

TOWN OF NAPLES

SIGN ORDINANCE

Adopted at Town Meeting June 27, 1998

Revised June 11, 1999

Revised June 11, 2002

Revised June 21, 2006

Revised June 24, 2009

Attested by Town Clerk

ARTICLE I

TITLE, AUTHORITY, PURPOSE & DEFINITIONS

Section 1.1 TITLE

This ordinance shall be known and may be cited as Town of Naples Sign Ordinance.

Section 1.2 AUTHORITY

This ordinance is enacted pursuant to the home rule power conferred by Article VIII, part Second of the Maine Constitution and Title 30-A, Sections 2101, 2109, and 3001 of the Maine Revised Statutes.

Section 1.3 PURPOSE

The purpose of this ordinance is to permit such signs as will not, by their size, location, construction or manner of display, endanger the safety of individuals, confuse, mislead or obstruct the vision necessary for traffic safety, or otherwise endanger the public health or safety. These sign standards are intended to support and complement the comprehensive plan and ordinances of the Town of Naples, while enhancing and protecting the natural scenic beauty of the Town.

ARTICLE II **STANDARDS**

Section 2.1 GENERAL STANDARDS

No sign shall be erected, moved or altered except in conformity with the purpose and provisions of this ordinance. All signs governed by this ordinance must be kept clean, neatly painted, and free from all hazards such as, but not limited to, faulty or exposed wiring and loose fastenings, and shall be maintained in a safe and secure condition.

Section 2.2 LOCATION/DISPLAY

A. Number of signs: no more than 2 free-standing signs per lot.

B. Placement:

- 1) Signs may not obstruct free entrance or exit from any door, window or fire escape.
- 2) Signs may not obstruct vision to or from any traveled way.
- 3) Signs must be located on private property, with the exception of State-allowed signs located in their right-of-way.

C. Manner of Display:

- 1) No commercial signs shall be allowed on fences or street sign poles.
- 2) Maximum height for free-standing signs 20 feet.

D. The display of movable, portable and sandwich signs is limited to the business' operating period.

E. Signs on buildings and roofs.

Section 2.3 SIZE STANDARDS

In the event that there are two free standing signs placed upon a lot as permitted pursuant to Section 2.2A then the combined surface area of both signs shall be determined by the least restrictive of A or B below. In addition, all new and upgraded freestanding signs must have a physical address panel no larger than 8 square feet.

- A. If either of the two free standing signs permitted pursuant to section 2.2.A. is visible from a traveled way where posted speed limits are less than thirty-six (36) miles per hour, the maximum combined surface area of both signs shall not exceed thirty-two (32) square feet.
- B. If either of the two free standing signs permitted pursuant to section 2.2.A. is visible from a traveled way where posted speed limits are more than thirty-six (36) miles per hour, the maximum combined surface area of both signs shall not exceed sixty-four (64) square feet.
- C. In the case of 2 or more businesses sharing a common entrance there shall be a separate area provided for a common entrance sign.
- D. Portable signs shall not exceed 32 square feet.
- E. Sandwich signs not to exceed 12 square feet per lot.
- F. Building signs shall not exceed 32 square feet per side. Roof signs shall not exceed 32 square feet per side.

Exemption: All Federal and State mandated signs are exempt from the maximum square footage allowed.

Section 2.4 CONSTRUCTION STANDARDS

- A. All signs must be structurally safe, and must not be a hazard to public safety or health.
- B. Signs may not cause electric shock and may not have exposed electrical wires.
- C. Portable signs may not be on wheels.

ARTICLE III
PERMITS

Section 3.1 PERMITS AND APPEAL PROCEDURES:

- A. It shall be unlawful for any person to erect, repair, alter or relocate any sign, (except as exempted by other provisions of this ordinance) without first obtaining a sign permit from the Code Enforcement Officer. It shall be the duty of the Code Enforcement Officer to review and sign permit applications to determine conformance with the standards of this ordinance and with the standards of all other codes and ordinances of the Town of Naples.
- B. Applications for a sign permit shall be available at the Town Hall.
- C. Applications for sign permits shall include a sketch of the sign and a site drawing showing location of the sign on land or building with relevant measurements.
- D. Once an application is determined by the Code Enforcement Officer to be complete it shall be acted upon by the Code Enforcement Officer within thirty (30) days of completion and receipt of appropriate fees. In the event the permit request is denied, the applicant shall be provided with the reasons for the denial in writing within forty-five (45) days of the denial.
- E. Any applicant who has applied for a permit and has been denied, or whose permit has been revoked or suspended, and anyone subject to enforcement proceedings initiated pursuant to section 4.1 of this ordinance, may, within thirty (30) days of the denial, suspension or revocation or the initiation of enforcement proceedings, request review of the CEO's decision by the Ordinance Review Committee. The Ordinance Review Committee shall, within 15 (fifteen) days convene a hearing to review the action of the CEO. Within 10 (ten) days of the completion of such hearing the Ordinance Review Committee shall issue written findings and a decision upon the Appeal. If the Ordinance Review Committee concludes that the CEO's action was correct, or if a party disputes a decision by the Ordinance Review Committee which reverses action by the CEO, then the aggrieved party may, within thirty (30) days, appeal to the Naples Board of Appeals as defined in and pursuant to 30-A MRSA section 2691. The Naples Board of Appeals may uphold or reverse the CEO's action.
- F. The following signs are exempt from permits and fees if they comply with all other applicable laws, ordinance, rules and regulations: political signs; public safety signs; yard sale signs; construction signs; for sale/rent/lease signs; municipal signs; non- profit signs; signs for charitable events.

Section 3.2 FEE SCHEDULE

Fees shall be \$1.00 per square foot per sign (\$5.00 minimum) payable to the Town of Naples. This schedule may be revised annually by the municipal officers, who may adjust fees either upward or downward. All new signs require a one-time permit, except those listed herein.

Section 3.3 APPLICABILITY

Any sign existing as of the date of enactment of this ordinance is grandfathered in its present configuration and is not subject to the provisions of this ordinance until such time as the primary use of the parcel upon which the sign exists changes.

ARTICLE IV
ENFORCEMENT AND PENALTIES

Section 4.1 ENFORCEMENT AND PENALTIES

- A. The Code Enforcement Officer is authorized to enforce this ordinance.
- B. If the Code Enforcement Officer finds that any provision of this Ordinance is being violated, he shall provide notification in writing to the person responsible for the violation, indicating the nature of the violation and ordering the action necessary to correct it.
- C. If the violation is not corrected within the time specified, the Code Enforcement Officer may order repairs or removal of any sign and its supporting structures judged dangerous, in disrepair or in violation of this ordinance; may revoke the sign permit and/or may seek penalties and injunctive relief.

Section 4.2 PENALTIES

Violation of any provision of this ordinance or any lawful order relating to this ordinance by the Code Enforcement Officer shall be subject to a fine of not more than \$100.00 per offense. Each day that the violation continues is a separate violation. In the event that the Town of Naples incurs any expense in the enforcement of this ordinance, including but not limited to court costs and attorney's fees, the Town shall be entitled to collect such costs from the violator. Any penalties or costs assessed shall be payable to the Town of Naples.

ARTICLE V
SIGNS

Section 5.1 ALLOWABLE SIGNS

Unless otherwise provided herein, only signs that meet the requirements of this ordinance are permitted in the town of Naples.

ARTICLE VI
SEVERABILITY, INCONSISTENCY AND EFFECTIVE DATE

Section 6.1 SEVERABILITY

The invalidity of any provision of this ordinance shall not invalidate any other provision.

Section 6.2 INCONSISTENCY

If provisions of this ordinance conflict or are inconsistent with other provisions of this ordinance, with the provisions of other ordinances of Town of Naples, or with laws, ordinances, rules or regulations of the federal government or the State of Maine, the stricter requirements shall apply and control.

Section 6.3 EFFECTIVE DATE

The effective date of this ordinance shall be when enacted by the Town of Naples. Enactment of this ordinance will replace, in whole, the sign sections in the Shoreland Zoning and Site Plan Review Ordinances. Enacted on June 11, 1999.