

Development Review Board

Timothy Waker  
Chair

Design Review Board

John Watanabe  
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Planning Commission

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**TOWN OF MANCHESTER**  
**OFFICE OF ZONING AND PLANNING**

[WWW.MANCHESTER-VT.GOV](http://WWW.MANCHESTER-VT.GOV)

**NOTICE OF PUBLIC HEARING**  
**7:00 PM, Monday, August 17, 2015**  
**Kilburn Meeting Room, Manchester Town Offices**

The Manchester Planning Commission will hold a public hearing on Monday, August 17, 2015, beginning at 7:00 PM in the Kilburn Room at the Manchester Town Offices at 6039 Main Street, Manchester Center, Vermont. The purpose of the hearing is to allow public input on proposed amendments to the Manchester Sign Ordinance.

The Manchester Sign Ordinance affects all lands within the Town of Manchester, except for those lands falling in the Village of Manchester, a separate municipality with its own sign ordinance.

The most significant change is a proposed amendment that would allow "OPEN" flags. Currently, the sign ordinance prohibits flags other than the official flag of any state or nation. Also included in this proposed amendment is a definition of Project Sign and provisions for allowing such signs to identify development projects. Finally, this proposed amendment would allow portable (e.g., sandwich board) signs announcing a restaurant special or retail sales event during business hours between May 1 and November 1.

Clarifications to temporary sign allowances are also proposed. Specifically, temporary and permanent signs are defined and procedures for application and review further clarified. Clarifications to residential signs are also further defined and clarified in this proposed amendment. A maximum LED lighting wattage is proposed to be added to the Lighting section reflecting the preference and more prevalent use of this newer energy efficient lighting technology.

Sections of the Sign Ordinance with proposed changes include: Definitions; Administration & Enforcement; Lighting; Special Categories of Signs; Exempt Signs; and Prohibited Signs. Other sections may include grammatical, spelling, and clarifying edits.

The full-text of the proposed changes is available for review in the office of the Manchester Town Clerk Monday through Friday, 8:00 a.m. to 4:30 p.m., at 6039 Main Street, Manchester Center, Vermont.

6039 Main Street, Manchester Center, Vermont 05255  
Phone (802) 362-1313 opt. 3 Fax (802) 362-1314

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***REPORT OF THE MANCHESTER PLANNING COMMISSION ON  
PROPOSED AMENDMENTS TO THE MANCHESTER SIGN ORDINANCE  
August 17, 2015***

The Manchester Planning Commission proposes the attached changes to the Manchester Sign Ordinance.

The most significant change is a proposed amendment that would allow "OPEN" flags. Currently, the sign ordinance prohibits flags other than the official flag of any state or nation. Also included in this proposed amendment is a definition of Project Sign and provisions for allowing such signs to identify development projects. Finally, this proposed amendment would allow portable (e.g., sandwich board) signs announcing a restaurant special or retail sales event during business hours between May 1 and November 1.

Clarifications to temporary sign allowances are also proposed. Specifically, temporary and permanent signs are defined and procedures for application and review further clarified. Clarifications to residential signs are also further defined and clarified in this proposed amendment.

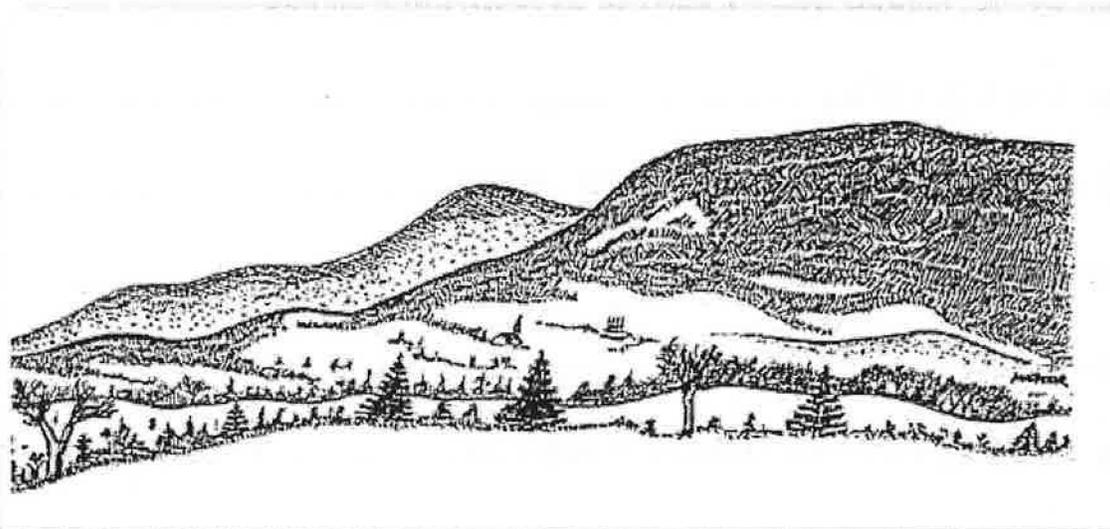
A maximum LED lighting wattage is proposed to be added to the Lighting section reflecting the preference and more prevalent use of this newer energy efficient lighting technology.

Sections of the Sign Ordinance with proposed changes include: Definitions; Administration & Enforcement; Lighting; Special Categories of Signs; Exempt Signs; and Prohibited Signs. Other sections may include grammatical, spelling, and clarifying edits.

| <b>Key to Changes</b>   |                                |
|---|--------------------------------|
| Proposed new language, shown underlined   | <u>new text</u>                |
| Existing language proposed to be eliminated or replaced, shown with strikethrough   | <del>eliminated/replaced</del> |
| Reference notes not to be incorporated in the text, shown in italics in parentheses | <i>(reference notes)</i>       |

# Town of Manchester, Vermont

## Sign Ordinance



Adopted by the Selectboard on February 11, 1986

Includes all subsequent amendments effective  
as of August 5, 2015

Amendments as proposed August 17, 2015

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## SECTION I: TITLE

This Ordinance shall be known and cited as the Town of Manchester, Vermont, Sign Ordinance.

## SECTION II: PURPOSE

The economy of the Town of Manchester historically has been tourist oriented. The central business district has prospered because it offers shopping opportunities that are unique or otherwise attractive. The multiplicity of small specialty shops providing a wide array of merchandise in a physically attractive business district has developed an ever increasing and devoted clientele.

This ordinance recognizes the necessity of signs to inform the travelling public and as an aid to local businesses in attracting customers. It also recognizes that neither the travelling public nor local businesses are well served by unlimited signage. The purpose of this ordinance is to help preserve and improve the existing attractive aspects of the Manchester environment, to promote the welfare, convenience and safety of its inhabitants and visitors, to conserve the value of property, and to encourage a style and scale of outdoor advertising that is compatible with a tourist-oriented economy and the more attractive features of the Manchester townscape. This ordinance is therefore adopted, pursuant to the provisions of 24 V.S.A.117 (as well as 24 V.S.A. §1974a and §1977 as amended, et seq. for enforcement purposes).

## SECTION III: DEFINITIONS

Terms not defined in this section shall take their meanings as defined in the Manchester Zoning Ordinance. Terms undefined in either the Sign Ordinance or the Zoning Ordinance shall be accorded their commonly accepted meanings.

**BUSINESS:** A legally-permitted occupant of land or premises, which is found or located within its own separate, physical space and with its own separate entrance (see also establishment).

**CONTRACTOR'S SIGN:** A sign advertising the name of a construction contractor that may be displayed on a temporary basis on site during a permitted construction project.

**ESTABLISHMENT:** A legally-permitted occupant of land or premises, which is

found or located within its own separate, physical space and with its own separate entrance (see also business).

Exterior ATM or Automatic Teller Machine: A structure with sign elements installed as part of an approved commercial site plan that allows automated bank transactions.

Exterior Vending Kiosk: A structure with sign elements installed as part of an approved commercial site plan that allows automated commercial transactions.

Menu Board: A sign structure for an approved restaurant that displays menu items.

Menu Board, Drive Thru: A sign structure installed as part of an approved drive thru restaurant that displays menu items and ordering information.

ON-PREMISES SIGN: A sign that directs attention to a business, profession, commodity, service, event, or entertainment carried on, sold or offered on the same premises.

OFF-PREMISES SIGN: A sign that directs attention to a business, profession, commodity, service, event, or entertainment that is not carried on, sold or offered on the same premises.

PERMANENT SIGN: Any sign erected or displayed consistently for the duration of any permitted use on a premises or any sign the display of which exceeds the specific time limits prescribed for special categories of temporary signs in Section VIII of this ordinance.

POSTER: A temporary, off-premises sign, not erected or displayed for commercial purposes exhibited no more than four days, and not exceeding three square feet in area, printed, lettered, or drawn on non-permanent cardboard or paper, advertising a specific event or occurrence at a particular time and place. The general intent is to allow individuals reasonable opportunity to advertise events such as yard sales; not to allow commercial entities to post additional signs not otherwise permitted by this Ordinance.

PROJECT SIGN: A free-standing or flush-mounted sign identifying or describing a development project, erected on a temporary basis while a development project is underway. The sign may include a depiction of the project, developer information, architect information, contractor information, and identification of other involved

entities, as well as project milestone dates or fundraising goals.

PREMISES: The lot, building, or set of related buildings comprising the location of one or more businesses or other ventures.

RESIDENTIAL SIGN: ~~A sign, not more than one and one-half square feet in area for identification purposes~~ identifying a residence or residential subdivision or housing development.

SIGN: Any structure, wall display, device or representation designed or used to advertise or call attention to or direct a person to a business, association, profession, commodity product, institution, service, entertainment, person, place or thing, or activity of any kind, and is visible or audible to the public. It does not include the flag of any nation or state on a single pole.

SIGN, FLUSH-MOUNTED: A sign attached to and mounted parallel to the face of a building or structure, or where architectural features (covered entryways, awnings, or other building elements except where otherwise prohibited) are clearly designed to accommodate a sign mounted parallel to the building face.

SIGN, FREE-STANDING: A sign supported by one or more poles, columns, or supports placed in or on the ground and not attached to any building or structure.

SIGN, PROJECTING: A sign attached to and projecting away from the face of a building or structure.

SIGN, SOFFIT: A sign hung from and within an overhang, which is attached to a building or structure, and which covers a walkway serving that building or structure.

SIGN, WINDOW: Any sign affixed to ~~the inside of~~ a window or door, or a sign placed within a building so as to be plainly visible and legible through a window or door. Small signs incorporated into a window display of merchandise and measuring no more than 100 square inches shall not be considered window signs.

TEMPORARY SIGN: Any sign displayed for a temporary period of time as allowed by the provisions of Section VIII of this ordinance.

TENANT: A legally-permitted occupant of land or premises, which is found or located within its own separate, physical space and with its own separate

entrance.

YARD, FRONT: An open space between the buildings and the street, extending the full width of the lot, or in the case of a corner lot, extending along all streets.

YARD, REAR: An open space between the building and the rear lot line, extending the full width of the lot.

## SECTION IV: ADMINISTRATION AND INTERPRETATION

### A. Sign Permits Permit and Review Procedures

Before the alteration, construction, or installation of any sign, a zoning permit shall be secured from the Administrative Officer, except as otherwise provided in this ordinance.

All new free-standing signs on multitenant commercial properties, drive thru menu boards, exterior ATMs, ~~gas station~~ gasoline price signs, and vending kiosks, shall require review and approval by the Development Review Board as part of the site plan and design review process as set forth in the Manchester Zoning Ordinance.

Before the alteration, construction, enlargement or installation of any other sign within a duly established design review district, approval through the following design review process shall be secured prior to the issuance of a permit by the Administrative Officer. Review of such signs shall consist of review by the Manchester Design Review Board, which shall make a recommendation to the Administrative Officer.

Through the design review process, the Design Review Board, Development Review Board, and Administrative Officer shall consider size, location, design, color, texture, lighting, and materials of all exterior signs within their purview.

The Administrative Officer may act on an application for a minor modification to an already approved sign within a design review district without consultation from the Design Review Board. A minor modification shall include only: (1) a change in business name or logo on the sign retaining the same font style, size, material and color; or (2) a change in location of the sign.

The replacement, repair, or repainting of a damaged or worn sign with one of the same construction, size, color, material and design

shall not require a permit.

Applications for sign permits shall be made on a form prescribed by the Selectboard, and a standard fee, as determined by the Selectboard, shall be charged for processing the application. Charitable organizations are exempt from the payment of fees. Action on the application shall be taken by the Administrative Officer within thirty days of filing.

B. Safety

The Administrative Officer may require the adjustment or relocation of any sign, or any sign lighting, to help ensure vehicular and pedestrian safety.

C. Location

No sign may be attached to, placed upon, or painted upon any utility pole, tree, rock, or other natural feature. No sign may be placed on the roof of any building or structure.

D. Violations and Penalties

A violation of this Ordinance shall be a civil matter enforced in accordance with the provisions 24 V.S.A. §1974a and §1977 as amended, et seq. and as described below:

A penalty of \$100 shall be imposed for the initial violation of any provision of this Ordinance. The penalty for the second offense within a one year period shall be \$250, and the penalty for each subsequent violation within a one year period shall be \$500. As per statute, in cases where a violation is not contested, a waiver fee shall be paid in the amounts of: \$50 for the first offense, \$125 for the second offense within a one year period, and \$250 for each subsequent offense within a one year period. Each day that a violation continues will constitute a separate violation of this Ordinance.

If the above enforcement strategy is not sufficient to deter violations, enforcement proceedings may also be initiated pursuant to 24 V.S.A. §4451, et. seq. as they exist or are hereafter amended or revised. These additional penalties may be up to \$100 per day (with each day constituting a separate violation), and include the issuance of injunctions.

## SECTION V: APPEALS AND VARIANCES

Applications for appeals and variances shall follow the appropriate procedures outlined in 24 V.S.A. §§4465-4472, et. seq. as amended.

When a variance from the provisions of this Ordinance is requested, the Development Review Board may render a decision in favor of the appellant, if all of the criteria of 24 V.S.A. §4469 (a)(1-5) are found to have been met, and such findings are specified in a written decision.

An interested person (as defined in 24 V.S.A. §4465) may appeal any decision or action taken by the Administrative Officer by filing a notice of appeal with the secretary of the Development Review Board, or the Town Clerk if a secretary has not been elected. This notice of appeal must be filed within fifteen days of the date of such decision or action, and a copy of the notice of appeal shall be filed with the Administrative Officer.

Appeals of Development Review Board decisions (i.e., signs subject to development review, administrative appeals, or variances) may be filed pursuant to 24 V.S.A. §§4465, 4471, and/or 4475 et. seq. as amended.

## SECTION VI: NUMBER AND TYPE OF ALLOWABLE SIGNS

### A. Free-standing Signs

#### 1. Number

One free-standing, pedestal, or post-supported sign is allowed per lot. The only exceptions are that an additional free-standing sign may be placed on a lot, if:

- a. The lot has at least 650 feet of frontage on a Town or State road, and the two signs will be at least 350 feet apart; or
- b. The lot is located within the C-1 zone, and has at least 300' of frontage along a single major street from which vehicular access is gained; if so, then an additional free-standing sign may be permitted for each additional 300' of road frontage or partial increment thereof on that single major street, under the following conditions:
  1. The additional sign(s) must be placed at separate, existing entrance driveway(s) accessing the lot from that single major street;

2. No business name, nor aspect of any business or establishment, may be listed or advertised on more than one free-standing sign on a lot;
  3. Notwithstanding VI of this Ordinance, if a landowner chooses to have additional free-standing signs as described herein, then EACH free-standing sign on that lot shall be limited to the standard maximum size of 16 square feet.
- c. Where real estate or contractor's signs are allowed, as described elsewhere in this Ordinance.
2. Size

Free-standing signs shall only have two sides, which are parallel to each other, and no more than six inches apart.

Maximum Allowable Size of Free-Standing Signs<sup>1</sup>

| Zoning District             | Maximum Size <sup>2,3,4</sup> |
|-----------------------------|-------------------------------|
| Farming & Rural Residential | 8 square feet                 |
| Single Residential          | 8 square feet                 |
| General Residential         | 8 square feet                 |
| Commercial                  | 16 square feet <sup>5</sup>   |
| Industrial                  | 16 square feet                |
| Transient Commercial        | 32 square feet                |
| Recreation Overlay          | 16 square feet                |

<sup>1</sup>Except as specified elsewhere in this Ordinance.

<sup>2</sup>The calculated area of a sign does not include its posts and cornices. However, the size of posts and cornices shall be proportional with the size of the sign.

<sup>3</sup>Exceptions: as provided elsewhere in this Ordinance, residential signs may be up to one and one-half square feet in size, and customary home occupations are limited to two square feet in size, unless the home occupation has received conditional use approval by the Development Review Board.

<sup>4</sup>Where two or more zones co-exist, such as with overlay zones, the underlying district determines the allowable size of sign(s) for that use.

<sup>5</sup>Where there are more than eight tenants in separate and unaffiliated ownership on a single lot, up to two square feet of additional sign is permitted for each tenant in excess of eight, up to an absolute maximum size of twenty-four square feet. Such additional sign in excess of

sixteen square feet shall be designed so that it is easily removed, and the size of the sign thus decreased, should any or all of the additional tenants cease to exist on the lot. NOTE: THIS DOES NOT APPLY IF A LANDOWNER HAS MORE THAN ONE FREE-STANDING SIGN AS DESCRIBED IN §VI(A)1(b)3.

### 3. Height

The bottom of a free-standing sign shall not restrict the visibility of vehicles entering or leaving any intersection or driveway, Town or State highway, or private road. Maximum allowable height is ten feet, measured from grade level to the top of the sign or any part of its structure.

### 4. Setback

Free-standing signs and their associated support structures shall be set back at least three feet from the inner edge of sidewalks; where sidewalks do not exist, the setback shall be at least seven feet from the traveled way or edge of pavement of the street or highway.

### 5. Businesses without Frontage on a Public Road

In the rare cases where a business is located on a parcel which does not have frontage on a public road, and is served by a legally-deeded right-of-way through a parcel which does have such frontage, said right-of-way shall be considered as a part of the business lot for purposes of an allowable free-standing sign. However, any such sign must be shared with the front parcel. This section shall not be interpreted to increase the number or size of free-standing signs allowed on any parcel or lot.

### 6. Shared Signs, Recreation Overlay District

Many of the lands within the Recreation Overlay District have no frontage on public roads, and are accessed via shared private roads or rights-of-way off of public roads. Given the nature of land uses permitted within this Overlay District, and shared access into these uses, a shared roadside information sign is appropriate and necessary to inform the public of the location of these uses. Therefore, in addition to any free-standing sign that may be permitted for a recreational use on any parcel within this Overlay District, there may also be permitted a single free-standing sign that shall be shared by all land uses which share a single access road or ROW off of a major public road.

This sign shall be subject to all other provisions of the Sign Ordinance (for example, design review...), and shall be no larger than the largest sign otherwise allowed in that particular location in Town. To maximize the effectiveness of this sign, consideration should be given to a single place name rather than simply a list of land uses.

This provision is limited to those lots which do not have frontage on a public road; i.e., those uses on rear lots where the otherwise allowed sign would not be visible to the traveling public. This provision shall not be interpreted to interfere with the rights of the underlying landowners (over whose land the ROW traverses) to have their own separate sign under this Ordinance.

## B. Flush-Mounted Signs

### 1. Number

If there is no free-standing sign on the lot, then two flush-mounted signs per establishment are allowed on the building where the advertised activity exists. If there is a free-standing sign on the lot, then each establishment is allowed one flush-mounted sign on the building where the advertised activity exists.

In addition, one three square foot flush-mounted sign may be permitted at the rear entrance of each establishment on a lot, provided that:

- a. This rear entrance is a direct access from a rear parking lot which is located in the rear yard as defined in this Ordinance;
- b. This rear entrance is in addition to a front or side entrance;
- c. The sign is not illuminated in any manner; and
- d. The sign is mounted directly above, on, or beside the rear door to the establishment which it advertises.

### 2. Size

The maximum allowable size of flush-mounted signs in the Commercial, Industrial, and Recreation Overlay districts is sixteen square feet. Unless otherwise regulated in this Ordinance, flush-mounted signs in the General Residential, Single Residential, and Farming and Rural Residential districts shall be no larger than

eight square feet. The size shall be determined by the extreme limits of the writing, representation, emblems, or physical structure of the sign, whichever is largest. Where mounted on a wall, these signs shall protrude no more than six inches from the wall.

### 3. Location

Flush-mounted signs shall be mounted in traditional locations that fit with the architectural design of buildings, such as over entrance doors.

### C. Projecting Signs

Projecting signs may be substituted for allowable flush-mounted sign on a one-for-one basis. These signs shall not exceed eight square feet in size, and shall not extend further than three feet away from the building. For safety reasons, the lowest part of the sign or its support structures shall be at least eight feet above the sidewalk or grade directly beneath the sign.

### D. Soffit Signs

Where a covered walkway exists on a building with more than four tenants in separate and unaffiliated ownership, each tenant may have one two-square-foot sign which is hung from the soffit. This sign shall be unlighted, hung in front of the entrance to the business which it advertises, and hung in a direction perpendicular to the walkway so that it is legible to pedestrians on the walkway. For safety reasons, the lowest part of the sign or its support structures shall be at least eight feet above the sidewalk or grade directly beneath the sign. Soffit signs are permitted in addition to any other sign allowed in this Ordinance.

## SECTION VII: LIGHTING

Lighting on any sign shall be directed and shielded so that the light shines only on the subject sign, and to prevent glare offsite, into the sky, or onto adjoining properties or roads and highways. All bulbs shall be shielded or hooded. All ground-mounted fixtures shall be screened by bushes or other appropriate means. All fixtures mounted on the sign itself shall blend in with the background color of the sign or its surroundings, as deemed appropriate for the site. Lighting on any sign shall be limited to a total of 150 watts of incandescent light, 25 watts LED, or ~~its~~ the equivalent, unless otherwise authorized for unique site- or sign-specific reasons. No sign may be internally illuminated, except in the case of an external ATM or external vending kiosk, if such illumination is specifically approved as part of the site plan and

design review process. Where a sign or its lighting fixtures are being replaced or substantially altered, lighting shall be brought up to these standards. Applicants must demonstrate that lighting fixtures will satisfy these standards, and are appropriate for site-specific needs and circumstances.

Internally-illuminated signs existing on the date of adoption of this ordinance (1/6/97) may remain as-is, even if minor changes to such signs (such as changing business names or sign faceplates) are proposed. However, more significant changes to these signs (such as changes in location, or to the physical size or structure) will require complete compliance with the Ordinance in effect at that time.

The Administrative Officer may require the adjustment or relocation of any sign lighting in order to prevent glare and to ensure vehicular and pedestrian safety.

## SECTION VIII: SPECIAL CATEGORIES OF SIGNS

### A. ~~Subdivision or Housing Projects~~ Residential Signs

Residential subdivisions or housing projects are permitted one free-standing sign for identification purposes, not exceeding eight square feet. ~~The intent is that~~ These signs generally shall not be illuminated. However, illumination may be permitted (at less intensity than normally allowed) in certain limited circumstances, where clear safety concerns are demonstrated that warrant illumination.

A residential sign identifying the address and name or owner of a parcel containing a single residential use shall not require a permit, except in a design review district. Such residential sign shall not more than exceed one and one-half square feet in area for identification purposes.

### B. Gasoline Price Signs

Either of two options may be permitted for gasoline price signs:

1. Gasoline price signs shall be confined to the pump island and shall be limited to one square foot in area and one per pump; or
2. Gasoline prices may be incorporated into the single free-standing sign allowed on the lot, provided that this free-standing sign is located in the pump island, and that no pump top or other pricing signs are displayed.

C. Window Signs

Window signs may be displayed, and may cover up to twenty-five percent of the total window area per business establishment on the side of the building where such signs are located. Indoor nonpermanent window signs shall not require a permit. Permanent window signs, including permanent stenciling or lettering, placed on a window, is are allowed as a part of an establishment's total window coverage, but shall require a permit. This Window signs composed of stenciling or lettering shall be measured in the same way as other signs: by drawing an imaginary polygon around the outside edge of all letters or emblems as if they were a single sign, and then measuring the size area of that polygon. Window signs shall not be internally illuminated or require power.

D. "OPEN" Signs

One of the following two options are allowed per business:

1. Two "OPEN" signs, each measuring no more than two square feet in area may be displayed on the building, in a window, or attached to an approved free-standing sign.
2. One pole-mounted "OPEN" flag, measuring no more than six square feet may be displayed on the building, in a window, or attached to an approved free-standing sign.

"OPEN" signs of any type may only contain the text "OPEN". No other lettering is allowed, except that a restaurant may have one rigid sign reading "NOW SERVING" in place of one of the allowable two "OPEN" signs.

Images and decoration may be allowed on "OPEN" flags at the discretion of the Zoning Administrator in consultation with the Design Review Board. A minimum distance of twenty feet must be maintained between "OPEN" flags for adjacent businesses.

"OPEN" signs of any type that are exposed to the weather must be made of weather-resistant material. "OPEN" signs may not be internally illuminated.

E. Signs Announcing Specials or Sales

One free-standing, two-sided, portable sign made of weather-resistant

material, measuring up to six square feet in size, for the purpose of advertising a restaurant menu special or retail sale, may be displayed during normal business hours on the day of the special or sale, during the time period from May 1 through November 1 and must be stored indoors at all other times. Such signs shall not require a permit, but must meet all other applicable standards of this ordinance. These signs are not allowed to be internally or externally illuminated except as incidentally, externally illuminated by existing, approved site lighting.

F. Signs for Public Events ~~and Sales:~~

The Administrative Officer shall have the authority to issue a permit for the display of signs on a temporary basis ~~for up to four times per year,~~ announcing a public event ~~or sale.~~ The permit fee shall be waived for civic, religious, fraternal, political, non-profit, or charitable groups. Proof of such status shall be required.

These signs shall:

1. not exceed six square feet ~~in area;~~
2. not be displayed for more than seven consecutive days; and
3. be removed promptly at the conclusion of the event.

Applications and permits shall specify the dimensions and design of the signs, locations of such signs, include the signed permission of land owners for locations not owned by the permittee, the starting and end dates of the event, and indicate the individual responsible for removal of the signs.

G. Signs for Civic Groups at Town Entry Points:

Bona fide civic organizations may each be permitted a single sign up to three square feet in size at the Town line at each entrance to Town along state highways (Routes 7A, 30, & 11/30), signifying the existence of a local chapter of that organization and its regular meeting time and place. These signs shall be placed on a single signboard, no more than 32 square feet in size, and shall require approval by the Development Review Board through the design review process outlined in section 8.10 of the Manchester Zoning Ordinance.

H. Temporary Signs in lieu of Permanent Signs:

One temporary sign, made of rigid material and up to eight square feet in size, may be permitted by the administrative officer, and may be displayed until a permit for a permanent sign is issued, under the

following circumstances:

1. a permit has been issued for the land use or business establishment requesting the sign;
2. a certificate of occupancy has been issued for that land use or business;
3. a complete sign application has been submitted for a permanent sign for that land use or business; and
4. the administrative officer finds that the temporary sign conforms to this ordinance and any adopted design guidelines.

A temporary sign in lieu of a permanent sign not meeting these criteria shall require approval by the Development Review Board through the design review process outlined in section 8.10 of the Zoning Ordinance.

A temporary sign shall not take the place of a permanent sign for more than 120 days past the issuance of a permit for a permanent sign.

I. ~~Contractor's Signs and~~ Contractor's Signs and Real Estate, & Project Signs

One contractor's sign, or sign advertising the sale or lease of real estate, may be displayed on premises without a permit, subject to the following:

1. The physical structure of such sign shall ~~be no larger than~~ not exceed three square feet, not including support posts, which shall be proportional with the size of the sign;
2. The sign is constructed of rigid material;
3. The sign is removed immediately upon completion of construction, or the sale or lease of the advertised real estate; and
4. The sign shall only be:
  - a. placed in a window and together with any other window signs on the same side of the building not exceed 25% coverage of total window area of that facade;
  - b. installed as a single, separate, free-standing sign in addition to any other permitted free-standing signs; or
  - c. installed as a sign panel on an existing permitted free-standing sign.

In place of a contractor's sign, a project sign may be displayed after

securing a permit. A project sign may be up to 20 square feet in a commercial or industrial district, or on a project site of more than 10 acres. On all other project sites, a project sign shall not exceed 12 square feet. A project sign must be removed immediately upon project completion.

J. Menu Boards

In addition to the allotted free-standing, flush-mounted, projecting, soffit, or window signs on premises, a restaurant may install a menu board at or near the main entrance to the restaurant. The menu board may be externally illuminated but shall not be internally illuminated. Any external illumination shall not cause glare onto adjoining properties or rights-of-way. The menu board shall require approval by the Development Review Board as part of the overall site plan review of the restaurant.

In addition to the allotted free-standing, flush-mounted, projecting, soffit, or window signs on premises, a drive through restaurant may install menu boards along the approved drive thru lane. The message face of any drive thru menu board shall be fully screened from view from any public right-of-way. Drive thru menu boards may be externally illuminated if it is demonstrated that the illuminated features do not cause glare onto adjoining properties or rights-of-way. Drive thru menu boards shall require approval by the Development Review Board as part of its site plan review of the restaurant.

K. Exterior ATM or Automatic Teller Machines:

In addition to the allotted free-standing, flush-mounted, projecting, soffit, or window signs on premises, a commercial development may install an exterior ATM. The ATM shall be screened from view from any public right-of-way. The ATM may contain internally illuminated or audible features if it is demonstrated that the illuminated features will not cause glare onto adjoining properties and rights-of-way and audible features will not disturb uses on adjoining properties and rights-of-way. The ATM shall require approval by the Development Review Board as part of its site plan review of the property.

L. Exterior Vending Kiosks:

In addition to the allotted free-standing, flush-mounted, projecting, soffit, or window signs on premises, a commercial development may install an exterior vending kiosk for an approved commercial use. The

vending kiosk shall be fully screened from view from any public right-of-way. The vending kiosk may contain internally illuminated or audible features if it is demonstrated that the illuminated features will not cause glare onto adjoining properties and rights-of-way and audible features will not disturb uses on adjoining properties and rights-of-way. The vending kiosk shall require approval by the Development Review Board as part of its site plan review of the property.

M. Vending Machines

Vending machines which are traditionally located outside of commercial buildings, such as those which house or dispense soda, ice, windshield wipers, propane gas cylinders and the like, may incorporate unilluminated sign(s) advertising the product being sold. No vending machine may be internally illuminated. All vending machines shall comply with this requirement; vending machines existing on the date of adoption of this Ordinance (1/6/97) shall comply within 90 days of that date.

## SECTION IX: EXEMPT SIGNS

The following signs are generally exempt from the provisions of this ordinance except those provisions in Section X, Prohibited Signs:

- A. Signs located on or in a rolling stock of common carriers, provided that such rolling stock is not regularly parked near a public right-of-way in such a way that the rolling stock becomes the functional equivalent of a permanent ~~prohibited or non-conforming~~ sign.
- B. Signs on registered and inspected motor vehicles except those which are determined by the Administrative Officer to be circumventing the intent of this Ordinance.
- C. Signs with an area not more than 260 square inches, identifying stops or fare zone limits of common carriers by motor bus.
- D. Posters as defined in the Ordinance. Any person erecting a poster is responsible for its removal immediately upon the conclusion of the advertised event, or after four days, whichever is sooner.
- E. Political signs provided they are erected no more than three weeks before an election and are removed the day after the election is held. Any person erecting a political sign is responsible for its removal.
- F. Signs erected by the Town of Manchester or its School District.

- G. Signs erected by the State of Vermont or any of its Boards, Agencies or Departments.
- H. Small on-premises signs, no more than two square feet in size, which are necessary for and displayed for the direction, instruction, or convenience of the public, including signs which identify rest rooms, freight entrances, designated handicapped parking spaces, posted areas, or the like. Up to ~~two~~ four such signs per lot are exempt under this provision; the Administrative Officer may issue permits for additional signs, upon filing of a sign application and a demonstration of the necessity for those signs.

The clear intent of this provision is to allow for small signs providing information. Lettering shall be generic and advertising or logos (including business names) are prohibited on directional signs.

These signs shall not be illuminated. Where free-standing, these signs shall not be more than three feet high, and shall not obstruct pedestrian or vehicular safety or circulation. Where building-mounted, these signs shall be placed in appropriate locations related to safety issues and architectural design.

- I. ~~Residential signs as defined in this Ordinance.~~
- J. ~~Indoor nonpermanent window signs conforming to the requirements of this Ordinance.~~
- I. Informational signs up to 16 square feet in size, on lands which have been conserved by easement or other permanent, protective measures.

## SECTION X: PROHIBITED SIGNS

No sign may be installed or maintained along and visible from a street or highway which:

- A. Interferes with, imitates, or resembles any official traffic control sign, signal or device, or attempts or appears to attempt to direct the movement of traffic.
- B. Prevents the driver of a motor vehicle from having clear and unobstructed view of official traffic control signs and approaching or merging traffic.
- C. Contains, includes or is illuminated by any flashing, intermittent or moving lights, or contains or consists of pennants, ~~decorative or~~ ~~open~~-flags, ribbons, balloons, streamers or spinners, or other moving devices, or has any animated or moving parts, except traffic control

signs and “OPEN” flags as prescribed in Section VIII(L) of this ordinance. Commercial holiday decorations or displays are specifically excluded from this restriction from one week before Thanksgiving until January 31. Seasonal lights employing customary strings of white lights are specifically excluded from this restriction during the dark season as defined by Eastern Standard Time (from the last Sunday in October to the first Sunday in April).

- D. Has any lighting that is not shielded to prevent light from being directed off-site, or at any portion of the traveled highway or street, or is of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle, or otherwise to interfere with the operation thereof.
- E. Is fraudulent or misleading, or is in violation of, or at variance with any Federal law or regulation, including one containing or providing for conditions to or affecting the allocation of Federal highway or other funds to the benefit of the State or any subdivision thereof.
- F. Advertises or promotes activities which are illegal under State or Federal law.
- G. Is not clean and in good repair.
- H. Is not securely affixed to a substantial structure.
- I. Contains any fluorescent paint or material or which is lit by neon.
- J. Is an off-premises sign, except as allowed for permitted temporary event signs or posters as defined in the Ordinance.
- K. Is affixed to a utility pole, tree, rock or other natural feature.
- L. Any other sign that is not otherwise permitted or allowed under this ordinance.
- M. Encroaches on a public right of way, path of pedestrian or vehicular travel, parking space, building entry or exit, or causes an unsafe condition.

## SECTION XI: NON-OPERATIONAL BUSINESSES

No signs or advertising shall remain on a non-operational business premise more than thirty days after the business has closed. A thirty day extension

may be granted by the Administrative Officer. The Administrative Officer may allow sign structures without advertising messages to remain in place where appropriate and usable by a subsequent business.

## SECTION XII: PROJECTION OF SOUND

No premises shall incorporate a public address system or other audible system in such a manner that sound is audible on adjacent property or on any street or highway.

## SECTION XIII: VALIDITY AND SEVERABILITY

This Ordinance shall supersede all previous sign ordinances.

If any section or provision of this bylaw or application thereof is adjudged to be unconstitutional or otherwise invalid, it shall not affect the validity of the this bylaw as a whole, nor of any part thereof other than the part so adjudicated.

## SECTION XIV: EXEMPTIONS

Nothing in this Ordinance shall exempt any applicant for a sign permit from full compliance with all other applicable State or local laws.

## SECTION XV: AMENDMENTS

This Ordinance may be amended from time to time after public hearings as provided by 24 V.S.A. 117 §§4403 and/or 4404 and Chapter 59.