

ARTICLE # __
AMENDMENT # __

Hampton Zoning Ordinance Amendment

Article V – Signs

~~Strikethrough~~ = Proposed Deletion

Underline = Proposed Addition

Highlighting = All Proposed Changes

ARTICLE V - SIGNS

Section 5.1 Purpose

The purpose of this article is to encourage the effective use of signs as a means of communication in the Town while maintaining and enhancing the aesthetic environment and the Town's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety and to enable the fair and consistent enforcement of these sign ordinances.

Section 5.2 Definitions

These definitions apply only to this article.

Air Dancer: Moving, wavy fan-driven or inflatable device, often tubular and depicting a character, used to attract attention to a business or other location. (Adopted March 2019)

Animated sign: Any sign that uses movement or change of lighting to depict action or create a special effect or scene.

Banner: Any sign of lightweight fabric or similar material that is mounted to a pole or a building at one or more edges. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banners.

Beacon: Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also, any light with one or more beams that rotate or move.

Building Sign: Any sign attached to any part of a building, as contrasted to a freestanding sign.

Canopy Sign: Any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.

Changeable copy and Electronic Signage: A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged manually or electronically without altering the face or the surface of the sign. (Amended March 2013)

Commercial message: Any sign, wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.

Directory sign: Any sign containing the name of a commercial building, commercial complex or industrial development that contains the names of the businesses located in those buildings, complexes, or developments. Advertisements for lease, rent or purchase shall not be allowed on directory signs.

Feather, Sail, or Teardrop Sign: A freestanding flag not used as a symbol of a government or political subdivision, and not attached to any building, which is in a shape similar to that of a feather, a sail, or a teardrop. (Adopted March 2019)

Flag: Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision or other entity.

Freestanding sign: Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.

Incidental sign: A sign, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as "no parking", "entrance", "towing zone", "loading zone", and other similar directives.

Marquee: Any permanent roof-like structure projecting beyond the wall of a building, generally designed and constructed to provide protection from the weather.

Marquee sign: Any sign attached to, in any manner, or made a part of a marquee.

Non-conforming sign: Any sign that does not conform to the requirements of this ordinance.

Pennant: Any lightweight plastic, fabric, or other material whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

Political sign: Any sign or poster advertising a person's or political party's intent to run for any free election.

Portable sign: Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported by means of wheels; balloons used as signs; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business. (Amended March 2012)

Projecting sign: Any sign affixed to a building or wall in such a manner that its leading edge extends more than six inches beyond the surface of such building or wall.

Real Estate sign: Any sign advertising the sale, lease or rental of any property, having the name, address and telephone number of any legal Real Estate Office.

Residential sign: Any sign located in a district zoned for residential uses that contains no commercial message except advertising for goods or services, legally offered on the premises where the sign is located, if the offering of such goods and services conforms with all requirements of the zoning ordinance.

Roof sign: Any sign erected and constructed wholly on or over the roof of a building, supported by the roof structure, and extending vertically.

Roof sign, integral: Any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six inches.

Sandwich Board/Menu signs: A removable “A” or “T” frame sign used for on premises advertising. (Amended March 2012)

Sign: Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

Suspended sign: A sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

Temporary sign: Any sign that is used only temporarily and is not permanently mounted.

Wall sign: Any sign attached parallel to, but within six inches of, a wall, painted on a wall surface of, or erected and confined within the limits of an outside wall of structure, which is supported by such wall, and which displays only one sign surface.

Window sign: Any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

Section 5.3 Size, Design, Construction and Maintenance

5.3.1 The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning ordinance regulations and is clearly incidental to the display itself (see Table II).

5.3.2 The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point.

5.3.3 All signs shall be designed, constructed, and maintained in accordance with the following standards:

- a) All signs shall comply with the latest approved version of the State Building Code and the National Electric Code and shall be maintained in good structural condition, in compliance with all building and electrical codes, and in conformance with this ordinance at all times.
- b) Except for flags, temporary signs, and window signs conforming in all respects with the requirements of this ordinance, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame or structure.

Section 5.4 Prohibited, Permitted and Non-Conforming Signs

5.4.1 The following signs are expressly prohibited in all zones.

- a) Animated signs.
- b) Beacons.
- c) Portable signs.
- d) Signs which imitate, and may be confused with, an official traffic control sign or signal, or an emergency or road equipment vehicle.

- e) ~~Signs which bear or contain statements, words or pictures of obscene, pornographic or immoral character or which contain advertising matter which is untruthful, or as otherwise prohibited by State law.~~
- f) Off premises signs except for directory or political signs.
- g) No advertisement shall be affixed, attached, or displayed upon any object of nature, utility pole, telephone booth, or highway sign per RSA 236:75.
- h) Air dancers. (Adopted March 2019)

5.4.2 Permitted signs for all zones are indicated in Table I with the following restrictions Special Provisions for signs as permitted in Table I:

- a) Freestanding signs
 - 1) Where a lot or building fronts on more than one public street, the provisions of this ordinance shall apply to each frontage. (Amended March 2013)
 - 2) Where more than one freestanding sign is permitted the minimum distance between the signs shall be 300 feet, per frontage. (Amended March 2013)
- b) Roof signs
 - 1) All roof signs must be set back a distance of at least 4 feet from all the outside walls of the building on or over which they are located.
- c) Projecting signs
 - 1) Where a lot or building fronts on more than one public street, the provisions of this ordinance shall apply to each frontage. (Amended March 2013)
- d) Directory signs
 - 1) The development identification shall be at the top and shall have a maximum display area of 8 square feet.
 - 2) The sign shall be freestanding and shall not exceed 12 feet in overall height.
- e) Banners
 - 1) ~~The display of B~~banners in the residential zones shall be ~~are~~ limited to ~~thirty days~~ two occasions per calendar year, and for no more than 14 consecutive days per occasion.
- f) Flags
 - 1) Flags shall not exceed 3 per lot and 50 square feet per flag.
- g) Window Signs
 - 1) Window signs shall not exceed fifty percent (50%) of the total window area of the business which they advertise.

- h) Sandwich Board/Menu signs
 - 1) No more than 6 square feet per face; no more than one such sign per each establishment on any property; shall be located on premises only and shall not be located on public roads, public walkways, public right-of-way, or other public property. (Amended March 2012)
- i) Changeable Copy and Electronic Signage (Amended March 2013)
 - 1) A changeable copy or electronic sign is prohibited from having a strobe that pulses.
 - 2) A changeable copy or electronic sign on which the message changes more than once a minute shall be considered an animated sign and is prohibited.
- j) Feather/Sail/Teardrop Signs (Adopted March 2019)
 - 1) Shall be used for commercial and retail establishments only.
 - 2) Shall be located on the premises only.
 - 3) Shall be measured horizontally from the widest point and vertically from grade, including the full length of the supporting pole.
 - 4) Shall be displayed during operating business hours only, and must be stored indoors or removed from the premises when the business is closed.
 - 5) There shall be no more than one sign per twenty-five (25) feet of frontage, and no more than 3 signs per property.
 - 6) A permit is required from the Building Department.

5.4.3 Non-conforming signs are signs that were legally in place and not in violation of any previous sign ordinance prior to the enactment of this ordinance and shall immediately lose its legal non-conforming status when:

- a) The sign is altered in any way such that its effect is more intensive and/or obtrusive.
- b) The sign is relocated.
- c) The sign has not been repaired or properly maintained within 30 days after written notice to that effect has been given by a Building Official.

Section 5.5 Sign Permits and Fees

5.5.1 Applications: All applications for sign permits of any kind shall be submitted to the Building Inspector on an application form.

5.5.2 Drawings: All applications for new signs or modified signs shall be accompanied by a detailed drawing to show the dimensions, design, structure, color, and location of each particular sign. One application and permit may include multiple signs on the same lot.

5.5.3 Fees: Each application for a sign permit shall be accompanied by the applicable fees per Table III.

5.5.4 Action: Upon receipt of a complete application, the Building Department shall, within seven working days, either:

- a) Issue the sign permit; or
- b) Reject the sign permit if the sign(s) that is the subject of the application fails in any way to conform with the requirements of this ordinance. In case of a rejection, the Building Inspector shall specify in the rejection the section or sections of the ordinance with which the sign(s) is inconsistent.

- c) Any rejected permit can be resubmitted after being made to comply with the appropriate section(s) or the applicant can seek relief with the Zoning Board of Adjustment.

5.5.5 Inspection: The Building Inspector shall schedule an inspection of the lot for which each permit for a new sign or for modification of an existing sign at such time as the owner has installed or modified the sign. If the construction is complete and in full compliance with this ordinance and the building and electrical codes, the Building Inspector shall approve the sign. If the sign is found to be not in compliance with this ordinance or the building or electrical codes, the Building Inspector shall give the owner or applicant notice of the deficiencies and shall allow an additional 10 days for the deficiencies to be corrected. If the deficiencies are not corrected within the 10 day period, the sign permit shall become void.

5.5.6 Temporary Sign Permits: Temporary signs shall be allowed only upon the issuance of a Temporary Sign Permit, subject to the following:

- a) A temporary sign permit shall allow the use of a temporary sign for a specified 30-day period.
- b) Only two temporary sign permits shall be issued to any one lot in any calendar year.
- c) A temporary sign shall be allowed only in accordance with Table I of this ordinance.

5.5.7 Political Signs: Political signs are allowed in all zones subject to the following: (Amended 2002)

For State primaries and elections:

- a) Placement and Removal shall conform with RSA 664:17.
- b) The earliest date on which political advertising may be posted or displayed shall be the last Friday in July prior to a state primary.
- c) All political advertising shall be removed by the candidate no later than the second Friday following the election unless the election is a primary and the advertising concerns a candidate who is a winner in the primary.

For all other elections:

- d) Political signs shall not be erected sooner than 15 days prior to the election for which they pertain.
- e) All signs shall be removed within 24 hours following the election.

TABLE I - Permitted Signs per Zone

- B Permitted **by with the** Building Department **Approval**
- P Permitted
- PB Permitted with Planning Board Approval
- X Not Permitted
- ZBA Permitted with special exception from the Zoning Board of Adjustment

Note: The Sign Regulations below that are applicable to the BS Zoning District shall also apply to the BS1 Zoning District. (Adopted March 2015)

| | RAA | RA | RB | RCS | B | BS | I | G |
|---|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Air Dancer (Amended 2019) | X | X | X | X | X | X | X | X |
| Animated Sign | X | X | X | X | X | X | X | X |
| Animated Sign | X | X | X | X | X | X | X | X |
| Banner | PB | PB | PB | PB | PB | PB | PB | PB |
| Beacon | X | X | X | X | X | X | X | X |
| Building Sign | X | X | X | X | PB | PB | PB | PB |
| Canopy Sign | X | X | X | X | PB | PB | PB | PB |
| Changeable Copy and Electronic Signage (Amended March 2013) | X | X | X | X | PB | PB | PB | PB |
| Commercial Sign | X | X | X | X | PB | PB | PB | PB |
| Feather/Sail/Teardrop Sign (Amended 2019) | X | X | X | X | PB | PB | PB | PB |
| Flag | P | P | P | P | P | P | P | P |
| Freestanding Sign | X | X | X | X | PB | PB | PB | PB |
| Incidental Sign | P | P | P | P | P | P | P | P |
| Marquee Sign | X | X | X | X | PB | PB | PB | PB |
| Pennant | X | X | X | X | PB | PB | PB | PB |
| Political Sign | P | P | P | P | P | P | P | P |
| Portable Sign | X | X | X | X | X | X | X | X |
| Projecting Sign | X | X | X | X | PB | PB | PB | PB |
| Real Estate Sign | P | P | P | P | P | P | P | P |
| Residential Sign | ZBA | ZBA | ZBA | ZBA | X | X | X | X |
| Roof Sign | X | X | X | X | PB | PB | PB | PB |
| Roof Sign, Integral | X | X | X | X | PB | PB | PB | PB |
| Sandwich Board/Menu Sign (Amended 2012) | X | X | X | X | PB | PB | PB | PB |
| Suspended Sign | X | X | X | X | PB | PB | PB | PB |
| Temporary Sign | B | B | B | B | PB | PB | PB | PB |
| Wall Sign | X | X | X | X | PB | PB | PB | PB |
| Window Sign | B | B | B | B | B | B | B | B |

TABLE II - Size Chart

(In Square Feet)

Note: The size requirements below that are applicable to the BS Zoning District shall also apply to the BS1 Zoning District. (Adopted March 2015)

% = fifty percent (50%) of the window area

| | RAA | RA | RB | RCS | B | BS | I | G |
|---|------------|-----------|-----------|------------|----------|-----------|----------|----------|
| Air Dancer (Amended March 2019) | - | - | - | - | - | - | - | - |
| Animated Sign | - | - | - | - | - | - | - | - |
| Banner | 50 | 50 | 50 | 50 | 50 | 50 | 50 | 50 |
| Beacon | - | - | - | - | - | - | - | - |
| Building Sign | - | - | - | - | 50 | 50 | 50 | 50 |
| Canopy Sign | - | - | - | - | 32 | 32 | 32 | 32 |
| Changeable Copy and Electronic Signage (Amended March 2013) | - | - | - | - | 32 | 32 | 32 | 32 |
| Commercial Sign | - | - | - | - | 32 | 32 | 32 | 32 |
| Feather/Sail/Teardrop Sign (Amended 2019) | - | - | - | - | 32 | 32 | 32 | 32 |
| Directory Sign | 32 | 32 | 32 | 32 | 32 | 32 | 32 | 32 |
| Flag | 50 | 50 | 50 | 50 | 50 | 50 | 50 | 50 |
| Freestanding Sign | - | - | - | - | 50 | 50 | 50 | 50 |
| Incidental Sign | 4 | 4 | 4 | 4 | 4 | 4 | 4 | 4 |
| Marquee Sign | - | - | - | - | 32 | 32 | 32 | 32 |
| Pennant | - | - | - | - | 4 | 4 | 4 | 4 |
| Political Sign or Poster | 6 | 6 | 6 | 6 | 50 | 50 | 50 | 50 |
| Portable Sign | - | - | - | - | - | - | - | - |
| Projecting Sign | - | - | - | - | 32 | 32 | 32 | 32 |
| Real Estate Sign | 6 | 6 | 6 | 6 | 32 | 32 | 32 | 32 |
| Residential Sign | 6 | 6 | 6 | 6 | - | - | - | - |
| Roof Sign | - | - | - | - | 32 | 32 | 32 | 32 |
| Roof Sign, Integral | - | - | - | - | 64 | 64 | 64 | 64 |
| Sandwich Board/Menu Sign (Amended 2012) | - | - | - | - | 6 | 6 | 6 | 6 |
| Suspended Sign | - | - | - | - | 32 | 32 | 32 | 32 |
| Temporary Sign | 4 | 4 | 4 | 4 | 4 | 4 | 4 | 4 |
| Wall Sign | - | - | - | - | 50 | 50 | 50 | 50 |
| Window Sign | % | % | % | % | % | % | % | % |

TABLE III - Sign Fees

All incidental signs, Pennants, Political Signs, Real Estate Signs and window signs: No Fee

All other signs: Initial application & inspection \$25.00