

CHAPTER SIX: SIGN REGULATIONS

601 Purpose

The purpose of this chapter is to promote and protect the public health, safety and welfare by regulating outdoor signs of all types. The specific goals are to protect property values; enhance and protect the physical appearance of the community; to reduce sign or advertising distractions and obstructions; reduce hazards that may be caused by signs; and to ensure that new signs are compatible in design and scale with their surroundings.

602 General Provisions

602.1 Grandfathered and Obsolete Signs

Any sign that is legally existing as of the effective date of this ordinance shall be grandfathered.

- A. Except for prohibited signs as listed in Section 606, changes in the content of a non-conforming sign including names, words, logos or similar information shall not constitute an alteration requiring conformance with this current sign regulations, as long as the changes do not make the sign more non-conforming and a permit is obtained for the changes from the Codes Enforcement Officer. (Amended 1/20/04 R)
- B. New signage may be proposed for a site that contains grandfathered signage, provided that all new signage is in compliance with this chapter. The Planning Board (or the Village Review Board for signs in the Village Review Zone) may make waivers to signage for a site that contains grandfathered signage if such waivers are consistent with Section 608.1. Such waivers may be made only if the signage plan for the entire site furthers the spirit and intent of this chapter by reducing visual clutter or otherwise improves the aesthetic appearance of the signage on the site by bringing the overall site into closer compliance with the requirements of this chapter. (Amended 12/1/97 R)
- C. Any sign face that identifies or advertises a business must be removed within 30 days of the termination of that business from that site. After a period of one year of the termination of the business if the sign is not reused by another business occupying the same site, all mountings, brackets, poles, sign faces and other signage material must be removed.

602.2 Calculation of Size of Sign

- A. **Two Sided Signs.** Only one side of a sign shall be counted when determining the size of such sign.
- B. **Within or on Structures**
When the graphic representation of the sign occurs on a sign board, the size of the sign shall be calculated by the square footage of the sign board. For illuminated signs, all portions of the sign which are illuminated shall be included in the square footage. In other cases where lettering is attached to a structure and no sign board is utilized, the square footage of the sign shall be calculated by drawing a rectangle around all portions of the lettering; the square footage of the sign shall be the area of the rectangle.

602.3 Free-Standing Sign Limitations

The term Free-Standing Signs shall include: 1) Pole Signs and, 2) Monument Signs. Only one Free-Standing Sign for every 250 feet of road frontage is permitted. Any ground or pole-mounted Directory Sign shall be subject to this provision. (Amended 6/19/00 R, Amended 9/3/02 R)

603 Signs Subject to Review

The following signs, as defined, require review by the Codes Enforcement Officer in accordance with the provisions of Section 603 and 608. Signs associated with projects subject to site plan review shall be reviewed as part of that process, however, such signs also require a sign permit from the Codes Enforcement Officer. The Codes Enforcement Officer may not waive any provision of this chapter. Signs proposed for properties within the Village Review Zone shall be subject to the provisions of Section 216 as well as the provisions of this chapter.

- A. Permits for signs subject to review under Section 603 shall be acted upon within fifteen days of the submission of a complete permit application. Applications for sign permits must contain a scale drawing indicating the dimensions, materials, coloring, graphic content, lighting source, mounting hardware and site location. In addition, such application shall include photographs of signs found on properties located on each side of the structure.
- B. The Codes Enforcement Officer may approve, deny or approve with conditions any permit application for signs under Section 603.
- C. All reviewing authorities shall review all signs and their locations within a site and placement on a structure in accordance with Section 603 and 608.
- D. No sign may exceed 200 square feet, except for wall signs on structures greater than 30,000 square feet which may not exceed 250 square feet.

603.1 Awning Sign. An awning sign is a covering which is (or appears to be) made of cloth or canvas that is either permanently attached to a building or can be raised or retracted or fixed to a position against the building when not in use. Awnings in the Village Review Zone shall be reviewed in accordance with all provisions of Section 216. The sign face of an awning sign may not exceed 25% of the area of the plane of the awning on which the sign face appears. No materials or signage may hang from an awning.

603.2 Monument Sign. A monument sign is mounted directly on the ground. The size of the face of a monument sign shall not exceed 32 square feet. The maximum height of the sign shall not exceed 10 feet. Only one Monument Sign per two hundred fifty feet of lot frontage is permitted. Monument signs are prohibited in the TC2 (Fort Andross) District.

603.3 Pole Sign. A pole sign is one which is attached to a pole or poles erected directly into the ground. Only one pole sign per 250 feet of lot frontage is permitted. The height of the pole sign is measured from the top of the sign to the ground. In the Commercial Districts (HC & CC), Large Scale Business and Institutional Districts and in the MU2 and MU4 Districts, no pole sign may exceed 15 feet in height nor may the size of an pole sign exceed 25 square feet. In all other zoning districts (except for TC2), pole signs shall be made of materials which are made of or resemble wood or wood carving, no pole sign may exceed 10 feet in height nor may any sign exceed 15 square feet. Pole signs shall be setback at least 5 feet from a side or rear property line. Any use which contains a pole sign may not contain a projecting sign or a roof sign. Pole signs are not permitted in the TC2 (Fort Andross) District. (Amended 12/1/97 R)

603.4 Marquee Signs. A marquee is a sign used for the advertisement of a movie or theatrical event. Marquee signs are permitted for theaters only and must be wall signs, subject to the requirements for wall signs.

603.5 Projecting Sign. A projecting sign is one which is attached to a wall at an angle. Where a projecting sign projects over a sidewalk, it must clear the ground by at least eight (8) feet. Any use which contains a projecting sign may not contain a pole sign. Projecting signs may not be placed above the first story of a structure unless it is advertising a use that occurs above the first floor. In cases where a projecting sign occurs above the first story of a structure, it may not be placed higher than the midpoint of the second story.

A. TC1 (Maine Street), TC2 (Park Row), TR (Intown Residential), CU (College Use), R (Residential), and Rural Districts

Projecting signs may not exceed 6 square feet in size and shall not project more than three feet beyond the wall to which they are attached.

B. TC2 (Fort Andross) District

Projecting signs are prohibited in the Fort Andross District.

C. HC (Highway Commercial), CC (Cook's Corner Center), I (Large Scale Business and Institutional), and MU (Mixed Use) Districts

Projecting signs may not exceed 25 square feet.

603.6 Wall Sign. A wall sign is one which is applied, painted or affixed flush to the exterior of a structure. No wall sign shall protrude beyond the roof line or cornice structure of a building, and shall not cover windows, doors or architectural detailing of the building to which it is affixed.

A. CC (Cook's Corner Center), HC (Highway Commercial), I (Large Scale Business and Institutional) and M (Mixed Use) Districts

Each non-residential establishment shall be allowed wall signage not to exceed a total of 25 square feet; except that establishments that occupy a portion of the principal facade shall be allowed wall signage not to exceed 25 square feet or 10% of that portion of the principal facade occupied by that establishment, whichever is greater. (Amended 9/3/02 R)

B. TC2 (Fort Andross) District

The size of a wall sign may not exceed 16 square feet, and shall be placed between the top of a first story window and the bottom of a second story window. Wall signs shall be made of wood (or materials that appear to be wood, and shall be professionally engraved.

C. All Other Districts

Each non-residential establishment shall be allowed wall signage not to exceed a total of 16 square feet; except that establishments that occupy a portion of the principal facade shall be allowed wall signage not to exceed 16 square feet or 10% of that portion of the principal facade occupied by that establishment, whichever is greater. (Amended 9/3/02 R)

603.7 Religious Institution Sign. A religious institution sign must be for the use of a religious institution, must occur on the same parcel as the religious institution, and may have a changeable copy sign. A religious institution sign shall be either a wall monument or pole mounted sign in accordance with the requirements for those signs.

603.8 Development Sign. A single sign not to exceed 16 square feet shall be permitted to identify the name of a subdivision. The Development Sign shall be located on a common area within the development. (Amended 7/12/10 R)

603.9 Changeable Copy Signs. A sign greater than 4 square feet that contains slots for lettering to be placed and periodically removed or changed, including signs with an electronic reader board. Changeable copy signs are prohibited in all College Use, Town Center, Intown Residential and Residential Districts. The area of a changeable copy sign shall not exceed the maximum area allowable for a pole sign in the applicable zoning district. The area of any changeable copy sign which is mounted to a pole sign or directory sign shall count towards the maximum allowable signage area. (Amended 12/1/97 R)

603.10 Directory Signs. A Directory Sign is one which advertises more than one use or establishment. A directory sign may be mounted to the ground, one or more poles, walls, or may project from a wall at an angle. A directory sign may advertise or identify only uses which exist within the same lot or uses which exist in any group of structures which share a common point of access from the public way. Only one directory sign per two hundred fifty feet of lot frontage is permitted. Directory Signs are permitted only in the zoning districts indicated in subsections A, B, or C below.

A. HC (Highway Commercial), CC (Cook's Corner Center), I (Industrial-Institutional and Mixed Use) Districts and the MUZ (Medical Use Zone).

The total size of the directory sign may not exceed 25 square feet per non-residential establishment advertised. Directory Signs may be used to advertise establishments that occur on any four or fewer adjacent parcels and that share access.

B. TC2 (Fort Andross)

Only one Directory Sign is permitted, and its total sign area shall not exceed 56 square feet.

C. TC1 (Town Center District)

The total sign area of Directory Signs shall be no larger than 5 square feet and shall be placed at the entrance to upper-story uses for any building with no front setback. Directory signs for buildings with a front setback shall not exceed 10 square feet per non-residential establishment advertised.

603.11 On-Premise Directional Sign. An on-premise directional sign is used to provide direction to entrances and exits from parking or pedestrian areas. An on-premise directional sign may not exceed 2 square feet. The placement of an on-premise directional sign shall be subject to the review of the Codes Enforcement Officer to ensure that such signs do not impede sight distance.

603.12 Neon Window Signs. Neon signs that are placed inside a window are permitted by permit. Neon Window Signage shall not exceed 5 square feet for any single use. Neon Window Signs are not permitted for residential uses.

603.13 Advertising Messages Incorporated Into Approved Signage. Permanent advertising messages or business information (such as signage indicating business hours, signage which indicates which types of bank machine cards are accepted, or other similar message) shall be considered a sign subject to review, unless that message is in a sign not subject to permit. When reviewing such signage, other signs on the site shall also be considered. Conditions may be placed on the sign permit in accordance with Section 603 (or Section 216.8B for signs in the Village Review Zone).

603.14 Gasoline Sales Canopy Signs. Gas station canopy signs shall not extend beyond the edges of the canopy and shall comply with one of the two following alternative provisions: (Amended 6/19/00 R)

- A. No sign shall exceed 15% of the square footage of the side of the canopy upon which it is located. No side shall contain more than one sign. (Amended 6/19/00 R)
- B. The total area of signs on a gas station canopy shall not exceed 9% of the total square footage of all sides of the canopy. No canopy shall have more than two signs located on it. Both signs may be located on the same side of the canopy. (Amended 6/19/00 R)

(See also Section 306.14)

604 Signs Not Subject To Permit

The following signs are permitted as indicated in each subsection, and require no permit.

- 604.1 Real Estate Sign.** A real estate sign is a temporary sign advertising the lease or sale of land, space or structure. A real estate sign may not exceed 4 square feet for the sale of a residential structure. For all other uses and vacant land, the sign may not exceed 32 square feet. Real Estate Signs must be removed within ten days of the sale or lease of the property. (Amended 9/4/01 E)
- 604.2 Contractor Sign.** A contractor's sign is a temporary sign erected during the construction phase of a project only, not to exceed 32 square feet. Such sign must be removed upon the issuance of a Certificate of Occupancy, where one is required. Contractor Signs may also be used during home improvement or renovation projects that are not subject to Certificate of Occupancy, but must be removed after the work has been completed.
- 604.3 Signs for Garage or Yard Sales.** Lawn, yard or garage sale signs are prohibited on any state or local public property or right-of-way, or on utility poles. No sign for garage or yard sales shall be posted more than 24 hours before and after the event. Size is limited to 4 square feet.
- 604.4 Window Signs.** Window signs are allowed provided that they are placed on the inside of the window, and occupy no more than 25% of the glassed area of all windows.
- 604.5 Farm Stand Signs.** Signs used to advertise a farm stand selling fruits, vegetables or other agricultural crops and products are permitted provided that each sign is not greater than 10 square feet. Such signs may have a changeable copy not subject to review. Farm stand signs may be displayed only during the season when the premises are open for business. (Amended 9/4/01 E)
- 604.6 Household Signs.** Signs that display street numbers, last names and personal names given to residential structures shall not require a permit.
- 604.7 Political Campaign Signs.** Political Campaign Signs are temporary signs bearing messages relating to an election, primary or referendum. Political Campaign Signs are permitted on private property no sooner than 60 days before an election, primary or referendum and must be removed no later than 5 days after the same election, primary or referendum. Size shall be limited to 8 s.f. (Amended 12/1/97 R, 9/4/01 E)
- 604.8 Sandwich Signs.** A sandwich sign is a free-standing, moveable sign, usually shaped like an "A", used to advertise daily specials or special events. A sandwich sign may not exceed 7 square feet and shall be made of wood or materials that appear to be wood. A sandwich sign may be displayed only when the premises it advertises are open for business. Such signs may not impede pedestrian, bicycle or vehicular access. Any sandwich sign which is found to impede the safe movement of pedestrians, bicycles or vehicles may be ordered removed or relocated by the Codes Enforcement Officer. Sandwich Signs located in the Village Review Zone do not require review by the Village Review Board.

604A Signs Requiring Written Notification to Codes Enforcement Officer (Amended 9/2/08 R)

604A.1 Special Events or Notice Sign. Special Events or Notice Signs are temporary signs, such as banner, pennants, wind socks, posters or flags, displayed on a non-residential property for decorative or festive purposes to announce festivals, elections, or other special events. Such signs may not interfere with pedestrian or vehicular traffic. No individual building occupant may utilize the provisions of this section for more than 90 days within a calendar year. For an event or notice exceeding 90 days in length, such signs shall be permitted for a period not to exceed 5 calendar days immediately following the conclusion of the event or notice, nor 180 days per calendar year, whichever is less, upon written approval by the Codes Enforcement Officer. Prior to displaying any Special Event or Notice Sign or Signs, the building occupant shall submit written notification to the Codes Enforcement Officer of the installation and removal. (Amended 9/2/08 R)

605 Special Requirements Signs

The following signs are permitted subject to the special requirements found within each subsection.

- 605.1 Banners.** Banners are signs that extend from one side of the street to the other. Town Council permission is required to raise a banner and the Council has the right to restrict where and when such banners may be displayed.
- 605.2 Official Maine Department of Transportation (MDOT) Directional Signs.** An Official Business Directional Sign visible from a public way in the Town of Brunswick may be erected or maintained as provided for in this Section. Such signs shall also comply with applicable provisions of the Maine Traveler Information Services Act 23 M.R.S.A., Section 1901-1925 and any regulations of the Maine Department of Transportation promulgated hereunder, not inconsistent with the provisions of this Ordinance.
- A. For purposes of this Section, Official Business Directional Sign is defined as a sign erected and maintained in accordance with the Maine Traveler Informational Services Act, 23 M.R.S.A., Section 1901-1925, and this Ordinance, which identifies and points the way to public accommodations and facilities, commercial services for the traveling public, and points of scenic, historical, cultural, recreational, educational and religious interest.
- B. Qualifying uses. The following uses are qualifying uses, provided they do not have frontage on a State-Aid highway/road or Bath Road and are not located in areas noted in Section 605.2.D. (Amended 7/12/10 R)
1. Public and private schools and colleges
 2. Airports
 3. Cultural facilities and historic monuments
 4. Recreational facilities
 5. Municipal and other government facilities
 6. Non-profit organizations
 7. Public accommodations and commercial businesses
 8. Retail agricultural operation
- C. Number of Signs.
1. Not more than four (4) official business directional signs may be permitted per each qualified use. (Amended 2/6/12 R)
- D. Placement of Signs.
1. Official business directional sign may be installed and maintained in the Town of Brunswick except those areas as defined below:
 - a. Town Center 1 (TC1) Zoning District
 - b. Town Center 2 (TC2) Zoning District
 - c. Town Center 3 (TC3) Zoning District
 - d. Village Review (VR) Overlay Zoning District
 - e. Maine Street and Park Row Right-of-Way
- E. Additional requirements.
1. Official business directional signs shall be installed and maintained in accordance with the requirements of the Maine Traveler Information Act, 23 M.R.S.A. sections 1901-1925, as amended, and any other regulations adopted pursuant to said statutes.

2. The following additional requirements shall apply
 - a. The minimum distance between official business directory sign posts shall be at least three hundred (300) feet as measured along the shortest straight line;
 - b. An official business directory sign may be installed only upon issuance of a permit pursuant to this Ordinance, and approval by the Town Police and Public Works departments;
 - c. No official business directory sign shall be placed closer than two hundred (200) feet from the property line of a commercial business offering directly competing goods or services;
 - d. An official business directional sign shall be located no closer than two hundred (200) feet nor further than two thousand five hundred (2,500) feet from an intersection where a change in direction as indicated on said sign is required;
 - e. No more than three (3) official business directional signs may be attached to an individual sign post assembly. No new sign post assembly shall be installed until existing sign post assemblies suitable for any newly proposed official business directional sign contain the maximum number of permitted signs.

F. Permitting and approval process.

1. Any entity wishing to erect an official business directional sign shall make application with the Maine Department of Transportation on an application form provided by MDOT. Prior to submittal to the MDOT for final review, the application will require the signature of the Brunswick Codes Enforcement Officer certifying compliance with the Town's Zoning Ordinance. (Amended 10/20/08 R)

605.3 Non-Profit Organization Fund Raising Signs. Non-profit organization fund raising signs, recommended by the Town Manager and approved by the Town Council shall be permitted at locations on public and private property. The sign shall be a ground sign, with dimensions not to exceed 32 square feet. The height of such sign shall not be greater than 8 feet. The sign shall not be illuminated. The sign shall be removed one week after the fund raising event has ended.

606 Signs Expressly Prohibited

The following signs are prohibited in all zoning districts and under all circumstances.

606.1 Off-Premise Advertising. Signs which advertise products, services or activities not sold, distributed or carried out on the premises. This section shall not be interpreted to prohibit political campaign signs on private property that are regulated by and conform to section 604.8. (Amended 9/4/01 E)

606.2 Flashing Illumination. Signs in which the light source, in whole or in part, physically changes in light intensity or gives the appearance of such change at any interval. Time and temperature signs emanating white light are excepted from this definition. (Amended 12/7/98R 6/19/00 R)

606.3 Moving Signs. Motorized physical movement or motorized revolution of a sign up or down, around or sideways that completes a motorized cycle of change at any interval.

606.4 Signs Painted on or Affixed to Motor Vehicles. No vehicle with directional or advertising signs painted on or affixed to it may be parked, unmoved, on, by or within view of a public way for any period of time greater than five calendar days in any month. Any vehicle so parked must be currently registered for legal operation within the State of Maine and capable of such operation without tow or other secondary assistance.

606.5 Roof Signs. A roof sign is a sign that is mounted to the roof of a building. However, signs mounted on the face of a mansard roof shall be reviewed as wall signage.

606.6 Portable Signs. A portable sign is one which is designed for and intended to be moved from place to

place and not be permanently affixed to land, buildings or other structures. Portable signs used for the conveyance of traffic and other public safety information are exempt from the prohibition and do not require a permit. (Amended 9/4/01 R)

607 Illumination

607.1 Non-Illuminated. Any sign may be non-illuminated.

607.2 Direct Illumination. Direct Illumination is the illumination of a sign from a light source that is outside of the sign. The light emitted from direct illumination shall not result in light trespass beyond the intended area of illumination.

607.3 Internal Illumination. Internal Illumination is the illumination of a sign from a light source that is within the sign. Internally-Illuminated signs are permitted only in Cook's Corner Center, Highway Commercial and Large Scale Business and Institutional Districts.

608 Sign Review

Any sign subject to review, as indicated in Section 603, shall be reviewed with the following standards except if the sign is located within the Village Review Zone, in which case it shall be subject to the review standards found in Section 216.

608.1 Review Standards

When undertaking any signage review, the reviewing authority shall use the following criteria to grant an approval, an approval with conditions, or a denial:

- A. That the sign placement, dimensions and materials conform to the ordinance.
- B. That the proposed illumination conforms with Sections 109.3 and 607 and shall not result in a distracting hazard.
- C. That the sign construction, lettering and graphics be professional in appearance.

608.2 Waivers

The Planning Board or The Village Review Board may waive requirements Section 603 of this Ordinance for extenuating circumstances, which would render compliance with the Standards of 603 infeasible or impractical. When making such waivers the Planning Board shall consider Section 410 and may require conditions to assure compliance with the spirit and intent of this Chapter.

609 Comprehensive Signage Plan Approval

At the applicant's request when reviewing any application for sign review, the Planning Board or the Village Review Board may apply general conditions to the permit regarding replacement signage. Such conditions shall outline guidelines for the replacement of signage, and shall allow future signage to be granted without review provided that the guidelines are satisfied as determined by the Codes Enforcement Officer.

610 General Exemption Provisions

The provisions of this Chapter 6, (with the exception of Section 605) do not apply to signs authorized by the Brunswick Town Council to be displayed on public property or over public rights of ways.

(This Section was amended in its entirety on 9/8/98 R)