

225-33 Sign Ordinance with Commentary

This copy of the Topsham Sign Ordinance includes chapter 225-6 definitions and the Sign ordinance chapter 225-33. Several words and phrases may be underlined in the text and followed by commentary in bold print to help clarify areas where questions have arisen regarding the sections meaning; please note that the commentary is advisory only and is subject to change. Match the number in the top left corner of your copy to the online version to be sure you are using the most current one.

- A. Signs located on Town property including rights of way are regulated by Selectman Policy, see section 225-33C-(6)(7) and policy attached end of this ordinance
- B. Signs located in Shoreland Zones RP, SP, LR and LC are also regulated by ordinance chapter 225-19 section 15-I, this section of the ordinance will govern in Shoreland areas
- C. Placement of signs by any public way is regulated by Title 23 §1914. This law is enforced by the Maine Department of Transportation and states:
 - a. Location; relation to public way; license. Unless a license is obtained from the commissioner pursuant to this subsection, on-premises signs are prohibited:
 - i. Within 33 feet of the center line of any public way;
 - ii. Within 20 feet from the outside edge of the paved portion of any public way with more than 2 travel lanes and a total paved portion in excess of 24 feet in width; and
 - iii. Within the full width of the right-of-way of any public way.
- ❖ Paragraphs i and ii do not apply to signs erected before September 1, 1957. Any questions regarding the applicability of this law should be directed to MDOT at 207-624-3000.

SIGN

An object, device or structure, visible from a public way, or functionally visible from a neighboring property (visible and legible from the property line at any point up to 6 feet above finished grade), with a name, identification, description, display, notification or illustration which is affixed to, painted or represented directly or indirectly upon a building, structure, parcel or lot and which **relates to a commercial use located on the premises.**

- ❖ **This ordinance regulates signs related to commercial uses, a Commercial Use is defined in 225-6 as: “The use of lands, buildings or structures, other than a home occupation, defined below, the intent and result of which activity is the production of income from the buying and selling of goods and/or services, exclusive of rental of residential buildings and/or dwelling units.”**
 - Sign standards contained in the ordinance that do not relate to a commercial use are advisory only and not enforceable under the zoning ordinance. Examples are Home Occupation, Public Notice, Public Safety
 - There may be other sign types that are neither commercial or advisory, these are not subject to this ordinance

- ❖ **This ordinance regulates messages that are visible from a public way and are functionally visible from neighboring property lines, other signs are not subject to this ordinance.**
 - **“visible from a public way” means if the sign can be seen anywhere from the public way, the sign is regulated; “visible and legible” means the sign wording must be clear enough to read.**

SIGNABLE AREA

The wall area exclusive of openings and architectural details.

- ❖ **Windows and Doors are not considered openings for the purpose of this definition**

SIGN, ARCADE

An on-premises sign attached to the underside of the soffit or ceiling of an arcade or covered walkway.

SIGN AREA

The space within a continuous perimeter of a geometric configuration, which encloses the limits of the advertising message, illustration, insignia, surface or a space of a similar nature, together with any frame, color or other material which is an integral component of the display and is used to differentiate such sign from a wall or other background, and including supporting posts or brackets, unless the supporting posts or brackets are less than 8 inches in **width**, or are less than 20% of the area of the sign. Any area greater than 20% of the sign area will be counted as sign area. The total area of a canopy sign shall be the sum of the areas of the geometric configuration surrounding the sign wording or message.

- ❖ **Width: Post or bracket width is measured at the face side of the sign; depth is not regulated.**

SIGN, BANNER

Any sign of lightweight fabric or similar material having no permanent frame and which is mounted to a pole, building or other object.

- ❖ **See section B14.**
- ❖ **See the consolidated sign table for size and location.**

SIGN, BUILDING DIRECTORY

A wall sign indicating the tenants in a building.

SIGN, CANOPY

Any sign that is part of, or attached to, an awning, canopy or other fabric, plastic or structural protective cover over a door, window, entrance or outdoor service area.

SIGN, DEVELOPMENT

An on-premises permanent sign which identifies an office complex, industrial park, retail mall, multifamily dwelling or subdivision development.

- ❖ **See section D11.**

- ❖ **These signs: Are not counted toward allowable SF; may be in addition to other permitted ground signs.**

SIGN, DIRECTORY

A sign at the major entrance to a commercial, business, retail, multi-tenant or industrial park that identifies the occupants of the park.

- ❖ **See section (H).**

SIGN, ELECTRONIC MESSAGE CENTER

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, as further defined and regulated under 23 M.R.S.A. § 1914 (11-A).

- ❖ **See section (C1)**
- ❖ **See section (J).**

SIGN, FLAG

Any fabric or flexible material attached or designed to be flown from a flagpole or similar structure.

- ❖ **See section D4**

SIGN, GAS STATION PRICING

A sign used to display the per-gallon price of gasoline.

SIGN, HOME OCCUPATION

A sign containing only the name and occupation of a permitted home occupation.

- ❖ **Home Occupations are not commercial uses per the definition of commercial use, as a result signs for HO's are not regulated by 225-33. See 225-45A6 and 225-45B8 for allowable size; No Permit is Required.**

SIGN, INFORMATION

An on-premises sign commonly associated with, and **not limited to**, information and directions necessary or convenient for visitors coming on the property, including pedestrians and vehicles, marking entrances and exits, parking areas, circulation direction, restrooms, entrances, exits, pickup and delivery areas, or other similar site feature.

- ❖ **See section D1.**
- ❖ **See the Consolidated sign table at the end of this section.**

SIGN, INTERIOR

Any sign placed within a building, but not including window signs as defined herein.

- ❖ **These sign types are not regulated by this ordinance.**

SIGN, INTERNALLY ILLUMINATED

A sign that is illuminated from a light source that is within the sign.

SIGN, MARQUEE

A permanent roof-like structure designed and constructed to serve as a sign, utilizing manually changeable copy for the purpose of advertising at a movie or other type of theater.

- ❖ **See section (I).**

SIGN MATERIAL

Permanent signs shall be constructed of durable material of one-half-inch minimum thickness that will not deform (warp, bend, etc.) under normal weather conditions. Materials under 1/2 inch in thickness may be approved when supported by a fixed ridged frame designed to prevent deformation of the sign panel.

- ❖ **Sign material standards are only applicable to permanent signs.**

SIGN, MENU BOARD

- ❖ **These signs are not regulated by this ordinance provided they remain typical to other menu boards located in Town.**

SIGN, MONUMENT

A sign permanently affixed to the ground at its base, supported entirely by a base structure, and not mounted on a pole.

- ❖ **See sections B10, B13, B11.**

SIGN, MOVABLE

Any sign, or part of a sign, that changes physical position or light intensity by any movement or rotation or that gives the visual impression of such movement or rotation, including any **sign mounted on a vehicle** the sole purpose of which is to advertise a product or business, or any sign held, worn or used by an individual which is designed to attract the attention of the public to a particular place of business or a specific product.

- ❖ **See section C2**
- ❖ **A vehicle mounted sign is exempt when located on a registered and inspected motor vehicle or other registered vehicle such as a trailer, provided the sign is not continuously located in the same location or the sign extends beyond the height, width or length of the vehicle.**

SIGN, OFF-PREMISES (*This definition is not included in 225-33 but is shown to clarify the sign type as used in application of the ordinance*)

- ❖ **See section (C3, C6, C7)**
- ❖ **An off-premises sign is a regulated sign that is NOT LOCATED on the premises.**
- ❖ **A premises is a land area described by a deed; if a sign advertises something that is not located on the same lot as the sign, it is an off-premises sign.**

SIGN, OFFICIAL BUSINESS DIRECTIONAL

A sign erected in accordance with Title 23, M.R.S.A. Chapter 21, Maine Traveler Information Services.

- ❖ **See section (E).**

SIGN, PERMANENT

All stationary signs or advertising devices with a fixed location on or in the ground, or attached to something having a fixed location on the ground, identifying goods or services offered on the lot where the sign is located.

SIGN, PORTABLE

A sign that is not permanent, affixed to a building, structure or the ground.

- ❖ **See section F4.**

SIGN, POST

A freestanding sign supported by one or more upright poles, columns or braces permanently affixed in or on the ground and not attached to any building or structure.

- ❖ **See sections B10, B11, B13.**

SIGN, PROJECT/CONTRACTOR

A temporary sign located on a project site which advertises the project name, owner or contractor, such as architect, engineer, builder, plumber, electrician, building material supplier, etc., associated with the building project or development.

- ❖ **See section D10.**

SIGN, PROJECTING

A permanent sign mounted on a building projecting perpendicular to the face of the building.

- ❖ **See sections B4, B7, C6.**

SIGN, PUBLIC NOTICE

A sign located on municipal property or located at a municipal facility to display notices or information to the public.

- ❖ **See section 225-6 definition: "Municipal" – Any authority, agency or unit of local government or school district.**
- ❖ **See sections C1, D12**

SIGN, PUBLIC SAFETY

A sign for the control of traffic and other regulatory purposes, street signs, warning signs and signs of public service companies indicating danger or warnings.

- ❖ **See sections C1, D2.**

SIGN, REAL ESTATE

A sign pertaining to the sale or lease of the premises, or a portion of the premises, on which the sign is located.

- ❖ **See section D3.**

SIGN, ROOF

A sign that is displayed above the eaves and under the peak of a building.

SIGN, SANDWICH BOARD

A two-sided sign, typically shaped like an "A" and hinged at the top, that is made of wood or materials that appear to be wood and is not attached to the ground.

- ❖ **See section D13.**
- ❖ **Typical only, a sandwich board sign may be any shape.**

SIGN, SEASONAL OCCUPATION

A temporary sign advertising the business conducted on the premises which is dependent on seasonal services or products, and is displayed during specified periods as determined by the applicant and as permitted by a seasonal retail license.

- ❖ **In order to use one of these sign types, you must first obtain a Seasonal Retail License from the Codes Office. These signs are considered temporary and may be comprised of any materials; size is regulated by the consolidated sign table; a permit is required.**

SIGN, TEMPORARY

A sign intended to display commercial messages of a transitory nature. Portable signs or any sign not permanently embedded in the ground, or not permanently affixed to a building or sign structure that is permanently embedded in the ground, are considered temporary signs.

- ❖ **See sections B14, C4, D3, D13, F4, Definition “Sign, Seasonal Occupation”.**

SIGN, WALL

A sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and does not project more than twelve (12) inches from such building or structure. No wall sign may cover any window, door or architectural detail.

- ❖ **See section B9.**

SIGN, WINDOW

A sign affixed to the surface of a window with its message intended to be visible to the exterior environment.

- ❖ **These signs are not regulated by this ordinance provided they are affixed to the interior side of the window.**

§ 225-33. Signs.

[Amended Art. 4; 5-16-2012 STM, Art. 10]

A. Purpose. The purposes of these sign regulations are to encourage the effective use of signs as a means of communication within the Town; to maintain and enhance the aesthetic environment of the Town and the Town's ability to attract economic development; to improve pedestrian, bike and vehicular safety; and to minimize possible adverse effects of signs on nearby public and private property.

B. General requirements.

- ❖ **See section (D), any sign listed as exempt is not subject to this section.**

(1) No signs, other than those not requiring permits in the Consolidated Sign Table, *Editor's Note: The Consolidated Sign Table is included in Subsection L of this section.* shall be erected prior to obtaining a permit.

(2) All signs must be stationary and permanently installed except where exempted by this section.

(3) All lighting shall be **hooded or shielded** to prevent direct illumination of public streets or abutting properties and shall be designed and installed to minimize lighting the sky.

❖ **General: This refers to spot light type lighting; internally illuminated signs are considered shielded**

(4) Projecting signs shall maintain height clearance of ten (10) feet above ground level and shall not extend more than four feet from the building surface.

❖ **Also see B7, C6**

(5) No sign shall be installed within ten (10) feet of the travelway, unless the applicant presents information that demonstrates to the Codes Enforcement Officer that the sign doesn't impede safe-sight lines.

❖ **A "travelway" is the lane vehicles drive in and does not include shoulders, breakdown lanes or sidewalks. Example: If the road is striped, the travelway is the area within the outside solid white lines; if the road is not striped it is the full pavement width.**

❖ **If you want to place a sign within 10' of a travelway, you will need to obtain the written approval of public works (725-1728) and the police department (725-4337) and include these in your sign permit application.**

❖ **Placement of signs by any public way is regulated by Title 23 §1914. This law is enforced by the Maine Department of Transportation and states:**

Location; relation to public way; license. Unless a license is obtained from the commissioner pursuant to this subsection, on-premises signs are prohibited:

A. Within 33 feet of the center line of any public way;

B. Within 20 feet from the outside edge of the paved portion of any public way with more than 2 travel lanes and a total paved portion in excess of 24 feet in width; and

C. Within the full width of the right-of-way of any public way.

Paragraphs A and B do not apply to signs erected before September 1, 1957.

Any questions regarding the applicability of this law should be directed to MDOT at 207-624-3000.

(6) Signs may be located within the setback area (the area between the property line and the setback line) of the property in which they are erected, but no sign shall overhang any property line, **except where projecting signs are permitted to overhang the sidewalk.**

❖ **For projecting signs over a sidewalk see C6; requires Selectboard approval**

(7) All signs shall be located below the ridgeline of the building.

❖ **General: Applies to signs attached to the building; excludes post/monument and other signs.**

(8) Wall signs may only be installed in the signable area of the facade.

(9) Only one post or monument sign is permitted per building, lot or project, except as provided in **Subsection H** below.

(10) For purposes of calculating total sign area, only one face of post signs shall be included in the calculation. If a sign has more than two (2) faces, or if the 2 faces are not parallel to each other, all sides shall be calculated.

(11) No signage, other than approved traffic and directional signs, shall be placed within traffic islands.

(12) Limits on the number or size, or the method of measuring, post signs shall also apply to monument signs.

(13) Banners. Only one banner is allowed per business, for a **single period not to exceed 90 days**, and shall be included in the total square footage of signage allowed. The maximum size of a banner is included in the Consolidated Sign Table. *Editor's Note: The Consolidated Sign Table is included in Subsection L of this section.* In the Commercial Sign District, banners used to announce the availability of **leasable space** shall not be subject to the single 90-day restriction.

- ❖ **The term “Single Period not to exceed 90 days” refers to the period in days that the banner may be installed and may be consecutive, intermittent, or a combination of both. Banners used to announce leasable space in a Commercial Sign District are exempt from the 90 day limitation.**
- ❖ **Banners can be up to 50 square feet but count toward the total sign square footage allowed to the business: Example; if the business is at their maximum signage amount, they cannot install a banner.**
- ❖ **Banners are not allowed in Residential or Middle Village sign districts.**

C. Prohibited signs:

(1) Any sign comprised of, or illuminated by, intermittent light, except digital public service messages, such as time, date, temperature, public notice signs displayed in accordance with Section “J”, public safety signs, or as otherwise noted.

- ❖ **The intent of this section is to allow digital sign types listed provided they are displayed in conformance with section (J). These digital signs are NOT further regulated as EMC’s**

(2) Movable signs.

(3) **Off-premises signs**, except as allowed by the State of Maine through its off premises business direction signs.

- ❖ **Or as allowed by sections C6, C7, D, F5 exemption (a, b), H.**

(4) Temporary signs, **unless otherwise permitted**.

(5) Portable signs.

- ❖ **Any type of message located on or over Town property including Rights of Ways is subject to the most current Topsham Board of Selectmen Policy.**
 - **See end of ordinance for policy**

(6) Signs located in, on, or projecting over any Town owned or leased property, or over public rights-of-way with the exception of signs authorized by the Topsham Selectman or their designee or as otherwise permitted by this ordinance.

(7) Non-commercial signs located in, on, or projecting over any Town owned or leased property, or over public rights-of-way, with the exception of signs authorized by the Topsham Board of Selectmen (in accordance with guidelines adopted by the Board), or its designee, or as otherwise permitted by this ordinance.

- ❖ **Note: Non-commercial signs are not signs as defined and are not regulated by this ordinance. The inclusion of this section is for informational purposes only**

D. Exempt signs: signs that are not counted toward the total square footage allowed to a business in a particular zoning district, but **are otherwise exempt from the general standards of this section.** unless otherwise noted. The following is a list of signs that shall be exempt from the general standards of this section:

- ❖ **These signs are exempt from section (B) unless specifically noted by this section (D)**
- ❖ **Where an exempt sign is made part of a regulated sign, the area of the exempt sign is not counted in either the total or individual sign maximum area.**

(1) Information signs: signs which provide direction or instruction and are located entirely on the property to which they pertain, such as restroom, public telephone, parking entrances, and exit signs. Information signs may not include the name of the business or the business logo.

(2) Public safety signs.

- ❖ **Non-commercial signs are not regulated by this ordinance, any standards are advisory only (see def. Sign)**

(3) **Real estate signs.** Only one real estate sign **per lot or parcel** is permitted, to be removed upon sale or lease.

- ❖ **Per lot or parcel does not include per building. Multiple listings located on a single lot or parcel must be consolidated on a single sign subject to a maximum size as permitted in the consolidated sign table. Real Estate signs are temporary in nature and not subject to the “Sign Material” standard. Also see “Banner” B-14 for lease space.**

(4) RESERVED

(5) RESERVED

(6) RESERVED

(7) RESERVED

(8) RESERVED

(9) RESERVED

(10) Project/contractor signs: a single temporary sign advertising a builder(s), engineer(s), designer(s), or similar individual(s) who is (are) responsible for the development under construction. One contractor sign is permitted per development, with a maximum height of eight feet above grade. The sign may contain multiple listings of those involved with the project and must be removed at the issuance of the last certificate of occupancy for such development, or when the project is complete as determined by the Codes Enforcement Officer.

(11) One development sign is permitted per project entrance, with a maximum height of eight feet above grade.

(12) Public notice sign.

❖ **Non-commercial signs are not regulated by this ordinance, any standards are advisory only (see def. Sign)**

(13) A single sandwich board sign may be placed in front of businesses daily but shall be removed nightly.

❖ **Only in sign zones that allow them. See the consolidated sign table.**

E. Official business directional sign (OBDS):

1. Permit application forms are provided by MaineDOT
2. No OBDS shall be permitted on any street that is not an arterial street or collector street as defined in § **185-3** of the Topsham Code of Ordinances.
3. Size shall not exceed 12 inches by 48 inches.
4. Color shall be green background with white letters unless otherwise required by MaineDOT regulations.
5. A colored logo is permitted within the logo area designated by MaineDOT regulations.
6. Total number of signs per business shall be limited to four.

❖ **Please contact MDOT at 207-624-3000 regarding applications for these signs.**

F. Nonconformance.

(1) The eventual elimination of nonconforming signs is an objective of the Town. Such elimination of nonconforming signs shall be brought about over a period of time and in such a manner as to avoid the invasion of vested rights of the sign's owner and the infliction of unnecessary hardship.

- (2) A nonconforming sign is an otherwise legally erected sign that does not comply with the provisions of § 225-33, including location, structure, size, dimension, setback, or type, or any other provision of this section upon adoption by Town Meeting.
- (3) Nonconforming signs may be retained and maintained until the earlier of any of the following criteria are met:
- (a) No later than two (2) years following the close of a business that uses a nonconforming sign to advertise its name, location or any other feature of the business, unless a new business occupies the building before the end the two (2) year period;
 - (b) Upon the change of use of a structure utilizing a nonconforming sign, when such change in use requires a site plan review by the Planning Board;
 - (c) Changes made to the braces, poles or any portion of the system used to affix the sign to the ground or wall or structure.
 - (d) Upon the sale of the property when the use on the property is also nonconforming at the time of the sale which results in any change in signage.
 - (e) No later than **ten years** following the adoption of a sign ordinance amendment that results in a sign being made nonconforming.

- ❖ **Unless excepted under F5 (a).**
- ❖ **The ten year date is May 16, 2022.**

(4) Temporary and/or portable signs shall be removed within 60 days of the adoption of this section.

(5) Exceptions:

- (a) Off-premises signs that do not pose a hazard to the travelling public (either pedestrian or vehicular) may continue in that location, until there is a change to the braces, uprights, poles or any portion of the system used to affix the sign to the ground, wall or structure.
- (b) Any signs that have been determined by the Topsham Historic Commission, the State Historic Preservation Office, or the National Park Service to be of historic value.

- ❖ **Any sign found to be exempt by 5(a) or 5(b) is only subject to section (5) Exceptions. Example: An off-premises sign maintained in accordance with 5(a) will not be subject to removal per 3(a,b,c,d,e).**

(6) Maintenance.

- (a) Nonconforming signs may be maintained, given new lettering, colors or logos, or otherwise altered, as long as there is no change to the size or the location of the sign, changes to the dimensions of the sign, or as long as the braces, uprights, poles or any portion of the system used to affix the sign to the ground, wall or structure is not changed.

- ❖ **This section allows re-wording, color change, continued repair etc. but not structural or dimensional alterations including size reconfiguration, enlargement or reduction.**

G. Maintenance and removal.

- (1) Every sign shall be maintained in a safe, presentable and good structural condition by the timely replacement of defective parts, periodic cleaning and painting when necessary. The construction, alteration, maintenance and repair of all signs shall conform to all applicable building and electrical codes adopted by the Town.
- (2) The Codes Enforcement Officer shall cause to be removed any sign that endangers public safety, including signs which are materially, electrically or structurally defective, or signs for which no permit has been issued.

H. Planned residential and planned commercial developments. Signs for planned residential or planned commercial developments, **or** signs for shopping centers, office/business or industrial parks shall be governed by the following criteria:

- ❖ **This section includes all project types listed, not just PRD/PCD**

- (1) One directory sign for each project shall be allowed at **each** major entrance of the project **from a public way**, subject to the following criteria:

- ❖ **“Each major entrance” means there can be more than one sign**
- ❖ **Permits for Directory signs will be issued by the Code Enforcement Officer in compliance with H (1) and the sign table.**
 - **For sites with an approved master signage plan subject to H(2) below, permits will be issued in compliance with that plan and the sign table**

(a) Directory signs for developments with **leasable floor space** of 10,000 to 100,000 square feet shall not exceed 100 square feet per face.

(b) Directory signs for developments with **leasable space** of more than 101,001 square feet shall not exceed 200 square feet per face.

- ❖ **“101,001 square feet” means “100,000 square feet”**
- ❖ **Section “a” states “leasable floor space” and section “b” states “leasable space”. For purposes of this ordinance, both mean “leasable floor space including all floors of all potential buildings that could be built subject to zoning regulation”**

(c) Directory signs shall not be calculated as part the sign allowance in the Consolidated Sign Table. *Editor's Note: The Consolidated Sign Table is included in Subsection L of this section.*

- (2) A master plan for signage shall be reviewed by the Topsham Planning Board during the site plan review process. The master plan for signage shall include the following:

(a) A plot plan of the lot(s) at a scale of not more than one inch equals 100 feet.

(b) Computation of the maximum total sign area, the maximum area for individual signs, the height of signs and the number of post signs allowed on the lot(s) under this chapter.

(c) The proposed location of present and future signs.

(d) The location of buildings, parking lots, driveways and landscaped areas.

I. Marquee signs. All marquee signs shall be permanently attached to the structure in which the theater is located or placed on the same lot as the theater is located. The marquee sign area is in addition to the sign area permitted for other signs, except that any area of a marquee sign which is used for the advertisement of the theater or other business shall be included in the computation of the maximum sign area per building. One marquee sign per building shall be permitted.

J. Electronic message center signs. Electronic message center (EMC) signs are permitted as indicated in the Consolidated Sign Table, *Editor's Note: The Consolidated Sign Table is included in Subsection L of this section.* but are subject to the following additional standards:

(1) Except for time and temperature information, changeable signs may change no more often than once per minute.

(2) Time/date/temperature information must be displayed for a minimum of 3 seconds each time it is shown.

(3) When changing messages, the message must change instantly and may not include any phasing, rolling, scrolling, flashing or blending of messages.

(4) Streaming of information or video animation is not permitted.

(5) While being displayed, the message shall remain fixed, with no flashing, phasing, rolling, scrolling or blending of information.

(6) All such signs shall be designed, and operated, to be in conformance to § 225-26, Lighting, and § 175-9 at all times.

❖ **The burden of proof of compliance is the applicant's responsibility and must be submitted with the permit application.**

(7) The location, directional expression, and illumination must not be functionally visible from Interstate 295.

(8) When used as gas station pricing signs, they shall be limited to a single sign of no more than 8 square feet at any facility that sells gasoline, including neighborhood grocery stores.

K. Sign district regulations. For the purposes of this ordinance, signs are regulated by district type. The Town is divided into the following Sign Districts:

❖ **In addition to this ordinance, signs located in Shoreland Zones RP, SP, LR and LC are also regulated by ordinance chapter 225-19 section 15-I. The two ordinances are used together; however the more restrictive provision of either ordinance will govern.**

Residential: This includes those portions of Town that are zoned residential, including the **R-1, R-2, R-3** and **R-4** Zoning Districts, and that portion of the **MUL** Zoning District that does not front on Route 196.

Commercial: This includes those portions of Town that are zoned for significant commercial, retail, and business development. This designation includes the **MUC** and **MUC-1** Zoning Districts.

Highway Commercial: This includes those portions of Town that are zoned for commercial, business, and retail uses, but to a lesser degree than the Commercial District. This designation includes the **CC-196, BP** and **CC** Zoning Districts.

Lower Village: This includes those portions of Town that are zoned for commercial, retail, or business uses but are subject to Main Street design guidelines, and includes the **LV** Zoning District.

Village Center: This includes those portions of Town that are zoned for commercial, retail or business uses but are subject to Main Street design guidelines, and includes the **VC** Zoning District.

Middle Village: This includes the area of Town that represents the historic core of Topsham, which consists largely of a mix of residential and small-scale businesses. This designation includes the **MV** Zoning District.

Highway Corridor: This includes those areas of Town that are zoned commercial, primarily along major roads leading to Town, including the **RCU, BP-2, LI,** and **I** Zoning Districts, and that portion of the **MUL** Zoning District that fronts on Route 196.

- ❖ **District R2B is not listed, businesses located in R2B are permitted to place signs and these signs are regulated by the Highway Corridor sign zone standards.**

L. Sign types and sizes by sign district.

Consolidated Sign Table

- X Not permitted
- # Indicates size allowed with permit
- #- Indicates size allowed with no permit required **(*Including all signs listed in section "D")**
- A
- P Indicates permit is required; standards are in Subsections **G** and **H**

Advisory, see def. Sign

	Sign District						Highway Corridor
	Residential ^{2,3}	Commercial	Highway Commercial	LV ³	VC ⁴	MV ³	
Maximum Signage	50	200	175	150	175	50	175
Sign Type							
Post	6 ²	75 ⁵	60 ⁵	40 ⁶	50 ⁶	8 ^{6,7,8}	75 ⁵

Advisory, see def. Sign

Sign District

	Residential ^{2,3}	Commercial	Highway Commercial	LV ³	VC ⁴	MV ³	Highway Corridor
Wall	X ²	40% ⁹	40% ⁹	20% ⁹	40% ⁹	20% ⁹	40% ⁹
Roof	X ²	50	50	X	X	X	50
Banner	X	50	50	50	50	X	50
Monument	X	75	60	40	50	8 ^{6,7}	75
Public notice	50-A	75-A	75-A	75-A	75-A	50-A	75-A
Information	X	3-A	3-A	2-A	3-A	2-A	3-A
Canopy	X	32	32	20	32	X	32
Projecting	X	32	32	32	32	X	32
Marquee	X	50	50	50	50	X	50
Multi-tenant	X	10	10	10	10	7	10
Portable	X	X	X	X	X	X	X
Real estate	16-A	32-A ¹¹	32-A	16-A	16-A	16-A	32-A
Off-premises business	X	4	4	4	4	4	4
Temporary	X	X	X	X	X	X	X
*Sandwich board	X	6	X	6	X	6	X
Arcade	X	8	8	X	X	X	8
Home occupation (See definition HO sign)							
Movable	X	X	X	X	X	X	X
*Development	32	32	32	X	32	X	32
*Project/contractor	16	32	32	16	16	16	32
Project directory (see section "H")	X	P	P	P	P	P	P

Advisory, see def. Sign

	Sign District						Highway Corridor
	Residential ^{2,3}	Commercial	Highway Commercial	LV ³	VC ⁴	MV ³	
EMC	X ^{2,13}	75 ¹⁴	X ¹³	X	X	X	X ¹³
Seasonal retail	16	32	32	16	16	16	32

NOTES:

¹ Maximum square feet of signage per business, except in the R, MV and **(H)** Districts, which is per parcel.

- ❖ **General: H was Historic District in a prior ordinance and is no longer applicable in this sign ordinance. Footnote (1) only applies to R and MV.**

² Neighborhood grocery stores in residential districts shall be allowed one post/monument sign not to exceed 40 square feet, and total signage of no more than 150 square feet. Canopy signs shall be limited to 32 square feet of total signage. Roof signs shall be no higher than 25 feet above finished grade, measured to the top of the sign. No internally illuminated signs are permitted. Only gasoline prices may be changeable.

- ❖ **The term “Only gasoline prices may be changeable” means if in accordance with section J (8). Note that J(8) only allows a single sign**
- ❖ **General: There is no height regulation of a post/monument sign by this footnote**

³ No internally illuminated signs are permitted except public notice signs displayed in accordance with section “J”.

⁴ No internally illuminated signs are permitted, except on those lots that abut Route 196 and public notice signs displayed in accordance with section “J”.

⁵ Post signs shall not exceed 25 feet in height from original grade to top of sign.

⁶ Signs shall not exceed 15 feet in height from original grade to top of sign.

⁷ Eight square feet of post signage per business, up to a maximum of 18 square feet of signage for the property, all on a single post or monument.

⁸ Post signs shall not exceed ten (10) feet in height from original grade to top of sign.

⁹ Percent of signable area of the facade.

¹⁰ No more than 10 square feet per tenant.

¹¹ Up to 200 square feet when attached to a building.

¹³ EMCs are allowed as gasoline pricing signs only.

- ❖ **General: A single EMC per J (8) is permitted.**

¹⁴ Within the MUC Zoning District only.

In addition to this ordinance, signs located in Shoreland Zones RP, SP, LR and LC are also regulated by ordinance chapter 225-19 section 15-I, this section of the ordinance will govern in Shoreland areas.

Additional standards for signs located in certain Shoreland zones

The following provisions shall govern the use of signs in the Resource Protection (RP), Stream Protection (SP), Limited Residential (LR) and Limited Commercial (LC) Districts, all sign types are regulated by this section:

1. Signs relating to goods and services sold on the premises shall be allowed, provided that such signs shall not exceed six (6) square feet in area and shall not exceed two (2) signs per premises. In the Limited Commercial District, however, such signs shall not exceed sixteen (16) square feet in area. Signs relating to goods or services not sold or rendered on the premises shall be prohibited.
2. Name signs are allowed, provided such signs shall not exceed two (2) signs per premises and shall not exceed twelve (12) square feet in the aggregate.
3. Residential users may display a single sign not over three (3) square feet in area relating to the sale, rental, or lease of the premises.
4. Signs relating to trespassing and hunting shall be allowed without restriction as to number, provided that no such sign shall exceed two (2) square feet in area.
5. Signs relating to public safety shall be allowed without restriction.
6. No sign shall extend higher than twenty (20) feet above the ground.
7. Signs may be illuminated only by shielded, nonflashing lights

Selectman Policy 225-33C-(6)(7)

Topsham Board of Selectmen

Political and Non-Commercial Sign Guidelines

Chapter 225-33 of the Topsham Zoning Ordinance, provides for the Board of Selectmen to adopt guidelines for the placement of non-commercial signs in the public Right of Way. On September 21, 2017, the Topsham Board of Selectmen adopted the following guidelines:

The Right of Way is meant to include those areas along public roads that extend beyond the edge of pavement to the back side of any sidewalk, utility pole, fire hydrant, guard rails, MDOT or Town fencing, gravel shoulders, or MDOT or Town maintained lawns/ditches/culverts.

Non-commercial signs shall be allowed to be placed within the Right of Way of public roads for a period of six weeks, starting five weeks before an election or primary, and concluding one week after an election or primary. Signs remaining in the Right of Way at the end of the six week period shall be deemed in violation of the Topsham Zoning Ordinance, and the owner of said sign may be subject to established daily penalties.

No sign placed within the Right of Way may exceed four (4) feet x eight (8) feet.

No sign may obstruct any sidewalk or roadway, overhang any curb line or sidewalk, nor can any sign be placed on public property designated as a Veteran's Memorial.

No sign shall be placed such that it causes a hazard to the traveling public, including, but not limited to, blocking sight lines at intersections, within road center traffic islands or median strips.

The Codes Enforcement Officer, or his/her designee, is authorized to remove any signs that fail to conform to these guidelines.

Adopted by the Topsham Board of Selectmen;

June 7, 2018

To be reviewed in 1 year.