

DIRECTIONAL SIGN ORDINANCE CHAPTER 24

ARTICLE I TITLE, PURPOSE, AUTHORITY, DEFINITIONS

Section 101 Title

This Ordinance shall be known as the Directional Sign Ordinance of the Town of Freeport, Maine.

Section 102 Purpose

The purpose of this Ordinance is to promote the health, safety and general welfare by (1) providing tourists, travelers and other users of the public ways in the Town of Freeport with information and guidance concerning public accommodations, facilities, commercial services and points of scenic, cultural, historic, educational, recreational and religious interest; (2) reducing visual distractions which post a hazard to drivers of motor vehicles and other users of the public ways; and (3) preserving, enhancing and protecting the natural scenic beauty and other aesthetic features of the town.

Section 103 Authority

This Ordinance is enacted pursuant to 30 M.R.S.A., Sections 1917 and 2151, and 23 M.R.S.A., Section 1922, as amended and supplemented to date.

Section 104 Definitions

- 104.1 Sign Sign means any structure, display, logo, device or representation which is designed or used to advertise or call attention to any thing, person, activity or place and is visible from any public way.
- 104.2 Official Business Directional Sign Official Business Directional Sign means a sign erected and maintained in accordance with the Maine Traveler Informational Services Act, 23 M.R.S.A., Sections 1901-1925, and this Ordinance, which identifies and points the way to public accommodations and facilities, commercial services for the traveling public, and points of scenic, historical, cultural, recreational, educational and religious interest. The second line of the legend may be used to indicate additional directional information such as the route number or street name.
- 104.3 Town Sign Frame Town Sign Frame means a structure or support assembly erected by the Town of Freeport for the purpose of supporting and displaying a series of

international signs, public restrooms signs, trailblazing signs, signs for public facilities and geographical area signs.

- 104.4 Trailblazing Sign A trailblazing sign is a Town sign which directs the traveling public to LL Bean or an area of Town as well as to parking locations in that area. It may include a logo design and/or words and numerals. It shall be located on a Town Sign Frame and/or at roadway intersections as needed along the route to the destination.

ARTICLE II REGULATIONS

Section 201 Sign Regulations

- 201.1 Compliance with Ordinance, Statute and Regulations No person may erect or maintain any Official Business Directional Sign visible from a public way in the Town of Freeport except as provided in this Ordinance. All Official Business Directional Signs erected or maintained in the Town of Freeport shall also comply with applicable provisions of the Maine Traveler Information Services Act 23 M.R.S.A., Section 1901-1925 and any regulations of the Maine Department of Transportation promulgated thereunder, not inconsistent with the provisions of this Ordinance.

201.2 Size, Shape, Color and Materials

- (a). Official Business Directional Signs shall be constructed from high density overlaid plywood, or another material of similar or better quality, durability and appearance, at least one half (1/2) inch thick, shall be of a standard size, twelve (12) inches tall by forty-eight (48) inches wide, shall be consistent with the visual and aesthetic character of the location and with signs previously approved, shall bear the name of only one public accommodation, facility, service or point of interest and directions pointing the way to such public accommodation, facility, service or point of interest. Each sign shall consist of no more than two lines. The background sign legend, if any, and border of all signs shall be reflectorized with reflective sheeting to show the same shape and color for both day and night. Reflective sheeting shall consist of a smooth, flat exterior film with spherical glass lens elements embedded beneath the surface and a precoated adhesive backing protected by a removable liner. Reflective sheeting shall meet the requirements of Federal specifications LS-200B available for view at the office of the Department of Transportation (DOT) in Augusta. The background color of all signs shall be blue and shall be in accordance with highway blue color tolerance charts PR-Color #3. All legends and borders shall be silver. The edges and back of the signboards shall be sealed and painted brown. Specific color requirements shall be in accordance with the latest color tolerance charts

published by the Federal Highway Administration and available for view at the Office of the Maine Department of Transportation in Augusta. All lettering shall be Helvetica medium lower-case lettering with initial upper-case. The directional legend shall be located on the left edge when a left turn is required; and the right edge of the sign when a right turn is required. The logo or symbol shall be located on the opposite end of the sign from the directional arrow. Illuminating by special interior or exterior supplemental lighting is not permitted. Effective June 20, 2001, all new or replacement Official Business Directory Signs must comply with the requirements of Subsection (a) of this Section 201.2. Any Official Business Directory Sign lawfully existing on June 20, 2001, must be replaced with an Official Business Directory Sign conforming to the requirements of Subsection (a) of this Section 201.2 no later than January 1, 2003.

- (b). Effective April 15, 2002, Official Business Directory Signs will no longer be allowed on Town Sign Frames. Any Official Business Directory Signs existing on Town Sign Frames on that date will be removed by the Town.

201.3 Location

- (a). Official Business Directional Signs are prohibited in the following locations:
 - 1. Village Commercial Zones, as described on the Official Zoning Map of the Town of Freeport,
 - 2. Mallet Drive,
 - 3. Durham Road from 200 feet north of the intersection of Pownal Road to 200' south of the intersection of Beech Hill Road,
 - 4. Desert Road between U.S. Route 1 and Hunter Road,
 - 5. Bow Street from Main Street to the easterly side of the railroad tracks,
 - 6. U.S. Route 1 except in the following locations:
 - a. Intersections between the Southern Freeport Municipal Boundary and 800 feet northerly of the South Freeport Road/Route One intersection,
 - b. Within 150 feet on either side of the intersection of Pine Street and US. Route One and the intersection of U.S. Route 1 and Desert Road, on the easterly side of U.S. Route 1,
 - c. On the westerly side of U.S. Route One between the intersection of Desert Road and U.S. Route 1 heading northerly for 420 feet only for businesses located west of U.S. Route 1,
 - d. Within 500 feet on either side of the intersection of the Old County Road/Stonewood Drive and U.S. Route 1.
 - e. On Route One, between 400 and 600 feet of the following intersections with Route One: Prout Road, Upper Mast Landing Road and Allen Range Road,

- f. Signs for Town Facilities, including but not limited to the Police Station, Schools, Library and Town Hall, may be located within the Route One corridor at any intersection,
- (b). The location of Official Business Directional Signs in areas of the Town where such signs are permitted shall be determined by the Freeport Codes Enforcement Officer who shall allow such signs only at intersections where travelers must change direction from one public way to another to reach a business, service facility or point of interest. Official Business Directional Signs shall be spaced not less than 500 feet from every other Official Business Directional Signs except for signs located at the Route One/Pine Street intersection where the minimum distance shall be within 150 feet. When the number of Official Business Directional Signs at an intersection requires it, the Codes Enforcement Officer may allow up to five Official Business Directional Signs on the same set of supporting posts, provided that there shall be at least three inches between each such sign. The lowest sign shall be five feet above the surface of the right-of-way; Signs located near pedestrian and parking areas may be required to have a vertical clearance of seven feet. Each set of posts shall be spaced 500 feet from any other signposts except at the Route One/Pine Street intersection where the minimum distance shall be within 150 feet. No business, service, or point of interest shall be permitted more than one sign at any one intersection approach. Decisions of the Codes Enforcement Officer shall be subject to review by the Town Council pursuant to Section 301.2 of this Ordinance.
- (c). To obtain a permit for an Official Business Directional Sign, the business, service facility, or point of interest must be located within a five mile radius of the proposed location of the sign.
- (d). Town Sign Frames may be erected and maintained by the Town of Freeport at locations determined by order of the Town Council. Notwithstanding the provisions of Subsection (a) of this section, Town Sign Frames may be located in areas in which Official Business Directional Signs would otherwise be prohibited.

201.4 Installation, Maintenance and Removal

- (a). Applicants for a permit shall be responsible for providing signs that comply with the requirements of this Ordinance. The Codes Enforcement Officer shall annually inspect all Official Business Directional Signs.
- (b). Any Official Business Directional Sign erected pursuant to this Ordinance which is lost, stolen, defaced or deteriorated shall be replaced by the owner upon notification by the Codes Enforcement Officer and reinstalled by the sign owner, at the owner's expense. If the owner fails to provide a new Official Business Directional sign within sixty (60) days, the Codes Enforcement Officer shall have

such sign removed pursuant to Subsection (d) of this section. If unusual circumstances make it impractical to remove the sign in the proscribed time period, the Codes Enforcement Officer may extend the time period.

- (c). The Town of Freeport shall be responsible for removing Official Business Directional Signs. The owners of any Official Business Directional Sign that represents a business, service facility or point of interest no longer offering such traveler assistance under that business name shall notify the Codes Enforcement Officer to have such sign removed. The Codes Enforcement Officer shall have any such sign removed, thirty (30) days after notice to the owner thereof, if he becomes aware that traveler services are no longer available under the business name.
- (d). All Official Business Directional Signs which do not conform to this Ordinance shall be removed by the by the order of the Codes Enforcement Officer.

ARTICLE III PERMITS, FEES, COSTS

- 301.1 Application Any person wishing to have an Official Business Directional Sign erected shall make application for a permit to the Freeport Codes Enforcement Officer on a form approved by the Codes Enforcement Officer, specifying the number of signs and the location thereof.
- 301.2. Issuance of Permits, Standards The Codes Enforcement Officer shall issue a permit if he determines that there is a need for such Official Business Directional Sign to guide the traveling public, to avoid confusion, or to reduce or eliminate a safety risk. If the Codes Enforcement Officer determines that there is no such need, then he shall deny the application and forward the same to the Town Manager, who shall place the application on the agenda for the next regular meeting of the Freeport Town Council. The Town Council shall then determine whether or not there is a need for the sign to guide the traveling public, to avoid confusion, or to reduce or eliminate a safety risk, and shall grant or deny the application accordingly. In considering such applications, the Town Manager and the Town Council shall presume that no need exists for any sign directing the travelling public to any business, service facility or point of interest located within the Village Commercial Zones as described on the Official Zoning Map of the Town of Freeport or on U.S. Route 1 except as described in Section 201.3 above, and any such business, service facility or point of interest shall be ineligible to

receive a permit for an Official Business Directional Sign.

- 301.3 Permits Not Transferable Permits for Official Business Directional Signs are not transferable. Any change in ownership of a business, service facility or point of interest shall require a new application and a new permit.
- 301.4. Limitation on Number of Signs The Codes Enforcement Officer shall issue no more permits than necessary to guide the traveling public, avoid confusion, and reduce or eliminate a safety risk. In any event, no more than four (4) permits for Official Business Directional Signs shall be issued for any one public accommodation, facility, service or point of interest. All permits issued for Official Business Directional Signs shall be counted in considering the number of permits issued. The Codes Enforcement Officer shall have the ability to allow up to two additional signs depending on the location of the business, facility, or point of interest. The decision to allow additional signs shall be based upon the number of times a traveler must change direction from one public way to another, and/or other physical characteristics.

Section 302 Fees

- 302.1 Permit Fees The Town of Freeport shall collect an annual fee for each permit issued pursuant to this Ordinance. The fee for such permits and for the reinstallation of any Official Business Directional Sign that is lost, stolen, defaced or deteriorated shall be established annually by Order of the Town Council and shall reflect the cost incurred by the Town to process permit applications and to inspect Official Business Directional Signs. The appropriate fees shall be submitted with each application for a permit or renewal of a permit under this Ordinance and shall apply to installation for the remainder of the permit year but shall not be prorated for any fraction of a year.
- 302.2 Nonrefundable The annual permit fee shall be refunded only if the application for a permit or renewal is denied.

Section 303 Renewal

- 303.1 Renewal Permits issued pursuant to this Ordinance shall be valid from the first day of July through the thirtieth day of June of the year following the year of issuance, and may be renewed by submitting a renewal application on a form approved by the Codes Enforcement Officer on or before the expiration date of the permit. If, upon the receipt of any renewal application, the Codes Enforcement Officer determines that there is no longer a need for the sign or signs to guide the traveling public, to avoid confusion, or to reduce or eliminate a safety risk, then the Codes Enforcement Officer shall deny the renewal request and forward the same to the Town Manager for determination by the Town Council in the manner prescribed in Section 301.2 of this Ordinance. Any permit which is not renewed shall expire on the first day of January of the year following the year of issuance.

Section 304 Costs

Applicants for permits for Official Business Directional Signs shall provide all signs authorized by this Ordinance and shall be responsible for the cost of maintenance and reinstallation thereof.

ARTICLE IV VALIDITY AND PENALTY

Section 401 Validity and Penalty

401.1 Validity and Severability In the event that any section, subsection or portion of this Ordinance shall be declared by any court to be invalid for any reason, such a decision shall not affect the validity of the other sections, subsections or other portions of this Ordinance.

401.2 Enforcement and Penalties This Ordinance shall be enforced by the Town of Freeport Codes Enforcement Officer. Any person who erects, maintains or displays a sign in violation of the requirements of this Ordinance commits a civil violation punishable by a penalty of up to \$100 together with the cost of removal of the sign. Each day a sign is maintained or displayed in violation of this Ordinance constitutes a separate violation.

A person served with a civil violation citation for violating this Ordinance may elect to pay a fine of \$50 for each violation alleged in the citation, in lieu of appearing in court to answer the citation. Such payment must be received at the office of the Town Clerk by the seventh day prior to the court appearance date specified in the citation. Upon receipt of such payment by the Clerk, the Town shall cause the citation to be dismissed.

Effective June 20, 2001