



OFFICE OF SELECTMEN

Post Office Box 487
Marlborough, New Hampshire 03455-0487
"Equal Opportunity Employer"

Telephone (603) 876-3751
E-mail: selectmen@marlboroughnh.org

Fax (603) 876-3313
Website: www.marlboroughnh.org

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SECTION 10: SIGNS

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10.1 SCOPE AND OBJECTIVE: This Section governs all exterior signs erected in the Town of Marlborough and is designed to promote the safety, general welfare, and the economic and scenic value of the Township.

10.2 DEFINITIONS:

10.2.1 Sign - A sign is a lettered board, lettered material, or other public display used to identify or advertise. A sign shall include any announcement, declaration, display illustration, insignia, letter, word, symbol, drawing, design, article, device, or object or combination thereof that advertises, directs attention to or indicates any premises, merchandise, person, or activity, regardless of the nature of the material thereof and the manner of composition or construction.

10.2.2 Animated sign - a sign intermittently lighted to indicate movement.

10.2.3 Awning and Canopy signs - An awning sign shall include any structure with a frame attached to a building and projecting over a sidewalk or public right-of-way, when the same is so erected as to permit its being raised to a position flat or rolled against a building when not in use. A canopy sign shall include any structure, other than an awning or a wedding canopy, attached to a building, projected over a sidewalk or public right-of-way, and carried by a frame supported by the ground or sidewalk.

10.2.4 Building sign - a sign containing the name of the building or business, and which is erected on the building or located in or on the front wall of the building.

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10.2.5 **Bulletin board** - a board for the posting of bulletins, notices, announcements, etc., by a non-commercial organization.

10.2.6 **Date sign** - a sign made of any material showing only the date when the building was constructed.

10.2.7 **Directional sign (private or commercial)** - a sign of permanent nature that directs the traveling public to specific buildings or areas.

10.2.8 **Directional sign, public, civic, and educational** - a sign of a permanent nature that directs the public to a public, civic, or educational building or activity.

10.2.9 **Free-standing sign** - a sign not attached to, located on, or a part of a building, and which is free standing on a pole, mounted upon or in the ground surface, or on a structure designed to support the sign.

10.2.10 **Government sign** - any traffic or other municipal sign, such as a legal notice, railroad crossing, danger sign, and such temporary emergency or non-advertising sign as may be approved by the Board of Selectmen under such terms and conditions as are appropriate.

10.2.11 **Ground sign** - a sign supported by poles, pylons, uprights, braces and/or cables placed mounted upon or in ground surface. Said poles, pylons, uprights braces, and/or cables shall be deemed to be part of a ground sign for all purposes of this Section.

10.2.12 **Illuminated sign** - a sign which has characters, letters, figures, designs, or outlines illuminated by electric lights or luminous tubes with these lights' sources being either internal or external.

10.2.13 **Incidental residential sign** - mailbox identification, name, "NO TRESPASSING", "KEEP OFF THE GRASS" signs, and others of like nature, of one and one-half (1 1/2) square feet or less signboard area.

10.2.14 **Mobile or Temporary sign** - any sign, banner, pennant, propeller, valence, balloon, plastic decoration, sandwich board, mannequin, or advertising display constructed of cloth, canvas, plastic, light fabric, blackboard, cardboard, wall board, or other light materials, with or without frames, as well as any vehicle or trailer used as a fixed or mobile advertising display.

10.2.15 **Obscene sign** - a sign or other advertising structure displaying any obscene, indecent, or immoral matter.

10.2.16 **Occupational sign** - a sign denoting only the name and/or profession of an occupant.

10.2.17 **Off-premise sign** - a sign which does not pertain to a business, industry, or person occupying the premises upon which the sign is displayed.

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10.2.18 **Political sign** - a sign which advertises or promotes a political organization, a political issue, or the candidacy of any individual for an elected local, county, state, or national office.

10.2.19 **Projecting sign** - a sign that is attached to a building or other structure and extends more than twenty-four (24) inches beyond the surface of that portion of the building or structure to which it is attached.

10.2.20 **Public, civic or educational sign** - a sign that denotes public, civic, educational, or non-profit activities.

10.2.21 **Real estate sale/rental sign** - a sign which advertises only the sale, rental, or lease of the entire premises or portions thereof.

10.2.22 **Roof sign** - a sign that is erected upon or above the roof of a building.

10.2.23 **Skeletal or parapet sign** - a sign made of individual letters mounted upon an exterior parapet wall.

10.2.24 **Temporary sign** - a sign displayed for a limited duration.

10.2.25 **Tree sign** - a sign attached to a tree.

10.2.26 **Wall sign** - any lettered and/or numbered sign upon a wall that extends less than twenty-four (24) inches beyond the building.

10.3 **RESIDENTIAL DISTRICT SIGNS:** Signs in residential zoning districts identified as R-1, R-2, R-3 and R-4. Signs not visible from the road or property line, such as on an outbuilding, are not covered by these provisions. When a use is terminated, all signs pertaining to the use shall be removed within thirty (30) days of the termination of such use.

10.3.1 **General Sign Construction:** One sign displaying the street number, or name of the occupant of the premises, or both, not exceeding four (4) square feet in area, shall be permitted. Such sign may be attached to a building or may be on a rod or post not more than six (6) feet high and not less than ten (10) feet from the street line, or fifty percent (50%) of the distance from the building to the street line, whichever is less. Such sign may include identification of an accessory studio or professional office in the dwelling or on the premises, or may identify other permitted accessory uses, including customary home based businesses. All signs/advertising devices shall be stationary. They shall not contain visible moving parts nor be of neon or illuminated tube type. The lighting of any sign/advertising device shall be continuous (not intermittent, flashing, or changing) and be so placed or hooded as to prevent light from shining onto any street or adjacent property.

10.3.2 **Premises Identification:** One bulletin or announcement board or identification sign for a permitted non-residential building or use, not more than six (6) square feet signboard area. For churches and institutions, two bulletin or announcement boards or identification signs are permitted on each building not to exceed ten-(10) square feet signboard area. No such sign shall be located

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nearer to a street than one-half (1/2) the required front setback.

10.3.3 Incidental Residential Signs: As defined in **Section 10.2.13**, these signs are permitted without application and a fee is not required.

10.3.4 Residential Developments: One development name sign may be permitted for each entry from a public way, not to exceed sixteen-(16) square feet signboard area.

10.3.5 Temporary Signs: These signs are permitted for events conducted for educational, charitable, political, etc., public and non-profit purposes. These signs may be displayed for a maximum of forty-five (45) days prior to each event and must be removed within twenty-four (24) hours after the event. Application for permit and fee is not required.

10.3.6 Sale/Rent Signs: One "FOR SALE" or "FOR RENT" sign advertising only the premises or personal property thereon is permitted but it is not to exceed six (6) square feet signboard area. Application for permit and fee is not required.

10.3.7 Contractor's Signs: One sign shall be permitted upon the premises while work is being performed but it is not to exceed six-(6) square feet signboard area. Application for permit and fee is not required.

10.3.8 Non-conforming Use Premises Sign: One sign may be permitted but it is not to exceed six-(6) square feet signboard area.

10.3.9 Illuminated Signs: As defined in **Section 10.2.12**, illumination of signs is permitted only between the hours of 7:00 A.M. and 11:00 P.M. Signs for safety and security lighting may be exempted by the Board of Selectmen.

10.4 COMMERCIAL DISTRICT SIGNS: These signs are utilized for those activities in Districts C-1, C-2, C-3 and C-4. For other permitted commercial activities in the residential districts, i.e., home based businesses, shall be governed by residential district rules. Signs not visible from the road or property line, such as on an outbuilding, are not covered by these provisions.

When a business is terminated, all signs pertaining to the business shall be removed within thirty (30) days of the termination date of the business.

10.4.1 General Sign Construction: A sign or advertising device shall relate to the premises upon which they are located and shall only identify the occupant of such premises, and/or advertise the article or services available upon said premises except for directional signs covered in **Section 10.5**. Signs shall not contain any visible or moving parts. Lighting shall be continuous (not intermittent, flashing or changing) and placed or hooded to prevent light from shining onto any street or adjacent property.

10.4.2 Building Sign: Two per lot, or for each independent business upon a lot, up to two signs affixed to the exterior of a building is permitted. The top edge of such sign shall not be higher than the roof edge of the building or the highest point of the roof; if there is no ridgepole the top edge of

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such sign shall be no higher than the plane of a flat roof. The maximum size permitted shall be one hundred (100) square feet signboard area, and three fourths (3/4) of the length of the face of the building upon which the sign is affixed if only one sign is used. If two signs are used, the total for both signs cannot exceed eighty (80) square feet in signboard area, and three fourths (3/4) of the length of the face of the building upon which the sign is affixed.

10.4.3 Free-standing Sign: One sign per lot is permitted, and if located within the front yard shall: (i) not be nearer than ten (10) feet to any lot line except that; (ii) one sign per lot located within the C-1 Zone along Main Street (Route 101) shall not be nearer than fifteen (15) feet of the granite curbing along the Main Street nor nearer than ten (10) feet to any other lot line. The top edge shall not be higher than fifteen (15) feet from the ground. The sign shall not exceed twenty-four (24) square feet in area.

10.4.4 Size Limitation: Commercial activities located in the R-2, R-3 and R-4 Zones are permitted a combination of free-standing and building signs with the dimensions permitted as follows: If a combination of a free-standing and building sign is used, the dimensional requirements are a maximum of 124 square feet and 104 square feet for two building signs and one free-standing sign.

10.4.5 Illuminated Signs: Signs may be illuminated only between the hours of 7:00 A.M. and 11:00 P.M. or during any hours these establishments are open to the public. The Board of Selectmen may exempt signs serving as safety or security lighting.

10.4.6 Temporary Signs: Events conducted for educational, charitable, political and like causes, public and non-profit purposes may have temporary signs for a maximum of forty-five (45) days prior to each event. Signs must be removed within 24 hours after the event. **Exception:** One sign or banner designating "**OPEN**" or "**CLOSED**" may be permitted. Application for a permit and a fee is not required.

10.4.7 Temporary Commercial Signs: Temporary commercial signs can be utilized by permit not to exceed fifteen (15) days in any thirty (30)-day period. At no time may a business have more than one temporary sign. The sign must be relevant to the business.

10.4.8 Sale/Rent Signs: One "**FOR SALE**" or "**FOR RENT**" sign advertising only the premises or personal property thereon not to exceed six (6) square feet of signboard area may be permitted. Application for a permit and a fee is not required.

10.4.9 Contractor's Sign: One sign, which is not to exceed six-(6) square feet signboard area, shall be permitted upon the premises while work is being performed.

10.5 DIRECTIONAL SIGNS: Directional signs are for off-premises use for non-residential purposes and may be permitted as allowed in **Section 10.5.1**. Any directional sign will be purchased, erected, and maintained by each business or institution after permit approval. A uniform design is required and an illustration is available at the Selectmen's Office.

10.5.1 Directional Sign Allowance: In all Zoning Districts, off-premises directional signs are
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allowed as an exception under the following conditions:

- A. The institution, landmark, or business is not located on Routes 101, 12, or 124.
- B. A permitted on-premises sign could not be visible from Routes 101, 12, or 124.
- C. A sign is allowed for each approaching direction.

D. Each sign may include one signboard containing the name of and direction to the institution, landmark, or business to which it pertains. The Board of Selectmen must approve the wording of the sign.

- E. Each sign must be placed at a location approved by the Board of Selectmen.

10.5.2 Removal of Directional Signs: Five or more persons may petition the Board of Selectmen to remove a directional sign. Upon receipt of the petition, the Board of Selectmen shall advise the Chairman of the Zoning Board of Adjustment to call a public hearing to review and consider action as proposed within the petition. The Zoning Board of Adjustment shall recommend the removal of the sign if the petitioners prove either of the following conditions exists:

- A. The need for the sign no longer exists.
- B. The location of the sign is offensive to the public and tends to devalue surrounding property.

10.6 PROHIBITED SIGNS: The following signs are prohibited:

A. Animated signs; tree signs; projecting signs; signs displaying obscene matter; off-premises signs (except as permitted in Section 10.5); or open flames.

B. Roof signs are not permitted unless they are an integral part of the architecture of the building. These signs will be allowed only in the event of new construction or major renovations affecting the exterior of the building.

C. Signs in public rights-of-way, except of a public, civic, or educational nature, as approved by the Board of Selectmen.

D. Obstruction to doors, windows, or fire escapes. Signs will not inhibit light and/or ventilation nor prevent free ingress to or egress from any door, window, or fire escape. Signs will not be attached to a standpipe or fire escape.

E. Signs constituting a traffic or pedestrian hazard. Such hazards are:

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1. The obstruction of the free and clear vision of either motorists or pedestrians.
2. A sign which obstructs, interferes, or may be confused with (by reason of its content, position, shape, or color) an authorized vehicular or pedestrian sign, signal, or device.
3. A sign which displays the words, "**STOP**", "**LOOK**", "**DANGER**", or any other word, phrase, symbol, or character in such a manner as to interfere with, mislead, or confuse vehicular or pedestrian traffic.
4. A sign which uses lights in a manner which will create a traffic hazard, or where its use may be confused with vehicular or pedestrian traffic control devices or emergency vehicle signals (to include revolving beacons, intermittently illuminated, animated, flashing, and/or a travelling light).

F. Internally illuminated signs. Signs shall not exceed four-(4) square feet signboard area.

10.7 PERMIT APPLICATION PROCEDURE: All signs visible from a property line or public road shall be erected, altered, or moved only upon a permit being approved and issued by the Board of Selectmen. Exceptions: incidental residential signs, real estate/rental signs, temporary, and contractor signs that do not require a permit. Permits shall require a written application and fee to the Board of Selectmen. Application forms are available from the Town Clerk and/or the Board of Selectmen.

The Board of Selectmen shall review the application to insure the plans for the sign/s, and the intended use thereof, complies with the provisions of this Section. A copy of each permit issued, including any condition or exception attached thereto, shall be on file within the Office of the Board of Selectmen.

An owner of a sign must insure the original quality of visual appearance of the sign/s is maintained. This includes peeling paint, chipped, missing, or illegible lettering, cracked or broken signboard materials or supports, and/or other visual deterioration.

10.8 APPEALS: Any applicant wishing to appeal the decision of a sign permit approval or denial must submit a written application to the Zoning Board of Adjustment. See **Section 11.2.B.**

The applicant/s should explain the situation creating the conflict and justification for the requested relief. The Zoning Board of Adjustment will act upon the appeal following a public hearing scheduled for this purpose.

10.9 ENFORCEMENT: The Selectmen, upon being informed in writing of a possible violation, shall make or cause to be made an investigation of facts and an inspection of the premises where such violation may exist. If such investigation and inspection confirms a violation the, Board of Selectmen shall give written notice to the owner and occupant of the premises. If no violation exists, the Selectmen's notice shall so state.

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Upon receipt of such written notice, the violation must be corrected with 30 days. If not corrected within this time, the Board of Selectmen shall institute appropriate action and/or proceedings in the name of the Town to prevent, correct, restrain, or abate the violation. Violation penalties are specified in **Section 13.5** of this Ordinance and are contained in **New Hampshire Statutes, RSA, Chapter 676:17**.

10.10 Dimensional Requirements:

RESIDENTIAL:

10.3.1	Street number and name of occupant	4 square feet
10.3.2	Bulletin/announcement board for non-residential use	6 square feet
	Church/institution	10 square feet
10.3.3	Incidental Residential	1½ square feet
10.3.4	Development identification	16 square feet
10.3.6	Real estate for sale/rent	6 square feet
10.3.7	Building contractor identification	6 square feet
10.3.8	Non-conforming use	6 square feet

COMMERCIAL:

10.4.2	One Building sign affixed to building	100 square feet
	Two Building signs affixed to building (Not more than 3/4 length of the face of a building)	80 square feet
10.4.3	Free-standing	24 square feet
10.4.4	Combination free-standing and One building sign	124 square feet
	Combination free-standing and Two building signs except: commercial signs in R-2, R-3, and R-4 Zones;	104 square feet
	Free Standing Sign	24 square feet
	Affixed to a building	Combined total not more than 124 sq. ft.
10.6.F	Internally Illuminated Signs	4 square feet

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