

§ 240-6.12. Signs and billboards.

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- A. General. Permanent and temporary signage within the Town of Kennebunkport shall be subject to the standards set forth in this section. Signage within the Town of Kennebunkport shall also be subject to the permitting requirements set forth in § 240-11.2(G). Except for business directional signs permitted under Subsection B, all signs shall relate to goods and services available on the premises on which the sign is located, or to the availability of the premises themselves for sale, rent or lease.
- B. Official Business Directional and Off-Premise Signs. ~~Off-premises directional signs and~~ official business directional signs as defined in 23 M.R.S.A. § 1903, off premises directional signs, and signs advertising commercial uses that are located on premises other than the premise upon which the sign is located shall not be permitted. ~~Official business directional signs, and off premises directional signs~~ except that directional signs not larger than six inches in width and 24 inches in length are permitted on posts provided for that purpose by the Town without the necessity of a permit. Such directional signs shall be placed on the Town posts on a space-available basis.
- C. Performance Standards for Permanent Signs ~~Size, location and illumination.~~
- (1) No sign shall be erected adjacent to any public way in such a manner as to obstruct clear and free vision or where, by reason of its position, shape, color, illumination or working, the sign or billboard may interfere with, obstruct the view of, or be confused with any authorized sign, signal or device, or otherwise constitute a hazard to pedestrian or vehicular traffic.
  - (2) Roof-mounted signs are prohibited.
  - (3) No sign or portion of a sign structure shall exceed 20 feet in height measured from the adjacent road surface.
  - (4) Illuminated signs shall be permitted, subject to the following restrictions and prohibitions:
    - (a) There shall be no intermittently illuminated, traveling light, animated, flashing light, or internally illuminated signs.
    - (b) All illuminated signs shall be shielded or hooded so the light source itself is not visible off of the premises.
  - (5) In all zones:
    - (a) Signs erected on non-residential properties shall conform to the requirements set forth in Subsection H, Table A. The allowable number and dimensions square footage of signage on a non-residential property shall be calculated based upon the gross square footage of floor space that is owned or leased by the sign permit applicant within the structure(s) located on the non-residential property for which a sign permit is sought. per building occupant shall be based upon the gross square footage of unit floor space that is rented or owned by ., and nNo sign shall

~~exceed the area as permitted in Subsection H.~~

~~(a)(b) Signage erected on residential properties shall conform to the requirements set forth in Subsection H, Table B.~~

- (6) All signs overhanging a sidewalk or public way shall be no less than 10 feet from the surface of the pavement.
- (7) No signs shall be posted on trees which are under the jurisdiction of the Tree Warden of the Town.
- (8) The area of a sign shall be calculated by measuring the area of the smallest rectangle capable of enclosing the sign in every plane. If a three-dimensional sign has a depth of more than one foot, the area of the sign shall be calculated by measuring the total surface area of the smallest box capable of enclosing the entire sign.
- (9) Window lettering displaying information such as business name, hours of operation, website, etc., is permitted to occupy up to 35% of the glazed area per window. Lettering governed by this subsection shall not be considered signage for purposes of calculating the area of allowable square footage or number of signs. (See Subsection H.)
- (10) Signs erected or installed in the interior of a structure which form an integral part of a bona fide window display which is related to merchandise or services available within the structure shall not be considered signs for purposes related to this section.

D. Number ~~and location~~ of signs.

- (1) Except as expressly prohibited under this chapter, in all zones, ~~each business occupant or nonprofit organization may erect~~ sign(s) may be attached or affixed to the buildings. Freestanding signs shall be limited based on the specifications set forth in this chapter.
- (2) No freestanding sign shall be located within five feet of the lot line adjacent to the street. However, a setback of less than five feet is permitted upon prior written approval by the Chief of Police after a determination that the sign does not create any sight distance or safety issues.
- (3) In addition to the signs permitted under Subsection D(1), and except as expressly prohibited under this chapter, on-premises signs advertising the availability of the premises for sale, rent or lease shall be permitted.

E. Home occupations signs. One sign identifying the name, address and profession of a permitted home occupation or a lawfully existing nonconforming home occupation shall be allowed, provided such sign does not exceed two square feet in area and is not illuminated.

F. Temporary signs.

(1) Temporary Signs Placed Within Public Right-of-Way: Temporary signs

placed within the public right-of-way shall conform to the provisions of 23 M.R.S. § 1913-A.

- ~~(4)(2)~~ Temporary Signs Placed Outside the Public Right-of-Way:  
Temporary signs placed outside of the public right-of-way shall ~~The following temporary signs (in addition to those specified in Subsection H), not exceeding six square feet in area, and may be posted in any zone without a permit from the Code Enforcement Officer for no longer than ninety (390) days; and are permitted without a permit from the Code Enforcement Officer.~~ Temporary signs specified in this section shall not be attached to fences, trees, utility poles, or the like and shall not be placed in a position that will obstruct or impair vision or traffic or in any manner create a hazard or disturbance to the health and welfare of the general public.

~~Temporary signs giving notice. Signs of a temporary nature such as political posters, advertisements of charitable functions, notices of meetings and other noncommercial signs of a similar nature are permitted for a period not to exceed 30 days and shall be removed by the person(s) who posted the signs. Temporary signs specified in this section shall not be attached to fences, trees, utility poles, or the like and shall not be placed in a position that will obstruct or impair vision or traffic or in any manner create a hazard or disturbance to the health and welfare of the general public. Temporary development or construction sign. One temporary development or construction sign, attached to a building or freestanding, may be erected, provided such sign shall be limited to a general~~

§ 240-6.12

§ 240-6.12

~~identification of the project and shall be removed within 30 days after completion of the project.~~

- ~~(2) Once removed, no temporary sign shall be posted within 30 days of the removal date.~~

- (3) Street banners may exceed six square feet but be no larger than 50 square feet.  
(4) Temporary signs do not require a permit but must conform to all provisions of this chapter.

G. The above regulations shall not apply to the following:

- (1) Flags and insignia of any government, and flags placed within brackets mounted to permanent residential and non-residential structures, and freestanding flags that are not affixed to any structure.  
(2) Traffic control signs, signs designating route numbers or other informational signs erected or required by governmental bodies.  
(3) Integral- decorative or architectural features of buildings except letters,

trademarks, moving parts, or moving or flashing lights.

(4) Signs directing and guiding traffic and parking on private property, but bearing no advertising matter.

(5) Signs posting property as private, and/or no trespass signs.

H. ~~Permanent Commercial~~ Sign dimensions and number for permanent signs located on non-residential and residential properties.

**Table A: Signage for Commercial Properties**

<b><u>Non-Residential Commercial</u> Unit Size (gross square footage)</b>				
	<b>0 to 500</b>	<b>500 to 1,000</b>	<b>1,000 to 2,500</b>	<b>2,500+</b>
Window lettering (percentage of window covered)	35%	35%	35%	35%
Window display	Permitted	Permitted	Permitted	Permitted
Menu (square footage), restaurant/takeout only	15	15	20	20
Total square footage of signage (excluding window lettering, window displays and menus) for all zones	50	70	90	100
Maximum gross area per sign in all zones (square feet)	20	20	30	40
Number of attached signs	2	3	3	4
Number of freestanding signs	1	1	2	2
Temporary sale, special events, daily menu (10 square feet)	1	1	2	2

**Table B: Signage for Residential Properties**

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Residential Property Signage	
(1 <u>permanent</u> sign per residential property)	
Total square footage of signage for all zones	20
Total number of attached and freestanding signs for all zones	1

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I. Nonconforming Signs. Any permanent sign in place prior to [FILL IN WITH DATE] and not in conformance with this section may remain in place. Nonconforming permanent signs may be replaced after approval and issuance of a permit from the Code Enforcement Officer pursuant to § 240-11.2(G). If a nonconforming permanent sign is removed, and is not replaced, for a period of six (6) months, then the Code Enforcement Officer may only approve, and issue a permit for, a new permanent sign that conforms to the provisions of this section.

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