

ARTICLE III
DEFINITIONS

ADD NEW TERM:

3.*** **DIRECTIONAL SIGN:** Any sign that is designed and erected for the purpose of providing direction and/or orientation for pedestrian or vehicular traffic.

MOVE PARAGRAPH 5.04.X. TO DEFINITIONS AND REVISE AS FOLLOWS:

3.*** **ENTITY:** For the purpose of Section **5.04 Signs**, the term "**Business entity**" shall mean a separate owner or lessor~~district entity~~, identifiable as such to be a separate corporate or trade name by organization papers and/or taxpayer's identification number issued by either the US Internal Revenue Service or the New Hampshire Department of Revenue Administration.

AMEND EXISTING DEFINITION AS FOLLOWS:

3.51 SIGNS: Any structure or part thereof or device attached thereto or painted or represented thereon, which shall display or include any letter or word, model, banner, flag, pennant, insignia, device or representation used as, or which is in the nature of an announcement, direction, or advertisement. Sign includes portable message centers and projected images. The word sign includes the word "billboard," but does not include the actual product displayed in merchandise displays or the lettering on vending machines, nor does it include the flag of any State or; Country or any recognized and non-profit patriotic or charitable organizationWhen a message is incorporated in a wall or other surface not on a sign structure, such as on an awning or mural, the sign shall be considered to be the area covered by the message, logo or product image. The word "sign" includes but is not limited to:

- i. BALLOON, INFLATABLE SIGNS, OR INFLATABLE ATTENTION GETTING DEVICES – Any air or gas filled device located, attached, or tethered to the ground, site, merchandise, building, or roof and used for the purpose of signage, advertising or getting attention.
- ii. CANOPY SIGNS – Any sign that is part of a projecting awning, canopy or other fabric, plastic, or structural protective cover over a door, entrance or window or outdoor service area, or otherwise attached to a building face.

- iii. SIGNS, CHANGEABLE COPY – A sign or portion thereof designed to accommodate message changes composed of characters, letters, or illustrations and that can be changed or rearranged, either manually or electronically, without altering the face or surface of the sign.
- iv. SIGN, ELECTRONIC MESSAGE BOARD – A sign with a fixed or changing display/message composed of a series of lights that may be changed through electronic means. Signs whose alphabetic, pictographic or symbolic informational content can be changed or altered on a fixed display screen composed of electrically illuminated segments.

ARTICLE V
GENERAL REGULATIONS

REPLACE EXISTING SECTION 5.04 SIGNS WITH THE FOLLOWING:

5.04 SIGNS

A. Purpose and Intent

The principal guiding this Article is that signage should not impede the safety of drivers, pedestrians or other users of the highway rights-of-way, or destroy or detract from the attractiveness of the community or interfere with scenic vistas. Therefore, recognizing that certain entities desire identification, and that the public needs direction, the following regulations are adopted for the specific needs of the Town of Gorham.

B. Permit Required

All signs in all districts, except as provided for in Paragraph C. below, shall not be erected or placed in the Town of Gorham without first obtaining a permit. A permit is also required for changes resulting in a different shape or increased size. An application for a sign permit shall include the proposed sign location, sign size, method of illumination, if any, and types of colors and materials to be used in construction.

Permits shall be issued by the Board of Selectmen or its authorized agent.

C. Permit Not Required

1. Every sign lawfully in existence at the time of adoption of this Ordinance may continue to exist. Non-conforming signs may continue to be maintained but shall not be

altered structurally, enlarged, or moved unless made to comply with the provisions of this Ordinance and a permit obtained.

Any sign which has been damaged must be reestablished, restored or repaired within six (6) months of the damage in order to continue as a nonconforming use.

2. Directional signs four (4) square feet in size or smaller, without any advertising content such as name, slogan, or logo, located on the premises.
3. Interior window advertising displays, posters, or window lettering or similar signage.
4. Up to two (2) menu or restaurant bill of fare-type signs, flat against the building, not to exceed a total area of nine (9) square feet.
5. Political signs in accordance with state law.
6. Certain temporary signs as described in Section 5.04 G.1.

D. Prohibited Signs

1. Moveable Signs No vehicle, including parts thereof, trailers and other accessories, shall be used as a means of circumventing the purpose and intent of this Ordinance. A vehicle which is licensed, registered and inspected shall not be construed as circumventing the purpose and intent of this Ordinance if it is regularly and customarily used to transport persons or property for the business.
2. Blinking, flashing, animated and other signs using intermittent lighting. This subsection shall not be deemed to prohibit illuminated signs with variable content so long as they are designed and used in such a manner that the text of the sign is not altered more often than once every four (4) seconds .
3. Exterior or interior sign lighting that interferes with the line of sight for street traffic or within public pedestrian walkways, shines in drivers' eyes, or causes a distraction for drivers.
4. Signs which interfere with the line of sight or obstruct the visibility of drivers or pedestrians.

5. Signs involving movement, whether mechanical or air activated, shall not be allowed except in the case of temporary signs.

E. Standards for All Signs

1. All signs shall be constructed of durable materials and shall be maintained in good condition and repair at all times. Any sign not in good condition and repair shall be subject to the provisions of the Ordinance as found in Article VI Section 6.03.

2. Any sign pertaining to an abandoned or former use or business shall be removed no later than six (6) months after discontinuance of that use or business.

3. Signs that have external illumination, whether the lighting is mounted above or below the sign face or panel, shall have lighting fixtures or luminaires that are fully shielded to prevent glare toward the public way, neighboring properties, and the sky.

F. Specifications

Number of Signs	Commercial A (including Commercial Compact Overlay District), Commercial B, and Industrial	All Other Districts
1. Maximum number of signs per lot	Three (3)	One (1)
2. Of the number of signs on the lot, how many can be freestanding	One (1)	One (1)
3. Of the number of signs allowed, how many can be off-premise	One of the three (3) signs allowed may be off-premise, provided however that the receiving property must still be within the limits for the maximum number of signs and for the number of freestanding signs.	

4. Exceptions to the maximum number of signs	
Commercial A	In the case where more than three (3) entities occur on a lot, the landowner or agent may apply to the Zoning Board of Adjustment for a Special Exception as provided in Section 7.03 to increase the number of signs up to the number of businesses, provided however that the additional signs allowed shall not be freestanding.
Commercial Compact Overlay District	Portable signs of the reader board type, sandwich board or chalkboard signs are permitted in the Commercial Compact Overlay District. Each entity, during operating hours only, may display one on-premises sandwich board or chalkboard-type sign not exceeding 3.5 feet in height or 7 square feet, subject to the following limitations: <ul style="list-style-type: none"> a. The sign shall not be located within a street. b. Where a sidewalk exists, such sign may be located on a sidewalk provided that a 36-inch minimum walkway remains. c. The sign shall not obstruct visibility of or by vehicles or pedestrians.
Commercial B/Industrial	<p>a. In the case where a lot has more than two hundred and fifty (250) feet of frontage on a public street, that lot shall be allowed one (1) additional sign for each one hundred (100) feet of frontage exceeding 250 feet to a maximum of five (5) signs.</p> <p>b. In the case where the number of entities on a lot in the Commercial B or Industrial District exceeds the number of signs otherwise provided for in the above sections, the landowner or agent may apply to the Zoning Board of Adjustment for a Special Exception as provided in Section 7.03 to increase the number of signs up to the number of entities.</p>
All Districts	In any case where two or more entities are on one lot, each entity shall be allowed to have a sign attached to their portion of the building and a portion of a shared (cluster) sign. The shared cluster sign shall count as one of the freestanding signs permitted under this Section. The total area of the signage allowed for each entity shall not exceed the limits set forth in this Section for that District.

	Commercial A (including Commercial Compact Overlay District), Commercial B, and Industrial	All Other Districts
5. Maximum Size**	<p><u>Distance of sign from edge of right-of-way</u></p> <p>5-50 feet-----></p> <p>Over 51 feet--- ></p> <p><u>Maximum square footage per sign</u></p> <p>60 square feet</p> <p>The square footage of the sign shall be a maximum of the distance in feet from the edge of the right-of-way times 1.25 (example 65 feet x 1.25=81.25 square feet).</p> <p>In the case of more than one business on one lot, one shared (cluster) sign up to 100 (one hundred) square feet will be permitted.</p>	Five (5) square feet

**The area of one side of a sign shall be regarded as the total area of the sign. This includes the message surface and any framing or molding but excludes the supporting structure. The square footage of a sign shall be calculated by multiplying the measure of the distance of the sign at its widest point times the distance of the sign from its lowest point to highest point. It will include all air space. In the case of a mural, the area of the mural containing a logo, message or product shall be considered to be the size of the sign.

6. Maximum Height: Maximum height of a freestanding sign is 30 feet with the exception of Commercial A where the maximum height shall be 15 feet.

7. Minimum Setback: With the exception of sandwich boards as described in Section F.4. in the Commercial Compact Overlay District above, all permanent and temporary freestanding signs shall be set back at least five (5) feet from any public right-of-way and ten (10) feet from any lot line.

8. Directional Signs: In addition to the number of signs and square footage provided above, when not visible from a public highway, one additional sign up to four (4) square feet may be utilized to identify a rear entrance.

G. Temporary/Portable Signs

Temporary signs include those that are temporarily attached to a permanent structure not intended to accommodate the sign, or a portable structure that is intended to be used for a limited period of time. A changing message on a permanent structure is not considered to be a temporary sign. Temporary/portable signs must meet the sign setbacks for the district and shall in no case exceed the dimensions permitted in the district in which they are displayed.

Temporary/portable signs are not permitted except as provided below:

1. One temporary/portable sign may be displayed on each parcel when associated with activities of limited duration, such as, but not limited to: signs advertising the sale or lease of property; signs placed on construction sites during periods of active construction in order to identify the lender, general contractor or subcontractor(s) involved with the project; signs advertising sale events; and banners for special events.
2. Temporary or portable signs shall be allowed, for a period not to exceed sixty (60) days, during such time as the permanent free standing sign of the same size or larger is on order, unusable or under repair, pursuant to a properly issued permit. The temporary or portable sign shall be removed at the earlier of sixty (60) days or when the permanent sign is restored or installed. This section is meant to provide relief for those entities who would have no free standing sign due to establishment of a new entity, or for repair or replacement of an existing free standing sign.
3. In cases where, due to physical limitations of the lot where an entity is located, a free standing sign is not possible, an A-frame type of sign, not to exceed 20 square feet, including the area of both legs of the "A," shall be permitted, provided that no such sign shall be located on, nor shall it obstruct, a public thoroughfare or right-of-way. No more than one such sign shall be allowed on any lot. A-frame signs permitted here shall be displayed only during business hours and shall be removed during non-business hours.