

## 255-85. Signs.

**A. General.** Any sign exceeding six (6) square feet in area, unless exempted elsewhere in this 255-85, shall be installed, erected, altered, or reconstructed without a Sign Permit issued by the Building Commissioner.

**B. Exemptions.** The following shall not be considered signs within the context of this bylaw and are exempt from regulations herein:

1. Flags and insignia of any government except when displayed in connection with commercial promotion.
2. Legal notices, or informational devices erected or required by public agencies.
3. Non-illuminated temporary window displays, covering not more than 30 percent of window area.
4. Standard gasoline pumps bearing thereon in usual size and form the name, type, and price of gasoline, and other information as required by law.
5. Integral decorative or architectural features of a building, except letters, trademarks, moving parts, or parts internally illuminated or decorated with gaseous tube or other lights.
6. Address identification through numerals or letters compliant with Chapter 123 of the South Hadley General Bylaws and MGL c.148, sec.59.
7. Textile or fabric banners that do not advertise a business or product. The material may be supported by framing which is attached to the building by either a pole as in an "open" sign or directly to a building such as an architectural feature.
8. Banner extending over a public right-of-way, with the approval of the South Hadley Selectboard, belonging to a government or public agency.
9. Banner attached to light poles, with the approval of SHELD, belonging to a government or public agency. Sponsorship may be displayed on said banner provided that it not be greater than six square feet.

### **C. Special regulations.**

1. *Projection.* Signs shall not project beyond property lines. Signs shall not project over a public sidewalk without receiving approval by the DPW. Signs approved by the DPW must conform to the requirements of this bylaw. No projecting sign in a business or industrial district shall project more than six (6) feet from the main wall of a building. Wall signs may not project more than twelve (12) inches from the surface of the wall to which they are attached. On corner lots, no sign or portion thereof shall interfere with vehicular or pedestrian traffic and visibility.
2. *Signs in right-of-way.* Signs, other than an official traffic sign (municipal, state, federal), shall not be erected within the right-of-way line of any street.
3. *Height.* No sign shall be higher than the height limit for the district in which it is located. No sign shall be located upon the roof of any building.
4. *Painted wall signs.* No sign exceeding 60 square feet in area shall be painted upon the wall of a building or otherwise affixed so that it is not easily removable.
6. *Electronic signs.* No sign or advertising device shall, in any district, incorporate or be lighted by, flashing, scrolling or blinking lights, or be designed to attract attention by change in light intensity or direction, or by repeated mechanical or electrical motion. Rotating message boards are prohibited with the exception of publicly owned or managed facilities or devices. Illuminated signs must comply with section 255-85(C)(7) herein.

7. *Illuminated signs.* No lighting or illumination shall be permitted to be used in any way in connection with an illuminated sign unless it is effectively shielded so as to prevent light from being directed at any portion of the traveled way or onto any other property. Signs shall not cause glare or impair the vision of the driver of any motor vehicle or otherwise interfere with any drivers' safe operation of a motor vehicle.
- (a) Illuminated signs must receive administrative review and approval by the Director of Planning and Conservation.
  - (b) Internal sources of sign illumination shall illuminate only the lettering or logo contained within the display area of the sign.
  - (c) External sources of sign illumination shall be shielded and directed solely at the sign.
  - (d) No sign may be illuminated between the hours of 10 PM and 6 AM except as follows:
    - (1) Signs identifying emergency services such as police, fire, or ambulances, and businesses open to the public at that time.
    - (2) A Special Permit issued pursuant to 255-85(l) providing for alternative hours of illumination.
8. *Temporary signs.* Temporary shall be defined as no more than **ninety (90) days** in any one calendar year, and shall include fixed signs, portable signs, banners, inflatables, sandwich boards, and other similar signs and are permitted on private property in all zoning districts subject to the following.
- (a) Any one temporary sign may not exceed six (6) square feet.
  - (b) All temporary signs advertising the sale or lease of the premises shall be removed within ten days after the transfer of the premises.
  - (b) No temporary signs may be placed in the right-of-way without obtaining a permit from the DPW.
  - (c) Signs in use for greater than 90 days in any one calendar year shall be deemed permanent and subject to a Sign Permit from the Building Commissioner and subject to all other standards herein 255-85.
  - (d) Temporary signs on nonresidential private property:
    - (1) Temporary signage greater than six (6) square feet in business and industrial districts shall require a Sign Permit and shall comply with 255-85(F).
    - (2) Not more than one (1) temporary sign shall be placed per business except in the case of a corner lot where two signs are permitted (one facing each street).
    - (3) Sandwich boards are allowed within the right-of-way with a permit from the DPW provided that they are only displayed during business hours.
9. *Wayfinding signs.* Signs placed on a premise to guide the public to a specific location on site. Signs may be placed at the entrance to a parking lot, private right of way, private driveway or similar, and internally located within the site.
- (a) Sign shall be no greater than five (5) feet in height above the surrounding (natural) grade.
  - (b) Sign shall not exceed a total of twelve (12) square feet maximum surface area on any side.
  - (c) No sign shall be erected so as to interfere with vehicular or pedestrian line of sight.
10. Off premise signs are prohibited in all zoning districts.

**D. Previously constructed, nonconforming signs.** Any new signs, as of the date of the first publication of this revision on [DATE], must comply with this section.

1. Signs legally existing at the time of this bylaw may continue as a nonconforming structure.
2. No nonconforming sign shall be structurally altered so as to change the shape, size, color, content, or type of sign, nor shall any nonconforming sign be relocated.
3. No nonconforming sign shall be allowed to remain after the business has been discontinued.

**E. Signs in residential and agricultural districts.** The following types of unanimated, non-illuminated signs are permitted in residential districts:

1. *Nameplate or identification signs.* A sign indicating the name or address of the occupant, or a permitted home occupation, not larger than one square foot in area shall be permitted. Only one such sign per dwelling unit is permitted, except in the case of a corner lot where two such signs (one facing each street) are permitted for each dwelling unit.
2. *Multifamily dwellings, group homes, nonresidential buildings, and businesses located in a mixed use building.* A single identification sign not exceeding sixteen (16) square feet in area indicating only the name and address of the building and the name of the management company or the name of the business may be displayed. On a corner lot two such signs (one facing each street), are permitted.
3. *Multifamily developments, residential subdivisions, and other residential developments.* A single identification sign not exceeding forty (40) square feet in area and indicating only the name of the facility and/or the name of the management may be displayed. In the case of a corner lot, and where there is more than one entrance to the facility, one such sign is permitted at each street, or one at each entrance, not both.
4. *Sale or rental signs advertising the sale or rental of the premises.* Said signs shall be permitted where they are erected by the owner or broker and signs bearing the word "sold" or "rented" with the name of the persons effecting the sale or rental. No such sign shall exceed six (6) square feet in area. Not more than one sign shall be placed upon any property except in the case of a corner lot where two signs are permitted (one facing each street).
5. *Exempt and institutional signs.* Signs as identified in Chapter 255 as exempt or institutional uses:
  - (a) Signs shall be allowed in accordance with 255-85(F) Signs in Business and Industrial Districts in accordance with dimensional standards for signs in the respective zoning district.
6. *Bed and breakfast signs.* Signs shall identify the establishment rather than advertise it. Signs shall be limited to sixteen (16) square feet in area, one (1) per establishment, and not be internally illuminated.
7. *Signs advertising the sale of any vehicle.* A sign advertising the sale of any vehicle, boat or any other item(s) of personal property may be erected or placed on or in proximity to the particular vehicle, boat or other personal property being offered for sale at the residence of the owner, provided however, that such vehicle, boat or other personal property being offered for sale is located exclusively in the driveway of the residence of the owner of such vehicle, boat or other personal property. No such sign shall be erected or placed on the premises of the owner for more than 30 continuous days. No such sign shall exceed four square feet in area. Not more than one such sign shall be placed at such premises. This section shall not apply to lawful signs advertising a tag sale for which a permit was issued in accordance with the Town of South Hadley General Bylaws.
8. Temporary signs as provided in 255-85(c)(8).
9. Other non-residential signs may be permitted in residential districts when the following conditions are met:

- (a) The property contains a legal pre-existing, non-conforming commercial/business use as determined by the Building Commissioner.
- (c) The proposed sign is limited to one (1) sixteen (16) square foot sign per place of business per side of building facing the street.
- (d) Illumination complies with 255-85 (C)(7).

**F. Signs in business, industrial, village, and mixed use districts.** All signs permitted in residential districts are permitted in business and industrial districts. The following additional regulations apply:

1. *Total wall sign area.* No more than one wall sign per place of business shall be allowed per side of building fronting a street. In the case of wall-mounted signs, signs affixed to, suspended from, or incorporated as part of a building are permitted provided that the total area of the signs on a wall shall not exceed 10% of the area of that wall, including openings.
2. *Pylon signs.* No more than one free standing sign per entrance shall be allowed. In the case of a multi-tenant facility, co-location of signs on one pylon is required. The sign shall be located at least 30 feet from the adjoining lot line, 10 feet from the front property line, and not exceed one square foot for each four lineal feet of lot frontage or 60 square feet, whichever is smaller. The sign shall be located in a landscaped area.
3. *Window signs.* Signs affixed to the inside of windows or otherwise displayed inside a building such that they can only be viewed from outside the building are allowed, provided the total area of window signs is no larger than 30% of the area of first floor windows of the business displaying the window signs. The allowed area of window signs shall be calculated separately from either permanent or temporary signs, as described in other sections of this ordinance.
4. *Signs on canopies.* Signs shall be allowed on canopies with the display area being measured by drawing a box around the name of the business and any other graphic features of the sign. Such signs shall be painted on or attached flat against the surface of, but not extending beyond or attached to the underside. A minimum clearance above the sidewalk level of seven feet must be allowed for pedestrian clearance. If located over public sidewalks, approval must be granted by the DPW.
5. *Projecting or Blade Signs.* One project or blade sign shall be allowed on each façade providing that such façade has either a window or a direct entryway into the use’s space, subject to the following:
  - (a) Sign area shall not exceed eight (8) square feet, excluding the sign support structure.
  - (b) The bottom of the project sign shall be at least eight feet above the ground.
  - (c) The top of the sign shall be no more than 25 feet from the ground or the peak of the roof, whichever is lower.
  - (d) No sign shall project more than five (5) feet from the façade to which it is attached.
  - (e) Illumination of a projecting or blade sign is prohibited.

**G. Enforcement.**

1. This bylaw shall be administered and enforced by the Building Commissioner.
2. *Violations and penalties.* Any person, corporation or entity found in violation of any provisions of this ordinance shall be punished by a fine in accordance with the following schedule of fines. Each day that the violation continues shall constitute a separate offense per sign.

# of Offense	Penalty	Max Penalty
1st	Warning	N/A
2nd	\$25.00	\$100.00

3rd	\$100.00	\$500.00
4th and subsequent offense	\$300.00	No Cap

3. Notice of violation and procedures pertaining thereto shall be in accordance with M.G.L. c. 40, § 21D (non-criminal disposition).