

§33 SIGNS

33-1 Purpose

It is the intention of these sign regulations to promote the public safety, protect property values, create an attractive business climate and enhance the physical appearance of the community.

33-2 General Requirements

33-2.1 Permits

No sign, except as provided herein shall be erected, or structurally altered or otherwise changed, unless a Zoning Permit has been approved by the Zoning Enforcement Officer. A new name shall be deemed to be a change. Normal maintenance shall not be a change.

33-2.2 Applications

All applications for a sign permit shall be accompanied by a plot plan showing the location of the sign and by a building elevation or sketch, drawn to scale with dimensions, showing the height, design, materials, colors and illumination of the sign.

33-2.3 Illumination

All illuminated sign or lighting devices shall employ only lights emitting a light of constant intensity and shall be designed, located, erected and maintained to confine or direct all illumination to the surface of the subject sign and away from adjoining premises. Self-illuminated signs shall be such that all direct light sources are completely covered.

33-2.4 Maintenance

All signs together with their supports, braces, guys and anchors shall be kept in good repair and in safe condition. The owner or lessee of the premises on which a sign is erected shall be directly responsible for keeping such sign and premises in a safe and neat condition.

33-2.5 Nonconforming Signs

Currently existing signs of a size or type not permitted in the district in which they are situated, or which are located or illuminated contrary to the above regulations, or which do not conform to all provisions of these regulations, will be considered nonconforming structures under this Section.

No nonconforming sign shall be altered or changed unless such sign is made to conform with these regulations. A change shall not include a change on a theater marquee sign or a change in name where the size and style of lettering conforms to the previous lettering, and there are no other changes.

Any change of such signs or increase in size shall be deemed to be an enlargement or extension producing an increase in nonconformity. Any signs described above shall not be relocated to any other location on the premises unless such relocation results in reducing or eliminating the degree of nonconformity. Normal maintenance activities are not considered to be a change of name or alteration.

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33-2.6 Measurement of Area

The area of a sign shall include all exposed faces of a sign measured as follows:

- 33-2.6.1 When such sign is on a plate or framed or outlined, all of the area of such plate or the area enclosed by such frame or outline shall be included.
- 33-2.6.2 When such sign is comprised only of letters, designs or figures affixed on a wall, the entire face of said wall being of uniform material, color, and texture, the total area of such sign shall be considered to be the area of the smallest geometric shape such as a rectangle, circle which encloses all letters, symbols, or designs which constitute such a sign.
- 33-2.6.3 When a sign is double-faced, the area of the sign shall include the sum of both sides.

33-3 Sign Prohibition

The prohibitions contained in this section shall apply to all signs, all artificial lighting and all districts regardless of designation within the Town of Westport.

- 33-3.1 No sign shall project beyond any property line, except under the provisions of §33-7.2.3, herein.
- 33-3.2 No hanging sign shall be over any portion of the traveled path of any driveway or other accessway.
- 33-3.3 No sign shall project beyond the sides of a building or above the lowest point of the main roof line of any building.
- 33-3.4 No sign shall be permitted on the top of any building.
- 33-3.5 No sign structure shall conflict with the corner visibility requirements of these regulations.
- 33-3.6 No sign shall interfere in any way with vehicular or pedestrian traffic, traffic signals or signs or visibility of motorists by virtue of the location, color or size of such signs.
- 33-3.7 No sign shall obstruct access to or from any door, exit, window or fire escape.
- 33-3.8 No artificial light or reflecting device shall be used, located, or displayed where such light distracts the attention of users of a street and competes for attention with, or may be mistaken for, a traffic signal.
- 33-3.9 No sign shall be animated or flashing, except for a time-temperature device employed as part of an otherwise non-flashing, non-animated display.
- 33-3.10 Except for flags, no sign shall be permitted which is in motion by any means, including swinging, fluttering or rotating or signs such as banners strung in series set in motion by movement of the atmosphere. The area of any flag (except national, state or town flags) shall be computed as signage and shall require permits in accordance with §33-2.1.
- 33-3.11 The stringing of lights is prohibited, except during the holiday season, from 11/15 through 1/15 of each year.

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- 33-3.12 No sign shall be permitted to be painted or posted directly upon the exposed surface of any wall except for individual, raised, mounted letters. All other painted or posted signs shall be on a plate or backing made of a durable material such as metal or plywood which is affixed to the wall.
- 33-3.13 No signs shall be mounted or posted on any tree or utility pole.
- 33-3.14 Directly-illuminated gaseous signs, such as neon tube signs, that are visible from outside the building shall be prohibited.
- 33-3.15 Free-standing portable signs, such as sandwich signs, shall be prohibited.
- 33-3.16 All signs and other advertising devices shall be prohibited except as they refer to products sold, and/or services rendered to business conducted on the property on which such sign is located.

33-4 Signs Permitted in All Districts

33-4.1 The following signs are permitted in all districts and do not require a zoning permit.

- 33-4.1.1 Official government notices.
- 33-4.1.2 Governmental signs to control traffic or for other regulatory purposes, or to identify streets, or to warn of danger.
- 33-4.1.3 Signs that warn of danger, prohibit trespassing or direct traffic on the lot. Such signs shall not exceed a total area of two (2) square feet, each.
- 33-4.1.4 Signs of public service companies to warn of danger.
- 33-4.1.5 Temporary signs for public and charitable events which shall be removed after the publicized event.
- 33-4.1.6 Signs for political purposes.

33-4.2 Temporary Signs

The following signs are permitted in all districts subject to §33-2, herein.

- 33-4.2.1 A temporary sign not over two (2) square feet per side for a residential property or nine (9) square feet per side for a nonresidential property set back from any property line at least five (5) feet, advertising the sale or lease of the premises.
- 33-4.2.2 A temporary construction sign not over twenty-four (24) square feet in aggregate area identifying the designers and/or builders for a lot on which a building is under construction or reconstruction.
- 33-4.2.3 Any such temporary sign shall be removed from the premises within ten (10) days after the rental of the space, sale of the premises or completion of the construction.

33-5 Signs Permitted in Residence Districts

33-5.1 The following signs are permitted in all Residence Districts, subject to §33-2, herein.

- 33-5.1.1 Identification signs for Special Permit use in any Residence District; provided the aggregate area of the signs shall not exceed twenty-four (24) square feet. Only one free-standing sign is permitted. The free-standing sign must be at least 15 feet from any property line and shall include the street address number at least 4 inches in size.
- 33-5.1.2 A marker not to exceed two (2) square feet identifying an historic building or use.
- 33-5.1.3 Directional sign necessary for public safety or convenience not to exceed two (2) square feet in area.
- 33-5.1.4 Public convenience signs advertising hours of operation not to exceed one (1) sign of two (2) square feet in area.

33-6 Signs Permitted in RPOD, RORD, CPD, and HDD Districts

33-6.1 One (1) wall sign per tenant not to exceed two (2) square feet in area stating the name of the occupant, is permitted in the RPOD, for office establishments in the RORD 1, RORD 2 and RORD 3 districts subject to the provisions of §33-2.

33-6.2 One wall sign per tenant not to exceed six (6) square feet in area, stating the name of the occupant, is permitted for retail establishments in the RORD 1 and retail establishments, grocery stores, delicatessens, restaurants and other food service establishments in RORD 2.

33-6.3 One (1) free-standing sign not to exceed fourteen (14) square feet in area is permitted per lot in the RPOD and RORD Districts subject to §33-2, ARB review and the issuance of a zoning permit. Such free-standing sign shall be set back at least 15 feet from any property line, shall not exceed a height of six (6) feet and shall contain the street address number at least four (4) inches in size.

33-6.4 Signs in the CPD - the aggregate sign area of all signs on the premises shall not exceed fourteen (14) square feet.

33-6.5 Signs in the HDD - All signs, other than traffic and directional signs, shall be designed to reflect signage that was appropriate for the buildings at time the buildings were first constructed. Based on historical data gathered from the town archives, along with U. S. Department of Interior guidelines regarding historical signage, signage and signage illumination shall be designed on a building by building basis, and shall be subject to the review and recommendation by a majority of the Historic District Commission. Wall signs, projecting or hanging signs, signs on glass and free-standing signs (attached to historical light fixtures) shall be permitted in the district, with a total aggregate signage area not to exceed 361 s.f. (1 s.f. for each linear foot of the longest facade of each building within the HDD). In addition, no one business or tenant shall exceed more than (3) signs on the premises, and the total allowable sign area for building shall be prorated based on the

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relationship of the length of the longest facade of the individual building to the entire district. Where the Historic District Commission deems it to be appropriate, signage s.f. may be transferred between HDD tenants, provided that the sum of said tenant signage area does not exceed their total permitted signage area. One sign identifying the district will be permitted, up to 30 square feet, which is in addition to the 361 s.f. permitted for the businesses. In no case shall any sign exceed 50 square feet in area, and backlighted signage is prohibited.

33-7 Signs Permitted in Other Non-Residence Districts

The following signs are permitted in all Non-Residence Districts other than the RPOD, RORD, CPD and HDD Districts, subject to §33-2 and the following conditions:

33-7.1 Sign Area

The total surface area of all signs except for free standing signs on a premises shall not exceed either one (1) square foot for each lineal foot of the lot fronting on a public street or one (1) square foot for each lineal foot along the longest building face of each building, whichever is less.

- 33-7.1.1 In mixed use or multi-tenant buildings, the total allowable sign area for said building shall be pro-rated on an equitable basis; such as the amount of gross floor area of each rental unit; the number of rental units, or the facade area.
- 33-7.1.2 No one business use or tenant shall have more than three (3) signs on the premises; except that one additional wall identification sign shall be permitted at a secondary business entrance facing a parking lot. Said secondary identification sign shall not exceed two (2) square feet in area and shall be exempt from the sign area and §33-2, herein.

33-7.2 Wall Signs

Any wall sign shall comply with the following requirements:

- 33-7.2.1 Each sign must be attached to a wall or facade of a building.
- 33-7.2.2 No sign shall extend above the lower sill of a second story window nor exceed a height of twenty (20) feet as measured from the ground to the top of the sign, whichever is less.
- 33-7.2.3 A wall sign may extend forward as much as eighteen (18) inches from the wall to which it is attached. No part of such sign shall project in front of the street line except that if the face of the wall is coincident with the street line such sign may extend no more than three (3) inches beyond such street line.
- 33-7.2.4 Each unit occupancy above the first floor may display a sign on the inside of one (1) window serving said unit of occupancy, provided that no such sign shall exceed six (6) square feet in area.
- 33-7.2.5 Wall signs for individual tenants or occupants of a unified shopping center shall be designed to reflect a coordinated aesthetic scheme for the entire shopping center. Such signs shall be uniform in letter size, letter style, type of illumination, wall placement, colors and types of signs within the center.
- 33-7.2.6 Wall signs in excess of fifty (50) square feet of area shall require ARB review.

33-7.3 Projecting or Hanging Signs

All projecting or hanging signs shall comply with the following requirements:

- 33-7.3.1 Signs may project from the face of the building or hang from a roof canopy, provided that such signs shall be under a roof and over a walkway, but not a public sidewalk.
- 33-7.3.2 One (1) sign, not to exceed two (2) square feet in area, is permitted for each business or use in the building as part of the total allowable sign area.
- 33-7.3.3 No sign or any part thereof shall be less than eight (8) feet above the walkway.

33-7.4 Free-Standing Signs

All free-standing signs shall be subject to ARB review and shall comply with the following requirements:

- 33-7.4.1 Only one (1) free-standing sign shall be permitted on a lot provided that it has at least one hundred (100) feet of street frontage on one street.
- 33-7.4.2 The free-standing sign shall identify the name of the business(es) occupying the lot and shall include the street address number at least 4 inches in size.
- 33-7.4.3 The sign shall be supported by a free-standing, self-supporting structure that is erected on the ground and is not attached to a building. The width of the support structure cannot be more than 25% of the horizontal dimension of the free-standing sign, and may be divided into one or more support legs, or the support structure will be included in calculating the total surface area of the sign
- 33-7.4.4 No free-standing sign shall exceed a height of twenty (20) feet or extend above the lowest point of the main roof line of any building, whichever is less, as measured from the ground to the top of the sign.
- 33-7.4.5 All free-standing signs except for a unified shopping center shall not exceed a total surface area of thirty-two (32) square feet. A unified shopping center sign shall not exceed a total surface area of one hundred (100) square feet. The sign area for free standing signs is not included in the sign area as defined in §33-7.1.
- 33-7.4.6 No sign shall be located within fifty (50) feet of the boundary of a Residence District.
- 33-7.4.7 All signs shall be at least fifteen (15) feet from any property line.

33-8 Temporary Signs

Temporary Signs shall comply with the following requirements:

- 33-8.1 Signs temporarily affixed to or on a window or door announcing sales or special features are permitted, provided they do not exceed twenty-five (25) percent of the area of said window and/or door and provided they are in place for not more than thirty (30) days.
- 33-8.2 Special advertising devices for new businesses such as plaques, banners, pennants and streamers are permitted, provided they are in place for not more than thirty (30) days.

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33-9 Non-Commercial Content

Any sign may contain non-commercial content, provided that the sign otherwise conforms to the provisions set forth in these Sign Regulations.

33-10 Severability

If any provision, subsection, or application of §33 (Sign Regulations) to any person or circumstance shall be held invalid, such invalidity shall not affect other subsections, provisions or applications of §33 which can be given effect without the invalid subsection, provision, or application, so that to this end the provisions of these Sign Regulations are severable.