

SECTION 406 SIGN ORDINANCE

TOWN OF GRAY, MAINE
Adopted August 19, 1982
Amended January 20, 1989
Amended October 3, 2002

SECTION 406.1 TITLE

This ordinance shall be known and may be cited as the Sign Ordinance of the Town of Gray, Maine.

SECTION 406.2 PURPOSE

All signs are specifically prohibited except as provided by this Ordinance.

SECTION 406.3 DEFINITIONS

Signs: Any exterior device designed to inform or attract the attention of the public.

Sign Area: Total area of the space to be used for identification and/or business purposes, including spaces between open-type letters and figures, including background structure or other decoration or addition which is an integral part of the sign. Sign supports are excluded in determining area. On double faced signs, only one side is counted in computing the square footage limitations.

Advertising Sign: A sign the primary purpose of which is to make known a product, service or other marketable goods available on the premises.

Applied Sign: A sign painted or applied to the exterior building surface, including all lettering and symbols and background coloring other than the color of the building.

Awning Sign: A sign which directs attention to a business, industry, profession or service conducted on the premises where the sign is displayed.

Business Sign: A sign which directs attention to a business, industry, profession or service conducted on the premises where the sign is displayed.

Canopy or Marquee Sign: A sign which is on or attached to a permanent overhang that projects from the face of the building and is supported entirely or partially by the building.

Directory Sign: A multiple sign or group of signs clustered together in a single structure or compositional unit which directs attention to a business, industry, profession or service conducted on the premises where the sign is displayed. This sign is used to direct attention to several occupants of the same building, industrial park or shopping center. It shall be doublefaced and uniform in size and type of lettering and shall conform according to the requirements of the District in which is located.

Electronic Message Display Board: A message board in which one or more illuminated characters in a display may be changed by electronic means.

Free-Standing Sign: A sign not attached to any building.

Identification Sign: A sign the primary purpose of which is to display name of individual, firm, association or corporation, business and/or service, the placement of which serves to identify the main entrance of that establishment.

Industrial Park: A parcel of land classified by the Town as an Industrial Park at the time of site location approval.

Off-Premises Sign: Directs attention to a business, industry, profession or service not conducted on the premises where the sign is displayed.

On-Premises Sign: Directs attention to a business, industry, profession or service conducted on the premises where the sign is displayed.

Parallel Sign/Flush Mounted Sign: A wall-mounted sign parallel to the exterior building surface, extending not more than six inches from that surface.

Projecting Sign: A sign that is wall-mounted, perpendicular to the building surface.

Public Notice Sign: A sign the primary purpose of which is to display information of a civic, social, or religious nature. Such a sign may have a surface which allows the use of removable letters.

Roof Sign: A sign erected or constructed wholly upon or over the roof of any building with the principal support on the roof structure.

Shopping Center: A group of retail stores and/or office having a minimum of 25,000 sq. feet of net enclosed usable business space and which share adjacent off-street parking facilities.

Subdivision: The division of land into three or more lots.

SECTION 406.4 PERMITTED SIGNS

Signs not requiring permits and permitted in all districts:

- A. One sign bearing name of property owner/tenant, number, post office box number or other identification, not having commercial connotations.
Size: Not to exceed 3 square feet.
- B. Signs directing, guiding traffic and parking on private property but bearing no advertising matter.
Size: Not to exceed 3 square feet.
- C. Governmental identification, information and directional and public safety signs, both on and off premises.
Size: As per State Law.
- D. Exit and Entrance, emergency signs.
Size: Not to exceed 3 square feet.
- E. Public notice in connection with churches, schools.
Size: Not to exceed 24 square feet. Number: One.
- F. Real Estate signs not exceeding 12 square feet which advertise the sale, rent or lease of the premises upon which they are located, to be removed within 30 days of completion of sale, rent or lease.
Size: Not to exceed 12 square feet. Number: Two
- G. Signs placed upon work under construction or renovation to be removed within 30 days of completion of the job.
Size: Not to exceed 24 square feet. Number: One

SECTION 406.5 REQUIREMENTS

- A. No sign as regulated by this Ordinance shall be erected at the intersection or edge of any street in such a manner as to obstruct free and clear vision; or at any location where, by reason of the position, shape or color it may interfere with, obstruct the view of, or be confused with any authorized traffic sign.
- B. Off-premises signs are permitted as provided by Title 23, MRSA Sections 1901-1925.
- C. Illuminated signs shall be shielded in such a way as to produce no glare, undue distraction, confusion or hazard to the surrounding area or to vehicular traffic. Illumination shall be properly focused upon or from within the sign itself.
- D. All signs which are animated, flashing, or with intermittent illumination are prohibited with the exception of electronic message display boards as described in Section F which are permitted in the VAP Zone, Business Districts, and Commercial Zone.

E. All signs which are animated, flashing, or with intermittent illumination are prohibited with the exception of electronic message display boards as described in Section F which are permitted in the VAP Zone, Business Districts, and Commercial Zones.

F. In addition to all of the other requirements of Section 406.5, the following requirements shall apply to electronic message display boards:

1. An electronic message display board must not have any distracting appearance of motion, flashing, blinking, or shimmering.
2. The area occupied by the message on an electronic message display board may comprise no more than fifty (50) percent of the surface area of the allowable signage.
3. No more than one (1) changeable sign, i.e. electronic message display board with two sides is permitted per lot of record.
4. An electronic message display board may not be located so that its message is visible from any controlled-access highway or ramp.
5. The highest point of any electronic message display board may not exceed a height of twenty-five (25) feet above either the centerline of the nearest public way or the actual ground level adjacent to the sign, whichever is lower.
6. An electronic message display board that is readily visible to drivers of vehicles on any public way must have characters of sufficient size to be easily discerned and must not constitute a safety hazard by distraction of drivers.
7. An electronic message display board may consist only of alphabetic or numeric characters on a plain background and may not include any graphic, pictorial, or photographic images.
8. It is permissible for an electronic message display board to display a maximum of three (3) lines of characters.
9. It is permissible for an electronic message display board to be divided into a primary section which displays only a message and a secondary section which displays only time and/or temperature.
 - a. The primary message display area may have a maximum of three (3) lines of characters with a maximum of forty-five (45) characters per line including all letters, numbers, spaces, or other symbols.
 - b. The message that is displayed in the primary message display area may be changed no more frequently than at time periods of not less than twenty (20) minutes.
 - c. The secondary message display area may have a maximum of three (3) lines of characters with a maximum of nine (9) characters per line including all letters, numbers, spaces, or other symbols.
 - d. The message that is displayed in the secondary message display area may be changed no more frequently than at time periods of not less than five (5) seconds.
10. An electronic message display board that has a display area of only a single line is permitted to alternate between a display of time and a display of temperature or to alternate between a display of a message and a display of time and temperature. Each of the lines of an alternating display may have a maximum of thirty (30) characters including all letters, numbers, spaces or other symbols. A single line display must satisfy the requirements of Sections F.1 and F.2 above.
 - a. The content of a single line display that alternates between a display of time and a display of temperature may be changed at each alternation and may alternate at time periods of not less than two (2) seconds.
 - b. A single line display that alternates between a display of time and temperature may alternate no more frequently than at time periods of not less than five (5) seconds.
 - i. The content of the message may be changed no more frequently than at time periods of not less than twenty (20) minutes.
 - ii. The content of the time and temperature displays may be changed no more frequently than at each alternation.
11. When the display of an electronic message display board changes, it must change as rapidly as is technologically practicable with no phasing, rolling, scrolling, flashing, or blending.

G. Location of signs: Guidelines for sign location are designed to eliminate hazards to traffic and pedestrians and designed to prevent signs from obscuring windows, doors.

1. A parallel sign can project no more than 6 inches from the surface of the building.

2. No projecting sign can overhang the public walkway beyond a line three feet from the building face.
 3. All signs overhanging the public walkway must leave a minimum pedestrian clearance of 8 feet in height.
 4. A free-standing sign must be back from the nearest sideline of the public way so as not to obstruct the view.
 5. No free-standing sign shall be permitted.
 - a. Within the full width of the right-of-way of any public way;
 - b. Within 33 feet of the centerline of any public way if the highway is less than 66 feet in width.
- No free-standing signs shall be constructed in the Flood Plain Zone.

SECTION 406.6 TEMPORARY SIGNS

Temporary Signs, excepting those listed in Section 406.4, require CEO permits. A business or individual will be allowed such a sign for a total of 30 days per calendar year. All temporary signs shall comply with the provisions contained in Section 406.12.

SECTION 406.7 POLITICAL CAMPAIGN SIGNS

Temporary political campaign signs may be erected provided they conform to the conditions imposed by State Statute.

SECTION 406.8 PRE-EXISTING SIGNS

Signs existing prior to the acceptance of this Ordinance shall be grandfathered.

SECTION 406.9 REPAIR AND MAINTENANCE

Any sign existing prior to acceptance of this Ordinance shall not have repairs done to more than 80% of its display surface unless it is made to conform with this Ordinance.

Any sign which is or becomes in disrepair shall be removed upon order of the CEO if not repaired after 30 days notice. Any new sign must conform to all regulations.

SECTION 406.10 PERMIT FEES

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| A. Business Sign | \$ 25.00 |
| B. Directory Sign | \$ 25.00 |
| C. Identification | \$ 25.00 |
| D. Temporary | \$ 25.00 |

SECTION 406.11 CLASSIFICATION OF DISTRICTS

- A. All numbered highways
- B. All other roads
- C. Industrial Parks
- D. Shopping Centers
- E. Subdivision Identification

SECTION 406.12 - DISTRICTS

A. All Numbered Highways

1. Business Sign and/or Advertising Sign

Number: Three

Size: Two signs, maximum of 16 square feet and one sign, maximum of 24 square feet.

Type: Applied, awning, free-standing, marquee, parallel, projecting.

2. Identification Sign

Number: One

Size: 4 square feet

Type: Applied, awning, parallel, projecting

B. All Other Roads

1. Business Sign

Number: One
Size: 12 Square feet
Type: Applied, awning, free-standing, marquee, parallel, projecting.

2. Identification Sign

Number: One
Size: 4 square feet
Type: Applied, awning, parallel, projecting

C. Industrial Parks

1. Business Sign

Number: Two
Size: 32 Square feet
Type: Applied, awning, parallel, projecting.

2. Identification Sign

Number: One
Size: 4 square feet
Type: Applied, awning, parallel, projecting

3. Directory (or Multiple Signs)

Number: One per occupant
Size: One foot high, six feet long with letters six inches high
Type: Free-standing, parallel, projecting

D. Shopping Centers

1. Business and/or Advertising Sign

Number: Two
Size: One sign, maximum of 32 square feet
and one sign, maximum of 16 square feet
Type: Applied, marquee, parallel, projecting free-standing

2. Identification Sign

Number: One
Size: 4 square feet
Type: Applied, parallel, projecting

3. Directory Sign

Number: One per occupant
Size: 1 foot high, 6 feet long, with letters 6 inches high
Type: Free-standing, parallel, projecting

E. Subdivision

1. Identification of Subdivision

Number: One
Size: 12 square feet
Type: Free-standing, parallel, projecting

SECTION 406.13 VARIANCES

The Board of Appeals may, upon written application of the affected landowner, grant a variance from the strict application of this Ordinance under the following conditions:

- A. The strict application of the terms of this Ordinance would result in undue hardship to the applicant or would not be in the best interest of the community, and
- B. The hardship is not the result of action taken by the applicant or a prior owner in violation of this Ordinance.

SECTION 406.14 APPEALS

The Board of Appeals may, upon written application of an aggrieved party and after public notice, hear appeals from determinations of the Code Enforcement Officer in the administration of this Ordinance. Such hearings shall be held in accordance with State Laws. Following such hearing, the Board of Appeals may reverse the decision of the Code Enforcement Office only upon a finding that the decision is clearly contrary to specific provisions of this Ordinance. An appeal may be taken within thirty (30) days after any decision is rendered by the Board of Appeals, by any party to Superior Court in accordance with State Law.

SECTION 406.15 ENFORCEMENT

It shall be the duty of the Code Enforcement Officer to enforce the provisions of this Ordinance. If the CEO finds that any provision of this Ordinance is being violated, he/she notify in writing the person responsible for such violation indicating the nature of the violation and ordering the action necessary to correct it.

When the above action does not result in the correction or abatement of the violation, the Municipal Officers. Upon notice from the CEO, are hereby authorized and directed to institute any and all actions whether legal or equitable, necessary to the enforcement of this Ordinance. Any person who continues to violate any provision of this Ordinance after receiving notice of such violation shall be guilty of a misdemeanor subject to a fine of up to \$100.00 for each violation. Each day such a violation is continued is a separate offense.

SECTION 406.16 CONFLICT WITH OTHER ORDINANCES

This Ordinance shall not repeal, annul, or in any way impair or remove the necessary of compliance with any other rules, regulations, by-laws, permits or provision of law. Where this Ordinance imposes a greater restriction upon the location, size, or type of sign allowed, the provision of this Ordinance shall control.