

## **6.8 Sign Regulations**

### **6.8.1 Introduction**

The Town of Stockbridge is a classic New England town with a strong central village consisting of a well-balanced mix of residential and commercial uses sharply contrasting with and benefitting from the openness and beauty of the surrounding lands. The village center and the surrounding lands create a visually rich and satisfying community character that all new signs should seek to complement and enhance.

### **6.8.2 Purpose**

The purpose of these sign regulations is to encourage the effective use of signs as a means of communication; to maintain and enhance the existing community character of the Town; to encourage and support the Town's ability to attract sources of commerce; and to improve pedestrian and traffic safety.

### **6.8.3 Applicability**

No signs or advertising devices of any kind or nature shall be erected on any premises or affixed to the outside of any structure or be visible from the outside of any structure and/or placed on or over public property, except as specifically permitted by Section 6.8.

### **6.8.4 Definitions Applicable to Section 6.8**

**Billboard** – A sign that directs attention to a business, commodity, service, or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.

**Directional Sign** – A sign directing, guiding, or controlling traffic and parking on private property but bearing no advertising matter. Note: A business name, organization name, or other name, text, or logo is considered advertising matter.

**Municipally Owned Directory Sign** – A permanent sign erected and maintained by the Town of Stockbridge, with space available on a rental basis on such terms as the Select Board may, from time to time establish.

**Parapet Wall** – A parapet wall is a wall or part of a wall which extends above the roof of a building.

**Public Way** – a street, road, or path that has been accepted by the Town or which is a private street, road, or path that is open to public use.

**Sign** – Any structure or device used for the purposes of visual communication, which identifies or calls attention to any premises, person, product, activity, business or use of a property.

The following shall not be included in the application of the regulations herein for the purposes of this Bylaw Section:

- a. Legal notices, identifications, information, directional or warning signs erected or required by governmental agents or bodies; or various warning signs as commonly used by property owners;
- b. Memorial signs or tablets not exceeding one (1) square foot in area;
- c. Signs directing, guiding or controlling traffic and parking on private property but bearing no advertising matter. Note: A business name, organization name or other name, text or logo is considered advertising matter;
- d. Signs painted on or attached to duly registered motor vehicles except when the primary use of the vehicle is for a display rather than transportation and when the vehicle is usually within sight of a public way;
- e. Temporary signs on the inside of glass of store windows as commonly used in retail business, or such signs of special events or for political candidates.

**Sign, Accessory** – Any sign that advertises or indicates the person occupying the premises on which the sign is erected or maintained, or the business transacted thereon, or advertises the property itself or any part thereof as for sale or rent, and which contains no other matter. Signs located inside a building which are visible from outside the building are subject to all restrictions contained herein as to size and number of signs permitted.

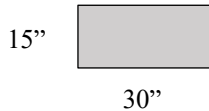
**Sign, Non-Accessory** – Any sign that is not an accessory sign.

**Sign, Area** –

- a. The area of a sign shall be considered to include all lettering, wording, and accompanying designs and symbols, together with the background on which they are displayed, any frame around the sign and any “cutouts” or extensions, but shall not include any supporting structure or bracing.
- b. The area of a sign consisting of individual letters or symbols attached to or painted on a surface, building, wall or window, shall be considered to be that of the smallest quadrangle or triangle which encompasses all of the letters and symbols.
- c. The area of a sign consisting of a three-dimensional object shall be considered to be the area of the largest vertical cross section of that object.

- d. In computing the area of signs, both sides of V-shaped signs, but only one side of back-to-back signs, shall be counted.

To compute inches to feet using an example for a flat sign with the dimensions 15" x 30":



Multiply: 15" x 30" = 450" (area in square inches)

Multiply: 450" x .006944 = 3.13' (area in square feet)

#### 6.8.5 **General Regulations**

Except as otherwise provided in Section 6.8, all permanent signs or alterations of existing signs require a sign permit in all zoning districts. The Planning Board is the authority that issues permanent sign permits. The Select Board is the authority that issues sandwich board and temporary sign permits.

- a. All signs shall be kept in safe and good repair.
- b. No sign shall be placed on the roof of any building.
- c. No sign shall be erected so as to obstruct the traffic sight lines for motorists or pedestrians.
- d. No sign shall be placed on light poles, utility poles or street identification signs except for those signs erected by the Town of Stockbridge or the Commonwealth of Massachusetts for traffic or pedestrian safety.
- e. No sign shall be designed or constructed to mimic a government directional, public safety or informational sign, including, but not limited to, the signs depicted in the current version of the United States Federal Highway Administration's "Standard Highway Signs," (2004 ed., 2012 Supp.).
- f. A free-standing sign shall not exceed ten (10) feet in height above grade.
- g. Except for Municipally Owned Directory Signs, sandwich board signs and temporary signs allowed by the Board of Selectmen pursuant to Section 6.8.13 (b), no permanent non-accessory signs or billboards are permitted.
- h. Signs located inside a building which are visible from outside the building are subject to all restrictions contained herein as to size and number of signs permitted.

#### 6.8.6 **Standards**

- a. No sign shall be illuminated by other than shaded or indirect white light of constant intensity.
- b. No sign shall be illuminated by flashing, intermittent, rotating or moving light or lights.
- c. No sign shall have any visibly moving parts or noise-making devices.
- d. No illuminated sign or lighting device shall be placed, directed or beamed upon a public way or adjacent premises as to cause glare or reflection that may constitute a traffic hazard or nuisance.
- e. All lighting devices shall be installed to illuminate the sign at such an angle as to minimize light pollution.

#### 6.8.7 **Permanent Signs in all Zoning Districts**

- a. The following permanent signs may be displayed on private property in all zoning districts subject to the regulations contained in Section 6.8 without the need to obtain a sign permit:
  - 1. For any residential principal use, one sign not to exceed two (2) square feet in area.
  - 2. For any allowable accessory sign, one sign not to exceed two (2) square feet in area.

#### 6.8.8 **Permanent Signs in Residential Zoning Districts**

- a. The following permanent signs may be displayed in any Residence (R-4, R-2, R-1 or R-C) Zoning District subject to the regulations contained in Section 6.8 only after obtaining a permanent sign permit in accordance with Section 6.8.16. The Planning Board is the permitting authority for permanent signs in the residential zoning districts.
  - 1. For any non-residential principal use, one sign not to exceed four (4) square feet in area. If the principal building is located thirty (30) feet or more from the street on which the lot has frontage, one additional sign not to exceed four (4) square feet in area may be displayed at an entrance to the lot.

### 6.8.9 **Permanent Signs in the Business Zoning District**

- a. The following permanent signs may be displayed in the Business (B) Zoning District subject to the regulations contained in Section 6.8 only after obtaining a permanent sign permit in accordance with Section 6.8.16. The Planning Board is the permitting authority for permanent signs in the business zoning district.
  1. For a building with a single establishment, no more than three (3) signs, not to exceed thirty (30) square feet in total combined area. All such signs shall be attached flat against the wall of the building and no sign shall project over a parapet wall. For exception providing for one projecting sign, see 6.8.9.a.3.
  2. For a single building with multiple establishments, each establishment is permitted one sign not to exceed sixteen (16) square feet in area for each separate establishment provided that all such signs shall be attached flat against the wall of the building and no sign shall project over a parapet wall. For exception providing for one projecting sign, see 6.8.9.a.3.
  3. Instead of not more than one (1) wall sign per lot allowed by 6.8.9.a.1. or 6.8.9.a.2., one projecting sign not to exceed four (4) square feet in area, subject to the following requirements:
    - (i) A projecting sign may project over a public or private way only if the Planning Board has given its written approval, which shall include a statement briefly summarizing the results of the Planning Board's consultations with the Building Inspector, Police, Fire, and Highway Departments as to public safety.
    - (ii) A projecting sign shall be at least seven (7) feet above the surface of the way or at such other height that the Planning Board shall set after a consultation with Police, Fire, and Highway Departments to help protect the public safety.
    - (iii) A projecting sign shall be securely fastened to a building, signpost or other structure and project out no more than six (6) feet.
    - (iv) Prior to the issuance of a permanent sign permit for a projecting sign:
      - a) The Building Inspector must determine, based in part on the **Massachusetts State Building Code**, that the projecting sign poses no danger or threat to the public or the use made of the way and must report that determination to the Planning Board in writing within thirty (30) days after the application for a projecting sign permit; and

- b) For projecting signs over a public way, the permittee shall establish and maintain liability insurance in the amount and form specified in Section 6.8.13.

#### **6.8.10 Permanent Signs in the Manufacturing Zoning District**

- a. The following permanent signs may be displayed in the Manufacturing (M) Zoning District subject to the regulations contained in Section 6.8 only after obtaining a permanent sign permit in accordance with Section 6.8.16. The Planning Board is the permitting authority for permanent signs in the manufacturing district.

For any non-residential principal use:

1. No more than three (3) signs, not to exceed one-hundred (100) square feet in total combined area, attached flat against the wall of the building; provided, however, that no signs shall project more than six (6) feet over a parapet wall; and
2. No more than two (2) additional signs, not to exceed sixteen (16) square feet in total combined area that need not be attached flat against the wall of the building; provided, however, that no signs shall project more than six (6) feet over a parapet wall.

#### **6.8.11 Sandwich Board Signs**

- a. A sandwich board sign may be displayed in the Business (B) Zoning District subject to the regulations contained in this Section and only after issuance of a permit and payment of the annual sandwich board sign fee established pursuant to Section 6.8.16. The Select Board is the permitting authority for sandwich board signs.
  1. A sandwich board sign shall not exceed six (6) square feet in area per panel.
  2. A sandwich board sign shall not exceed 48 inches in height. The height of the sandwich board sign shall not be artificially raised.
  3. A sandwich board sign shall be of framed and rigid construction and may include a chalkboard in the frame. Insertable plastic lettering is prohibited.
  4. Only one (1) sandwich board sign may be displayed at one time per business establishment that has a current sandwich board sign permit.
  5. A sandwich board sign may be displayed only while the establishment is open and shall be stored indoors when the establishment is closed.

6. A sandwich board sign may be displayed only in the location approved in the sandwich board sign permit.
7. A sandwich board sign may be displayed only adjacent to the building in which the establishment is located and not more than twelve (12) feet from an entrance to the establishment, except that a sandwich board sign may be displayed on property not owned or otherwise controlled by the permittee only if:
  - i. The permittee provides a letter from the property owner granting permission for the sandwich board sign to be located on the property. For sandwich board signs proposed to be located on public property the permittee must provide a letter from the Select Board granting such permission; and
  - ii. The Select Board determines the proposed location to be in as close proximity to the establishment as practicable for the preservation of the public safety.
8. For sandwich board signs to be displayed on public property the permittee shall establish and maintain liability insurance in the amount and form set forth in Section 6.8.13.
9. No sandwich board sign shall be displayed in a manner that reduces the usable width of the sidewalk to less than four (4) feet.
10. There shall be a minimum distance of four (4) feet between sandwich board signs.
11. No additional attachments to sandwich board signs are allowed, including but not limited to flags, balloons, streamers and pennants.
12. A sandwich board sign shall not be anchored, tethered, tied or otherwise affixed to the ground or to any building, sidewalk, tree, post, bench, fire hydrant or any other structure, but rather shall be weighted at the bottom to prevent the sign from becoming a hazard to persons and property.
13. In response to specific safety concerns, the Stockbridge Police Department may prohibit the display of sandwich board signs on public property in designated areas during specific periods of time when sidewalk congestion is expected to be high, including but not limited to parades and other community events. The Highway Department Superintendent may also prohibit the display of sandwich board signs on public property in designated areas during specific periods of time during or in anticipation of all storm or other weather events. Both the Stockbridge Police Department and the Highway Department shall have the

authority to require the removal of any sandwich board signs displayed in violation of such prohibitions.

14. A sandwich board sign permit shall be valid for twelve (12) months from the date of issuance.
15. The Select Board may refuse to issue a sandwich board sign permit to an establishment whose display of a sandwich board sign has violated Section 6.8 or caused a nuisance and that resulted in the imposition of a fine or penalty in prior years unless such fine or penalty was subsequently overturned by the Zoning Board of Appeals or a court of competent jurisdiction.
16. Nothing contained in Section 6.8.11 shall be construed to diminish the Select Board's authority over the placement or maintenance of structures or objects in public rights of way.

#### 6.8.12 **Municipally Owned Directory Signs**

- a. Municipally Owned Directory Signs may be erected and maintained by the Town of Stockbridge without a sign permit in all Zoning Districts subject to the regulations contained in Section 6.8. An application to obtain space for a business sign on a Municipally Owned Directory Signs shall be submitted to the Select Board.
  1. All Municipally Owned Directory Signs shall be of uniform design throughout the Town and shall complement and enhance the surrounding area.
  2. An establishment is limited to one business sign on each Municipally Owned Directory Signs.
  3. The Select Board may establish and from time to time review and amend the annual fee for space on a Municipally Owned Directory Sign.

#### 6.8.13 **Liability Insurance Requirements for Sandwich Board Signs and Projecting Signs on Public Property**

- a. For sandwich board signs and projecting signs on or over public property, the permittee shall establish and maintain liability insurance coverage naming the Town of Stockbridge as an additional insured with liability limits per claim and per occurrence determined periodically by the Select Board, for any claims that may arise for any reason as a result of the placement of a sandwich board sign or projecting sign on or over public property.
- b. If the insurance coverage required by Section 6.8.13.a is terminated, reduced or cancelled, the permittee shall promptly provide written notice to the Building Inspector and shall remove the sandwich board sign or projecting sign from public



property until proof of current insurance in the amounts required is provided to the Building Inspector.

#### 6.8.14 **Temporary Signs**

- a. The following signs may be temporarily displayed in all zoning districts, except on public property, subject to the regulations contained in Section 6.8 without the need to obtain a sign permit:
  1. One temporary, unlighted sign not over six (6) square feet in area on property that is for sale or lease on which it is displayed.
  2. One temporary, **unlighted** sign, to be displayed on the premises for not more than one (1) week, not exceeding ten (10) square feet in area.
- b. Temporary signs that do not comply with the dimensional or temporal requirements of Section 6.8.14.a may be authorized for a period of not over ten (10) days by the Select Board through a temporary sign permit for special events. If such signs are not removed promptly after expiration of the permit, the Select Board may, in their discretion, cause the removal of a noncompliant sign and bill the permittee for the costs of removal, and may additionally impose a penalty of fifty dollars (\$50) per day that the sign is displayed after the expiration of the sign permit term.

#### 6.8.15 **Abandoned Signs**

Any sign that has been abandoned or relates to a business establishment that has been discontinued shall be removed within thirty (30) days after written notice from the Building Inspector.

#### 6.8.16 **Administration & Enforcement**

- a. Permanent Sign Permits: The Planning Board shall be responsible for reviewing applications to erect permanent signs and for issuing permanent sign permits for those proposed permanent signs that comply with this bylaw. The Planning Board may establish, review, and amend the form and contents of the permanent sign application and may adopt and amend reasonable regulations including an applicable fee schedule.
- b. Sandwich Board Sign Permits: The Select Board shall be responsible for reviewing applications to display sandwich board signs and for issuing sandwich board sign permits for those proposed sandwich board signs that comply with this bylaw. The Select Board may establish, review, and amend the form and contents of the permanent sign application and may adopt and amend reasonable regulations including an applicable fee schedule.

- c. Temporary Sign Permits: The Select Board shall be responsible for reviewing applications to erect temporary signs and for issuing temporary sign permits for those proposed temporary signs that comply with this bylaw or that the Select Board has allowed under Section 6.8.13.b. The Select Board may establish, review and amend the form and contents of the temporary sign application and may adopt and amend reasonable regulations including an applicable fee schedule.
- d. Enforcement. This Section 6.8 shall be enforced by the Building Inspector or by a designee of the permit issuing board pursuant to Section 8.4.