

7.060 SIGN ORDINANCE

7.061 PURPOSE AND INTENT

- A. The purposes of these sign regulations are to:
1. Encourage the effective use of signs as a means of communication in the Town of Milford;
 2. Retain the Town's ability to attract and encourage economic development and growth;
 3. Improve pedestrian and vehicle traffic safety;
 4. Respect the environment;
 5. Address new technologies;
 6. Minimize potential adverse effects of signs on nearby public and other private property;
 7. Complement the character of the zoning districts' existing land uses, including, without limitation, the Oval Sub-District's central role in the social, political and economic life of the Town; and,
 8. Enable fair and consistent enforcement of the sign regulations.
- B. It is further intended that this Article will help the Town in its efforts to protect the safety and welfare of the public, implement the Town's Master Plan and reduce potential visual clutter by encouraging the effective use of signs.
- C. This Article is structured on a graduated basis that allows a progressively greater variety and size of signs as the zoning districts increase in scale and minimum lot area required for development. Conversely, as the zoning districts increase in density, this Article allows progressively smaller numbers of types and sizes to reflect the corresponding intensity of mixed land uses and the density of development.
- D. The "Applicability" subsection of each sign structure described in this Article provides a definition of the type of sign subject to this Article. To the extent that a provision of this Article and another section of the Zoning Ordinance conflict, the provisions of this Article shall control.
- E. This Article shall be liberally construed to effectuate its purposes; provided, however, that no sign shall be subject to any limitation based on the content of the message contained in such sign.

7.062 SHORT TITLE

This article shall be known as the Town of Milford Sign Ordinance or the Sign Ordinance. The Sign Ordinance is enacted as part of the Town's Zoning Ordinance.

7.063 DEFINITIONS

The following words and phrases in this Article shall have the meaning described herein for all purposes associated with the construction and interpretation of the Sign Ordinance.

- A. **Abandoned sign:** The cessation of the use of a sign as indicated by the visible or otherwise apparent intention of an owner to discontinue the use of a sign and/or structural framework; or the removal of the characteristic equipment or furnishing of the sign, without its replacement by similar equipment or furnishings; or the replacement of a nonconforming sign with a conforming sign.
- B. **Accessory sign:** A sign identifying or advertising associated goods, products, services or facilities available on the premises. Accessory signs include, but are not limited to, trading stamps, credit cards accepted, brand names or price signs. Accessory signs are also known as incidental signs.
- C. **Advertising message:** Copy, symbols or wording on a sign describing products or services being offered to the public.
- D. **Animated sign:** Any sign which includes action or motion, such as changing electronic sign or electronic message center. For purposes of this Article, this term does not refer to flashing, changing or indexing.
- E. **Area:** The space, on the largest single face of a sign, within and including a perimeter which forms the outside shape of a sign. Where signs are established back to back, the larger face shall be calculated for purposes of determining allowable area. The space of a sign having no such perimeter or border shall be computed by enclosing the entire copy area within the outline of either a parallelogram, triangle, circle or any other easily recognized geometric shape and then computing the area. Where a sign is of a three-dimensional, round or irregular shape, the largest cross section shall be used in a flat projection for the purpose of computing sign area.
- F. **Awning:** A removable shelter of canvas, metal or similar material extending over a doorway or window to provide shelter from natural elements.
- G. **Awning sign:** A sign painted on or attached flat or flush against the surface of the awning, but not extending above, below or beyond the awning or attached to the underside. The copy area on awnings is computed as all or a portion of the allowed wall sign area.
- H. **Background area:** The total area of a sign face on which copy could be placed, often referenced to in connection with wall signs.

- I. **Banner sign:** A temporary sign of lightweight material (paper, plastic or fabric) hung either with or without frames. Flags and insignias containing markings of any government, corporation or business are not considered banners, and are defined as flags. Banner signs are regulated as STT and LTT signs for the purpose of this Article.
- J. **Billboard:** See “off-premises sign.”
- K. **Building face or wall:** All window and wall or façade area of a building in one (1) plane or elevation.
- L. **Building frontage:** The linear length of a building parallel to or closely facing the right-of-way.
- M. **Building marker sign:** A sign lettered to give the name of a building and/or date of construction of the building. Such signs shall include signs recessed into the surface, cut into any masonry surface, or constructed of metallic or other incombustible material. For purposes of this Article, “building name signs” are deemed to be directional signs.
- N. **Canopy (or marquee):** A permanent roof-like shelter extending from part or all of a building face over a public right-of-way and constructed of a durable material such as metal, glass or plastic.
- O. **Canopy or marquee sign:** Any sign attached to or part of a canopy or marquee. The copy area on such signs is computed as all or a portion of the allowed wall sign area.
- P. **Changeable copy sign (manual):** A sign that is designed so that the message, characters, letters or illustrations can be manually (as opposed to electronically) changed or rearranged without altering the face or the surface of the sign. A sign permit is required for the initial establishment of the sign. (Also, see “changing sign”, “electronic message center,” “temporary sign” and “portable sign.”)
- Q. **Changing sign (electronic):** A sign that is either electronically or electrically controlled to illustrate different copy changes on the same sign. This sign’s message may be changed by electronic switching or automatic switching of lamps or alteration in the level of illumination or other illumination source to form words, letters, designs, figures, numerals and pictures often through the apparent vertical or horizontal movement of light. Such signs shall not include a flashing light source. In the case of a changing sign (electronic), flashing shall be defined as an interval of illumination less than five (5) minutes in duration; provided, however, that time and temperature text shall be maintained for a period of fixed illumination of not less than five (5) seconds in duration. A changing sign includes, without limitation, time,

temperature, date and message centers or reader boards, indexing signs, and those known as electronic message centers. (Also see “flashing sign”.)

- R. **Charitable and public service signs:** These signs are typically used for the purpose of publicizing a fund raising event for a nonprofit agency or are established to provide information for the purpose of the public’s welfare such as a community event, parade or festival. For the purpose of this article, charitable and public service signs are deemed “temporary signs.”
- S. **Code Administrator:** The term “Code Administrator” shall also include the designees of the Code Administrator.
- T. **Construction Site ID Sign** – A construction site identification sign shall have the meaning set out in Section 7.065 (c)(11).
- U. **Contractor job sign:** A sign which provides information about active on-site construction work including the name(s), address(es), and phone number(s) of principal contractor(s), architect(s), landscape architect(s), engineer(s) and/or lending institution(s). For the purpose of this article, contractor job signs are deemed “temporary signs” under 7.065(c)(17).
- V. **Copy:** The wording or message on a sign surface in either permanent or temporary (removable/changeable) letter or organic form.
- W. **Copy area:** The area in square feet of the smallest geometric figure which describes the area enclosed by the actual copy of a sign. When referring to a wall sign or facia sign, the copy area refers to the actual message or total area within a border or area highlighted within a contrasting background, not to the illuminated background. Also see “area”.
- X. **Directional sign:** Signage which is necessary for on-site public safety and convenience.
- Y. **Directory sign:** Signs which are necessary to identify and locate occupants of a building, including office buildings and church directories.
- Z. **Electronic awning sign:** A fireproof space frame structure with translucent covering designed in awning form, but whose purpose and use is signage. Such signs are internally illuminated by fluorescent or other light sources in fixtures approved under national and local electrical codes. The copy area is computed as all or a portion of the allowed wall sign area.
- AA. **Electric message center:** See “changing sign (electronic).”
- BB. **Establish:** This term shall mean to attach, alter, build, construct, reconstruct, enlarge, move, hang, place, suspend, affix, erect, manufacture,

and includes the painting of wall signs, but does not include copy changes on any permitted sign.

- CC. **Face of sign:** The entire area of the sign on which copy could be placed. Also see “copy area” and “area.”
- DD. **Facia sign:** See “wall sign.”
- EE. **Flag:** Banners that represent a nation, state or other political or corporate entity.
- FF. **Flashing sign:** A flashing sign contains an intermittent light source or includes the illusion of intermittent light by means of animation or an externally mounted intermittent light source. Flashing signs are prohibited in all zoning districts in the Town.
- GG. **Freestanding sign:** See “Monument sign.”
- HH. **Frontage, minimum** – that continuous portion of a lot bordering on a road(s) from which access can be taken, that meets the minimum requirements of the underlying zoning district.
- II. **Height of sign:** The vertical distance measured from the adjacent undisturbed grade of the sign to the highest point of the sign.
- JJ. **Historic marker sign:** A marker that identifies an historic place, person event or date and is erected by a historical organization or by a government agency.
- KK. **Illuminated sign:** Any sign which emanates light either by means of exposed tubing, electrical bulbs, fluorescent lights, neon tubes or lamps on its surface, or by means of illumination transmitted through the sign faces. Any decorative lighting that is used expressly for the purpose of advertisement shall be constructed as a sign.
- LL. **Incidental sign:** See “accessory sign.”
- MM. **Individual letter sign:** Any sign made of self-contained letters that are mounted individually. See “copy area.”
- NN. **Landmark sign:** An older sign of artistic or historic merit, uniqueness, or extraordinary significance, as identified by the local historic commission or society. The character of landmark signs warrants their preservation in original condition, or their restoration.

- OO. **Location:** Any lot, premises, building, structure, wall, or any place upon which a sign is located.
- PP. **Long-term temporary (LTT) sign:** Any sign established for a temporary period of not more than six (6) months.
- QQ. **Maintain:** To permit a sign, sign structure or any part of each to continue; or to repair or refurbish a sign, sign structure or any part of each. A sign shall be maintained in good repair for reasons of public safety and aesthetics.
- RR. **Marquee:** See “canopy.”
- SS. **Marquee sign:** See “canopy sign.”
- TT. **Message:** The wording or copy on a sign. See “copy.”
- UU. **Monument sign:** A sign established on a freestanding frame, mast or pole and not attached to any building. Where such signs are established back to back, the larger face shall be calculated for the purposes of determining allowable area. Also known as detached sign, freestanding sign, pole sign, ground sign and pylon sign.
- VV. **Nonconforming sign:** Any sign which was lawfully established prior to the date this Article was adopted, and which fails to conform to the specifications of this Article.
- WW. **Off-premises sign:** Any sign visible from a public right-of-way identifying or advertising a business, person, activities, goods, products or services not located on the premises where the sign is installed and maintained.
- XX. **On-premises sign:** Any sign visible from a public right-of-way identifying or advertising a business, person, activity, goods, products or services located on the premises where the sign is installed and maintained.
- YY. **Parking signs:** Signs that identify available spaces or areas for parking of vehicles. Parking signs are deemed “Directional signs” for the purposes of this Article.
- ZZ. **Permanent sign:** A permanent sign is any sign established for a period of greater than six (6) months.
- AAA. **Pole sign:** See “Monument sign.”

- BBB. **Political sign:** Signs that advertise a candidate, party, position or other political issue. The provisions of RSA Chapter 664 are incorporated herein by reference.
- CCC. **Portable sign:** Any sign not permanently attached to the ground or a building. Also see “contractor job sign,” “temporary sign.”
- DDD. **Premises:** A lot or number of lots on which are situated a building or group of buildings designed as a unit or on which a building or a group of buildings are to be constructed. The premises and the sign to which it relates must have a physical connection.
- EEE. **Public right-of-way:** A public right of way includes the portion of a public street, road or highway dedicated to and accepted by the Town and/or the State as measured from property line to property line. When property lines on opposite sides of the public street are not parallel, the public right-of-way width shall be determined by the Code Administrator.
- FFF. **Real estate rider board:** A typically small sign that either hangs from the base of or is established on top of a real estate sign. The area of these signs shall be included in the total allowable sign area for real estate signs. Copy on these signs typically includes but is not limited to the following examples: for sale, sale pending, sold, open house, or a directional arrow.
- GGG. **Real estate sign:** A temporary nonelectrical ground or wall sign that either:
- a. Advertises the on-site sale, rental or lease of a premises or a portion thereof; or
 - b. The off-site advertising (including balloons) of an open house.
- HHH. **Register:** The register of signs shall consist of an official record maintained by the Code Administrator as to the purpose of signage and containing the date of establishment and removal.
- III. **Roof line:** The top edge of the roof or the top of the parapet, where the junction of the roof and the perimeter wall of the structure forms the top line of the building silhouette.
- JJJ. **Roof sign:** A sign established upon, against, or directly above a roof, or on the top of or above the parapet of a building.
- KKK. **Rotating sign:** Any sign or portion of a sign which moves in a revolving or similar manner, but not including multi-prism indexing signs.

- LLL. **Short-term temporary (STT) sign:** Any sign which is established for no more than fourteen (14) calendar days per one (1) year.
- MMM. **Sign:** A permanent or temporary device, structure, light, letter, word, two- or three-dimensional, object or copy, model, banner, streamer, pennant, display, insignia, emblem, trade flag, presentation by figures, designs, pictures, logos or colors visible to the public from outside a building, from a traveled way or otherwise. The purpose of a sign is to convey a message to the public, to advertise, direct, invite, announce, or draw attention to, directly or indirectly, a use conducted, goods, products services or facilities available, either on the lot or on any other premises. Includes any permanently installed or prominently situated merchandise. For the purpose of removal, signs shall also include all sign structures and appurtenances.
- NNN. **Sign structure:** Any framework, either freestanding or an integral part of the building, which supports or is capable of supporting any sign, including decorative cover.
- OOO. **Snipe Sign:** any sign that is attached to any public utility pole or structure, streetlight, tree, fence, fire hydrant, bridge, curb, sidewalk, park bench or the location on public property.
- PPP. **Street:** A public highway, road or thoroughfare which affords the principal means of access to adjacent lots, and measured from property line to property line. Also see “public right-of-way.”
- QQQ. **Temporary sign:** Any sign established for any period of less than six (6) months. Please see definitions of short term temporary signs and long term temporary signs.
- RRR. **Time and temperature sign:** Signs which typically refer to the current time and temperature only.
- SSS. **Use:** The purpose for which a building, lot, sign or other structure is arranged, intended, designed, occupied or maintained.
- TTT. **Utility sign:** These signs are noncommercial in nature and identify the location of gas lines, water lines or phone cables, often warning of the potential hazard of digging or excavation in the immediate area.
- UUU. **Wall sign:** Any sign attached parallel to the building wall or other surface to which it is mounted that does not extend more than twelve (12) inches from said surface and has only one (1) sign face that is intended to be read parallel to the wall or other surface to which it is mounted. This sign also includes any sign established on any other part of a building provided that

the sign is on a plane parallel to the wall of the building. Wall signs may not project above the top of a parapet, wall or the roof line at the wall, whichever is highest. A wall sign is also that sign established on a false wall or false roof that does not vary more than thirty (30) degrees from the plane of the building's parallel wall. Also, a facia sign.

VVV. **Window sign:** A sign established within twelve (12) inches of window plane inside a window for purposes of viewing from outside the premises. Such sign shall not be construed to include merchandise located in a window.

7.064 PROHIBITED SIGNS

Any sign not specifically authorized by this Article is prohibited unless required by law. The following signs and conditions are prohibited:

- A. Any sign located within, on, or projecting over a property line which borders a public or private street, highway, alley, lane, parkway, avenue, road, sidewalk, or other right-of-way, except as provided in this Article. The Code Administrator may cause to be removed any temporary or portable sign erected or displayed upon, or projecting into public property; and,
- B. Any sign attached to any public utility pole or structure, street light, tree, fence, fire hydrant, bridge, curb, sidewalk, park bench, or other location on public property, also known as "snipe signs," except as provided herein; and,
- C. Any sign placed, which by reason of its location, will obstruct the view of any authorized traffic sign, signal or other traffic control device or which by reason of shape, color, or position interferes with or could be confused with any authorized traffic signal or device; and,
- D. Any sign which is placed so as to prevent or inhibit free ingress to or egress from any door, window, or any exit way required by the Building Code or the Fire Code; and,
- E. Any flashing sign or other sign or lighting device, whether on the exterior of the building, or on the inside of a window which is visible beyond the boundaries of the lot or parcel, or from any public right-of-way, with intermittent, flashing, rotating, scintillating, blinking, or strobe light illumination, including an electronic message device, except as provided for herein, or the regulations applicable to a particular sign structure; and,
- F. Any sign with unshielded incandescent, metal halide, or fluorescent light bulbs; and,

- G. Any sign which emits audible sound, odor, smoke, steam, laser or hologram lights, or other visible matter, including any sign that employs any stereopticon or motion picture projection; and,
- H. Any sign animated by attachment by, any means, including fixed aerial displays, balloons, including strings of flags, steamers or devices affected by the movement of the air; and,
- I. Any rotating sign; and,
- J. Any banners, pennants or temporary signs, except as provided for herein; and,
- K. Any portable sign or attention getting device including, but not limited to: sandwich, A-frame, tire rim, animated sign, stuffed animal, or vehicle used as a sign or sign structure; and/or string of lights arranged in the shape of a product, arrow, or any commercial message, except as provided for herein, or where permitted in the Oval Sub-District. A-frame signs may be used on a public sidewalk in the Oval Sub-District where approved by the Board of Selectman; and,
- L. Any sign mounted, attached or painted on a trailer, boat, or motor vehicle when parked, stored, or displayed conspicuously on the public right-of-way or private premises in a manner intended to attract attention of the public for business advertising purposes provided, however, that this section does not prohibit an individual, not engaged in business, to display a sign, mounted, attached or painted on a trailer, boat or motor vehicle, when parked for the purpose of a one-time sale of said trailer, boat or motor vehicle. Such signs or devices are considered portable signs within the meaning of these regulations and are prohibited. This provision expressly excludes business signs that are permanently painted on, or magnetically attached to motor vehicles or rolling stock that are regularly and consistently used to conduct normal business activities; and,
- M. Any unauthorized sign attached to existing signs, outdoor light poles, or other structures; and,
- N. Any roof signs; and,
- O. Any billboards.

7.065 GENERAL ADMINISTRATION

- A. Permits. No sign may be established without a sign permit issued by the Code Administrator, except as provided for in (C) below.

1. The Code Administrator shall be the enforcement agent for all signs within the Town of Milford.
 2. The Code Administrator shall maintain a registry of all permits issued pursuant to the Sign Ordinance.
 3. Sign permit applications shall be submitted to the Code Administrator on such forms and contain such information as required in Section 7.065(D) of the Sign Ordinance.
 4. The Code Administrator shall issue a sign permit when, in the Code Administrator's opinion, the applicant has complied with the requirements of the sign ordinance; otherwise, the Code Administrator shall deny the sign permit application in writing, giving specific reasons for the denial and affording the applicant written notice of the applicant's right to appeal the Code Administrator's decision pursuant to Article 10 of the Zoning Ordinance.
 5. Any permit or decision denying a sign permit application issued by the Code Administrator must be signed and dated by the Code Administrator.
- B. Maintenance: All signs must be maintained in good repair for reasons of public safety and aesthetics. Ordinary maintenance and minor repair shall not include replacement of the structural framing and supports, enlargements of the area of a sign face or relocation of the sign.
- C. Permit Not Required. The following signs are exempt from the permit requirements of this Article, but are otherwise subject to the standards contained herein. Any failure to comply with these standards and any other provisions of this Article shall be considered a violation of the Zoning Ordinance.
1. Nameplate signs giving property identification names or numbers, or names of occupants; and,
 2. Signs on mailboxes or newspaper tubes; and,
 3. Signs posted on private property relating to private parking, or warning the public against trespassing or danger from animals; and,
 4. Signs erected by or on behalf of or pursuant to the authorization of a governmental body, including legal notices, identification and informational signs, and traffic, directional, or regulatory signs; and,
 5. Signs required by Town regulation. Any sign required by Town regulation is permitted without a permit.
 6. Historic marker signs, erected by any historical organization or governmental agency, provided that said signs are no more than two (2) square feet.
 7. Official signs of a non-commercial nature erected by public utilities; and,
 8. Flags of any governmental organization when not displayed in connection with a commercial promotion or as an advertising device.

No flag shall be flown from a pole that is more than fifty (50') feet in height; and,

9. Incidental signs directing and guiding traffic on private property which do not exceed four (4) square feet each and that bear no advertising matter;
10. One sign per lot containing the message that the real estate on which the sign is located (including buildings) is for sale, lease, or rent, together with information identifying the owner or agent. Such signs shall not be illuminated. In residential districts, such signs shall not exceed sixteen (16) square feet in area and the maximum sign height shall be six (6) feet above grade to the top of the sign and its supporting structure. In non-residential districts, such signs shall not exceed thirty-two (32) square feet in area and the maximum sign height shall be ten (10) feet above grade to the top of the sign and its supporting structure. In all districts, such signs shall be removed immediately after sale, lease, or rental; and,
11. Construction site identification signs. Such signs shall not be illuminated, and may identify the project, the owner or developer, architect, engineer, contractor and subcontractors, funding sources, and may contain information related to sale or leasing of the premises. Not more than one (1) such sign may be erected per site, and it may not exceed thirty-two (32) square feet in area. The maximum sign height shall be eight (8) feet above grade to the top of the sign and its supporting structure. Such signs shall not be erected prior to the issuance of a building permit and shall be removed within fourteen (14) days after the issuance of the Final Certificate of Occupancy; and
12. Permanent Subdivision Signs. Such signs shall not exceed sixteen (16) square feet in area, and shall not be illuminated. Permanent Subdivision Signs with an area not exceeding thirty-two (32) square feet may be permitted by special exception, but shall otherwise not require a sign permit.
13. Signs erected in connection with elections or political campaigns pursuant to RSA 664:14-21. No such sign may exceed the sign area permitted for other signs within the zoning district in which it is located; provided, however, that political signs must be removed within seventy-two (72) hours of the election to which they refer, unless the sign seeks to notify the public of the winner of the said election, in which case, the sign must be removed within ten (10) days of the election to which it refers; and,
14. Signs indicating that a special event such as a grand opening, fair, carnival, circus, festival, or similar event is to take place on the lot where the sign is located. Such signs may be erected not sooner than fourteen (14) days before the event and must be removed not later than three (3) days after the event. Please see section 7.067 (I) for number and area requirements;

15. Building marker signs that do not exceed four (4) square feet in area; and,
16. Signs that are located on, or are an integral part of, a property that has been placed on or determined eligible for the National Register of Historic Places, provided that such signs are recognized as contributing to the National Register status of the property; and
17. Signs that are temporary in nature and not covered in the foregoing categories, provided that such signs meet the following restrictions:
 - a. Not more than one (1) such sign may be located on any lot;
 - b. No such sign may exceed six (6) square feet in surface area; and,
 - c. The maximum sign height shall be six (6) feet above grade to the top of the sign and its supporting structure; and,
 - d. Such a sign may not be displayed for longer than seven (7) consecutive days or no more than fourteen (14) days out of any one (1) year period.
 - e. The Code Administrator is authorized to mark temporary signs in any reasonable way that does not interfere with the content of the temporary sign so as to ensure compliance with this Article.
18. The Oval is owned by the Town of Milford. Signs on the Oval are regulated pursuant to Chapter 7.16 of the Milford Municipal Code. This Article does not apply to signs on the Oval.

D. Application Procedure

1. The Code Administrator may adopt from time to time such application procedures as the Code Administrator may find efficient, provided that the procedures are consistent with the Sign Ordinance and other applicable law.
2. Initiation. An applicant for a sign permit shall submit to the Code Administrator the following:
 - a. A completed sign permit application form;
 - b. A non-refundable application review fee in an amount to be set by the Board of Selectmen, which amount may be changed by the Board of Selectmen in their discretion. The Code Administrator shall display notice of the applicable fee in the offices of the Code Administrator in a form and manner designed to give reasonable notice to the public of the amount of the application review fee.
 - c. An illustration of the proposed sign(s), drawn to scale, that includes the following information:
 - i. The total area of the proposed sign(s) in square feet;

- ii. The proposed support structure for the proposed sign(s);
 - iii. The proposed sign structure height;
 - iv. The setback(s) of the proposed sign(s);
 - v. The location(s) of the proposed sign(s);
 - vi. The relationship of the proposed sign(s) to the property on which the proposed sign(s) is to be located and/or the buildings thereon;
 - vii. A photograph of existing signage, including dimensions drawn onto the photograph; provided, however, for multi-unit properties, condominiums and the like, the applicant need only submit a photograph detailing existing signage for the Applicant's particular unit;
 - viii. The material from which the proposed sign(s) is to be constructed;
 - ix. Design information such as illumination, animation, function and other essential characteristics of the proposed sign(s).
3. **Completeness Review.** The Code Administrator shall determine whether the sign permit application is complete within ten (10) calendar days after the application is filed.
4. **Decision.**
 - a. The Code Administrator shall either approve or deny the sign permit application within the time periods specified below after the Code Administrator determines that the application is complete. Applications found to be incomplete shall be denied.
 - b. Upon a finding by the Code Administrator that the sign permit application complies with the provisions of this Article, the Code Administrator shall cause to be issued a sign permit for installation by the applicant. The sign permit shall be issued within ten (10) calendar days of the date on which the application was deemed complete.
 - c. If the sign permit application is denied, the applicant shall be notified within ten (10) calendar days of the date on which the application was deemed complete. The notice of denial shall specifically explain any deficiencies in writing in the application and how the applicant may proceed under this Section and Article 10 of the Zoning Ordinance.
 - d. The Code Administrator shall not consider any sign permit application until the Code Administrator has determined that the application is complete.

- e. No sign permit shall be issued in any case of an incomplete sign permit application.
 - f. No sign permit may be issued until all fees have been paid and other requirements of the Sign Ordinance have been satisfied.
 - 2. Approval Criteria. The Code Administrator shall issue the requested sign permit if the sign permit application complies with this Article. Otherwise, the Code Administrator shall deny the sign permit application.
 - 3. Revised Applications. When a sign permit application is denied by the Code Administrator, an applicant may resubmit a revised sign permit application that conforms to the requirements of Section 7.04(c)(1) and specifies what changes were adopted by the applicant to remedy the cause(s) for denial. The Code Administrator may suggest alternative locations or design modifications.
 - 4. Appeal. An applicant may appeal the decision of the Code Administrator pursuant to Article 8 of the Zoning Ordinance within thirty (30) calendar days of the date of Code Administrator's decision.
 - 5. Amendments. No new sign or modification of the size, materials or design characteristics of a sign shall occur unless a new sign permit is issued in accordance with the procedures established by this Article.
- E. Variances; appeals of the zoning board of adjustment. The zoning board of adjustment may grant relief by authorizing a variance of this Article.
- 1. Variances from this Article shall be governed by Article X of the Zoning Ordinance, N.H.Rev.Stat.Ann. Chapter 677 and applicable case law.
 - 2. Decisions of the zoning board of adjustment may be reconsidered and appealed in the manner provided for by New Hampshire law, as amended.
- F. Enforcement; Violations. The Code Administrator is authorized, empowered and directed to enforce the provisions of this Article.
- 1. Any person, including, without limitation, an owner of real property, who violates, suffers a violation to occur or refuses to comply with any provision of this Article may be subject to the penalty provisions as described in Article 8 of the Zoning Ordinance.
 - 2. By virtue of the authority contained in RSA 676:17, the Code Administrator is hereby authorized to issue warnings or citations for violations of this Article, at a fee of two-hundred seventy-five dollars (\$275) for each day the violation continues, including the day the citation is issued and the day the violation is abated for first violations and five hundred fifty dollars (\$550) for each day of any subsequent violation.
 - a. The Code Administrator shall issue a verbal warning to the property owner and/or lessee upon the Code Administrator's discovery of a violation of the terms of this Article.

- b. If the violation is not remedied within seven (7) days, the Code Administrator shall issue a second warning, in writing, to the property owner and any applicable lessee.
 - c. If the violation is not remedied within fourteen (14) days of the Code Administrator's discovery of said violation, the Code Administrator shall issue a citation in the amounts set out above.
3. The Code Administrator may remove or cause to be removed any sign that does not comply with the provisions of this Article, at the expense of the owner of the property wherein the sign is located after written notification of the violation
4. The Code Administrator may remove or cause to be removed any sign without notice that the Code Administrator reasonably concludes is established in the right of way or that otherwise constitutes a danger to public safety.
5. The Code Administrator may remove or cause to be removed any sign not maintained in good repair for reasons of safety or aesthetics.
6. The Code Administrator may take such other and further action, civil or criminal, at law or in equity as New Hampshire law permits, and nothing in this Article shall be construed to limit those remedies available to the Town for the enforcement of the Sign Ordinance specifically or the Zoning Ordinance generally.

7.066 NONCONFORMING SIGNS

- A. Continuanace. A nonconforming sign lawfully existing at the time of adoption or subsequent amendment of this Article may continue, although such sign does not conform to the provisions of this Article. Portable signs with permanent and/or changeable copy (including trucks and trailers) are exempt from treatment under this section for continuance and shall, therefore, require sign permits and compliance with the provisions of this Article.
- B. Maintenance. A nonconforming sign must be maintained in good repair for reasons of public safety and aesthetics. Ordinary maintenance and minor repairs shall not include replacement of the structural framing and supports, enlargement of the area of a sign face, or relocation of the sign.
- C. Alteration, relocation and replacement. Alterations, relocation, and/or replacement of a legal nonconforming sign structure is permitted when damage or deterioration does not exceed fifty percent (50%) of the area of the sign and structure. A non-conforming sign that is damaged by any casualty or *force majeure* may be replaced by an identical sign in the same location that is identical to the damaged sign. The replacement sign retains its status as a permitted, non-conforming use.

- D. Removal. A nonconforming sign shall be removed within three hundred and sixty-five (365) days if any one of the following conditions exist:
1. If the damage or deterioration of the sign structure exceeds fifty percent (50%) of the area; or,
 2. If the building to which the sign structure is accessory is damaged or demolished to an extent exceeding fifty percent (50%) of the building's appraised value and no plans have been submitted for the building's reconstruction or restoration pursuant to applicable codes and ordinances; or,
 3. If the sign has been abandoned for at least three hundred sixty-five (365) days.
- E. Any sign that has been removed due to any of the conditions listed in 7.066(D) above shall not be replaced and any succeeding sign shall conform to the provisions of this Article. If any portion of the sign structure is removed, then all parts and components of the sign shall also be removed.

7.067 SIGN REQUIREMENTS BY SIGN TYPE

- A. There are eight (8) zoning districts in the Town of Milford: Residence "A" District, Residence "B" District, Residence "R" District, the Commercial District ("CD"), the Industrial District ("ID"), the Limited Commercial-Business District ("LCB"), the Integrated Commercial Industrial District ("ICI") and the Oval Sub-District ("OSD"). The maximum cumulative number and maximum cumulative area of all sign structures permitted for any lot, parcel or business within a zoning district is set forth in following sections. This section does not apply to political signs or any other sign displaying a noncommercial message.
1. In the event the voters shall approve the creation of a second Integrated Commercial Industrial District ("ICI-2") pursuant to the 2007 Warrant, it is the intent of this Article that the signs permitted in the ICI shall be permitted in the ICI-2. In the event the ICI-2 district is not approved by the voters, then this subparagraph (Art. 7.06.a.1) is hereby stricken from this Article.
- B. The following sections contain standards for different types of sign structures. These standards regulate the dimensions, location and design of signs based upon their structural characteristics and location. Each section follows a common format in order to enhance readability. The format for each section employs a definition of the type of sign regulated and a table summarizing the regulation in each zoning district.

C. Changing Signs. The foregoing provisions notwithstanding, the following also regulates changing signs in all zoning districts.

1. Applicability.

This subsection applies to any sign that is either electronically or electrically controlled to illustrate different copy changes of the same sign. This sign's message may be changed by electronic switching or automatic switching of lamps or alteration in the level of illumination or other illumination source to form words, letters, designs, figures, numerals and pictures often through the apparent vertical or horizontal movement of light. Such signs shall not include a flashing light source. In the case of a changing sign (electronic), flashing shall be defined as an interval of illumination less than five (5) seconds in duration. These signs are commonly used to display time, temperature, date and message centers or reader boards, indexing signs, and those known as electronic message centers.

2. Electronic Message Center.

Where electronic message centers are permitted, they shall be subject to all of the following restrictions:

- a. The changing sign (electronic) may not exceed fifty (50) percent of the area of the sign or twenty (20) square feet, whichever is smaller; and,
- b. All illumination elements on the face of a changing sign (electronic) shall remain at a fixed level of illumination for a period of not less than five (5) minutes; provided, however, that time and temperature text shall remain at a fixed level of illumination for a period of not less than five (5) seconds.
- c. Changes from one message to another shall be accomplished by the change of all illumination elements on the face of a changing sign (electronic) simultaneously, with the provision that the sign may fade to complete darkness and then re-illuminate with or fade to the new message.
- d. Changing signs (electronic) shall be equipped with down-cast lighting and the ability to adjust the brightness of the sign. No sign can be a danger to public health and safety.
- e. The applicant for a sign permit for a changing sign (electronic) under the provisions of this chapter shall provide with the application a written statement by the land owner and/or lessee, attesting to the facts that:
 - i. The sign to be installed meets all of the criteria set forth in this chapter; and
 - ii. That the sign shall be operated in a manner consistent with the criteria set forth in this chapter; and

- iii. That the lessee and applicant agree to be held liable, separately or collectively, if these provisions are not met, for any fines arising from such violation. This provision shall not be construed to relieve any other responsibility or remedy for such violation set forth in this chapter.

D. Awning Signs / Canopy Signs / Marquee Signs / Projecting and Suspended Signs

1. Definition.

- a. *Awning Sign*: A sign painted on or attached flat or flush against the surface of the awning, but not extending above, below or beyond the awning or attached to the underside. The copy area on awnings is computed as all or a portion of the allowed wall sign area. A minimum clearance of eight (8) feet above sidewalk level must be maintained for pedestrian clearance.
- b. *Canopy or Marquee Sign*: A sign attached to or part of a canopy or marquee. The copy area on such signs is computed as all or a portion of the allowed wall sign area.

2. Applicability. The following table summarizes the standards regarding Awning Signs, Canopy Signs and Marquee Signs:

Standard	Zoning Districts							
	C	I	ICI	LCB	A	B	R	OSD
A. Permitted?	Y	Y	Y	Y	N	N	N	Y
B. Permit Required?	Y	Y	Y	Y				Y
C. Number per site	3	3	3	2	0	0	0	2
Dimensions								
D. Area per sign	*	*	*	**				**

- a. * = Fifty percent (50%) of the storefront’s linear measure or maximum of one hundred (100) square feet, whichever is less.
 - b. ** = Seventy-five percent (75%) of the storefront’s linear measure or maximum of fifty (50) square feet, whichever is less.
3. The amount of sign area allowed is included with the total allowed square footage of the Wall/Fascia/Facade signs.
4. Copy Area. The copy area on any awning sign, canopy sign, electronic awning sign, or marquee sign is computed as all or a portion of the allowed wall sign area. Copy located on the canopy or awning sign shall

not exceed one-half (1/2) of the area bounded by the edges of the canopy or awning visible from the public right-of-way. If copy is only found in fringe drip-flap portion of the canopy, the entire portion of said area may be utilized for signage.

5. Right-of-Way. An awning or canopy sign which projects into the right-of-way in the Oval Sub-District may be approved and permitted by the Code Administrator as long as the sign does not interfere with the health and safety of the public use of the right-of-way. If an awning or canopy sign projects into the right-of-way in any allowed district other than the Oval Sub-district, a special exception is required from the Zoning Board.

6. Electric Awning Signs.

- a. Definition. *Electric Awning Sign*: A fireproof space frame structure with translucent covering designed in awning form, but whose purpose and use is signage, internally illuminated by fluorescent or other light sources in fixtures approved under national and local electrical codes.
- b. Electric awning signs shall be located on multistory buildings between the first and second story windows, or on single-story buildings above the first story windows. Electric awning signs located on multiple storefronts shall be allowed copy space no more than eighty (80) percent of the individual storefront width, in order to maintain adequate separation between tenant spaces.

7. Height/Clearance. Awning, canopy and marquee signs shall not exceed five (5) feet in height and shall maintain a minimum of eight (8) feet clearance.

E. Wall Signs (Facia Sign or Façade Sign)

1. Definition. *Wall Sign*: Any sign attached parallel to the building wall or other surface to which it is mounted that does not extend more than twelve (12) inches from said surface and has only one (1) sign face that is intended to be read parallel to the wall or other surface to which it is mounted. Window signage shall not be included as total allowable wall sign area. This sign also includes any sign established on any other part of a building provided that the sign is on a plane parallel to the wall of the building. Wall signs may not project above the top of a parapet, wall or the roof line at the wall, whichever is highest. A wall sign is also that sign established on a false wall or false roof that does not vary more than thirty (30) degrees from the plane of the building's parallel wall. Included within this definition are signs commonly called facia signs.

2. Applicability. The following table summarizes the standards regarding Wall Signs:

Standard	Zoning Districts							
	C	I	ICI	LCB	A	B	R	OSD
A. Permitted?	Y	Y	Y	Y	Y	Y	Y	Y
B. Permit Required?	Y	Y	Y	Y	Y	Y	Y	Y
C. Number per frontage (corner lot has 2 sides of frontage)	1	1	1	1	#	#	#	1
Design Characteristics								
H. Electronic message Copy	Y	Y	Y	Y	Y	Y	Y	Y
I. Changeable Copy	Y	Y	Y	Y	N	N	Y	Y
D. Area per sign	*	*	*	**	*	*	*	**

- a. # = Only one wall sign is permitted in the residential zones, regardless of the frontage of the building.
 - b. * = Fifty percent (50%) of the storefront's linear measure or maximum of one hundred (100) square feet, whichever is less.
 - c. ** = Seventy-five percent (75%) of the storefront's linear measure or maximum of fifty (50) square feet, whichever is less.
3. The amount of sign area allowed is included with the total allowed square footage of the Awning/Canopy/Marquee signs.
4. One (1) directory wall sign or monument sign may be located per building entrance or driveway access with frontage on a street or parking area. Maximum area shall be one (1) square foot per tenant with a combined area not to exceed thirty-two (32) square feet. Directory signs shall not require permits if located so as not to be viewed from a public right of way or adjoining premises. If a directory sign can be viewed from a public right of way or adjoining property, the directory sign shall be included in the maximum area allowed for the premises.

F. Directional Signs

1. Definition. A "directional sign" means a sign that is necessary for on-site public safety and convenience. Examples include signs located next to a driveway and reading "in," "out," "entrance," "parking," or "exit."
2. Applicability. The following table summarizes the standards regarding Directional Signs:

Standard	Zoning Districts							
	C	I	ICI	LCB	A	B	R	OSD
A. Permitted?	Y	Y	Y	Y	N	Y	Y	Y
B. Permit Required?	*	*	*	*		*	*	*
Dimensions								
C. Area per sign	4	4	4	4			4	4
D. Illumination	Y	Y	Y	Y	N	N	N	N

- a. * = No permit required in permitted district if part of site plan package; otherwise, permit required.
3. Directional information (i.e., “In,” “Out,” “Parking” must be at least sixty-five percent (65%) of the area of the sign.
4. Supplemental Standards for Directional Signs.
 - a. Directional Signs are allowed in addition to other permitted signage on-site.
 - b. A sign permit is required for directional signs that are setback less than fifteen (15) feet from a property line, or located so as to be visible from a public right-of-way.
 - c. Directional signs may be located adjacent to a driveway provided it does not impede lines of sight or visibility.
 - d. Corporate emblems or logos on directional signs must be incidental and must not exceed thirty-three (33) percent of the total area of the sign.
 - e. Directional signs shall conform to the Manual of Uniform Traffic-Control Devices where applicable.

G. Monument Sign (also known as Ground, Identification, Detached, Freestanding, Pole or Pylon Sign)

1. Definition. A “Monument Sign” is a sign established on a freestanding frame, mast or pole and not attached to any building. Where such signs are established back to back, the larger face shall be calculated for the purposes of determining allowable area.
2. Applicability. The following table summarizes the standards regarding Monument Signs:

Standard	Zoning Districts							
	C	I	ICI	LCB	A	B	R	OSD
A. Permitted?	Y	Y	Y	Y	Y	Y	Y	Y
B. Permit Required?	Y	Y	Y	Y	Y	Y	Y	Y
C. Number per site	1	1	1	1	1	1	1	1
Dimensions								
D. Area per sign	75	75	75	32	*	*	*	32
E. Height	15	15	15	10	6	6	6	10
Design Characteristics								
H. Electronic message Copy	Y	Y	Y	N	N	N	N	N
I. Changeable Copy	Y	Y	Y	Y	N	N	Y	Y

- a. * = Area per sign in Residential “A,” “B,” or “R” depends on the total acreage of the property where the sign is to be established. For properties consisting of less than five (5) acres of land, the maximum area permitted is six (6) square feet. For properties five (5) acres or larger, the maximum area permitted is sixteen (16) square feet.
- b. Any provision of this Article notwithstanding, electronic copy can change every five minutes.

H. Off-Premise Signs

1. Purpose and Findings. For the purpose of regulating excess signage, encouraging the positive economic development of the Town, promoting the safety of the traveling public, protecting existing property values in both residential and nonresidential areas, preventing the overcrowding of land, promoting a positive community appearance as part of a concerted effort in all areas of the Town, to protect and enhance the aesthetics of the Town for the enjoyment of all citizens of New Hampshire, outdoor advertising signs are herein regulated. The regulations are designed to prevent their over-concentration, improper placement, and excessive height, bulk, number, and area. It is recognized that, unlike on-premise identification signs which are actually a part of a business, outdoor advertising is a separate and distinct use of the public thoroughfare. With a view to this distinction, outdoor advertising signs are regulated differently from on-premise signs. It is intended that outdoor advertising signs be regulated to protect the character of the area wherein outdoor

advertising signs are located, and to conserve property values in these areas.

2. Applicability and Definitions. This section applies to any outdoor advertising sign.
 - a. An “Outdoor Advertising Sign” means any billboard or off-premise sign.
 - b. A “billboard” means any off-premises sign on a permanent structure on which the copy is periodically changed and which is not located on the premises to which such advertising copy pertains.
 - c. An “off-premise sign” means any sign or structure, pictorial or otherwise, regardless of size or shape which directs attention to a business, commodity, attraction, profession, service or entertainment conducted, sold, offered, manufactured, existing, or provided at a location other than the premises where the sign is located or to which it is affixed (sometimes called non-point-of-sale sign).
 - d. A “short-term temporary (STT) off-premise sign” is a sign that has been established for no more than fourteen (14) calendar days out of any one (1) year period.
 - e. A “long-term temporary (LTT) off-premise sign” is a sign that has been established for no more than six (6) months.
 - f. A “permanent off-premise sign” is a sign that contains the name and location of a business and has been established for any period longer than six (6) months.
3. Permanent off-premise signs are directional in nature.
4. Regardless of zoning district, each parcel may have no more than a total of two (2) STT or LTT off-premise signs.
5. For each off-premise sign, whether STT, LTT or permanent, written permission of the land owner must be filed with the applicant’s sign permit application.
6. The maximum area for either a STT and LTT off-premise sign shall not exceed sixteen (16) square feet.
7. No off-premise sign, whether STT, LTT or permanent, may be established in any public right-of-way. The purpose of this restriction is to ensure that any type of off-premise sign does not impede pedestrian or vehicle traffic or otherwise create a public safety hazard in any area that is regularly traveled by the public on foot or by vehicle.
8. Any person seeking to establish any permanent off-premise signs must apply for and receive a special exception from the Zoning Board of Adjustment.
 - a. No more than two (2) different permanent off-premise signs shall be allowed on an individual parcel.
 - b. No person, business or other entity shall be permitted more than two (2) permanent off-premise signs within the Town of Milford.

- c. A permanent off-premise sign shall have a maximum sign area of sixteen (16) square feet. The maximum height shall not exceed eight (8) feet from grade level to the top of the sign and its supporting structure.
- d. The Milford Zoning Board of Adjustment may impose additional conditions or restrictions, as the Board deems appropriate to the public interest.

I. Temporary On-Premise Signs

- 1. Definition. A Short-Term Temporary (STT) on-premise sign is a sign that directs attention to a business, commodity, attraction, profession, service or entertainment conducted, sold, offered, manufactured, existing, or provided at a location on the same premises where the sign is located or to which it is affixed and is established for no more than fourteen (14) calendar days in any one (1) year.
- 2. Definition. A Long-Term Temporary (LTT) on-premise sign is a sign that directs attention to a business, commodity or attraction, conducted, sold, offered, existing, or provided at a location on the same premises where the sign is located or to which it is affixed and is established for a period of not more than six (6) months
- 3. Applicability. The following table summarizes the standards regarding On-Premise Signs:

Short-Term Temporary (STT) On-Premise Signs

Standard	Zoning Districts							
	C	I	ICI	LCB	A	B	R	OSD
A. Permitted?	Y	Y	Y	Y	N	N	N	Y
B. Permit Required?	*	*	*	*				*
C. Number per site	2	2	2	2				2
Dimensions								
D. Area per sign	50	50	50	32				16

Long-term Temporary (LTT) On-Premise Signs:

Standard	Zoning Districts							
	C	I	ICI	LCB	A	B	R	OSD
A. Permitted?	N	N	N	N	Y	Y	Y	N
B. Permit Required?					*	*	*	
C. Number per site					2	2	2	
Dimensions								
D. Area per sign					**	**	**	

- a. * = A STT or LTT sign with an area that is equal to or less than twelve (12) square feet does not require a permit. A STT or LTT

sign with an area that is greater than twelve (12) feet must have a permit.

- b. ** = LTT signs area depends on the total acreage of the property where the sign is to be established. For properties consisting of less than five (5) acres of land, the maximum area permitted is six (6) square feet. For properties five (5) acres or larger, the maximum area permitted is twelve (12) square feet without a permit and sixteen (16) square feet with a permit.
 - c. An applicant may apply no more than six (6) times in any twelve months for a permit for a STT sign. A permit for a STT sign is valid for thirty (30) days and expires without further action by the Code Administrator. The fee for temporary sign permits is waived.
 - d. An applicant may apply no more than two (2) times in any twelve months for a permit for an LTT sign. A permit for a LTT sign is valid for seven (7) months and expires without further action by the Code Administrator. The fee for LTT sign permits is waived.
 - e. An applicant in a non-residential district may apply to the ZBA for a special exception to be allowed a LTT sign.
4. No STT or LTT signs may be established in any public right-of-way. The purpose of this restriction is to ensure that temporary signs do not impede pedestrian or vehicle traffic or otherwise create a public safety hazard in any area that is regularly traveled by the public on foot or by vehicle.

7.068 SUPPLEMENTAL REGULATIONS FOR THE OVAL SUB-DISTRICT

- A. Definition. The Oval Sub-District shall be comprised of the lots contained within the perimeter defined as follows: Beginning at the intersection of Great Brook and the Souhegan River proceed east along the southern bank of the Souhegan River to the south lot line of Tax Map 25, Lot 99. Then proceed west to the west side of Pine Street and follow it to its intersection with Nashua Street. Follow Nashua Street west to the westerly line of Franklin Street. Continue south along the west line of Franklin Street to its intersection with High Street and then proceed west along the south line of High Street to the southwest corner of Tax Map 25, Lot 39. Then proceed north along the east bank of Great Brook back to the point of beginning.
- B. Findings and Purpose. The Oval Sub-District is a traditional public place, where citizens of the Town, State and Nation gather for entertainment, to purchase goods and services, to obtain information and to express opinions of

every type. The Oval Sub-District is also the center of the life of the Town, and is the repository of the Town's collective history, containing many monuments that commemorate events and people who were and are essential to the development of the Town. It is the purpose of these supplemental regulations to ensure that the essential role of the Oval Sub-District is maintained in Town life.

D. The Map 25, Lot 32 is owned by the Town of Milford. Signs on the Oval are regulated pursuant to Chapter 7.16 of the Milford Municipal Code. This Article does not apply to signs on the Oval.

E. General Provisions

1. Signage shall be compatible with the architecture and building materials of the structures for which the signage is designed.
2. Signage shall be in proportion to both the buildings and the lot upon which it is placed.
3. Signs shall not obscure or necessitate the removal of any building elements such as, but not limited to, windows, cornices or decorative details.
4. Signs (except for free standing) shall be located within the traditional signboard area of a structure.

7.069 SEVERABILITY

If any provision of this Article or the application thereof to any person or circumstances is held to be invalid, the remainder of the chapter and the application of such provision to other persons or circumstances shall not be affected thereby.