have a minimum of 2 faces.

5.4.2 b. Sign Mmaterials: A sign shall be constructed of wood, metal, or comparable materials that the City Code Enforcement Officer determines are consistent with the sign design guidelines identified in **clause c below Section 5.4.3.** A sign also may include an erasable message board, and an attached self-powered low intensity light that illuminates only the sign area. A sign shall not include any of the following: a string of lights (except for seasonal decorative lighting); any type of blinking, moving, or glaring lighting; any type of a flag, pennant, banner, balloons or similar attached object; and any moving visible parts that could cause a public safety problem or be a distraction to pedestrians or vehicles.

5.4.3 c. Design **G**uidelines for a **S**ign: The intent of permitting sandwich board signs in the City's pedestrian oriented zoning districts is to contribute to the character, architecture and economic vitality of the area. The design, construction, display and maintenance of a sandwich board sign shall satisfy this intent, and shall comply with the following guidelines:

- 5.4.3.1 1.** All lettering on a sign shall be of a professional quality, with the exception of lettering that may appear on an erasable message board.
- 5.4.3.2 2.** A sign shall include the use of colors, and there shall be no unfinished or unpainted wood surfaces. It is preferred that a sign include colors that create a visually pleasing and attractive form of advertising that complements the character of the City streetscape.
- 5.4.3.3 3.** A sign shall have a minimum of 2 faces, and all faces of the sign should be painted or designed to complement one another. There is not a maximum of the number of faces permitted on a sign, provided all contribute to the integrity and appearance of the sign. Imagination and creativity in design is encouraged.
- 5.4.3.4 4.** A sign shall not include any of the following: offensive graphics or logos, posted on paper, removable materials, merchandise that is offered for sale or advertising for credit cards.
- 5.4.3.5 5.** A sign shall be anchored by the use of weights that are incorporated into the design and construction of the sign. Signs shall not be bolted into the sidewalk or curb, and shall not be anchored by sandbags or other temporary materials.

The City Code Enforcement Officer shall have the authority to review and either approve or deny the design of a sign to ensure compliance with the requirements and intent of these standards. ~~The Code Enforcement Officer also has the authority, if he chooses, to formally consult with the City Downtown Public-Private Partnership Committee in considering an application for a sandwich board sign, to accept recommendations from this Committee and to establish such recommendations as conditions in the issuance or denial of a permit. This process shall be conducted in an open public meeting of said Committee, and the applicant for the sign permit shall be provided a minimum of 7 days of notice of the meeting.~~

5.4.4 d. Display of **S**igns

- 5.4.4.1 1.** A sandwich board sign may be displayed on a public sidewalk, provided the sign is located in a manner that allows for a minimum unobstructed width of 4 feet for persons to use the sidewalk, and its location does not interfere

with the parking of or access to vehicles located along the City street. The City prefers that a sign be located adjacent to the curb of the street. The City Code Enforcement Officer shall be responsible for determining if the location of a sign complies with this criteria.

5.4.4.2 2. A sign only shall be displayed during the hours that an establishment is open for business, and must be removed from display when the establishment is not open for business.

5.4.4.3 3. Signs must be placed directly in front of the establishment that obtained the permit for the sign.

5.4.5 e. Who ~~C~~an ~~D~~isplay a ~~S~~ign

The following establishments may apply for a permit to display a sandwich board sign. All other establishments are prohibited from the use of a sandwich board sign.

5.4.5.1 1. A retail business, a service business, including a bank, and a restaurant that may attract walk-in customers may apply for a sandwich board sign.

5.4.5.2 2. A maximum of one sandwich board sign may be displayed in front of the ground floor storefront for a business, or a building in which multiple businesses are located. The owner of the building in which multiple establishments are located shall be responsible for determining which business qualifies for a sandwich board sign. However, this clause does not prohibit more than one business that qualifies in accordance with **clause 1 above Section 5.4.5.1** and that is located in the same building from advertising on a single sandwich board sign.

5.4.5.3 3. A business that qualifies for a sandwich board sign per **clause 2 above Section 5.4.5.1** is permitted a maximum of one sign per the establishment, regardless of the number of streets on which the business may have frontage.

5.4.6 Permit Fee. ~~The fee to submit a sandwich board sign permit application shall be \$15.00. The fee shall be paid at the time of application and is nonrefundable.~~

5.4.7 f. Nonconforming ~~S~~signs. ~~Any s~~Sandwich board signs that ~~is are~~ displayed by ~~a~~ businesses ~~after the date of January 1, 2003, at the time of the adoption of this Ordinance, shall be exempt from these standards for a period of 1 year. However, all presently displayed sandwich board signs shall be constructed to conform to these standards and shall obtain a permit to conform to these standards within 1 year of adoption of this Ordinance.~~

Sec. 86-124 through 86-149 (Reserved)

ARTICLE VI. ~~Section 6~~ Districts.

The following standards shall apply to the regulation of a sign in the respective

zoning districts enumerated below.

6.1 Sec. 86-150. General ~~ENERAL~~ Purpose ~~URPOSE~~ A and General ~~ENERAL~~ Purpose ~~URPOSE~~ B Districts ~~ISTRICTS~~

~~6.1.1~~ (a) No sign may exceed 48 square feet in size.

~~6.1.2~~ (b) Limit of ~~2~~ **8** signs per business.

~~6.1.3~~ (c) Maximum square footage of all signs **for a business** shall not exceed ~~96~~ **150** square feet ~~except as provided in 5.3.1.~~

(d) **A sign shall not be internally illuminated.**

(e) **A multiple business sign shall not exceed 96 square feet in size. If a business is advertised on a multiple business sign, said sign shall be considered one of the two signs that is permitted for said business.**

~~6.1.4 Restrictions of Shoreland Zoning Ordinance shall apply.~~

~~6.2 **HIGHWAY COMMERCIAL, WATERFRONT III AND WATERFRONT IV, AIRPORT GROWTH DISTRICT**~~

~~6.2.1 No sign may exceed 50 square feet.~~

~~6.2.2 Limit 8 signs per business.~~

~~6.2.3 Maximum square footage of all signs shall not exceed 200 sq. feet except as provided in 5.4.1.~~

~~6.2.4 Restrictions of Shoreland Zoning Ordinance shall apply.~~

6.3 Sec. 86-151. ~~WATERFRONT I-A, WATERFRONT I-B, WATERFRONT II AND DOWNTOWN~~ ~~OWNTOWN~~ **Commercial ~~COMMERCIAL~~, **Waterfront Mixed Use 1, Waterfront Mixed Use 2, Residential** ~~RESIDENTIAL~~ **Agricultural** ~~GRICULTURAL~~ **I, and Residential** ~~RESIDENTIAL~~ **Agricultural** ~~GRICULTURAL~~ **II Districts** ~~ISTRICTS~~**

~~6.3.1~~ (a) No sign may exceed 15 square feet.

~~6.3.2~~ (b) Limit of 2 signs per business. Notwithstanding this limitation, ~~w~~**W**hen a business fronts on two **or more** public streets or a public street and a municipal parking

lot with entrances on each of the two public streets or entrances on the public street and the municipal parking lot, the business may have three (3) signs provided there are no more than (2) signs for that business on any street or municipal parking lot.

~~6.3.3~~ (c) Internally illuminated signs are prohibited.

- (d) **A multiple business sign shall not exceed 48 square feet in size. If a business is advertised on a multiple business sign, said sign shall be considered one of the two signs that is permitted for said business.**
- (e) **In the Downtown Commercial, Waterfront Mixed Use 1 and Waterfront Mixed Use 2 zoning districts, a qualifying nonresidential use is permitted to display a sandwich board sign, provided said sign complies with requirements of Sec 86-124.**
- (f) **Notwithstanding the provisions of a) above, The First Church, which is located at Map 11, Lot 168, shall have the right to display a sign that is no greater than 25 square feet in size (rather than 15 square feet) on both the Church Street and Spring Street sides of the property.**

~~6.3.4~~ **Restrictions of Shoreland Zoning Ordinance shall apply.**

~~6.4~~ **Sec. 86-152. Industrial**~~DUSTRIAL~~ **IV, Airport Growth, and Business Park Districts**~~ISTRICTS~~

~~6.4.1~~ (a) No sign may exceed 96 square feet.

~~6.4.2~~ (b) Limit of 2 signs per business.

- (c) **A multiple business sign shall be permitted, provided that the total size of the sign does not exceed 128 square feet. Notwithstanding this provision, the City of Belfast may choose to erect a multiple business identification sign at the entrance to the Business Park or Airport at any or all of the following locations that exceeds this size standard; Airport Road, Wright Brothers Lane or Little River Drive.**

~~6.4.3~~ **Restrictions of Shoreland Zoning Ordinance shall apply.**

~~6.5~~ **Sec. 86-153. Residential**~~ESIDENTIAL-I~~ **1, Residential 2, Residential 3, AND Residential**~~ESIDENTIAL~~ **II, Protection**~~ROTECTION~~ **Rural**~~URAL~~ **, Protection Rural 2 and Residential**~~ESIDENTIAL~~ **Growth**~~ROWTH~~ **Districts**

~~6.5.1~~ (a) **A New-Business** nonresidential use, including a bed and breakfast (which is

considered a home occupation) established after July 1, 1991, the date of enactment of this chapter, ~~except Home Occupations hereafter being legally located in these Districts~~ shall be limited to one sign up to 15 square feet in area. A home occupation is considered a residential use, and the amount of signage permitted for a home occupation is established in Article IV of this Chapter.

~~6.5.2~~ (b) A nonresidential use in existence ~~Existing businesses~~, as of July 1, 1991, the date of the enactment of this chapter ordinance, that has a greater amount of signage than permitted pursuant to (a) above, may maintain or replace any ~~their~~ nonconforming signs that existed ~~ing~~ prior to July 1, 1991 ~~7/1/91~~, provided ~~ing~~ the applicant for a sign permit can provide evidence to the satisfaction of the Code Enforcement Officer that the sign existed prior to July 1, 1991, and that the sign has been in continuous use since 1991. ~~said nonconforming signs have been registered with the City.~~

~~6.5.3~~ (c) A nonresidential use ~~Retail Businesses~~ legally in existence as of July 1, 1991, the date of the enactment of this chapter ordinance shall be allowed up to two (2) signs which may not exceed ~~30 32~~ square feet in size, provided said signs are not combined into a single sign.

~~6.5.4~~ (d) ~~In the event of an existing gasoline retailer replacing a dealer sign, this sign may not exceed 50 sq.ft. provided there are no more than 8 signs, requiring a permit as here in provided, on the property. The gasoline retailers located at Map 11, Lot 188, Map 14, Lot 18 and Map 36, Lot 82, shall be permitted to display one dealer sign that advertises the brand of gasoline for sale that is larger than the maximum size of sign permitted in (a) above, provided the size of said sign does not exceed 50 square feet. The sign may be internally illuminated, provided the internal illumination occurs only during the hours which the retailer is open for business. The retailer may display a maximum of 4 additional signs on the premises, provided none of the other signs are greater than 15 square feet in size and none are internally illuminated.~~

(e) Except as stipulated in (d) above, no sign shall be internally illuminated.

~~6.5.5 Home Occupation Sign. A Home Occupation Sign shall not exceed 2 sq.feet, as defined in the Belfast Zoning Ordinance and/or as recodified and re-enacted.~~

~~6.5.6 Restrictions of Shoreland Zoning Ordinance shall apply.~~

~~6.6 Sec. 86-154. Office Park, Route~~ ~~ROUTE 3 Commercial~~ ~~COMMERCIAL~~, ~~Route 1 South Commercial, Route 137 Commercial, Route 141 & Mill Lane Commercial, Searsport~~ ~~EARSPO~~ ~~RT Avenue~~ ~~VENUE Commercial~~ ~~OMMERCIAL~~, and ~~Searsport~~ ~~EARSPO~~ ~~RT Avenue~~ ~~VENUE Waterfront~~ ~~ATERFRONT~~, ~~ROUTE 137~~

~~COMMERCIAL, ROUTE 141 & MILL LANE COMMERCIAL AND ROUTE 1 SOUTH ZONING DISTRICTS~~

~~6.6.1. (a) Single use on single property sign plan. USE ON SINGLE PROPERTY SIGN PLAN:~~

~~Any single~~ The owner of a use which requests a sign permit shall submit a master sign plan that identifies the amount, size, location and type of all signs proposed to be erected ~~locations~~ and shall comply with all ~~of the identified~~ standards ~~stipulated in this section.~~

~~6.6.2. (b) Master common sign plan for multiple uses on one property or multiple properties (multiple business sign). COMMON SIGN PLAN FOR MULTIPLE USER OR MULTIPLE PROPERTIES:~~

A single property (lot) on which more than one use or building is located, or two or more adjacent properties (lots) may submit a common sign plan. A common sign plan that complies with the requirements of this section shall be eligible for a 25% increase in the total amount of permitted signage for each lot, and this increase may be allocated as the owner(s) elect. The common sign plan shall specify how the signs are consistent with regard to the following considerations: color scheme, lettering or graphic style, lighting, location of signs on the building ~~or property~~, material and sign proportions.

~~6.6.3. (c) Free standing signs STANDING SIGNS:~~

~~6.6.3.1 (1)~~ A property shall have a maximum of one free-standing sign on any street (public or private right-of-way). A property with frontage on more than one street may have a free-standing sign on each street, ~~subject to the~~ ~~There are two~~ exceptions ~~identified in clause 2 below. 6.6.3.1.1 and 6.6.3.1.2, to these standards.~~ A free-standing sign shall comply with the following standards:

~~6.6.3.2 a.~~ A freestanding sign that is mounted on a pole/pylon for one use shall be a maximum of 48 ~~sf square feet~~ in size, and shall be a maximum of 25 feet in height. A freestanding sign that is mounted on a pole/pylon for two or more uses shall be a maximum of 48 ~~sf square feet~~ in size for the first use, and shall be increased by a maximum of 24 ~~sf square feet~~ for each additional use, and shall be a maximum of 25 feet in height. The maximum size (multiple user) of any pole/pylon sign shall be 144 ~~sf square feet~~, ~~subject to the~~ ~~Reference~~-exception ~~identified in clause 2 below~~ ~~Section 6.6.3.4.~~

6.6.3.3 b. A freestanding sign that is located on the ground (a monument sign), shall be a maximum of 96 **sf-square feet** in size and shall be a maximum of 10 feet in height. A monument sign for two or more uses shall be a maximum of 96 **sf square feet** in size for the first use, and shall be increased by a maximum of 36 **sf-square feet** for each additional use, and shall be a maximum of 10 feet in height. The maximum size (multiple user) of any monument sign shall be 240 **sf square feet, subject to the Reference** exception **identified in clause 2 below Section 6.6.3.4.**

6.6.3.4 c. The City prefers that all freestanding signs be externally, not internally illuminated. An externally illuminated sign may exceed the maximum sign size requirements identified in **a and b above 6.6.3.2 and 6.6.3.3** by **20% percent**. External illumination shall occur by a steady, stationary, shielded light source directed solely at the sign and shall be the minimum light needed to allow illumination of the sign without causing glare on the adjacent street or neighboring properties, and without causing unnecessary reflection of light. An internally illuminated sign must use light-colored letters and symbols on a dark colored background. The source of the internal illumination shall not be exposed to view, and the sign shall be erected in a manner that deflects light away from residential properties and public roads.

6.6.3.5 d. Message boards and similar advertising signs shall be included within the sign size limitations identified **in clauses a, b and c** above.

6.6.3.6 e. All freestanding signs shall be setback a minimum of 5 feet from the right-of-way, and the location of the sign shall not interfere with sight distance for vehicles entering or exiting the site. ~~Further,~~ **The City** may consider the location of freestanding signs on adjacent properties in permitting the location of sign on any property.

(2) The following exceptions shall apply to the limitations on the number and location of free-standing signs identified in clause (1) above.

6.6.3.1.1 a. A property with frontage on the Route One by-pass (area on Route One from the jug-handle at the intersection of Route 1 and Northport Avenue to the westerly entrance of the Passagassawakaeg Bridge) or any entrance/exit ramp to the Route One by-pass shall be prohibited from erecting a freestanding sign along the property's frontage on the by-pass or entrance/exit ramp, except in the following circumstances:

a1. The sign is the only freestanding sign that is erected or displayed on the property;

b2. The access road to the property is not readily discernible to the traveling public, as determined by the Code Enforcement Officer; or

e3. If one or more businesses located on the property are subject to a franchise agreement that restricts the use of a master sign plan, reference sign standard in **Sec 86-154(b) Section 6.6.2**, for the display of a sign or signs for any business not associated with the franchise, a maximum of one freestanding sign or one freestanding master sign (in addition to any conforming or nonconforming freestanding signs on the property for a business subject to the franchise agreement) shall be permitted on the property for any and all businesses not associated with the business or businesses subject to the franchise agreement. To qualify for **this** exception-**e**, a property must have a minimum of 500 feet of frontage on either the Route One by-pass or an entrance/exit ramp to the Route One by-pass.

6.6.3.1.2 b. A nonresidential use located in the Searsport Avenue Commercial, Searsport Avenue Waterfront, or Route 141 and Mill Lane Commercial zoning districts that has road frontage on Searsport Avenue (Route 1) shall be permitted a maximum of two freestanding signs along the property's Searsport Avenue frontage, provided the use complies with all of the following requirements, and the signs that are displayed comply with the following requirements:

a1. The property must have at least 300 feet of frontage on Searsport Avenue.

b2. The property must have two or more curb-cuts.

e3. There shall be a minimum separation of 150 feet between the curb-cuts located on the property.

d4. The businesses for which signs are requested must be separate and distinct businesses.

e5. A maximum of two freestanding signs **shall will**—be permitted on any property.

f6. The total amount of signage permitted on a property that uses two freestanding signs shall be as follows: 132 square

feet for two businesses, 168 square feet for three businesses, 204 square feet for four businesses, and 240 square feet for 5 or more businesses. This size requirement shall allow any type of freestanding sign permitted by ~~the Ordinance this~~ **Chapter**; internally lighted, externally lighted, pylon or monument sign, and any message or reader board sign shall be included within this square footage sign requirement.

- g7.** The minimum amount of distance between the two freestanding signs must be at least 150 feet.

6.6.4 (d) On-Building Signs

The amount of on-building signage that is permitted shall be managed by the size of the building. The total amount of on-building wall signage shall not exceed 10 **percent %** of the total wall area on which the sign is located if externally **illuminated lighted** or **non-illuminated** signage is used. Internally lighted signage shall not exceed 5 **percent %** of the total wall area. The style of signage that is used shall be compatible with both the building and the other signage on the building.

6.6.5 (e) Window Signage

Window signage shall not exceed 20 **percent %** of the total amount of window area.

6.6.6 (f) Temporary Signs

~~There shall be no off-building~~ All temporary signs **shall comply with requirements identified in Article III of this Chapter** ~~permitted on a property.~~ ~~All temporary (changeable) signs shall be window signage.~~

~~6.6.7 OUTSIDE VENDING MACHINES~~

~~There shall be no more than 2 vending machines that are internally or externally lighted that directly face onto the main street.~~

~~6.6.8 SIGNAGE OF SPECIAL MERIT~~

~~The City recognizes that property owners in Belfast have used art and architectural enhancements to adorn their buildings. For example, the MacDonaldis in Belfast has a carved bear and the Colonial Theatre has an elephant on the roof of the building. Such “art” shall not be considered signage, provided that the “art” does not include any type of indicator signage regarding the use of the property.~~

~~SECTION 7. REGISTRATION OF NON-CONFORMING SIGNS~~

~~Registration of Non-Conforming Signs shall be done prior to October 31, 1991. Any Non-conforming sign not registered by this deadline shall lose its non-conforming status and said sign (s) shall be removed.~~

Sec. 86-155 through 86-189 (Reserved)

ARTICLE VII. SECTION 8. Appeals

~~8.1~~ **Sec 86-190** Any person aggrieved by a decision of the Code Enforcement Officer may appeal to the Zoning Board of Appeals within ~~30~~**45** days **and in accordance with the provisions of Chapter 102, Zoning, Division 4, Appeals and Variances.** The Zoning Board of Appeals has the authority to interpret the provisions of this **Chapter Ordinance** which are called into question **and to grant an administrative appeal or** to grant a variance from the required number and size of signs as described in this **Chapter Ordinance** when a literal enforcement of the provisions of this **Chapter Ordinance** would result in undue hardship as defined by 30-A MRSA Sec. 4963.3. ~~When an appeal is made to the Zoning Board of Appeals, the same notification requirements to abutters, as outline in Section 304.o of the Zoning Ordinance, shall apply.~~

Any person aggrieved by the decision of the Zoning Board of Appeals or by an rendered by the Zoning Board of Appeals to remove a sign may appeal said decisions to the Superior Court. The appeal shall be filed within 30 days after the decision of the Zoning Board of Appeals.