

ARTICLE 39. SIGN BYLAW

39.1 PURPOSE

The purpose of the regulations set forth in this bylaw shall be the following:

- A. To promote the public health, safety and general welfare.
- B. To encourage signs which are aesthetically pleasing, which are harmonious with both the buildings and sites where they are displayed and their larger environs, and which are in keeping with the general atmosphere of the town.
- C. To protect public and private investments in buildings and open spaces.

39.2 DEFINITIONS

- A. Sign.** Any permanent lettering, word, symbol, drawing, picture, design, device, emblem, trademark, banner, pennant, insignia, article, or object that advertises, calls attention, or indicates any premises, person or activity, whatever the nature of the material and manner of composition or construction, when the same is placed out of doors or affixed on or in any part of a building for the purpose of being visible from the exterior of the building from an adjacent public way.
1. Awning Sign. A sign painted on or attached to the cloth, canvas or metal cover of a movable or stationary frame of the fixed, hinged, roll or folding type of awning.
 2. Banner. A sign painted on or attached to cloth, canvas or plastic. Banners shall be no wider than two (2) feet or longer than twenty-four (24) feet.
 3. Construction Sign. A temporary unlighted sign denoting the project name, architect, engineer, owner and/or contractor performing construction, repair or renovation. The marketing company may also be listed.
 4. Freestanding Sign. A self-supporting sign not attached to any building, wall or fence, but in a fixed location.
 5. Illuminated Sign. Any sign which has characters, letters, figures, faces, backgrounds, designs or outlines illuminated by discharge sources not directly visible from normal viewing angles.
 6. Movable Chassis Sign. A sign mounted on a trailer or chassis and wheels which is capable of being readily moved or relocated.
 7. Movable Freestanding Sign. A sign which is capable of being moved or relocated.
 8. Multiple Sign. A group of signs clustered together in a single structure or composite unit. Multiple signs are used to identify several occupants of the same building or development complex.
 9. Political Sign. A sign used in conjunction with a Town, County, State or National election or political message. Restrictions noted in this Bylaw do not apply to political signs as long as the political sign does not create a public nuisance.
 10. Projecting Sign. A sign which is affixed to a building or other structure and which extends more than six (6) inches beyond the surface to which it is affixed.
 11. Real Estate Sign. A temporary sign advertising the premises or any part thereof for sale, lease or rent.
 12. Reverse Channel Signs (also known as "Halo lit" or Back lit" signs): Signs fabricated with dimensional characters with internal luminaires and with opaque

face and side walls that are mounted away from the wall such that the light is directed out the back of the character, creating a halo of light behind the characters. The light may only shine on the building's finished wall material to which the characters are mounted. Light shining onto other parts of the sign or through the face/sides of the characters is prohibited.

12. Roof Sign. A sign which is located above or projects above the lowest point of the eaves or the top of the parapet wall of any building, or which is painted on or fastened to a roof.
13. Temporary Sign. Any sign, including its support structure, intended to be displayed for not more than thirty (30) days in any calendar year.
14. Wall Sign. Any sign which is incorporated into, or affixed parallel to the wall of a building and which extends not more than six (6) inches from the surface of that building.
15. Window Sign. A sign placed behind any transparent wall or window such that it is intended to be visible from outside the window.
16. Traffic Control Sign. Any sign used on private property to regulate, warn, or guide traffic, placed on, over, or adjacent to a street, driveway, parking lot, pedestrian facility or shared-use path.
17. Non-Commercial Sign. A temporary sign used in conjunction with a not-for-profit event, charitable fundraiser, or as an expression of free speech.

B. Area of a Sign.

1. The area of a sign shall include all lettering, wording and accompanying symbols or designs. It shall also include the background on which they are displayed, whether open or enclosed, any frame around the sign and any "cutouts" or extensions. The area of a sign shall include the total area of the structure including any supporting structure or bracing, framing and all surfaces surrounding the physical symbols described in Article II Definitions, Paragraph A.
2. The area of a sign consisting of individual letters or symbols attached to or painted on a surface, building, wall or window shall be considered to be that of the smallest rectangle comprised of horizontals and verticals which encompasses all letters and symbols.
3. Only one face of a two-sided identical sign shall be counted in computing the area of a sign.

C. Bedford Historic District. The district established in the Town of Bedford under the provisions of Chapter 118 of the Acts of 1964 of the General Laws of the Commonwealth of Massachusetts, as may be amended from time to time.

D. Board of Appeals. The Board established or operating in the Town of Bedford under the Zoning Enabling Act (Chapter 40A, Massachusetts General Laws, or any amendment or addition thereto) and the Bedford Zoning Bylaw. The Board of Appeals is the granting authority for all Special Permits sought under this bylaw (except for Permits requested under Article VI, Section G).

E. Business Zone, Commercial Zone, Industrial Zone, and Residential Zone. As defined in the Zoning Bylaw in the Town of Bedford.

F. Erected. As used in this bylaw, the word erected shall include the words attached, built, constructed, painted, reconstructed, altered, enlarged or moved.

- G. Flag.** A piece of cloth, often attached to a staff or flown from a flagpole, with definite colors, patterns, or symbolic devices used as a national, state, municipal or institutional symbol, or to indicate membership in an organization.
- H. Pennant.** A piece of cloth, often attached to a staff or flown from a flagpole, with definite colors, patterns or pictures but no lettering or numbers, used to celebrate the season or to adorn and enhance a building.
- I. Projection.** The distance by which a sign extends over public property or beyond the building line.
- J. Sign Structure.** The supports, uprights, braces and framework of a sign.

39.3 ADMINISTRATION AND MISCELLANEOUS

SECTION 1. Permits Required

- A.** No sign shall hereafter be erected, re-erected, constructed or altered, except as provided by this bylaw, and then only after a permit has been issued by the Building Inspector. The Building Inspector shall issue a building permit if the application conforms to the State Building code and this Bylaw.
- B.** Application for a sign permit shall be made in writing upon forms furnished by the Building Inspector. Such application shall contain the location by street and number of the proposed sign, as well as the name and address of the property owner, business owner (if applicable) and the sign contractor or erector. The Building Inspector may require the filing of plans or other pertinent information such as the proposed location of the sign on the lot, the design, and the method of construction, installation or support.
- C.** A sign permit fee shall be paid to the Town of Bedford and collected by the Building Inspector for each permit in accordance with a schedule established by the ~~Board of Bedford~~ **Board of Bedford** Selectmen.
- D.** All signs erected under this bylaw shall be erected in substantial conformance to the location and design described in the permit.
- E.** Unless a structural change is made, the repainting, cleaning, repair or maintenance of a sign which conforms to this bylaw shall not be considered an erection or alteration which requires a permit.

SECTION 2. Appeal

A person aggrieved by the refusal of the Building Inspector to issue a permit for the erection of a sign or by any order of the Building Inspector under this bylaw may appeal to the Board of Appeals. The provisions of the Zoning Bylaw as to the time for making such appeal and as to the notice of hearing thereon to be held of the Board of Appeals shall apply to appeals under this bylaw.

SECTION 3. Enforcement

- A.** The Building Inspector is hereby designated and authorized as the officer charged with the enforcement of this bylaw. The provisions of the Zoning Bylaw in reference to the enforcement of the Zoning Bylaw shall also apply to the enforcement of this bylaw.
- B.** Penalty for Violation. Whoever violates any provision of this bylaw shall be punished by a fine not exceeding one hundred dollars (\$100.00) for each offense.

- C. Noncriminal Disposition. In addition to the procedure for enforcement as described above, the provisions of the bylaw may also be enforced by noncriminal disposition, as provided in Massachusetts General Laws, Chapter 40, Section 21D. The penalty for such violation shall be \$25.00 for the first offense, \$50.00 for the second offense, and \$100.00 for the third and each subsequent offense.
- D. The Building Inspector shall require the proper construction and maintenance of all signs and shall inspect each sign within thirty (30) days after it is erected. The Building Inspector may order the removal of any sign that is not constructed or maintained in accordance with the provisions of this bylaw.
- E. Nonconforming Signs. Signs and sign structures which were erected before the adoption of these requirements shall not be altered, rebuilt nor relocated without being brought into conformance with this bylaw.
- F. In addition to otherwise complying with this bylaw, no sign shall be permitted within the Bedford Historic District except as the Historic District Commission may allow.

SECTION 4. Installation

- A. No sign shall be erected, constructed, or maintained so as to obstruct any fire escape, window, door, or other opening, or so as to prevent free passage from one part of a roof to any other part thereof. No sign shall be attached in any form, shape or manner to a fire escape, or placed so as to interfere with an opening which is required for legal ventilation.
- B. No exposed non-insulated parts of an electrical sign shall be closer than nine (9) feet to the ground immediately below.
- C. No sign shall be erected that shall in any way create a traffic hazard, nor shall it in any way obscure or confuse traffic control.
- D. No portion of a ~~freestanding~~-sign, banner or flag shall project beyond the property line. Supports for a ~~freestanding~~-sign, flag or banner shall be located only on private property.
- E. Letters, figures, characters or representations in cut-out or irregular form maintained in conjunction with, attached to, or superimposed upon any sign shall be considered part of the sign and shall be safely and securely built or attached to the sign structure.
- F. No sign shall be painted on the exterior surface of any wall, including windows and doors.
- G. Signs shall be designed, constructed and erected in accordance with the Commonwealth of Massachusetts State Building Code and the amendments to said code which may be prorated from time to time.
- H. For a freestanding sign, the ~~Board of Bedford~~ Selectmen shall provide an assessment of the safety hazard created by the sign to pedestrian, bicycle, skate and motor vehicle traffic.

SECTION 5. Maintenance

- A. All signs together with their supports, braces, guys, and anchors shall be kept in good repair and in a proper state of preservation. The display surfaces of all signs shall be kept neatly painted at all times.
- B. Every freestanding ~~pole and ground~~-sign and the immediate surrounding premises shall be maintained in good repair by the owner of such signs in a clean and hazard-free condition and kept free and clear of all noxious substances, rubbish and weeds.

- C. Signs shall not be illuminated or continue to display a business' name after said business vacates the premises. It shall be the Building Owner's responsibility to turn off the illumination within ten (10) days and either remove the sign in its entirety, or, remove the business' name from the sign within 28 days after the business vacates the premises. All illumination associated with the removed signage shall be turned off, except for the following conditions:
- 1) Where the illumination is for a *freestanding sign* identifying more than one building tenant, the Owner shall remove the former business' name, only;
 - 2) Where the illumination is part of a lighting system designed to concurrently illuminate additional signs on the premises, the Owner shall remove the former business' name, only.
- The Building Owner may erect a temporary sign in place of the vacated business' sign, advertising "Space for Lease".

SECTION 6. Severability

The invalidity of any section or provision of this bylaw shall not invalidate any other section or provision thereof.

39.4 GENERAL REGULATIONS

SECTION 1. Permitted and Prohibited Signs

A. Permitted Signs.

1. Only signs which refer to a permitted use or an approved conditional use, as set forth in Article IV, Sections 1-5 of the Town of Bedford Sign Bylaw, are permitted and then only provided such signs conform to the provisions of this bylaw.
2. Signs indicating the current time and/or temperature are permitted, providing they meet all other provisions of this bylaw.
3. Temporary non-commercial freestanding sign, or temporary non-commercial wall-mounted sign, 6 square feet, where permitted in this Bylaw, providing they meet all other provisions noted in the Bylaw.
4. Traffic control signs on private property, as authorized by an approved site plan, shall be exempt from the provisions on this Bylaw.

B. Prohibited Signs.

1. All billboards are prohibited.
2. Except for Yard Sale or Garage Sale Signs permitted under Article IV, Section 2, D. below, signs on utility poles, trees, fences and off-premises signs are prohibited.
3. Flashing and/or revolving signs, signs containing movable parts, signs containing reflective elements, ribbons, streamers, spinners, searchlights, animated signs or signs which make noise are prohibited.
4. Luminescent, phosphorescent, "Day-Glo" or equivalent paints, dyes or other materials may not be used on any sign.
5. Strings of light may not be used as signs, or parts thereof. Traditional seasonal festive lights which are not part of a sign are not prohibited.

6. Except in the Limited Business District, North Road Overlay District, Depot Area Mixed-Use Overlay District, and in Industrial Mixed Use projects, projecting signs are prohibited.
7. Roof signs are prohibited.
8. Marquee signs are prohibited.
9. All movable chassis-mounted signs are prohibited.
10. Any sign not specifically permitted in this bylaw is prohibited.
11. All internally illuminated Freestanding Signs are prohibited, except where otherwise permitted by this bylaw.
12. All internally illuminated Wall Signs are prohibited, except where otherwise permitted by this Bylaw.
- ~~13. All moveable freestanding signs are prohibited, except where otherwise permitted by this Bylaw.~~
134. LED luminaires used as the primary means for displaying/conveying the sign message are prohibited.

SECTION 2. Residential Zone

A. Wall Signs. Any wall sign is prohibited except:

1. A Real Estate sign not exceeding six (6) square feet.
2. A sign six (6) square feet or less identifying a use allowed by Special Permit. The top of the sign shall not be located above the first floor windows.

More than one permanent wall sign shall require approval of a Special Permit by the Board of Appeals.

B. Freestanding Signs. All freestanding signs and movable freestanding signs are prohibited except:

1. A Real Estate sign not exceeding six (6) square feet. Real estate sign height shall not exceed five (5) feet above finished grade.
2. One sign not exceeding six (6) square feet advertising a use allowed by Special Permit, if there is not such a wall sign on the premises. Sign height shall not exceed five (5) feet above finished grade.
3. Not-for-profit organizations formally recognized by the Secretary of State of the Commonwealth of Massachusetts may display one movable freestanding sign not to exceed six (6) square feet. Sign height shall not exceed five (5) feet above finished grade.
4. Non-commercial temporary sign not exceeding six (6) square feet.

C. Construction Signs. One (1) sign not exceeding six (6) square feet and no closer than ten (10) feet from any property line may be permitted for a construction project on the premises. Such sign(s) shall be removed no later than fourteen (14) days after the issuance of an occupancy permit, or upon completion of work by the contractor whose sign is being displayed. In the event of multiple units or subdivision construction, one (1) sign not exceeding thirty-two (32) square feet and no closer than ten (10) feet from any property line may be permitted for the premises and the removal must follow within fourteen (14) days of the issuance after the last occupancy permit or completion of work by contractor whose sign is being displayed. Construction sign height shall be a maximum of five (5) feet above finished grade.

- D. Yard Sale or Garage Sale Signs.** Four (4) signs not to exceed three (3) square feet each may be displayed for not more than two (2) consecutive days, to be removed within twelve (12) hours after the sale.
- E. Pennants.** Two pennants may be displayed for each residential building. Each such pennant shall not be larger than twelve (12) square feet in area or four (4) feet in length.
- F. Flags.** One each flag of the United States of America, the Commonwealth of Massachusetts, and the Town of Bedford may be displayed on each residential lot without Special Permit. Each such flag shall not be larger than twenty-four (24) square feet in area or six (6) feet in length. Additional flags may be flown only upon grant of a Special Permit.
- G. Traffic Control Signs.** Subject to the approval of the Building Inspector, traffic control signs may be erected; but in no case shall these signs be larger than twelve (12) square feet. The height of such signs shall be limited to eight (8) feet.

SECTION 3. Business Zones

- A. Wall Signs.** No sign shall be affixed to a building except as hereinafter provided:
1. One (1) sign not to exceed an area equivalent to ten percent (10%) of the first floor front wall area of a business or fifty (50) square feet, whichever is smaller, may be attached to any wall of a building. An increase in area up to twenty percent (20%) of the first floor front wall area and more than fifty (50) square feet may be allowed by Special Permit from the Board of Appeals. Division of the permissible wall sign area into two or more wall signs may be allowed by Special Permit if, in the opinion of the Board of Appeals, such division significantly enhances the appearance of the resulting signage in concert with the architecture of the specific building. No attached sign shall extend above the wall to which it is attached. No sign shall be attached to a roof - real or simulated.
 2. Individual letter signs made up of self-contained letters that are mounted on the face of a building are permitted as wall signs. The letters shall not exceed four (4) feet in height and shall not extend above the top of any parapet nor above the roof edge of any wall nor be permitted on a marquee. Individual letter signs may only be mounted on the face of a building or parapet.
 3. For businesses which front on two streets, allowable sign area may be divided between two (2) signs, each sign to be attached to a different wall of the building. The total allowable sign area shall not exceed an area equivalent to fifteen percent (15%) of the first floor front wall area of said business, or sixty (60) square feet, whichever is smaller. Neither sign shall exceed the size which would be permitted under Section 3.A.1. above. An increase in area of up to twenty-five percent (25%) of the first floor front area and more than sixty (60) square feet may be allowed by Special Permit from the Board of Appeals.
 4. In the case of multi-story buildings with multiple occupants, each upper floor occupant is allowed one (1) sign not to exceed one (1) square foot in size affixed to a directory at the entrance to the upper floors.
 5. When a business has more than one entrance intended for use by customers, the secondary public entrance may be identified by a wall sign not to exceed eight (8) square feet.

6. Signs may be used to identify the location of the door(s) through which deliveries of goods may be received. Such sign(s) may contain no more than the name of the business and the hours of delivery, and shall not exceed three (3) square feet in area. One such sign is permitted per delivery entrance door.
 7. Wall Sign Restrictions:
 - a. No signs shall be mounted above the first floor of a building.
 - b. Signs shall not obscure important architectural details or features, including, but not limited to windows, transom panels, sills, moldings and cornices.
 - c. Signs on adjacent storefronts within the same building shall be coordinated in height and proportion.
 - d. Wall signs identifying commercial establishments shall generally be placed within an information band immediately above the storefront. The information band should be confined to the vertical distance separating windows on the ground and the second floors, or should be no more than two (2) feet in height, whichever is less.
- B. Freestanding Signs.** One freestanding sign is permitted per lot. A lot is defined by a single Town of Bedford real property tax bill. All Freestanding Signs must conform to the following criteria:
1. The sign structure must not extend more than six (6) feet above the mean finished grade and must be not more than five (5) feet wide.
 2. The structure includes all supports, framing and surface not just the lettering and symbols.
 3. The sign structure and the display area is to be comprised of only one flat face, or two parallel flat faces and limited to a thickness of no more than 1 and 1/2 feet from face to face.
 4. The area of the sign must not be more than 20 square feet.
 5. The furthest forward element of any freestanding sign must be set back at least five (5) feet from the front property line.
- C. Awning Signs.** Awnings, when extended, must be at least seven (7) feet above the traveled surface. Letters, numbers and/or logos must be paint-on or appliqué and may not be larger than one (1) foot high. The sign length may not be more than three-quarters (3/4) of the length of the edge of the awning on which characters are displayed, and may advertise only the business. Awning signs may be divided among more than one awning by Special Permit to divide the permissible wall sign. The area of the awning sign(s) shall be included in the overall wall sign area quantification.
- D. Window Signs.** Without obtaining a permit from the Building Inspector, unlighted window signs may be placed in a window of a building not to exceed more than twenty-five percent (25%) of the area of the window in which the sign is displayed.
- E. Directional Signs.** No more than two (2) directional signs per driveway shall be permitted, said signs to contain no advertising. These signs shall not exceed an area of five (5) square feet each.
- F. Construction Signs.** One (1) sign not exceeding thirty-two (32) square feet and no closer than ten (10) feet from any property line may be permitted for the premises. Such sign(s) shall be removed no later than fourteen (14) days after the issuance of an occupancy permit, or upon completion of work by the contractor whose sign is being

displayed. In the event of multiple units, the removal must follow within fourteen (14) days of the issuance after the last occupancy permit or completion of work by contractor whose sign is being displayed. Construction sign height shall be a maximum of five (5) feet above finished grade.

G. Real Estate Signs. One (1) sign not exceeding thirty-two (32) square feet and no closer than five (5) feet from any property line may be permitted. Real estate sign height shall be a maximum of six (6) feet above finished grade.

H. Flags. Each business may display one each flag of the United States of America, the Commonwealth of Massachusetts, and the Town of Bedford without Special Permit. Each such flag shall not be larger than twenty-four (24) square feet in area or six (6) feet in length. Additional flags may be flown upon grant of a Special Permit. Lettering on any flag for which a Special Permit may be granted shall be related to the nature of the institution, fraternal, organization, corporation or business which is displaying the flag.

I. Grand Opening Banners. Flags, banners or bunting not exceeding twenty percent (20%) of the first floor front wall area of a business may be displayed by a business which has or is about to open for the first time in the Town. The banner may be displayed for a period not to exceed thirty (30) days.

J. Gasoline Stations and Garages.

1. Gasoline service stations and garages may, if they elect to do so, divide the one permitted exterior sign affixed to the front of the building into separate signs affixed to and parallel to such wall and indicating the separate operations of departments of the business provided, however, that the total area of the separate signs shall not exceed the maximum area permitted under this bylaw.

2. One sign shall be permitted with changeable characters or numbers solely to display the current price of fuel. This sign shall not exceed five (5) square feet. It may be located on the building, as a freestanding sign, or on the pump island itself. Any illumination must be external, white in color and satisfy Article 39.5. This sign's area (square footage) shall be in addition to what they are otherwise allowed.

3. The standard type of gasoline pump with markings that identify the name or type of gasoline and with the changeable placards to display the current price of fuel that are one (1) square foot or less shall not be considered in violation of this bylaw.

K. Hotels and Motels. Hotels and motels with appropriate current valid permits and licenses may display a sign not exceeding two (2) square feet by which the availability or non-availability of a vacancy may be displayed. This sign's area (square footage) shall be in addition to what they are otherwise allowed.

L. Barber Poles. Upon approval of a Special Permit by the Board of Appeals a traditional striped barber pole may be installed directly in front of a licensed barber shop. Said barber pole may be free standing or mounted on a wall, but in no event shall it exceed nine (9) inches in diameter at its widest point or project more than twelve (12) inches beyond the face of the building. Barber poles may revolve, and be internally illuminated.

M. Projecting Signs - In the Limited Business District, North Road Overlay District, Depot Area Mixed-Use Overlay District, and in Industrial Mixed Use projects only, one projecting sign is permitted per business. The sign shall not extend beyond a vertical plane that is two (2) feet inside the curb line nor more than forty eight (48) inches from a

building wall, exclusive of any supporting structure from the building. A projecting sign shall not hang lower than eight (8) feet over a sidewalk or other grade as measured to the lowest element of the projecting sign. Projecting signs shall not rise more than twenty (20) feet from the ground level to the top of the sign. Allowable area of a projecting sign shall not be more than ten (10) square feet in area nor extend above the eave of a building. When multiple business signs are projected from the wall of a multi-tenanted building, all signs shall be installed at a similar height, with the top, bottom or center of sign aligned for each tenanted floor.

In any instance where a projecting sign is proposed, the area of the projecting sign shall be deducted from the maximum allowable area of any proposed wall sign(s). Projecting signs shall not be illuminated.

N. Traffic Control Signs. Subject to the approval of the Building Inspector, traffic control signs may be erected; but in no case shall these signs be larger than twelve (12) square feet. The height of such signs shall be limited to eight (8) feet.

O. Non-commercial temporary signs not exceeding six (6) square feet.

P. Reverse Channel Signs. Must comply with the area requirements of Wall Signs. The characters shall not exceed four (4) feet in height and shall not extend above the top of any parapet nor above the roof edge of any wall nor be permitted on a marquee. Reverse channel signs may only be mounted on the face of a building or parapet.

Q. Movable Freestanding Signs. Movable freestanding signs require a Special Permit from the Board of Appeals and must conform to the following criteria.

1. One sign is permitted per business;
2. The sign may only be displayed at the property where the business is located when the business opens for the day and must be removed no later than 8:00 p.m. that same evening;
3. The sign shall not be erected on public property (i.e., the sidewalk or the grass strip between the sidewalk and the street);
4. The sign shall be designed and/or temporarily placed/braced to resist being overturned or blown away in high winds;
5. The sign shall not obstruct or impede pedestrian, bicycle or vehicular traffic;
6. The sign shall not visibly obstruct one’s view of oncoming traffic;
7. Size: The sign shall be a maximum of nine (9) square feet in area. The sign’s dimensions shall measure a maximum of 40-inches high by a maximum of 30-inches wide. The top of the sign, when erected, shall not be more than 48-inches above finished grade;
8. Special Permit applications for Movable Freestanding Signs shall include a dimensioned drawing or rendering of the proposed sign, and a site plan indicating the potential locations on the site where the sign will be displayed.
9. All movable freestanding sign Special Permits shall include the following two (2) Conditions of Approval: 1) “In the event that the Sign Bylaw requirements for movable freestanding signs become more restrictive in the future, this movable freestanding sign shall be brought into compliance with the most recent edition of the Bylaw immediately upon its enactment;” and 2) “The Special Permit shall run with the particular business, not the property where the business is located.”
10. Illuminating movable freestanding signs is prohibited.
11. Wire frame signs that are staked into the ground are prohibited.

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SECTION 4. Commercial Zones

All signs in Commercial Zones shall conform to the regulations set forth above for Business Zones except for Awning Signs (which are not permitted) and Flags. Flags in a Commercial Zone shall not exceed forty (40) square feet in area or eight (8) feet in length.

SECTION 5. Industrial Zones

A. Wall signs. No sign shall be affixed to a building except as hereinafter provided:

1. One (1) sign not to exceed an area equivalent to ten percent (10%) of the first floor front wall area of a business or fifty (50) square feet, whichever is less, may be attached to any wall of a building. An increase in area up to twenty percent (20%) of the first floor front wall area and more than fifty (50) square feet may be allowed by Special permit from the Board of Appeals. Division of the permissible wall sign area into two or more wall signs may be allowed by Special Permit if, in the opinion of the Board of Appeals, such division significantly enhances the appearance of the resulting signage in concert with the architecture of the specific building. No attached sign shall extend above the wall to which it is attached. No sign shall be attached to a roof – real or simulated.
2. Individual letter signs made up of self-contained letters that are mounted on the face of a building are permitted as wall signs. The letters shall not exceed four (4) feet in height and shall not extend above the top of any parapet nor above the roof edge of any wall nor be permitted on a marquee. Individual letter signs may only be mounted on the face of a building or parapet.
3. For businesses which front on two streets, allowable sign area may be divided between two (2) signs, each sign to be attached to a different wall of the building. The total allowable sign area shall not exceed an area equivalent to twenty percent (20%) of the first floor front wall area of said business, or sixty (60) square feet, whichever is smaller. An increase in area of up to twenty-five percent (25%) of the first floor area and more than sixty (60) square feet may be allowed by Special Permit from the Board of Appeals. Neither sign shall exceed the size which would be permitted under Section 5.A.1 above.
4. In the case of multi-story buildings with multiple occupants, each upper floor occupant is allowed one (1) sign not to exceed one (1) square foot in size affixed to a directory at the entrance to the upper floors.
5. When a business has more than one entrance intended for use by customers, the secondary public entrance may be identified by a wall sign not to exceed eight (8) square feet.
6. Signs may be used to identify the location of the door(s) through which deliveries of goods may be received. Such sign(s) may contain no more than the name of the business and the hours of delivery, and shall not exceed three (3) square feet in area. One such sign is permitted per delivery entrance door.
7. Wall Sign Restrictions:
 - a. With a Special Permit from the Board of Appeals, a wall sign otherwise in conformance with the requirements of the Bylaw and in harmony with the specific building and its surroundings may be located above the first floor of a building.

- b. Signs shall not obscure important architectural details or features, including, but not limited to windows, transom panels, sills, moldings and cornices.
- c. Signs on adjacent storefronts within the same building shall be coordinated in height and proportion.
- d. Wall signs identifying commercial establishments shall generally be placed within an information band immediately above the storefront. The information band should be confined to the vertical distance separating windows on the ground and the second floors, or should be no more than two (2) feet in height, whichever is less.

B. Freestanding Signs. One freestanding sign is permitted per lot. In the case of a lot with multiple entrances where the single permitted freestanding sign or other signage on the property does not effectively identify the business on the premises, additional freestanding signs may be permitted by Special Permit issued by the Board of Appeals. A lot is defined by a single Town of Bedford real property tax bill. All Freestanding Signs must conform to the following criteria:

1. The sign structure must not extend more than fifteen (15) feet above the mean finished grade.
2. The structure includes all supports, framing and surface not just the lettering and symbols.
3. The sign structure and the display area is to be comprised of only one flat face or two parallel flat faces and limited to a thickness of no more than 1 and ½ feet from face to face.
4. The area of the sign must not be more than 100 square feet.
5. The furthest forward element of any freestanding sign must be set back at least ten (10) feet from the front property line.
6. A freestanding sign may be permitted for the purposes of a business directory provided that no more than six (6) square feet be permitted for each business. Supplemental freestanding signs may be permitted for the purposes of identifying entrances within the lot served by the directory. These signs shall be restricted to identifying the owner and the use of the driveway and shall not exceed six (6) square feet in area of five (5) feet in height.

C. Awning Signs. Awnings, when extended, must be at least seven (7) feet above the traveled surface. Letters, numbers and/or logos must be paint-on or applique and may not be larger than one (1) foot high. The sign length may not be more than three-quarters (3/4) of the length of the edge of the awning on which characters are displayed, and may advertise only the business. Awning signs may be divided among more than one awning by Special Permit to divide permissible wall sign. The area of the awning sign(s) shall be included in the overall wall sign area quantification.

D. Window Signs. Without obtaining a permit from the Building Inspector, unlighted window signs may be placed in a window of a building not to exceed more than twenty-five percent (25%) of the window area of the window in which the sign is displayed.

E. Directional Signs. No more than two (2) directional signs per driveway shall be permitted, said signs to contain no advertising. These signs shall not exceed an area of six (6) square feet each.

F. Construction Sign. One (1) sign not exceeding forty-eight (48) square feet and no closer than ten (10) feet from any property line may be permitted for the premises. Such sign(s)

shall be removed no later than fourteen (14) days after the issuance of an occupancy permit, or upon completion of work by the contractor whose sign is being displayed. In the event of multiple units, the removal must follow within fourteen (14) days of the issuance after the last occupancy permit or completion of work by contractor whose sign is being displayed. Construction sign height shall be a maximum of six (6) feet above finished grade.

- G. Real Estate Signs.** One (1) sign not exceeding forty-eight (48) square feet and no closer than ten (10) feet from any property line may be permitted. Real estate sign height shall be a maximum of six (6) feet above finished grade.
- H. Flags.** Each business may display one flag each of the United States of America, the Commonwealth of Massachusetts, and the Town of Bedford without Special Permit. Each such flag shall not be larger than forty (40) square feet in area or eight (8) feet in length. Additional flags may be flown upon grant of a special permit. Lettering on any flag for which a special Permit may be granted shall be related to the nature of the institution, fraternal, organization, corporation or business which is displaying the flag.
- I. Grand Opening Banners.** Flags, banners or bunting not exceeding twenty percent (20%) of the first floor front wall area of a business may be displayed by a business which has or is about to open for the first time in the town. The banner may be displayed for a period not to exceed thirty (30) days.
- J. Hotels and Motels.** Hotels and motels with appropriate current valid permits and licenses may display a sign not exceeding two (2) square feet by which the availability or non-availability of a vacancy may be displayed.
- K. Projecting Signs.** In an industrial mixed use project, one (1) projecting sign is permitted per business. The sign shall not extend beyond a vertical plane that is two (2) feet inside the curb line nor more than forty-eight (48) inches from a building wall, exclusive of any supporting structure from the building. A projecting sign shall not hang lower than eight (8) feet over a sidewalk or other grade as measured to the lowest element of the projecting sign. Projecting signs shall not rise more than twenty (2) feet from the ground level to the top of the sign. Allowable area of a projecting sign shall not be more than ten (10) square feet in area nor extended above the eave of a building. When multiple business signs are projected from the wall of a multi-tenanted building, all signs shall be installed at a similar height, with the top, bottom or center of sign aligned for each tenanted floor.

In any instance where a projecting sign is proposed, the area of the projecting sign shall be deducted from the maximum allowable area of any proposed wall sign(s). Projecting signs shall not be illuminated.

- L. Traffic Control Signs.** Subject to the approval of the Building Inspector, traffic control signs may be erected; but in no case shall these signs be larger than twelve (12) square feet. The height of such signs shall be limited to eight (8) feet.
- M. Temporary Signs.** Temporary signs are prohibited except for Real Estate signs and Construction signs.
- N. Non-commercial Temporary Signs.** Non-commercial temporary signs not exceeding six (6) square feet.

O. Reverse Channel Signs. Must comply with the area requirements of Wall Signs. The characters shall not exceed four (4) feet in height and shall not extend above the top of any parapet nor above the roof edge of any wall nor be permitted on a marquee. Reverse channel signs may only be mounted on the face of a building or parapet.

P. Movable Freestanding Signs. Movable freestanding signs require a Special Permit from the Board of Appeals and must conform to the following criteria.

1. One sign is permitted per business;
2. The sign may only be displayed at the property where the business is located when the business opens for the day and must be removed no later than 8:00 p.m. that same evening;
3. The sign shall not be erected on public property (i.e., the sidewalk or the grass strip between the sidewalk and the street);
4. The sign shall be designed and/or temporarily placed/braced to resist being overturned or blown away in high winds;
5. The sign shall not obstruct or impede pedestrian, bicycle or vehicular traffic;
6. The sign shall not visibly obstruct one's view of oncoming traffic;
7. Size: The sign shall be a maximum of nine (9) square feet in area. The sign's dimensions shall measure a maximum of 40-inches high by a maximum of 30-inches wide. The top of the sign, when erected, shall not be more than 48-inches above finished grade;
8. Special Permit applications for Movable Freestanding Signs shall include a dimensioned drawing or rendering of the proposed sign, and a site plan indicating the potential locations on the site where the sign will be displayed.
9. All movable freestanding sign Special Permits shall include the following two (2) Conditions of Approval: 1) "In the event that the Sign Bylaw requirements for movable freestanding signs become more restrictive in the future, this movable freestanding sign shall be brought into compliance with the most recent edition of the Bylaw immediately upon its enactment;" and 2) "The Special Permit shall run with the particular business, not the property where the business is located."
10. Illuminating movable freestanding signs is prohibited.
11. Wire frame signs that are staked into the ground are prohibited.

39.5 ILLUMINATION

SECTION 1 - Illumination

- A. All illuminated signs require a Special Permit. The Board of Appeals may authorize the illumination of a sign if said sign conforms to such limitations of size, brightness, color and suitability as the Board of Appeals deems proper, and if the sign does not violate this or any other section of this bylaw. This requirement applies not only to external signs but also to interior signs that are so designed or placed as to shine through windows or doors of any building.
- B. The illumination of any sign shall not exceed seventy-five (75) foot lamberts.
- C. Internally-illuminated signs are permitted in Industrial Zones only. The illumination of any internally-illuminated wall or freestanding sign shall not exceed fifty (50) foot lamberts.

Where internally-illuminated signs are proposed, calculations signed and sealed by an engineer licensed in the Commonwealth of Massachusetts shall accompany the

application; said calculations shall document compliance with the fifty (50) foot-lambert requirement and fifteen thousand (15,000) initial rated lamp lumens requirement.

All Special Permits for internally-illuminated signs shall include the following Condition of Approval: "In the event that the Sign Bylaw requirements for internally-illuminated signs become more restrictive in the future, this internally-illuminated sign shall be brought into compliance with the most recent edition of the Bylaw within a period of 1-year from its enactment.

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- D.C.** The illumination of any proposed sign shall be completely described and documented with the application submitted under Article 39.3, Section 1.B. A written certification of the foot lamberts of each illuminated sign shall be obtained from a licensed electrician, the sign manufacturer or a qualified lighting or engineering consultant and will accompany the sign permit application. The sign shall be maintained in conformance with and within the limits of this description and certification.
- E.D.** Exterior sign illumination shall be shielded and targeted solely at the sign.
- F.E.** It shall be a violation of this bylaw to operate an individual letter or segmented sign in any manner other than with all letters or segments lighted or with all letters or segments not lighted.
- G.F.** Any illumination on Free Standing Signs must be white in color.
- H.G.** Any illumination on Wall Signs must be white in color.

SECTION 2 - Overspill

Illuminated signs, parking lot lighting, building floodlighting, and other exterior lighting shall be designed and placed such that their collective result does not create so much light overspill onto adjacent premises that it creates excessive glare from normal viewing angles.

In addition, the following requirements must be met:

- A.** Internally illuminated signs on the premises collectively total not more than fifteen thousand (15,000) initial rated lamp lumens.
- B.** Building floodlighting totals not more than fifty thousand (50,000) initial rated lamp lumens.
- C.** Exterior lighting fixtures, other than roadway and parking area lights, are mounted not more than twenty (20) feet above grade.
- D.** Roadway or parking luminaries should be of the "cut-off" type and provide glare control from normal viewing angles. All other exterior light fixtures or lamp holders should be designed to provide glare control or be shielded with louvers, hoods or visors.

The Board of Appeals may grant a Special Permit for lighting which does not comply with these specifications if it determines that the performance standards of the first paragraph will still be met, and if the applicant provides certification from a qualified lighting or engineering consultant that the brightness of any sign or building element will not exceed twenty (20) foot lamberts in residential districts or fifty (50) foot lamberts in other districts.

SECTION 3. Hours

No sign shall be illuminated between the hours of 11:00 P.M. and 6:00 A.M.

A Special Permit from the Board of Appeals may be granted to allow illumination at establishments that are open to the public from 11:00 PM to 6:00 AM, and the requirements of Article 39.5, Illumination are met.

SECTION 4. Movement and Stability

With the exception of seasonal festive lights, flashing, moving or revolving lights are prohibited. All exterior and sign illumination and all interior illumination clearly visible from the exterior shall be steady and stationary, except where otherwise permitted by this Bylaw.

39.6 SPECIAL CONSIDERATIONS

The following Special Considerations apply to all zones:

- A. Cemeteries, Gravestones, Monuments, and Markers are exempt from this bylaw.
- B. Historic and Memorial Plaques of six (6) square feet or less exclusive of supporting structure are permitted.
- C. Schools, Municipal Buildings and Houses of Worship. The provisions of this bylaw applicable within the Business Zones shall apply to schools, municipal buildings and houses of worship wherever they are located within the Town. One freestanding sign with an area of twenty (20) square feet, maximum, may be erected on a Town owned lot with or without a building situated thereon.
- D. Temporary, Non-Commercial Signs. Signs totaling no greater than six (6) square feet each in area may be displayed on any lot no longer than 30 days in a calendar year. No permit from the Building Inspector is required. The size(s) and time(s) of display of temporary, non-commercial signs which are being carried or held aloft by individuals are not subject to the restrictions of this bylaw. Notwithstanding the foregoing, these requirements shall not apply to political, religious, or personal message (free speech) signs.
- E. Residential Identification. In a Residential Zone, placards or letters identifying the occupant of a residence are not subject to the provisions of this bylaw.
- F. Banners. In all zones, one (1) banner may display community activities by the municipality or by a not-for-profit organization recognized by the Secretary of State of the Commonwealth of Massachusetts. Said signs may not be erected without first making application and obtaining a permit from the ~~Board of Bedford~~ Selectmen.
- G. Public Access Signs. Signs which are required by the general public to locate Federal, State or Municipal facilities, houses of worship, or officially recognized, commonly sought out not-for-profit organizations within the Town of Bedford may be erected on public property or on the public right-of-way upon specific authorization by the ~~Board of Bedford~~ Selectmen. The sponsoring organization shall be responsible for the erection and maintenance of such signs and for the prompt removal of them upon order of the ~~Board of Bedford~~ Selectmen.
- H. Open-for-Business Flags. Flags indicating that the business is open may be displayed in the Business, Commercial and Industrial Zones, and must conform to the following requirements:

1. The Open-for-Business flag may only be displayed when the business is open to the public and conducting business;
2. One (1) Open-for-Business flag per business is permitted, to be located at or near the main entrance to said business;
3. The Open-for-Business flag's dimensions shall not exceed 5'-wide x 3'-high;
4. The Open-for-Business flag's colors shall adhere to the prohibitions noted under Section 39.4, Paragraph 1.B (4), which prohibits luminescent, phosphorescent "Day-Glo" or equivalent paints, dyes or other materials from use on signs;
5. The Open-for-Business flag shall be removed promptly when the business is closed.
6. Open-for-Business flags are prohibited in Residential Districts.

II. The ~~Board of Bedford~~ Selectmen may authorize temporary exemptions to this bylaw for special events.

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