

Section 2.06 Sign Bylaw¹

(a) Purpose. The purpose of this section is to regulate and control signs within the Town of Mendon for the safety, convenience, and welfare of the residents; to provide businesses in the Town with precise and reasonable guidelines for identifying themselves; to protect and enhance the visual environment of the Town; and to avoid signs which, individually or collectively, are confusing, distracting, or impair visibility along public ways, or other traffic areas. ~~Municipal Signs and signs not intended to be visible from a public way are exempted from this bylaw.~~ This section is not intended to infringe upon protected noncommercial speech or a property owner's right to freedom of speech.

(b) Definitions.

- (i) Banner: A sign of lightweight fabric or similar material that is affixed at one or more edges or corners to any surface including, but not limited to, a building, pole, tree, or fence.
- (ii) Billboard: Any object, structure, design, or device, portable or stationary, permanent or temporary, placed or located outside, intended for public view, used to advertise, announce, or direct attention to any off-premises business, organization, product, activity, service, or event, excluding municipal, state, and other government agency signs.
- (iii) Clear View Triangle: An area of unobstructed vision at intersections and where driveways intersect with streets or in medians of a divided driveway. The clear view triangle extends thirty (30) feet from the point of intersection along the street, the drive aisle, and the median.
- (iv) Free Standing Sign: Free Standing Sign: A sign not affixed to any building but constructed on a fixed location with its own support structure.
- (v) Municipal Sign: Any sign used by the municipality as part of statutory requirements for the purpose of traffic direction, public safety, and/or emergency notifications, and approved by the Department of Public Safety or Highway Department, or for purposes of identifying municipal offices, properties, or events/functions. Municipal Signs do not require permits.
- (vi) Sign: Any object, design, or device that is intended for public view from outside a building, and is used to identify, advertise, or direct attention to any business, organization, product, activity, service, or event and is not a Municipal Sign.
- (vii) Sign Area: Sign Area: The sign area shall be computed by multiplying the overall width by the overall height, including the letter area, frames, and background.

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(vii)(viii) Building Sign: Building Sign: A sign that is affixed to the façade or roof of a building or structure, including window areas, ~~so that all sign surfaces are parallel to the building on which the sign is mounted.~~

(c) Administration.

- (i) Applicability: Except as specifically stated in this Sign By-Law, no sign shall be erected, constructed, enlarged, redesigned, or replaced without a permit from the Building Inspector. Regular maintenance and repair shall not require a permit.
- (ii) Procedure:
 - 1) The applicant must be the owner ~~of the property~~ or have the written permission of the owner ~~of the property~~.
 - 2) The completed application shall be accompanied by such scale drawings, photographs, and other information as the Building Inspector may require.
 - 3) Fees for sign permits shall be paid in accordance with a schedule of fees established by the Building Inspector and approved by the Select Board.
- (iii) Enforcement:
 - 1) Owners of signs found to be in violation of this Sign By-Law shall be subject to a fine ~~of \$25 per day as specified in the General Bylaws and municipal regulations~~ until such sign is in conformity with this Sign By-law. Such fines shall be imposed in accordance with the noncriminal disposition procedures set forth in M.G.L. c. 40, s. 21D. The Town may also enforce this Sign By-Law by seeking equitable relief from a court of competent jurisdiction.
 - 2) It is the duty of the Building Inspector to administer and enforce the provisions of this Sign By-Law.

(d) Business District: Permanent Signs

- (i) Category, Number, Area, and Location
 - 1) Freestanding Signs:
 - a) One freestanding sign, not to exceed twenty (20) feet in ~~height~~ ^{height} from the ground, may be erected.
 - b) Such sign shall not be within ~~ten (10) feet of the right of way, any right of way and shall set back at least ten (10) feet from the edge of the pavement.~~
 - c) The total sign area may not exceed one (1) square foot for each linear foot of the front face of the building displaying such sign and, in no case, shall the total sign area exceed fifty (50) square feet.

- d) Where freestanding signs are located within one hundred (100) feet of a Residential District line, the total sign area shall not exceed twenty (20) square feet.
- e) There shall be one freestanding sign per parcel regardless of how many businesses or buildings reside on the parcel.
- a)f) Freestanding signs shall not be located in a Clear View Triangle unless below two (2) feet tall or above eight (8) feet tall and mounted on a pole and approved by special permit of the Zoning Board of Appeals.

2) Building Signs:

- a) Each occupant within a building may have building signs attached to the sides of the building facing a public street.
- b) The total sign area of all signs on a building may not exceed one (1) square foot for each linear foot of building frontage facing a public street displaying such sign, and, in no case shall the total sign area exceed fifty (50) square feet.
- c) The areas of connecting businesses, walls, or fences may not be included in this calculation. A wall sign must be secured to the wall of the building and may not extend beyond the eaves of the building.
- d) A roof sign must be secured to the roof of the building and may not extend higher than the ridgeline of the roof.
- b)e) No wall sign may be erected closer than five (5) feet to the ground.

2)3) Illuminated Signs:

- a) Sign illumination is permitted only in the Business District.
- b) Businesses in the Business District without frontage along Routes 16, 140, or the Business Zoned District on Hartford Avenue East may be permitted to use sign illumination by Special Permit from the Zoning Board of Appeals ("ZBA").
- c) Exterior illumination shall be by a stationary, shielded, white light directed downward or horizontally (but not upward) and solely at the sign.
- d) Internally illuminated signs shall use soft white light with a Kelvin rating of 4,500 or below and shall have semi-opaque surfaces so that the light source is not directly visible.
- d)e) Sign illumination shall have a Kelvin rating of 3,000 or lower if illuminated after sunset.
- e)f) Signs may be illuminated until 10:00 P.M. or end of daily operating hours, whichever occurs later.

~~(f)g)~~The light from any sign shall be at a sufficiently low level of intensity that it shall not adversely affect neighboring premises, reflect or shine on lots used for residential purposes, nor impair the safe vision of operators of vehicles moving on public roadways.

~~(g)h)~~ All illuminated signs shall bear a label of approval from the National Board of Fire Underwriters and the International Dark Sky Association.

- (ii) Permits: A permit is required for all signs listed in Section (d).
- (iii) Construction and Maintenance:
 - 1) All signs shall be properly secured, supported and braced, shall be kept in good structural condition, and clean and well maintained at all times.
 - 2) Every sign, its framework, braces, anchors and other supports, shall be constructed of such material and in such workmanlike manner as shall make them safe.
 - 3) If a sign is found to be in violation of this section, the Building Inspector may order corrective maintenance and repair to be completed within (30) days of notice to the owner of the sign.
- (iv) Abandoned Signs: A sign no longer being used for the purpose for which it was constructed, or identifies a business, product, or service that is no longer available on the premises where the sign is being displayed, shall be removed within thirty (30) days. The Building Inspector may permit the owner of the abandoned sign to maintain such sign beyond the above 30 day period if the sign is in compliance with the Sign By-Law and the owner demonstrates good cause.

(e) Residential District: Permanent Signs

- (i) Home Occupation Signs: ~~Permitted h~~Home occupations may have one (1) non-illuminated unlighted sign not to exceed two (2) square feet sq. ft. in total area. No permit required.

(f) Church and Institutional Signs/Bulletin Board. Any ~~bona fide~~church, congregation, community center, or similar organization or institution may erect and maintain one sign for their own use. A second sign or bulletin board may be allowed for the promotion of changeable activities. Neither sign shall exceed twenty (20) square feet in total area. No permit required.

(g) All Districts: Temporary Signs to be Allowed Without a Permit

- (i) Temporary Sign Regulations: Except as otherwise provided, the following regulations apply:
 - 1) No temporary sign may exceed six (6) square feet in area.

- 2) Temporary signs may be displayed for ninety (90) days prior to an event and must be removed within ten (10) days after the event.
- 3) Any sign displayed for more than one hundred (100) days in a calendar year must meet applicable permanent sign requirements.
- 4) Temporary signs shall be properly secured and placed so as not to become a safety hazard.
- 5) Repetitive temporary signs shall be spaced at least one hundred (100) feet apart.
- 6) Signs on Town owned property for any reason require the prior approval of the Select Board, except temporary signs permitted alongside the public right of way.

(i)(ii) Banner Signs may be no larger than sixteen (16) square feet in total area.

(ii) Home Improvement and Construction Signs may be erected on the same site during said home improvement or construction. Signs shall be removed within thirty (30) days of cessation of services on the premises.

(iii) Political Signs having reference to a candidate for elective office, or a public question and/or issue to be submitted to the voters at a general, special, or primary election, may not be placed on a public way or on public property. Signs may be placed on private property only with the consent of the property owner. Political signs may not exceed one (1) sign per candidate, public question, and/or issue per zoning lot. No political sign shall exceed three (3) s.f. in area. No political sign shall be more than four (4) feet in height above the ground.

(iv) Real Estate Signs: One (1) on premise sign advertising the sale, rental or lease of real estate shall be allowed. Signs shall be removed within one (1) week after the final sale, rental, or lease of the property. Up to three (3) additional signs for an open house shall be permitted off premises on public roadsides for 48 hours prior to the event and shall be removed immediately following the event. No real estate sign shall exceed three (3) s.f. in area. No real estate sign shall be more than four (4) feet in height above the ground.

(v) Yard and Garage Sale Signs: One (1) on premise sign, and up to (2) additional signs off premises on public roadsides, may be displayed no more than three (3) days prior to the event, and must be removed no later than the day following the event.

(vi) Special Event Signs for charitable, or school events may be permitted. Sponsors are allowed advertising space up to twenty percent (20%) of the sign area to be located at the bottom of the sign.

(vii) A sign permit is not required for the signs listed in Section (g).

(viii) Temporary Sign Regulations: Except as otherwise listed in Section (g) above, the following regulations apply:

- 1) No temporary sign may exceed six (6) square feet in area.

- ~~2) Temporary signs may be displayed for thirty (30) days prior to an event and must be removed within five (5) days after the event.~~
- ~~3) Any sign displayed for more than thirty five (35) days in a calendar year must meet the applicable permanent sign requirements.~~
- ~~4) Temporary signs shall be properly secured and placed so as not to become a safety hazard.~~
- ~~5) Repetitive temporary signs shall be spaced at least one hundred (100) feet apart.~~
- ~~6) Signs on Town owned property for any reason require the prior approval of the Select Board, except temporary signs permitted alongside the public right of way under Section g).~~

(h) Prohibitions.

- (i) No sign may be affixed upon a utility pole, tree, rock, fence, structure, or other object within the limits of a ~~right of way~~highway. Any such sign within the limits of a ~~right of way~~highway may be removed ~~by employees of the DPW or Building Department or obliterated by any person.~~ ^{^Highway Department}
- (ii) No sign will be a billboard. An exception will be allowed in the case of sponsor signs located on the existing inside area of municipal properties that are used for the benefit of local non-profit youth organizations.
- ~~(iii) No signage of any type will be allowed on monuments or monument greens.~~
- ~~(iv) No sign or any part thereof may move, flash, or otherwise change information, provided however, that clocks, temperature, and gas pump price indicators that have been approved in accordance with this Sign By-Law may contain information that changes solely to reflect the accurate time, temperature and gas prices, as the case may be. No sign may have traveling lights, animation, beacons, or flashing devices, whether or not these devices are part of a sign or attached to a sign.~~
- ~~(v) Except as specifically ~~allowed~~permitted in this Sign By-Law, no off premises commercial signs promoting any business or activity will be ~~allowed~~permitted.~~
- ~~(vi) No sign will be constructed or erected which will, in any way, interfere with the protection of property by the Department of Public Safety.~~
- ~~(vii) No sign will be constructed or erected in such a manner as to prohibit the emergency egress of a building.~~
- ~~(viii) Any sign not specifically permitted is ~~not allowed~~prohibited. The ~~Zoning Board of Appeals~~Planning Board may issue special permits authorizing signs not specifically ~~allowed~~permitted under this Sign By-Law provided that such signs are not specifically prohibited, and provided further that the applicant demonstrates and the board specifically finds that such signs are essential to the use, are not detrimental to the surrounding property nor injurious to the public~~

welfare, and comply with the number and size limitations, and required setbacks contained in this Sign By-Law.

- (i) Severability. If any section or portion of this Sign By-Law is ruled invalid, such ruling will not affect the validity of the remainder of the Sign By-Law, which provisions shall remain in full force and effect.

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