

WARRANT ARTICLE 3

06/14/2021

2021 AMENDMENTS TO THE ZONING ORDINANCE OF THE TOWN OF WILTON REGARDING SIGNS

The Zoning Ordinance of the Town of Wilton shall be amended as follows (additions are underlined and deletions are ~~struck out~~):

1. Amend Article 1, General, as set forth below:

ARTICLE 1

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1.3 Basic Requirements

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- G. A sign permit is required prior to the erection, enlargement or replacement of any sign under Section 5.815 of this Ordinance.
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2. Amend Article 5, regarding Performance Standards, as set forth below:

ARTICLE 5. PERFORMANCE STANDARDS

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5.8 Signs

No sign requiring a permit shall be erected, enlarged, or relocated without a sign permit issued by the Code Enforcement Officer upon finding that the sign complies with the requirements of this Aarticle. No sign may be displayed along a state highway that is in violation of applicable State statutes, regulations or policies~~Maine State Law and Maine DOT regulations and policies.~~

1. Business Use Signs must be on premisess.
 - A. Business Use Signs require a sign permit issued by the Code Enforcement Officer unless listed as no permit required.
 - B. Business Use Signs that are free standing are limited to 6432 sq. ft. total in aresize (or 3264 sq. ft. for each side if double sided). The height limit for Business Use Signs is 25 feet above grade. Business Use Signs may be illuminated internally or by shielded lights directed at the sign. Signs must be located within 1,000 feet of the principal building

where the business is carried on or practiced. ~~Free Standing signs are limited to one~~ One freestanding sign is permitted per business premises.

- C. Inflatable ~~S~~signs, ~~T~~tethered ~~b~~Balloons, ~~s~~Sale ~~b~~Banners, and ~~P~~pennants: Limited to 4 events per business per year and a total of 30 calendar days per year. Tethered ~~b~~Balloons are restricted to a 100 foot height limit. No permit required.
 - D. Wall and ~~R~~roof ~~S~~signs cannot exceed the existing area of the wall or roof that the sign will be attached to and are limited to no more than 10 feet in height above the wall or roof.
 - E. Canopies over fuel islands shall only advertise fuel or fuel products.
 - F. Non-flickering neon lights are allowed only in window signs and only in the Commercial and Downtown Village Zones. No permit required.
 - G. Projecting awning signs may extend from the building by no more than 4 feet from the building and may not extend beyond the curb.
 - H. A kiosk is required if more than 2 businesses are located on the property. The kiosk ~~are~~size is limited to 16080 sq. ft. (~~80160~~ sq. ft. for each side if double sided).
 - I. Sandwich Board ~~S~~signs are allowed in all zones. There is a 6 foot height limit and a 2 foot width limit. These signs may only be displayed during business hours and must be brought into the building at the close of each business day. The limit is one sandwich board sign per business premises.
 - J. Business flags are limited to 2 per premises no larger than 15 sq. ft. per flag.
2. Home Occupation Use Signs must be on premises.
- A. Home Occupation Use Signs require a sign permit issued by the Code Enforcement Officer.
 - B. Home Occupation Use Signs are limited to one sign per premises and 126 sq. ft. in aresize, (~~642~~ sq. ft. for each side if double sided).
 - C. Home Occupation Use Signs may not be illuminated.
3. Regulations for all signs:
- A. Discontinued signs must be removed within 60 days after the closing of the business by either the business or property owner. Nonconforming sign supports must also be removed within 60 days of the closing of the business.
 - B. Signs may not be located on utility poles; (~~unless approved by the utility;~~) rocks, trees or other natural features, or; any traffic control sign. Signs regulating hunting, fishing, and trespassing may be located on natural features according to Maine Department of Inland Fisheries and Wildlife regulations or other applicable state regulations.
 - C. Signs shall be prohibited if they attempt or appear to attempt to direct the movement of traffic or if they interfere with, imitate, or resemble any official traffic sign, signal, or device. Signs may not prevent the driver of a vehicle from having a clear and unobstructed view of official signs and approaching or merging traffic. ~~Signs may not have flashing or moving lights or moving parts. So called changeable signs must conform to Title 23, M.R.S.A. section 11-A.~~
 - D. ~~Approach signs for b~~Businesses on a private way located more than 1000 feet from the nearest public way or ~~is that are~~ not visible to traffic from the nearest public way may erect no more than 2 approach signs with a total surface area not to exceed 32 sq. ~~are~~ feet per sign. These signs are to be located outside of the public right-of-way limits

within 300 feet of the intersection of the public and private way, and on the land owned by the business they advertise.

E. Except as provided in subsection (F) below, signs that do not conform to the provisions of this Section 5.8, but which were lawfully constructed, erected, or affixed on or before June 14, 2021 are allowed to be altered, maintained and replaced, but such signs shall not be enlarged or relocated except in conformity with this Section 5.8. Any sign supported by a sign mounting frame lawfully in existence as of June 14, 2021 may be replaced using the same sign mounting frame provided, however, that the replacement sign is not larger than the sign that it replaces.

F. Signs that were unlawful on June 14, 2021 and that do not conform to this Section 5.8 must be removed immediately.

4. Allowable temporary off-premises signs ~~within~~outside of the right-of-way. No ~~P~~permit ~~R~~required.

~~—A. Political Signs: No limit on the number of signs. May not be erected more than 6 weeks prior to the voting date and must be removed within 1 week after the voting date. Political signs are limited to 32 square feet in size per sign (64 sqft if double sided). No political signs may be placed on any town property and may not be placed within the boundaries of a cemetery. Political signs may not interfere with traffic visibility at intersections.~~

~~—B. Signs for the growers of agricultural products erected between May 1st and December 31st, including Christmas trees and wreaths, maple syrup, etc are limited to 4 signs within 5 miles of the sales area. The sizes of off premise agricultural product signs are limited to 8 sqft per sign, may only be displayed while the product is available and must be directional in nature. Agricultural signs may only be displayed on private property with the owner's written permission and must be placed a minimum of 33 feet from the center line of a road. The maximum number of signs is 4 off premise and 2 on premise. A grower of agricultural products who sells from a location that fronts on a numbered state highway may not erect any off-premise signs adjacent to that numbered state highway.~~

~~—C. Signs showing the place and time of services or meeting of in-town religious and civic organizations are limited to 4 signs for each organization. The size limit is 24 by 30 inches.~~

Temporary signs may be placed off-premises and within the public right-of-way for a maximum of 12 weeks per calendar year, except that an off-premises temporary sign may not be placed outside the public right-of-way for more than 6 weeks from January 1st to June 30th or for more than 6 weeks from July 1st to December 31st. A temporary sign may not be placed within 30 feet of another temporary sign bearing the same or substantially the same message. A temporary sign may not exceed 32 sq. ft. in size. A sign under this paragraph must include or be marked with the name and address of the individual, entity or organization that placed the sign within the public right-of-way and the date the sign was erected within the public right-of-way, and may only be displayed on private property with the owner's written permission.

5. Signs allowed with no limit on size, ~~or~~ quantity or time limit, except as otherwise specified. No permit required.

A. Government and traffic signs.

- B. Memorial signs.
 - C. Signs on registered and inspected motor vehicles and rolling stock of common carriers, unless the user is trying to circumvent the intent of this ordinance. ~~Circumnavigation shall include~~including, but not be limited to, placing signs which are continuously in the same location or signs that extend beyond the height, width or length of the vehicle.
 - D. Garage sale signs. Cannot be erected more than 2 days prior to the sale and must be removed within one day after the sale.
 - E. Hand held signs.
 - F. Public and private safety signs.
6. Real Estate Sales and/or Contractor Rental Signs. – No permit required.
The following signs are allowed on a temporary basis as follows and, unless otherwise stated, shall be securely affixed to the ground during the time allowed.
- A. Real Estate Signs. Two on-premises signs advertising the sale or rental of real estate are permitted per property, and such signs shall be no more than three (3) sq. ft. for residential property or 32 sq. ft. for commercial property. The signs must be removed within one week of the sale or rental of the property. Such signs may be freestanding or building mounted.
 - B. Contractor Signs. One on-premises sign may be displayed by a contractor on a customer's property while the contractor is engaged in work at the property, and such sign shall be no more than three sq. ft. in size. Such signs may be freestanding or building mounted, and shall be removed within one week after completion of work on the property.
- ~~Two signs per premise are allowed. No off premise real estate signs are allowed. Real estate signs for private residential units are limited to 3 sq ft in size. Real estate for commercial property shall be limited to 32 sq ft. Real estate signs must be removed within one week of the sale or rental of the property.~~
- ~~7. Contractor signs — no permit required~~
~~Contractor signs may be displayed on a customer's property while the contractor is engaged in working on the property and must be removed at the completion of the job.~~
~~Contractor signs shall be limited to one 3 sq ft sign per property.~~
7. Temporary signs placed within the public right-of-way of a state highway are allowed, subject to the provisions of 23 M.R.S. § 1913-A and any applicable regulations of the Maine Department of Transportation.
8. ~~Temporary signs advertising a community or civic activity shall be allowed with a 60 day time limit. One such sign shall be allowed per premise and no permit is required. The size limit shall be the same as for Business Use Signs.~~Changeable Signs.
- A. Display. Notwithstanding the provisions of 23 M.R.S. § 1914(11-A)(B), the Display on each side of a Changeable Sign:
 - (i) may be changed no more frequently than once every two (2) seconds;

- (ii) must change as rapidly as technologically practicable, provided, however, that a Display may change by phasing, rolling, scrolling or blending; and
- (iii) may consist of alphabetic or numeric text on a plain or colored background and may include graphic, pictorial or photographic images.

B. Prohibition. In no event shall a Display on any Changeable Sign flash or display continuous streaming of information or video animation.

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10. Definitions

For the purposes of this Article, the following certain terms and words are hereby defined as follows. The definition of “Sign” is found in Article 8 of the Zoning Ordinance.

Awning Sign: A sign placed on, affixed, or incorporated onto the surface of an awning.

Business Use Sign: A sign that includes wording, logo, or other representation that, directly or indirectly, names, advertises or calls attention to a business, a primary product, service or other commercial activity.

Changeable Sign: An on-premises sign created, designed, manufactured or modified in such a way that its Message may be electronically, digitally or mechanically altered by the complete substitution or replacement of one Display by another on each side. The intent is for this term to have the same meaning as set forth in 23 M.R.S. § 1914(11-A)(A)(1), as may be amended.

Display: That portion of the surface area of a Changeable Sign that is, or is designed to be or is capable of being periodically altered for the purpose of conveying a Message. The intent is for this term to have the same meaning as set forth in 23 M.R.S. § 1914(11-A)(A)(2), as may be amended.

Government Sign: A sign erected and maintained pursuant to and in discharge of any governmental functions or require by law, ordinance or other governmental regulation.

Home Occupation Use Sign: A sign that includes wording, logos, or other representations that, directly or indirectly, names, advertises or calls attention to a home occupation as regulated pursuant to Section 5.19(B).

Memorial Sign: A sign-tablet, or plaque memorializing a person, event, structure or site.

Message: A communication conveyed by means of a visual display of text, a graphic element or pictorial or photographic image. The intent is for this term to have the same meaning as set forth in 23 M.R.S. § 1914(11-A)(A)(4), as may be amended.

Sandwich Board Sign: A two-faced sign in an A-frame configuration placed temporarily during business hours on a sidewalk or street frontage.

Sign Supports: Posts, poles or other structural members that support a sign.

Temporary Sign: A sign that is constructed and erected, and is intended to be placed for a definite and limited period of time for display, and which is designed to be moved easily and is not permanently affixed to a structure, sign area, or window.

Traffic Sign: An official route marker, warning sign, sign directing traffic to or from a community, or a sign regulating traffic, which has been erected by officers having jurisdiction over the public way.

3. Amend Article 8, regarding Definitions, as set forth below:

ARTICLE 8. DEFINITIONS

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Sign: Any notice or advertisement used to display or convey messages or pictures out-of-doors, and subject to the standards of Section 5.8.