

# Article IX - *Signs*

**SECTION 1 - Purpose & Intent:** The purpose of this article is to permit and regulate signs in a manner that protects the public and maximizes traffic safety; enhances the aesthetic and visual environment of the Town; and protects the economic advantages enjoyed by Newington property owners, including property values. These purposes are consistent with the objectives of the Town's Master Plan.

## **SECTION 2 – Definitions:**

- A. "Sign" means: (1) any advertising device including any structure billboard, outdoor sign, notice, poster, display figure, painting, message, placard, or any other device which is designated or intended to attract, or which does attract the attention of pedestrians or operators of motor vehicles in the public rights-of-way; (2) any structure erected or used in connection with the display of an advertising device; (3) and all lighting or other attachments used in conjunction with the advertising device.
- B. "Off-Premise Sign" means a sign that advertises a business, product, or service not available on the lot on which the sign is located.
- C. "Permanent Sign" means a sign that is permanently affixed to the ground or to a building, including Free Standing Signs, Attached Signs, and Entrance & Exit Signs.
- D. "Temporary Sign" means a sign that is erected for a limited duration or that is not permanently affixed to the ground or to a building. A temporary sign is "small" if its area per sign face is four square feet or less. A temporary sign is "large" if its area per sign face is larger than four square feet, up to a maximum of 32 square feet.

**SECTION 3 - Sign Permit Required:** No permanent sign, except those that are specifically exempted by the terms of this article, shall be erected without a *Sign Permit* issued by the Town Planner. No temporary sign that advertises a business, product, or service available on the lot on which the sign is located shall remain erected for longer than fourteen weeks without a Sign Permit issued by the Town Planner

An applicant seeking a sign permit shall identify: (1) the proposed or existing sign for which a permit is sought; (2) the sign's dimensions, design, materials, fabrication, and installation method; (3) the location of the sign and any pertinent setbacks and roadways; (4) the intended duration that the sign will remain erected; (5) a signed statement regarding whether the sign complies with the terms of this Ordinance.

**SECTION 4 – Exempt Signs:** Signs that are erected, maintained or otherwise posted, owned or leased by the federal government, the State of New Hampshire or the Town of Newington or installed per the order of the Newington Selectmen or their agents are exempt from the requirements of this ordinance.

**SECTION 5 – Sign Quantity Limits:** Lots are limited to the following number of signs:

Table IX-1 – *Sign Quantities*

		All Zones
Permanent Signs:	Free Standing and Attached Signs	1 Free Standing or Attached Sign per lot*
	Entrance Signs, Exit Signs	1 Entrance and 1 Exit sign per driveway
	Building Identification Sign	1 sign per lot*
Temporary Signs	Small	Unlimited per lot**
	Large	1 sign per lot

\* For lots that have road frontage on two or more roads (such as a corner lot), the lot may have one free standing or attached sign and one building identification sign facing each road.

\*\*Although a lot is not limited to a certain quantity of small temporary signs, such signs are not permitted to the extent that the quantity of such signs creates or contributes to traffic safety issues.

**Section 6 -Dimensional Limits:** All signs shall adhere to the dimensional requirements set forth below. In determining the surface area of a free standing sign, each side of the sign used as an advertising device shall be measured.

Table IX-2 - *Dimensional Limits*

		Commercial	Office, Airport, & All Industrial Zones	Other
<b><u>Permanent Signs</u></b>				
<i>Free Standing Signs</i>	Maximum sign area, per side	100 sf*	50sf*	2sf
	Maximum aggregate sign area, all sides	200sf	100sf	4sf
	Maximum height above grade	35'	20'	6'
<i>Attached Signs</i>	Maximum aggregate sign area on building front	**	150sf	4sf
	Maximum aggregate sign area on building sides & rear (each side)	75sf	25sf	4sf
<i>Entrance, Exit, and Building Identification Signs</i>	Maximum area per sign face	4sf	4sf	4sf

<b><u>Temporary Signs</u></b>				
<i>Small</i>	Maximum area per sign face	4sf	4sf	4sf
<i>Large</i>	Maximum area	32sf	32sf	32sf

*\* 1.5 square feet of sign area allowed for every linear foot of building frontage, up to the maximum specified. For lots with frontage on two or more roads, maximum sign area is calculated for each road frontage separately.*

*\*\* 1 square foot of sign area allowed for every linear foot of building frontage of each individual business.*

**SECTION 7- Sign Duration For Certain Temporary Signs:** No temporary signs that advertise a business, product, or service available on the lot on which the sign is located are allowed for longer than fourteen weeks total without a sign permit. For such applicable temporary signs related to an event or project, such as offers to sell, rent, or lease the premises, construction, renovation, yard sale, election, or any other event, temporary signs must be removed within two weeks of the end of the event or project. An applicant may apply for a permit to keep such a temporary sign in place for longer than fourteen weeks, with no maximum duration.

## **SECTION 8 - Setbacks:**

- A. Permanent Signs-General: all permanent signs shall adhere to the minimum setbacks from property lines required by this ordinance of principal buildings.
- B. Permanent Signs-Residential: Permanent signs in the residential zone shall adhere to the minimum side and rear setback from property lines required by this ordinance or principal buildings, but may be situated as close as twenty feet to the roadway pavement.
- C. Entrance & Exit Signs: To the extent that an entrance sign, exit sign, or other directional sign cannot be practically placed while complying with the setback requirements, that sign is exempt from minimum setback requirements to the extent necessary.
- D. Temporary Signs: Large temporary signs shall adhere to the minimum side and rear setbacks from property lines required by this ordinance of principal buildings, but may be situated as close as twenty feet to the roadway pavement. Small temporary signs that are constructed of cardboard, corrugated plastic, or similar material and which would not pose a significant safety risk should a motor vehicle collide with the sign may be situated within the public right of way as close as three feet to the roadway pavement.

**SECTION 9 - Prohibited Signs & Devices, All Zoning Districts:** The following are prohibited:

- A - Signs that are animated, moving, flashing, or signs that emit noise.**
- B - Rotating beacons.**
- C - Off-Premise signs.**

**D** - Signs **painted on** or **attached to a vehicle or trailer** parked for the purpose of being an “advertising device,” as defined in RSA 236:70, I.

**E** - Signs that, in the judgment of the Selectmen, **impede the view** of traffic, traffic safety signs, or traffic signals.

**F** - Signs that contain **obscene** content.

**G** - Signs that present a substantial risk of collapse, detachment, fire, or electric shock, which risk is due to:

- i. Design, materials, fabrication, or installation that are inadequate to withstand the effects of the elements;
- ii. Deterioration or decay from exposure to the elements over time; or
- iii. Damage from accident, vandalism, or acts of nature.

**H** - Free standing signs, excluding temporary signs, that are **not permanently anchored** to the ground.

**I** - Attached signs which extend above the building's **parapet** or **eaves**.

**J** - Any sign or any sign location that is **not specifically permitted** by this article.

**K** – Any sign located on public property.

## **SECTION 10 – Lighting**

- A. Shielding: Light directed toward signs shall be shielded in such a way that the source of said light is not visible three feet above grade at the lot line. Light directed toward signs must be sufficiently shielded to prevent beams or rays from being directed at any portion of roads.
- B. Color & Intensity: Light must be white in color and may not be of sufficient intensity or brilliance to cause glare, impairment of vision, or distraction of a driver of a motor vehicle.
- C. Neon Lighting & Signs: The secondary voltage of the transformer(s) shall not exceed 7,500 volts. All exterior mounted electric-discharge tubing shall be protected from the weather.

**SECTION 11 - Sign Maintenance:** Every sign shall be maintained in good structural condition at all times. The Selectmen or their designee shall have the authority to order the painting, repair, alteration or removal of any sign that is not properly maintained or otherwise poses a substantial risk as set forth in Section 7(G). Upon failure to comply with an order to repair or remove said sign within 30 days, the Selectmen are hereby authorized to cause the removal of said sign. All expenses associated with any such repair or removal shall be borne by

the owner of the land upon which said sign is situated.

**SECTION 12 - Signs on Public Property:** No signs shall be placed on Town property or within the public right of way adjacent to Town property unless that sign qualifies as an exempt sign under Section 4 of this Ordinance. The Selectmen shall immediately remove from public property any unauthorized sign which does not comply with the terms of this ordinance.

**SECTION 13 - Abandoned Signs:** Abandoned signs are prohibited, and shall be removed by the land owner immediately. The advertisement of any subsequent business, product or service shall be restricted to signs which comply with the terms of this article.

**SECTION 14 - Non-Conforming Signs:** Signs legally in existence at the time of installation that do not conform to the standards set forth in this ordinance shall not be altered, enlarged, moved, or replaced, except in a manner that would bring the sign into conformance with the terms of this article, provided, however, nothing herein shall prevent any change in the message portion of any non-conforming sign.

**SECTION 15 - Sign Permit Expiration:** If the work authorized under a sign permit has not been completed within six months after the date of issuance, said permit shall become null and void.

**Section 16 – Compliance with Other Laws:** Signs must comply with all applicable state laws and regulations, including but not limited to RSA 664:17.

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