

SIGN ORDINANCE
LINCOLN, NEW HAMPSHIRE

ADOPTED MARCH, 1996

AMENDED MARCH, 1990
MARCH, 1991
MARCH, 1992
MARCH, 1997
MARCH, 1998

ARTICLE I
PURPOSE

The purpose of this ordinance is to permit such signs that will not, by their reason, size, location, confuse, mislead or obstruct the vision necessary for traffic safety; or otherwise endanger public health, safety and morals.

This ordinance shall encourage signage that will not destroy or detract from the scenic vistas or compete unnecessarily with the natural environment, which is a major asset to the Town's tourist based economy.

ARTICLE II
GENERAL PROVISIONS

Section A.

DEFINITIONS

1. Awnings: An awning with lettering or logo advertising the name of the business shall constitute a sign. All such awnings over doorways and windows shall only count as one sign.
2. Directional Signs: Shall be solely for pedestrian or vehicle traffic. Directional signs shall indicate parking entrances, exits, trail signs, etc. They shall not include any other information or advertising, except for logos.
3. Changeable Copy Signs: Signs with letters, which must be manually moved in order to change the message or wording of the sign.
4. Electronic Message Board: Electronically controlled signs, which can change messages without the physical movement of the letters.
5. Free Standing Sign: Any sign supported by a structure permanently anchored to the ground, which is independent from any building.
6. Hotel/Motel: A lodging business where at least 75% of the units are regularly available for overnight rental to the general public, when the business is operating.
7. Portable Sign: A sign or advertising display that is not permanent, affixed to a building, structure or the ground.
8. Projecting Signs: A sign perpendicular to a building, which, is designed to be read from one or both sides.
9. Public Event Banners: Public event banners shall be allowed, but they shall be permitted only for special events such as outdoor concerts, winter carnivals, parades, etc. Public Event Banners shall not be used to advertise any place of business, nor any event held by a business if the events sole purpose is to promote the sponsor's business. The sponsor may be allowed to place their logo or name on the Banner however; this shall not exceed more than 10% of the area of the Banner.
10. Shopping Center Signs: Where more than one business is located in a building only one freestanding sign may be erected, which shall serve all of the businesses at that location.
11. Sign: Any device designed to inform or attract the attention of persons shall include, but is not limited to, banners, portable signs, freestanding signs, wall signs, roof signs or projecting signs.
12. Temporary Sign: A sign or advertising display designed and intended to be displayed for short periods of time. These include, but are not limited to, banners, placards, and the like, advertising special events.
13. Tourist Attraction: Any business located in the General Use Zone which does not provide lodging, food or retail sales as its primary source of revenue. The businesses primary function must be to provide recreation or entertainment to tourists.

Section B.

DIMENSIONAL AND DISPLAY REQUIREMENTS

The measurement of a sign's area shall be the area as measured by the product of its total height and total width, and shall be considered to include all lettering or elements of a sign but not including any support framework or bracing which are incidental to the sign and which are not

designed to attract attention. The area of one (1) side of a double-faced sign shall be regarded as the total area of the sign.

1. Hotel/Motel Signs: Hotels and motels located in the General Use zone may be allowed to have an additional freestanding sign providing they conform to Article II Section A.6., on or off premise, but which must be located in the General Use zone. This additional sign shall be allowed as the Board finds the economic well being of the community is served by fuller occupancy of lodging establishments, which benefits the greater tourist industry.
2. Portable Signs: The maximum size of a portable sign will be 16 square feet, with a limit of one (1) portable sign per business facility (including multiple attached businesses). All portable signs shall be removed from public view when the business is not open.
3. Projecting Signs: The maximum size of a projecting sign shall be 4% of the business wall it is attached to. Where a building houses more than one business, only the wall of the business using the projecting sign shall be included in determining maximum size. If businesses share such a sign, the total area of the walls of the businesses shall be included in determining permitted size. If walls cannot be attributed directly to businesses in shared business buildings, then the size of the business wall attributable to the building utilizing the sign shall be based on the proportionate share of the business' share of the gross floor space of the building.
4. Public Event Banners: Maximum of two (2) per event, each being no greater than 120 square feet. They may be displayed for not more than twenty-one (21) days prior to the event.
5. Shopping Center Signs: If a freestanding sign is used for a shopping center, the sign shall be no larger than the square footage allowed for the zone in which the sign is located plus 20 square feet per additional business, up to a total of 150 square feet.
6. Temporary Signs: The maximum size of a temporary sign shall be 32 square feet. Temporary signs shall be permitted for a maximum aggregate total of 120 days per calendar year, with a limit of one (1) temporary sign per business facility (including multiple attached businesses). A temporary sign shall not be of the same type as an existing permitted sign.
7. Tourist Attractions: Shall be allowed two (2) additional freestanding signs. They may be located anywhere in the Town of Lincoln as long as it is not in a Residential Zone.
8. Wall Signs: the total area of all wall signs shall not exceed 20% of the area of the businesses wall it is attached to. On lots where only one business exists, one additional wall may be allowed to have an identifying wall sign, lettering or graphic. Where a business is permitted to have wall signs and/or wall graphics, on two walls, they shall be on separate walls separated by at least 90 degrees. All conforming wall signs on any one wall shall be counted as one (1) sign.
9. Wall Lettering/Wall Graphics: Wall lettering or a wall graphic may be substituted for a wall sign. The area on which the lettering or graphics are placed may exceed the 20% maximum, or 24 square feet in the residential zones, if the sign does not detract from the character of the Town and if approved by the compliance officer.

Section C.

LOCATION

1. Signs must be placed, with the exception of the freestanding sign, at the location of the business requesting the sign permit. Exceptions shall be made for temporary signs advertising the sale of the property, Tourist Attraction signs and other signs specifically allowed by this ordinance.
2. No more than one (1) freestanding sign shall exist on an individual parcel unless specifically allowed by this ordinance. Parcels in the general use zone with 1000 feet or more of frontage may have an additional freestanding sign if the signs are located at least 500 feet apart.
3. Directional signs must be located on the premises of the business.

Section D.**SIGN SCHEDULE**

	VILLAGE CENTER & GENERAL USE	GU SQ. FT.	VC SQ. FT.	ALL RESIDENTIAL ZONES	SQ. FT.
WALL SIGNS (if allowed)	1	20%	20%	1	24
ROOF SIGNS	1	40	40	0	---
FREE STANDING SIGN	1	150	50	1	20
PORTABLE	1	12	12	1	9
PROJECTING	1	4%	4%	1	12
BANNERS	1	32	32	1	15
AWNINGS	1	---	---	1	---
MAXIMUM ALLOWED	4			2	
EACH BUSINESS SHALL BE ALLOWED					
NON-GOVERNMENTAL FLAGS	2	15	15	1	15

Section E:**SIGN TYPES & MATERIALS**

1. Internally Illuminated Signs:
 - a. Only one (1) internally illuminated sign is allowed per business and only in the General Use and Village Center zones.
 - b. Internally illuminated signs must be located at the business location and may only be either a wall sign or freestanding sign.
 - c. The maximum size of an internally illuminated sign, or the internally illuminated portion of a wall or freestanding sign may not exceed 24 square feet.

2. Neon Signs:
 - a. Only one (1) neon sign is allowed per business and only within the General Use and Village Center zones.
 - b. Neon signs must be located at the business location and may not be a portable sign.

- c. The maximum size of a neon sign, or the neon portion of a permitted sign, may not exceed 16 square feet.
3. Changeable Copy:
 - a. Only one (1) changeable copy sign is allowed per business and only within the General Use and Village Center zones.
 - b. Changeable copy signs must be located at the business location and may only be on a freestanding or wall sign.
 - c. The maximum size of a changeable copy sign, or portion of a permitted sign with changeable copy, may not exceed 12 square feet.
 4. Luminescent Paint:
 - a. The use of Luminescent paint for any part of a sign or its construction is prohibited.

ARTICLE III
EXEMPT SIGNS

The following signs are allowed without a permit:

1. Signs denoting the name and address of the occupants of the premises, which signs shall not exceed two (2) square feet in area.
2. Professional name, plates that shall not exceed two (2) square feet in area.
3. One sign advertising the sale, lease or rental of the premises upon which the sign is located, which sign shall not exceed six (6) square feet in area.
4. One sign not exceeding thirty-two (32) square feet on a building or project under construction, repair or renovation identifying the contractor, architect and/or owner.
5. Window display signs.
6. Political signs, in accordance with State law.
7. Signs that are not intended to be read from the highway and/or adjacent property. These include, but are not limited to, head in parking, rest room signs, trail markers, keep off the grass, etc.
8. Signs proposed and approved pursuant to the Town of Lincoln Vendors Ordinance, provided that:
 - a. The lot of which the vending activity is proposed must be in compliance with all provisions of the Lincoln Sign Ordinance prior to issuance of a vending permit.
 - b. The vending sign(s) are on the same lot as the vending activity is proposed, and
 - c. Dimensions of the proposed sign(s) and proposed locations are clearly proposed as part of the vending permit application, and
 - d. Use of the signs is in conjunction only with a permitted vending activity, and
 - e. The vending activity application proposed that the use of the proposed sign(s) will cease and the sign(s) will be removed from the site no later than the vending permit activity ceases, whichever comes first, and
 - f. Use of the proposed vending activity sign(s) will not cause the site itself to be in non-compliance with any provision of the Lincoln Sign Ordinance.

ARTICLE IV
PERMITTED SIGNS

The following signs are permitted, but require a permit as provided herein:

1. Any sign advertising a commercial enterprise.
2. Any sign or notice necessary for direction, information, or safety of the public having an area of 6 square feet or more.

3. Any change in the size or shape of an existing sign or a change in its location, shall require a new sign permit.
4. A change in the wording of a non-conforming sign shall require a permit but shall be allowed.

ARTICLE V
PROHIBITED SIGNS

It shall be unlawful to erect:

1. Any sign, which is positioned or lighted such that street traffic would be endangered by obstructing a clear view or by confusion with official street signs and signals.
2. Any flashing signs or signs with visible or no-visible moving parts of intermittent lighting which can create the visual effect of movement.
3. Any freestanding sign, which exceeds 20 feet above the road grade of the entrance to the property.
4. Any sign extending 2 feet above the roof edge to which it is affixed.
5. Any sign, which is larger than 150 square feet as measured by the product of its total height and total width unless specifically allowed by this ordinance.
6. Any sign which exceeds 1 foot in depth.
7. Any sign placed on any public right-of-way or on and above any public road. The only exception shall be public event banners.
8. Electronic message boards, except for tourist attractions, which may have one electronic message board not to exceed 9 square feet and only within the General Use or Village Center districts.
9. Inflatable signs and tethered balloons, except for 3-day public events.

ARTICLE VI
REMOVAL OF SIGNS

All signs shall be maintained in good condition and appearance or they shall be removed.

Section A. **MAINTENANCE**

1. Any sign that pertains to an abandoned or former use or business later than six months after discontinuance of that use or business must be removed.
2. Any sign, which is neglected and/or dilapidated, in which more than 50% of the signs area requires repairs must be removed. These signs may only be replaced if they are in conformance with this ordinance.
3. Any sign, which is insecure, in danger of falling or is otherwise unsafe, shall be removed.

Section B. **EXISTING NON-CONFORMING SIGNS**

1. Internally illuminated portable signs legally erected before December 24, 1991, must be made to comply with this Ordinance, no later than December 24, 1992.
2. Non-conforming off premise freestanding signs legally erected before December 24, 1991, must be made to comply with this Ordinance, no later than December 24, 2001.
3. A property owner may seek an extension of the amortization period of their sign before the Lincoln Planning Board if they can show just cause the:
 - a. The amortization is insufficient to recoup any significant investment in the sign, as the condition of the sign does not warrant its removal.
 - b. The Board is satisfied that special hardship exists which justifies the continuance of the sign.

ARTICLE VII
ADMINISTRATION

Section A. **ENFORCEMENT**

It shall be the duty of the Board of Selectmen or their designee to administer this Ordinance.

Section B. **PERMITS**

After passage of this Ordinance, it shall be unlawful to erect, enlarge or relocate any sign without first obtaining a permit from the Board of Selectmen or their designee. The permit must be posted on site and be easily visible.

Section C. **ENFORCEMENT**

The Board of Selectmen or their designee, upon well founded information of any violation, is hereby authorized to initiate immediate steps for enforcement of this Ordinance by issuing due notice to stop and desist such violation. Violation of the Ordinance shall be subject to fines and penalties as set forth in RSA 676:17.

Section D. **FEES**

A fee shall be required for each sign permit application. No more than 2 signs for the same business shall be allowed on a permit application. The fee shall be \$10.00 per sign-permit application. The fee is not refundable if the application is denied.

ARTICLE VIII
BOARD OF ADJUSTMENT

Section A. **BOARD OF ADJUSTMENT**

The Zoning Board of Adjustment, appointed under the Lincoln Land Use Plan Ordinance, shall have the same powers and duties as are vested in it, by that Ordinance, in relation to this Ordinance.

Section B. **APPEALS**

1. Appeals to the Board may be taken by any aggrieved person or by any officer, department, board or bureau of the Town of Lincoln affected by any decision of the Selectmen or their designated officer in the manner prescribed by RSA 674:34 and 675:57 within the time limit set by the Board of Appeals according to said statutes.
2. Prior to a hearing, the costs of advertising, posting and mailing notices of the hearing shall be paid by the person making the appeal.

ARTICLE IX
AMENDMENTS

This Ordinance may be amended in accordance with the provisions of NH TITLE LXIV as it is or may be amended.

ARTICLE X
SAVING CLAUSE

The validity of any provision of this Ordinance shall not affect the validity or any other provision.