

**Municipal Officers' Certification of Official Text of a Proposed Ordinance
[30-A M.R.S. § 3002(2)]**

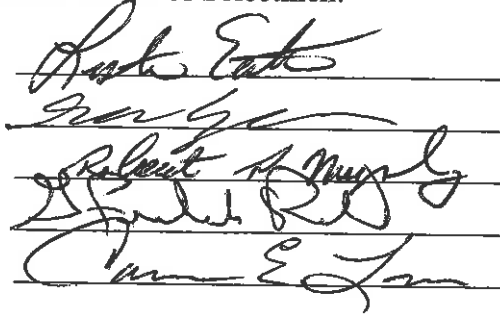
To Laurie L. Chadbourne, Town Clerk of the Town of Bridgton:

We hereby certify to you that the document to which we have affixed this certificate is a true copy of the official text of an ordinance entitled "**Town of Bridgton Sign Ordinance**," which is to be presented to the voters for their consideration on November 6, 2018.

Pursuant to 30-A M.R.S. § 3002(2), you will retain this copy of the complete text of the ordinance as a public record and make other copies available for distribution to the voters, and you will ensure that copies are available at the polling place on the day of the vote.


Dated: August 28, 2018

Municipal Officers/Board of Selectmen:



- Liston E. Eastman, Chairman
- Glenn R. Zaidman, Vice-Chairman
- Robert P. Murphy
- G. Frederick Packard
- Carmen E. Lone

Attest: A true copy of an ordinance entitled "**Town of Bridgton Sign Ordinance**," as certified to me by the Municipal Officers of Bridgton on the 28th day of August, 2018.


Laurie L. Chadbourne, Town Clerk of Bridgton

Proposed “ Town of Bridgton Sign Ordinance: to be presented at Town Meeting Referendum on November 6, 2018.

“TOWN OF BRIDGTON SIGN ORDINANCE”

**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 in accordance with the Town's Comprehensive Plan. 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 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. §§3002.
- B. This Ordinance shall be administered by the Bridgton Planning Board and enforced by the Town Code Enforcement Officer.

SECTION III. Applicability

- A. This Ordinance applies to:
 - 1. All on-premise signs which identify a business or service establishment or a housing complex which attract the public to same.
 - 2. Signs applied flush against a building, larger than six (6) square feet.
 - 3. All signs which replace those preexisting this Ordinance that exceed the original configuration or alter placement or location.

4. Temporary/Short-term signs that inform the public of accessible goods and services, community information, single activity or community events.

B. This ordinance does not apply to:

1. Customary holiday decorations;
2. Property address, no trespassing and similar signs no larger than four (4) square feet in size;
3. Traffic control and traffic information signs;
4. Safety signs;
5. Signs covered by this Ordinance that were installed and functioning before the adoption of this ordinance;
6. Signage on registered and licensed motor vehicles in use for regular transportation and movement of people and other goods;
7. State or national flags;
8. Signs installed by the Town of Bridgton, the Federal Government or the State of Maine;
9. National Register of Historic Buildings or Places, markers or other historic plaques and signs;
10. Memorial signs or tablets.

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:

1. 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, MRSS, Subsection 4452.
2. 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.

- C. Signs not in compliance with this Ordinance may be removed at the discretion of the Code Enforcement Officer.
- D. 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 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.

SECTION V. General Regulations

- A. No sign, except for municipal signs, may be erected, installed or displayed in or within ten (10) feet of any park, garden or monument owned or maintained by the Town of Bridgton.
 - 1. Maine Department of Transportation official directional business signs shall not be allowed from the north side of Stevens Brook Bridge, Rt. 302, map 24, lot 102, through Main Street headed west (Rt 302) to map 22, lot 90.
- 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 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 or short-term sign);
 5. Emit sound(s), smoke or vapor(s).
- D. No sign shall be lit e 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.
 - 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. 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 permanent signs.
 - G. Signs with Changeable lighting or messages may cycle change no less than every 10 seconds.
 - H. Portable signs are considered temporary **signs and** shall be placed only on the property where the business or activity is located and shall be replaced by a permanent sign within 60 days of placement and removed within 14 days of a permanent sign.
 - I. All lighted signs and message boards using manual, electronic, or photocell technology, shall conform to the lighting standards contained in this ordinance regardless of time of installation,
 - J. All newly permitted EMCs shall be equipped with a sensor or other device that automatically determines the ambient illumination and that is programmed or adjusted to dim according to ambient light conditions, or that can be adjusted to comply with the 0.3 foot-candle measurements.

SECTION VI. 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. All applications shall be accompanied by a fee as provided in the Town of Bridgton Uniform Fee Ordinance. However, When the sign or signs are a part of any 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 is considered an integral part of any approved application.
- 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 VII. Design Standards for Permanent Free-Standing Signs.

- A. The design and lighting of signs and other advertising structures shall be:
 - 1. Shielded and non-flashing and shall not detract from the design of surrounding structures and properties;
 - 2. Within the Downtown Village District the sign, if illuminated, shall be illuminated externally;
 - 3. Outside the Downtown Village District the sign may be internally illuminated;
 - 4. There shall be no more than one sign per lot. Lots with more than one public way frontage, may have one free standing sign per public way;
 - 5. Interior illuminated signs shall be designed with timers

or sensors to accommodate light intensity to ambient light;

6. No sign shall be set with such brightness or intensity that, to the average onlooker, neighboring signs will be overpowered or their visibility obscured. The light source, whether internal or external, shall be shielded and shall not create a hazardous glare for pedestrians or motor vehicles and shall not be brighter than 0.3 foot-candles.
 7. Signs shall not be animated, flash, or scroll;
 8. If any part of the sign is malfunctioning the sign must be turned off
- B. The free-standing sign 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) the free-standing sign 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.
- C. Reader board signs are permitted and shall be considered part of the total allowable size of the sign.
- D. 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.
- E. In multiple tenant non-residential buildings that have two (2) or more tenants, the requisite one (1) free standing sign will consolidate signs for all of the individual tenants in the building.
- F. The Town of Bridgton is not responsible for allocating the amounts of allowable sign area among any individual or additional tenants, uses, owners, on any collective free-standing sign.
- G. Ten per cent (10%) of the wall area of a building facing a public way may be dedicated to wall or door (site) identification sign(s), the number of individual signs on

any façade are not to exceed three (3) or the number of individual occupants.

- H. No more than two (2) Individual signs advertising product brands or logos are permitted to be installed on free standing signs and shall be included in the calculation of the total permitted signage area and are subject to all other requirements of this Ordinance.
- I. Signs on perimeter fences are not to exceed 10% or area or three (3) or whichever is smaller.
- J. Multifamily Residential Development signs.
 - 1. Each multifamily development, neighborhood, or subdivision with clearly defined geographical boundaries may have one (1) sign located at the an entrance located on each single public way.
 - 2. Multiunit structures of more than three dwelling units, within an existing residential neighborhood may have no more than one permanent sign for identification purposes and shall include the name of the building and the clearly stated street address, and occupants.
- K. Signs installed on a building facade that 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 eight (8) feet above the public walkway.
- L. Electric wiring used to illuminate signs shall be enclosed or buried underground.
- M. Awnings, marquee signs or patio umbrellas with business name shall be allowed in addition to approved signs if all safety considerations of this ordinance are followed.
- N. Other sign requests, standards and considerations will be entertained by the Planning Board on a case by case basis.
- O. All signs shall conform to the laws of the State of Maine.
- P. 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.

Section VIII. TEMPORARY/SHORT TERM SIGNS

- A. Temporary signs advertising available goods and services or community opportunities and information are limited to ten (10) square feet in size.
- B. A temporary sign shall be placed no closer than 25 feet from an identical content sign and shall not be displayed less than 33 feet of center line of the road way.
- C. Temporary signs may be displayed only for a six (6) week span in any calendar year.
- D. Temporary signs must be identified with a contact name of person responsible for installing the sign.
- E. Temporary signs must be approved by the Planning Board or Town Code Enforcement Officer.
- F. Portable signs are considered temporary/short term signs, shall be placed only on the property where the business or activity is located and shall be replaced by a permanent sign within 60 days of placement and removed within 14 days of a permanent sign. A permit for portable signs must be obtained from the Code Enforcement Officer.
- G. Temporary and short-term signs promoting singular sales and/or community events are not to be affixed to trees, telephone poles, traffic signs, placed within the public way and other unauthorized sites.
- H. Banners, including those attached to the wall of a building, are considered temporary signs and all requirements for temporary signs shall apply.
- I. Temporary signs or banners may be attached or suspended from structure of a permanent on premises sign but total allowed sign footage may not be exceeded.
- J. Flags affixed to a structure facade or other permanently installed structure are limited to no more than two (2).
- K. Free standing flags, or other fabric-created objects used to promote products, sales or other business events are limited to two (2) per lot or 1 every 75 feet and are to be displayed in a state of good repair.
- L. Air activated signs are not allowed.

M. Sandwich Board signs are permitted and must be placed in front of the primary business and removed at the close of daily business. The sign shall not exceed 4'x2' in size and shall allow 42" of unobstructed pedestrian public way.

N. Street Name and Number shall be displayed and maintained in compliance with the Town of Bridgton Street Naming and Addressing Ordinance.

SECTION IX. Waivers and Appeals

A. Waivers:

In cases where businesses meet Section I "Purposes" of this Ordinance the Planning Board 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. All appeals and requests for reconsideration shall be accompanied by a fee as provided in the Town of Bridgton Uniform Fee Ordinance.
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 and Non-Conforming Signs

- 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 must be published at least 2 times in a newspaper of general circulation in the municipality. The date of the first publication must be at least 12 days before the hearing and the date of the 2nd publication must be at least 7 days before the hearing. That notice must be written in plain English and understandable by the average citizen.
- C. Adoption of Amendment to this Ordinance shall be by a majority vote of any Town Meeting or election.
- 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.
- G. Non-conforming signs that conformed to the Ordinance prior to an amendment are subject to the following requirements:
 - 1. Non-conforming signs replaced due to damage from natural hazards shall be allowed.
 - 2. Non-conforming signs replaced with similar size and style due to change of occupancy or required change of business affiliation shall be allowed.
 - 3. Non-conforming signs replaced due to "wear and tear" or any other purpose not listed above shall be replaced to conform to the current Ordinance.

SECTION XI. Definitions

AMBIENT LIGHTING - the light available without additional flash or reflectors. Ambient light can be of natural or artificial origin (such as room lights or lamps) or of natural origin (such as sunlight).

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

BUSINESS AFFILIATION - means required change of signs consistent with national brand changes or designs.

CHANGEABLE SIGN - means an on-premise 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.

EXTERNALLY ILLUMINATED SIGN - A sign with a light source outside of the sign.

ELECTRONIC MESSAGE CENTER - computerized programmable **electronic** visual communication devices designed for an outside environment. EMCs are capable of storing and displaying different images and formats that can be programmed to show for different durations of time.

FOOT CANDLE - is a non-SI unit of illuminance or light intensity widely used in the United States in photography, film, television, conservation lighting, greenhouse horticulture, the lighting industry, construction-related engineering and in building codes.

FREE-STANDING SIGN - A two-sided 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 containing interchangeable letters on the façade of a building typically associated with performance or entertainment.

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.

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

READER BOARD - Signs whose messages change by mechanical or electronic means.

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

SANDWICH BOARD SIGN - A free standing sign no more than two faced and typically trestle mounted.

TEMPORARY/SHORT TERM SIGN - All signs promoting sales, community events and activities lasting for a distinct and limited period.

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.

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

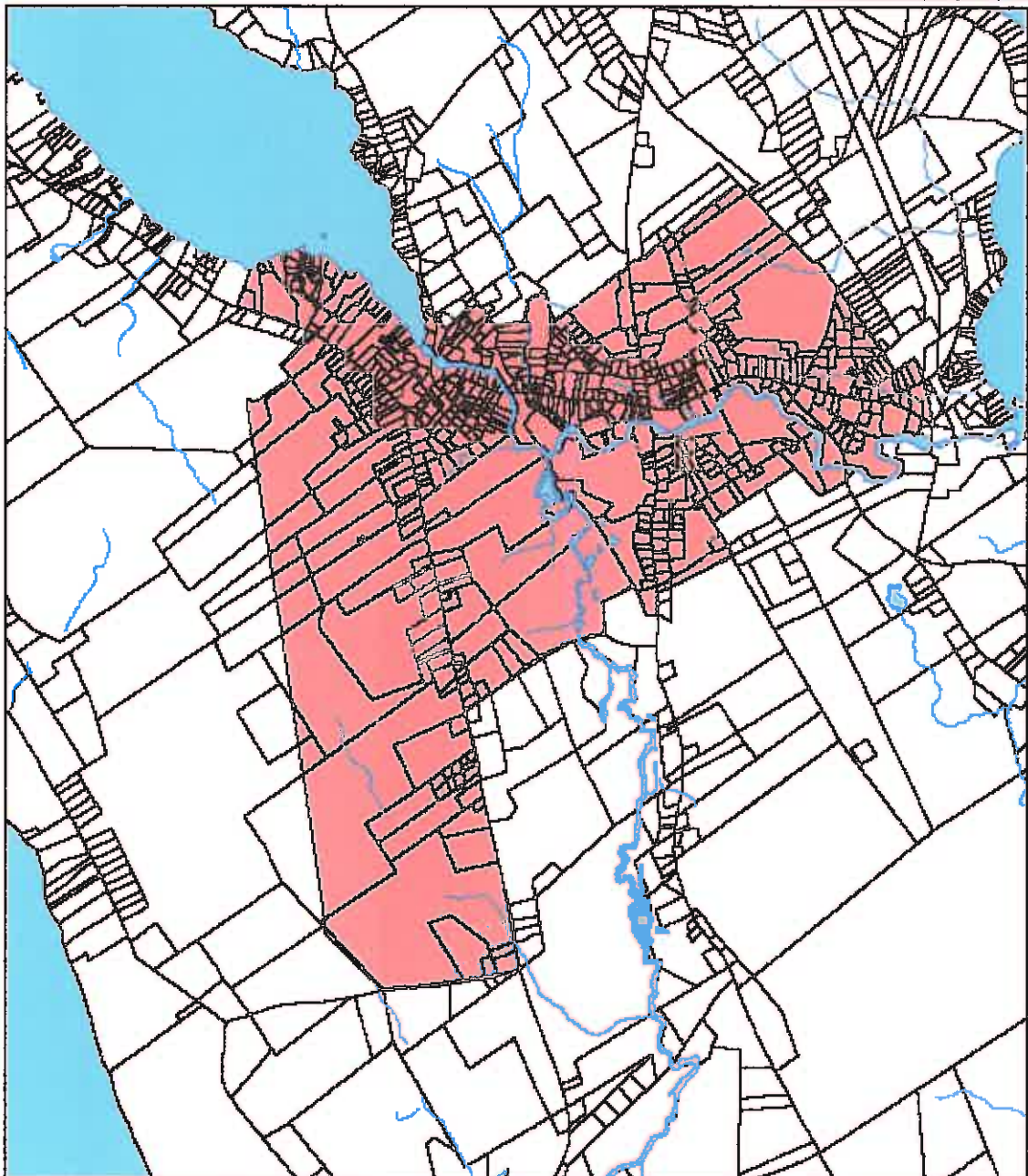
TRAFFIC FLOW INFORMATIONAL SIGN - A sign directing traffic to, from or within, or providing information for a commercial, residential or industrial development.

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

Enacted: June 14, 2000

Amended: June 14, 2005, June 12, 2007, June 14, 2011, June 10, 2014, June 9, 2015, August 7, 2018

**Town of Bridgton
Sign Ordinance
Downtown Village District
June 14th, 2005**



**Bridgton
Main Street District**

June 14, 2011

