

**TOWN OF BRIDGTON
SIGN ORDINANCE**

SECTION I. Purpose

The purpose of this Ordinance is to encourage the effective and safe use of signs in the Town of Bridgton and to promote a healthy business climate while protecting the aesthetic atmosphere of the Town. To accomplish this goal this Ordinance is intended to:

- A. Promote the safety, comfort and well being of the users of streets, roads and highways in the Town;
- B. Reduce distractions and obstructions from signs which would adversely affect traffic safety and to alleviate hazards caused by signs projecting over or encroaching upon public ways;
- C. Ensure that signs provide effective orientation and adequately identify local businesses and services;
- D. Preserve and enhance the visual appearance of the Town pursuant to the Comprehensive Plan of the Town of Bridgton.

SECTION II. Authority and Administration

- A. This Ordinance is adopted and hereafter amended pursuant to and consistent with Article VIII-A of the State of Maine Constitution, 30-A M.R.S.A. ss3002.
- B. This Ordinance shall be administered by the Planning Board and enforced by the Code Enforcement Officer.

SECTION III. Applicability

- A. This Ordinance applies to all new on-premise signs which identify a business or service establishment or a housing development or which attract the public to same. Signs larger than six (6) square feet if applied flush against a building, all free standing, suspended, ground signs or portable signs and all such signs which replace those preexisting this Ordinance that exceed the original configuration or alter placement or location.
- B. This Ordinance applies to all other signs only in respect to the erection or placement of such signs in or near parks,

gardens and monuments belonging to and maintained by the Town of Bridgton and in or near public walkways and roadways.

SECTION IV. Enforcement

A. Violations and Enforcement

The Code Enforcement Officer, upon finding that any provision of this Ordinance is being violated, is authorized to institute legal proceedings to enjoin violations of this Ordinance.

B. Fines

Any person, including but not limited to, a landowner, a landowner's agent or a contractor, who orders or conducts any activity in violation of this Ordinance shall be penalized in accordance with Title 30A, Maine Revised Statutes Annotated, Subsection 4452.

Current penalties include fines of not less than \$100.00 or more than \$2,500.00 per violation for each day that the violation continues.

SECTION V. General Regulations

A. No sign may be erected, installed or displayed in or within ten (10) feet of any park, garden or monument owned and maintained by the Town of Bridgton.

B. No sign shall be erected:

1. At any location where, by reason of position, shape, wording or color, it interferes with or obstructs the view or travel of pedestrian or vehicular traffic;

2. Which may be confused with any authorized traffic sign, signal or device.

C. No sign shall:

1. Consist of pennants, ribbons, streamers, sheets, spinners or other visible moving parts or devices;

2. Consist of strings of lights or have blinking, flashing or fluttering lights or other illuminating devices which are glaring, have a changing light intensity, brightness or color, or be illuminated by other than steady light;

3. Be painted, placed or constructed directly on or project from a roof;
4. Be movable or portable (unless defined as a temporary sign);
5. Emit sound(s).

D. No person shall place or maintain upon or in view of any public way any light so that its beams or rays are directed at any portion of a public street or highway when the light is of such brilliance and so positioned as to blind or otherwise impair the vision of the driver of any motor vehicle upon said street or highway.

E. Any outdoor sign which advertises, identifies or pertains to any commercial activity no longer in existence shall be removed by its owner or persons otherwise responsible within 30 days from the time the activity ceases. This provision does not apply to permanently installed signs applying to seasonal activities during the regular periods in which they are closed.

F. Signs shall be installed and maintained in a safe and secure condition. If the Code Enforcement Officer is of the opinion that a sign is not secure, safe, or in a good state of repair, written notice of this fact shall be given to the person responsible for the maintenance of the sign. If the defect in the sign is not corrected within a time permitted by the Code Enforcement Officer, the Officer may place the sign owner in violation of the Sign Ordinance and the owner becomes liable for a fine as specified in Section IV above.

G. Any change in size, construction or location of any sign, even as a replacement of a sign existing before the adoption of this Ordinance shall constitute a new sign except for the variable portions of non-temporary signs for restaurants, churches, fuel prices, theaters and similar business situations.

SECTION VI. Exempt Signs

The following signs are exempt from the provisions of this Ordinance except for the provisions set forth in Section V above:

- A. Customary holiday decorations;

B. House addresses, family name signs, decorative flags, flags relating to the conduct of business, no trespassing and similar signs;

C. Traffic control and traffic information signs;

D. Official business directional signs;

E. Political signs;

F. Real Estate For Sale signs;

G. Temporary signs announcing commercial and promotional sales, community events and special programs, provided these signs are promptly removed after the event has been held;

H. Church signs;

I. Safety Signs;

J. Signs such as building contractor signs, provided these signs are promptly removed when the project has been completed;

K. All other signs that are non-commercial in nature;

L. Signs that are related to agriculture or farm produce;

M. Signs covered by this Ordinance that were installed and functioning before the adoption of this Ordinance, or signs replacing same that do not alter the existing size, placement and configuration.

SECTION VII. Approval Required

A. No person, agency, firm, developer or corporation shall erect a sign or sign structure covered by this Ordinance without approval from the Code Enforcement Officer or Planning Board.

B. When the sign or signs are a part of a new business, service organization, subdivision or the like making application before the Planning Board pursuant to the Ordinances of the Town of Bridgton, application for signage will be considered a part of the total application and no separate sign application or fee shall be required, as long as all information required at the time of appearance before the Board is complete. The installation of said signs shall be accomplished as part of

building or renovation required to establish the business, service agency or subdivision.

C. New signs for existing or relocating businesses, service agency or subdivision, or newly designed signs that alter those existing prior to the adoption of this Ordinance must receive approval from the Code Enforcement Officer or Planning Board.

D. Approval shall become null and void if the work has not been substantially completed within three (3) months from the date of approval. The Code Enforcement Officer may, upon a showing in writing by the applicant of extenuating circumstances, issue extensions covering a period not to exceed six (6) months from the date of the issue of the original permit.

SECTION VIII. General Standards

A. The design and lighting of signs and other advertising structures shall be shielded and non-flashing and shall not detract from the design of surrounding structures and properties.

B. Signs shall be limited to 2 (two) per business to be used for purposes of identification and to attract the public to said business, service agency or subdivision.

C. Free-standing signs are limited to one (1) per business or business cluster and shall not exceed 100 (one hundred square) feet in size (one side) with no one dimension exceeding fourteen (14) feet; or be higher than twenty (20) feet at their highest point above the ground; or have more than two (2) sides; or obstruct pedestrian or vehicular traffic, or vision of a traveled roadway except in the Downtown Village District (see map) where free-standing signs are limited to one (1) per business or business cluster and shall not exceed fifty (50) square feet in size (one side) with no one dimension exceeding ten (10) feet; or be higher than eighteen (18) feet at their highest point above the ground; or have more than two (2) sides; or obstruct pedestrian or vehicular traffic, or vision of a traveled roadway.

D. Separate locations within a business center or cluster are each allowed a sign for individual identification, all such signs within the center or cluster having a unified design.

E. Businesses or subdivisions located at an intersection of two major roadways may erect a free standing sign for each roadway.

F. Free standing signs shall have an area at the base for planting of shrubbery or other landscape materials either directly in the soil or in planters or other appropriate containers.

G. Signs installed on a building which project over a pedestrian walkway shall not exceed fifteen (15) square feet in area on one side or be, at its lowest point, less than ten (10) feet above the public walkway.

H. Signs installed on a building are allowed to be 5% of the wall area square footage or 50sf whichever is greater.

I. Electric wiring used to illuminate signs shall be enclosed or buried underground.

J. The use by a business establishment of a portable sign(s) is limited to a period of ninety (90) days. Said sign to be located on the property where the business is located.

K. One non-illuminated awning or one marquee sign per building shall be allowed in addition to approved signs.

L. Other sign requests, standards and considerations will be entertained by the Planning Board on a case by case basis.

M. All signs shall conform to the laws of the State of Maine.

N. Any permanent outdoor sign advertising a home occupation, business, subdivision or other commercial activity shall be harmonious with existing buildings and architectural features in the vicinity, shall not detract from the design of other surrounding structures and properties and shall be constructed, installed and lighted in a manner not to present potential damage to the value of adjacent properties.

O. Street Name and Number shall be displayed and maintained on the sign in a visible location and shall be in compliance with the Town of Bridgton Street Naming and Addressing Ordinance.

SECTION IX. Waivers and Appeals

A. Waivers

Where the Planning Board determines that the applicant will suffer a commercial hardship if the requirements of this

Ordinance are strictly applied, it may waive the necessity of strict compliance with the requirements of this Ordinance to permit a more practical and economical development provided, however, that the public health, safety and welfare will not be compromised and further provided that the waivers in question will not have the effect of nullifying the intent of this Ordinance.

B. Appeals

1. Any person, firm or corporation aggrieved by a decision of the Code Enforcement Officer ("CEO") or Planning Board may appeal such decision to the Board of Appeals within 30 days of the written decision by filing an appeal at the office of the Town Clerk on forms approved by the Board of Appeals.

2. The fee established by the Board of Selectmen (see fee schedule) shall be paid at the time of filing the appeal to cover the cost of advertising. An escrow fee shall also be paid for miscellaneous services rendered in processing the application. This fee shall also be established by the Board of Selectmen. Any unused portion of the escrow shall be returned to the appellant.

3. Appeals from decisions of the CEO, and decisions of the Planning Board made without conducting a public hearing, shall be de novo. The CEO shall transmit to the Board of Appeals the decision and all documents and other evidence on which the decision was based which may be considered as evidence in the de novo proceeding. The Board of Appeals shall conduct a public hearing at which all persons shall have the right to present additional testimony and documentary evidence. At the public hearing, any party shall have the right to cross-examine witnesses. The standard of review shall be whether, on the basis of the evidence before the Board of Appeals, the application conforms to the requirements of the Ordinance. The burden of proof shall be upon the applicant for the permit or approval. The Board of Appeals shall have authority to grant or deny a permit or approval or to remand the matter to the CEO or Planning Board for further proceedings.

4. Appeals from decisions of the Planning Board made after conducting a public hearing shall be purely appellate. The CEO shall transmit to the Board of Appeals the decision of the Planning Board and all documents and other evidence comprising the record on which the Planning Board decision was based. The Board of Appeals shall conduct a public proceeding at which all

persons shall have the right to present legal argument concerning the decision of the Planning Board. The Board of Appeals shall not permit the introduction of additional testamentary or documentary evidence. The standard of review shall be whether the decision of the Planning Board was arbitrary or capricious, based on error of law or on findings of fact not supported by substantial evidence in the record. The Board of Appeals shall have authority to sustain or reverse a decision of the Planning Board or to remand the matter to the Planning Board for further proceedings.

5. The Board of Appeals shall not continue a public hearing on an appeal to a future date except for good cause.

6. The affirmative vote of three members of the Board of Appeals shall be necessary to grant an approval or permit on appeal from a decision of the CEO or to grant an appeal from a decision of the Planning Board. The failure of the Board of Appeals to issue a written notice of its decision, directed to the appellant by registered mail, within thirty five (35) days of the close of the public hearing shall constitute a denial of the appeal.

7. Any aggrieved party may appeal a decision of the Board of Appeals to Maine Superior Court within 45 days of the date of the vote of the Board of Appeals in accordance with 30-A M.R.S.A. § 2691 and Rule 80B of the Maine Rules of Civil Procedure.

Section X. Amendments, Validity, Effective Date

A. Amendments to this Ordinance may be initiated by the Planning Board, provided a majority of the Board has so voted; by request of the Board of Selectmen; or by written petition to the Board of Selectmen of a number of voters equal to at least 10% of the number of votes cast in the municipality at the last gubernatorial election.

B. The Planning Board shall hold a public hearing on the proposed amendment for public comments. Notice of the hearing shall be published at least ten (10) days in advance in a newspaper of general circulation in the area.

C. Adoption of Amendment to this Ordinance shall be by a majority vote of any Town Meeting.

D. Should any section or provision of this Ordinance be declared by any court to be invalid, such decision shall not invalidate any other section or provision.

E. This Ordinance shall not be construed to repeal any existing bylaws or Ordinance, or to impair the provisions of private restrictions placed upon property provided, however, that where this Ordinance imposes greater restrictions, its provisions shall control.

F. The effective date of this Ordinance shall be upon Town Meeting approval.

SECTION XI. Definitions

AWNING - A non-illuminated sign painted on or attached to a fabric cover on a frame.

FREE-STANDING SIGN - A sign in a fixed location supported by pole(s) or post(s) but unattached to any building, wall or fence.

GLARING ILLUMINATION - Light of such brilliance and so positioned as to temporarily blind or impair one's vision or affect the aesthetic value of surrounding structures or property.

HOME OCCUPATION - An occupation or profession which is customarily carried on in a dwelling unit or structure accessory to a dwelling unit which is incidental to residential use and employs two or less full-time equivalent employees.

INTERNALLY ILLUMINATED SIGN - A sign with the light source internally concealed or contained which becomes visible in darkness by shining through a surface.

MARQUEE - A sign consisting of interchangeable letters on the face of a permanent overhanging shelter which is attached to or projects from the face of a building.

OFFICIAL BUSINESS DIRECTIONAL SIGN - A sign erected and maintained within the public right-of-way to indicate to the traveling public the route and distance to public accommodations, facility, commercial services and points of scenic, historic, cultural, recreational, educational or religious interest. Such signs shall conform to all applicable

state regulations regarding the placement of signs in public rights-of-way.

PARKS or GARDENS - An area of land set aside by a municipality for public enjoyment, rest, recreation or memorial. Not applicable to tree, shrub or flower bedding areas set into the sidewalk.

POLITICAL SIGN - Any sign that advertises a candidate or an issue which is to be voted on in a local, state or federal election process.

PORTABLE SIGN - A sign not designed or intended to be permanently affixed into the ground or to a structure.

PROJECTING SIGN - An outdoor sign attached to a building at a right angle.

PROMOTIONAL SALE SIGN - Sign or banner promoting products, goods or services.

PUBLIC WAY - Any way designed for vehicular or pedestrian use and maintained with public funds.

SAFETY CONTROL SIGN - Warning, control, OSHA or required public safety signs.

SIGN - An object, device, or structure, or part thereof, situated outdoors, and used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location, by any means including words, letters, figures, design, symbols, advertising flags, fixtures, colors, illuminations or projected images.

SIGN AREA - The facing of a sign, including copy, insignia, background, structural supports and borders. The structural supports shall be excluded if they do not constitute a major part of the sign or if the structure is not used to identify or attract attention to the business or product.

TEMPORARY SIGN - A promotional sale sign(s), charitable sign(s), fund-raising sign(s), garage sale sign(s) or similar sign(s) to be removed at the conclusion of a single event.

TRAFFIC CONTROL SIGN - A sign regulating traffic which has been erected by the State or Municipality having jurisdiction over the public way.

TRAFFIC FLOW INFORMATIONAL SIGN - A sign directing traffic to, from or within, or providing information for a commercial, residential or industrial development.

WALL SIGN - A sign attached against the exterior surface of a building.

Enacted: June 14, 2000

Amended: June 14, 2005 and June 12, 2007

***Town of Bridgton
Sign Ordinance
Downtown Village District***

June 14th, 2005

