

TOWN OF FARMINGTON

Sign Ordinance

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CERTIFIED BY: _____
Leanne Pinkham

Town Clerk
Title

Affix Seal

**Town of Farmington
Chapter 11 – Land Use
Table of Contents**

Article 3 – Signs

11-3.1	Title	3
11-3.2	Authority & Administration	3
11-3.3	Purposes	3
11-3.4	Applicability	3
11-3.5	Validity	3
11-3.6	Conflicts with other Ordinances	3
11-3.7	Effective Date	4
11-3.8	Definitions	4
11-3.9	Permit Required	4
11-3.10	Exemptions	5
11-3.11	Prohibited Signs	7
11-3.12	Temporary Signs	8
11-3.13	Non-conforming Signs	8
11-3.14	Sign Standards by Zoning Districts	8
11-3.15	Enforcement	12
11-3.16	Penalties	12
11-3.17	Appeals	12
11-3.18	Amendments	12

**Town of Farmington
Sign Ordinance
Chapter 11.
Land Use**

11- 3.1 Title:

This ordinance shall be known and cited as the Town of Farmington Sign Ordinance and will be referred to herein as “this Ordinance”. This Ordinance limits the erection of signs to the zoning district(s) under the Zoning Ordinance Table of Uses; prescribes definitions of sign terminology; provides for the permitting and regulation of signs; and provides for additional miscellaneous standards for signs.

11- 3.2 Authority and Administration:

This Ordinance is adopted pursuant to the enabling of Article VIII, Part 2, Section 1 of the Maine Constitution and the provisions of Title 30-A MRSA Section 3001 et. seq. (Home Rule) and Section 4312 et. seq. (Planning and Land Use).

11- 3.3 Purpose:

The purpose of this Ordinance is to regulate signage within the Town of Farmington in a way which provides sufficient on-site identification of business locations while also serving the public’s interest in having such signage erected to provide business identification in an orderly, safe and functional manner.

11- 3.4 Applicability:

This Ordinance shall not exempt any property owner from obtaining other permits or meeting any requirements of any other Town Ordinances, State or federal laws or regulations. Where requirements differ from the provisions of this Ordinance, the stricter shall apply.

11- 3.5 Validity:

If any part of this Ordinance is found to be invalid, the remainder of this Ordinance shall remain in effect.

11- 3.6 Conflicts with Other Ordinances:

Whenever a provision of this Ordinance conflicts with or is inconsistent with another provision of this Ordinance or of any other ordinance, regulation or statute, the more restrictive provision shall apply.

11- 3.7 Effective Date:

The effective date of this Ordinance shall be the date this Ordinance is adopted by the voters at Town Meeting.

11- 3.8 Definitions:

Attached Sign. A sign affixed parallel to a wall or printed on a wall or window, any part of which does not extend more than eighteen (18) inches from the wall. An attached sign may not project above the top of the wall or beyond the end of the building.

Ground Signs. A sign attached to the ground, or to a separate structure attached to the ground, the sole purpose of said structure being to support the sign.

Person. Includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual, but does not include a governmental unit.

Premises. One or more parcels of land which are in the same ownership and are contiguous, and including all buildings and other structures thereon.

Roof Sign. A sign wholly erected on the roof structure or parapet wall of any building or which is displayed above the eaves of a building.

Sign. Every device, frame, letter, figure, character, mark, plane, point, design, picture, stroke, stripe, trademark or reading matter, including awnings containing identification or advertisement matter, which is used or intended to be used to attract attention or convey information when the same is placed so as to be visible from within any street or public way, including the sign face and supporting structure.

Advertisement Sign. A sign which is used or intended to be used to attract attention regarding commercial ventures.

Identification Sign. A sign limited to family name, address and/or name of property.

Sign Face. One entire side of a sign as viewed by an observer, which includes the area of the smallest square, rectangle, triangle, circle or combination thereof, and which includes that part of the supporting structure forming the border and background thereof. NOTE: If a sign is double faced, both sides of the sign apply to square footage requirements.

Visibility. Capable of being seen without visual aid by a person of normal vision acuity.

11- 3.9 Permit Required:

A. It shall be unlawful for any person to erect, or keep within the Town of Farmington any sign or other advertising structure as defined in this Ordinance which is visible

from within the limits of any street or public way without first obtaining a sign permit from the Code Enforcement Officer and paying the required fee.

1. Applications shall be made on forms to be provided by the Code Enforcement Officer.
2. Every applicant, before being granted a permit hereunder, shall pay a permit fee of twelve dollars \$12.00 plus an additional fee of fifty cents (\$.50) per square foot of sign face for each sign over forty (40) square feet of sign face.

11- 3.10 Exemptions:

- A. Exemptions shall not be construed as relieving the owner of such signs from the responsibility of complying with applicable provisions of this Ordinance. The exemptions shall apply to the requirement for sign permit only and no sign permit shall be required for the erection of the following signs:
1. One sign not exceeding one (1) sq. ft. in area and bearing only property number, post box numbers, and/or the name of occupants residing at premises.
 2. Signs including off-premise signs erected and maintained pursuant to and in discharge of any governmental functions, or required by law, ordinance or other governmental regulation.
 3. Signs directing and guiding traffic and parking on private property, not exceeding four (4) sq. ft. in area and bearing no commercial matter. Where confusion would occur, the name of the business may be included on the sign.
 4. Signs located on the interior of a structure.
 5. One real estate "for sale" sign not exceeding six (6) sq. ft. in area per lot or per dwelling unit located in the Residential, Village Residential, Village Business and Farm and Forest, and not exceeding fifteen (15) sq. ft. in area per lot located in the General Purpose and Residential/Light Commercial District.
 6. Fuel price/informational signs meeting the following standards:
 - a. Sign size limited to one (1) sq. ft. each;
 - b. One (1) sign permitted per pump and per other product sold on premises;
 - c. Sign must be affixed to pump;
 - d. Sign must advertise motor vehicle fuel or motor vehicle product sold on premises; and

- e. Information attached to pump and describing how to use fuel pump is exempt from standards.
- 7. Memorial signs or tablets, name of historic buildings and date of erection when engraved in surface of building or constructed of permanent material.
- 8. "Posted", "No Trespassing", "Beware of Dog" and "Private Driveway" signs of no greater than two (2) sq. ft. each in area.
- 9. Holiday decoration of a temporary nature and not containing advertising matter.
- 10. Scoreboards for athletic events.
- 11. Sponsor panels.

Though exempt from the permitting process, the following standards shall apply to all sponsor panels:

- a. Sponsor panels will be allowed to be located only at the athletic fields and facilities.
- b. Sponsor panels shall be no larger than 4' high by 8' wide.
- c. All sponsor panels, installed at Hippach Field shall be made of steel or aluminum. The dark green background color shall be an exact match to that of existing panels, with white lettering for business names and logos. Phone numbers or business addresses are not allowed.
- d. All sponsor panels, installed at the Elks Club Little League Field in West Farmington, Philbrick Park Little League Field in Farmington Falls, and Mt. Blue High School Football Field, are allowed to use multi-colors and logos. Phone numbers, and business addresses are allowed.

Any patron that wishes to erect a sponsor panel will commit to a three (3) year agreement with the Town and will pay a three hundred dollar (\$300.00) fee prior to panel installation. There will be a renewal fee of \$100.00 per year, thereafter. Fees may be waived at the discretion of the Town Manager in the case of major donors to municipal facilities. The patron will be responsible for the cost of the panel and will follow the manufacturing guidelines as recommended by the Director of Parks and Recreation.

- 12. Service bay instruction signs, such as instructional signs for automatic teller machines (ATM's) and food boards for drive-in restaurants, but which do not contain other information which would not be needed by an individual utilizing the service bay or drive-in facility. Such exempt signs shall not exceed fifteen (15) sq. ft. in sign area.

13. Traffic or other federal, State or municipal signs, and legal notices and other such temporary, emergency or non-advertising signs.
14. Temporary building construction with a sign face of not more than thirty-two (32) sq. ft.
15. Election, campaign, and public event signs, provided such signs do not exceed sixteen (16) square feet of sign face, and provided that election and campaign signs are erected no more than forty-two (42) days prior to the event and removed within seventy-two (72) hours after such events.

Public events signs are not allowed within the public rights-of-way. They may be erected only at official municipally maintained locations for such signs, no more than twenty-one (21) days prior to the event and are removed within twenty-four (24) hours after. See - 23 M.R.S.A. Sec. 1925 and any subsequently adopted rules including but not limited to those found in Chapter 201 and Chapter 203.

16. Official Business Directional Signs (OBDS), and traveler's directional, church and service organization signs, provided that such display no advertising matter but only directional and informational matter for the public convenience.

11- 3.11 Prohibited Signs:

A. No sign shall:

1. Be directly affixed to any rock, ledge, or other natural feature (except for the signs referred to in Section 11-3.10 A (8) hereinabove);
2. Interfere with or obstruct the view or safety of pedestrian or vehicular traffic;
3. Be neon, flash, blink, fluctuate, move or be otherwise animated or consist of banners, pennants, ribbons, streamers, or similar devices (except for the signs referred to in Section 11-3.10 A (12) hereinabove);
4. Be mobile, portable or wheeled signs, except for permitted temporary signs;
5. Violate any provision of any State law relative to outdoor advertising;
6. Advertise or publicize an activity not conducted on the premises upon which the sign is located (off-premise) except for those allowed by the Maine Department of Transportation under the OBDS program, the Maine Travelers Information Services Act, and MDOT policies;
7. Be located in any street or public right-of-way, public park or other public property;
8. Remain on the premises longer than 30 days after the cessation of the business;

9. Contain commercial matter designed primarily to appeal to the prurient interest of patrons.

B. Prohibited Locations:

Election and campaign signs shall be prohibited in the traffic island at the intersection of Farmington Falls Road and Main Street, in the traffic island bounded by Bridge Street, Water Street, and the Wilton Road in West Farmington, and in the traffic islands at the intersection of High Street and the Farmington Falls Road.

11- 3.12 Temporary Signs:

Temporary Advertising Banners. The Code Enforcement Officer may approve a banner upon application of a business, for a period not to exceed thirty (30) days, when said banner is for a new product, service, or part of a franchise promotion. There shall be no permit fee.

11- 3.13 Non-conforming Signs:

- A. A non-conforming sign shall be defined as a sign legally in existence and erected on or before the date of enactment of this Ordinance and may be maintained for an indefinite time although not in conformance with this Ordinance.
 1. Non-conforming signs shall not be enlarged or altered in a manner which would increase the non-conformity thereof.
 2. Any non-conforming sign which is damaged or destroyed may be replaced as originally erected within a period of twelve (12) months from said damage. After the twelve (12) month period, any non-conforming sign shall not be changed, reconstructed or replaced except in conformity with this Ordinance

11- 3.14 Sign Standards by Zoning Districts:

All signs shall be maintained by the owner thereof in a clean, safe and secure manner.

A. Farm & Forest
Residential
Village Residential Zones

The following standards shall apply to all signs in the Farm & Forest, Residential, and Village Residential Zones:

1. Maximum number of sign faces permitted shall not exceed two (2) per lot.
2. Maximum sign size:
 - a. Signs for residential & home occupation shall not exceed twenty-five (25) sq. ft.

- b. Signs for other permitted uses shall not exceed fifty (50) sq. ft.
- 3. The types of signs permitted are attached or ground identification signs.
- 4. The minimum setback shall be at least five (5) feet from the property line and shall be clear of the State or Town right-of-way.
- 5. The maximum height of ground signs shall not exceed ten (10) feet.
- 6. No sign shall be located on the roof of a building.
- 7. No sign shall obstruct traffic, obscure vision and/or create a public safety hazard.

**B. Village Business
Village Commercial
Residential/Light Commercial Zone**

The following standards shall apply to all signs in the Village Business, Village Commercial and Residential/Light Commercial Zones:

- 1. Maximum number of sign faces permitted per single use lot shall not exceed six (6), (except for lots abutting more than one street, in which case two (2) additional sign faces, either attached or ground, per each additional street frontage are allowed).
- 2. Maximum total signage per lot shall not exceed one hundred (100) sq. ft. with no individual sign to exceed fifty (50) sq. ft. in sign area. When lots abutt more than one street and an additional sign is used, the total signage shall not exceed one hundred twenty-five (125) sq. ft.
- 3. Types of signs permitted are attached or ground identification and advertisement signs.
- 4. Minimum setbacks:

Village Business and Village Commercial: No minimum setback is required as long as all parts of the sign(s) are located within property lines and shall be clear of the State or Town right-of-way.

Residential/Light Commercial: A minimum setback of five (5) feet from the property line shall be required. All parts of the sign(s) shall be located within property lines and clear of the State or Town right-of-way.

- 5. Maximum height of ground signs shall not exceed fifteen (15) feet.
- 6. No sign shall be located on the roof of a building.

7. No sign shall obstruct traffic, obscure vision and/or create a public safety hazard.
8. Signs on multi-unit lots. Notwithstanding the standards of B. 1-3 above, the following standards shall apply to signs on multi-unit lots:
 - a. Individual businesses shall not be allowed to apply for a sign permit unless they can show that their sign proposal is part of an overall sign plan for the multi-unit lot which meets the standards of this section. The purpose of the standard is to coordinate all the signage on a multi-use site;
 - b. One (1) attached or ground identification sign per business not exceeding twenty (20) sq. ft. in sign area;
 - c. One (1) attached identification sign per each business in the complex with an allowable sign area of one (1) sq. ft. per each linear foot of the business unit's building frontage, but in no case shall the sign exceed forty (40) sq. ft. in sign area;
 - d. One (1) joint identification sign no larger than fifty (50) sq. ft. in sign area;
 - e. For lots abutting more than one (1) street, additional signage meeting the standards of 8. b, c, or d above is allowed per each additional street frontage;
 - f. Illumination: All illuminated signs shall have lights which are shielded or hooded so that the light source is not visible off of the premises. Only white, mercury, sodium or metal halide lights shall be used for external illumination.
9. Signs in the Village Historic District. In addition to B. 1-8 above, all signs in the Village Historic District shall be: Made of solid or composite material that is opaque (not translucent or transparent) and, if illuminated, externally illuminated. Any sign in existence at the time of adoption of this amendment (07-19-04) that does not meet this new standard shall be allowed to remain for the life of said sign. (Proof of existence shall be a valid sign permit on file with the Town). Upon replacement of such non-conforming signs, such replacement signs must be made to meet the new standard.

C. General Purpose Zone

The following standards shall apply to all signs in the General Purpose Zone.

1. For single use lots the maximum number of sign faces permitted per lot shall not exceed six (6), (except for lots abutting more than one street in which case two (2) additional attached or ground identification signs are allowed per each additional street frontage).

2. Maximum total signage per lot is not to exceed one hundred (100) sq. ft. with no individual sign to exceed one hundred (100) sq. ft. The maximum signage total may be increased by 25% for each of the following circumstances, if applicable:
 - a. The distance of the building from the road exceeds 100 feet;
 - b. The lot frontage of the business premise exceeds 200 feet;
 - c. The speed limit of the adjacent roadway is 40 m.p.h. or greater.
3. Types of signs permitted are attached or ground identification and advertisement signs.
4. Minimum setback. All signs (unless otherwise stated) shall be set back at least five (5) feet from the property line and shall be clear of the State or Town right-of-way.
5. Maximum height of ground signs shall not exceed twenty-five (25) feet.
6. Roof signs shall not extend further than five (5) feet above the roofline of the building to which they are attached, and are not to exceed twenty-five (25) feet from ground level.
7. No sign shall obstruct traffic, obscure vision and/or create a public safety hazard.
8. Signs on multi-unit lots. Notwithstanding the standards of 1-3 above, the following standards shall apply to signs on multi-unit lots:
 - a. Individual business shall not be allowed to apply for a sign permit unless they can show that their sign proposal is part of an overall sign plan for the multi-unit lot which meets the standards of this section. The purpose of the standard is to coordinate the signage on a multi-use site.
 - b. One (1) attached or ground identification sign per business not exceeding thirty-five (35) sq. ft. in sign area;
 - c. One (1) attached identification sign per each business in the complex with an allowable sign area of one (1) square foot per each linear foot of the business unit's building frontage, but in no case shall the sign exceed seventy (70) sq. ft. in sign area;
 - d. One (1) joint identification sign no greater than one hundred (100) sq. ft. sign area;
 - e. For lots abutting more than one (1) street, additional signage meeting the standards of b, c, or d above is allowed per each additional street frontage.

9. Illumination: All illuminated signs shall have lights which are shielded or hooded so that the light source is not visible off of the premises. Only white, mercury, sodium or metal halide lights shall be used for external illumination.

11- 3.15 Enforcement:

Any sign not in compliance with any provision of this Ordinance, or any sign which no longer advertises a bona fide business conducted, or agent or person having the beneficial use of the premises, is a violation of this Ordinance. The Code Enforcement Officer shall order the violation corrected within thirty (30) days. Failure to correct the violation within thirty (30) days shall be a civil violation. The Code Enforcement Officer is authorized to commence an action seeking penalties, injunctive relief, and attorney's fees to correct the violation.

11- 3.16 Penalties:

Violation of the provisions of this Ordinance or failure to comply with any of its requirements shall be penalized in accordance with Title 30-A MRSA Section 4452. The owner or tenant of any building, structure, premises, or part thereof and any architect, builder, contractor, agent or other person who commits, participates in, or maintains such violation may be found guilty of a separate offense and suffer the penalties herein provided.

11- 3.17 Appeals:

Any person aggrieved by the action of the Code Enforcement Officer may appeal to the Board of Appeals by filing a notice of appeal within thirty (30) days after receipt of the Code Enforcement Officer's notification. Administrative appeals and dimensional variance applications submitted under this Ordinance shall be subject to the standards and procedures established by the Town of Farmington Board of Appeals Ordinance.

11- 3.18 Amendments:

A. Initiation of Amendments: An amendment to this Ordinance may be initiated by:

1. The Board of Selectmen, provided a majority of the Board of Selectmen has so voted;
2. Written petition of a number of voters equal to at least 10% of the number of votes cast in the municipality at the last gubernatorial elections.

B. Public Hearing: The Board of Selectmen shall hold a public hearing on the proposed amendment. Notification of the hearing shall be posted and advertised in a newspaper of general circulation in the municipality at least 7 days prior to the hearing.

C. Adoption of Amendment: An amendment of this Ordinance shall be adopted by a majority vote of a Town Meeting.