TOWN OF TRENTON
SIGN ORDINANCE

Adopted: May 15, 1993
Amended: May 20, 2008
Amended: July 31, 2018

Attest a true copy

Carol Reed Walsh
Municipal Clerk
SIGN ORDINANCE TOWN OF TRENTON, MAINE
An Ordinance for the Regulation of Signs in the Town of Trenton

Section 3 – 101 Authority

The ordinance is enacted pursuant to Title 30-A, M.R.S.A., Section 3001 and Title 23, M.R.S.A. Section 1901 et seq. in general and Section 1922 specifically.

Section 3 – 102 Title

This ordinance shall be known and may be cited as the “Ordinance for the Regulation of Signs in the Town of Trenton”.

Section 3 – 103 Purpose

In order to promote the safety, comfort and well-being of the users of streets, roads and highways in the Town of Trenton; to reduce distractions and obstructions from signs that may adversely affect traffic safety and to alleviate hazards caused by signs projecting over or encroaching upon public ways; to preserve or enhance the natural scenic beauty and other aesthetic features of or attendant to such thoroughfares and generally create and foster a more stable and attractive roadside environment for the benefit of townspeople and visitors alike, the Town Meeting of the Town of Trenton finds and declares that signs within view of the public ways of this town shall be regulated pursuant to this ordinance.

Section 3 – 104 Scope

A. Unless otherwise exempted herein, no person shall erect any sign for a period in excess of seven (7) consecutive days that is visible from a public way except in conformance with this ordinance.

B. Sign Permits, Requirements and Fees
   Unless otherwise specifically exempted herein, no person, firm, corporation or other business entity shall hereafter erect, hang, place or alter a sign or sign structure of any kind without a permit first having been issued by the Sign Control Officer upon application accompanied by plans to scale, showing the area of the sign, the position of the sign in relations to nearby buildings, structures, public way, the location of the building, structure or lot to which or upon which, the sign is to be erected or attached. The method of illumination, if any and other such other information as the Sign Control Officer shall require to show full compliance with this ordinance and the State of Maine laws. If it appears that the proposed sign is in compliance with all such requirements and laws, the permit shall be issued, but should the work authorized under the permit not be completed within six months (6) after date of issuance, the permit shall become null and void. The payment of a twenty-five ($25.00) dollar, one time permit application fee will be charged at the time of application, the purpose of which will be to cover the costs to the Town of administering the provisions of this ordinance.
C. Types of Signs & Definitions

**Sign** – Any structure, display, logo, device or representation which is designed or used to advertise or call attention to anything, person, business, activity or place and is visible from any public way. It does not include the flag, pennant or insignia of any nation state or town.

**Bed and Breakfast, Boarding House or Tourist Home** – Any dwelling in which lodging is offered for compensation to three or more persons either individually or as families with or without meals.

**Banner** – A piece of material consisting of cloth, fabric, vinyl, or canvas fastened on all four corners or attached to a rod on two opposite or parallel sides for purposes of securing.

**Building Signs** – Any sign attached to any part of a building, as contrasted to a freestanding sign.

**Business Entity** – Any person, corporation, partnership, association of two or more individuals having a joint or common interest or other legal entity that complies with all federal, state and local laws.

**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.

**Electronic Sign** – Any sign that is electrically powered including animated, changeable, digital, message display boards, LED, and combination (fixed and electronic sections) signs.

**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.

**Ground Floor Area** – For the purpose of this ordinance, ground floor area refers to the sum, in square feet, of the first floor of all roofed portions of a building, (other than a cellar or basement) as measured from the interior face of the exterior walls, excluding floor area of a building devoted to stairwells, equipment or utility rooms, storage areas and other similar areas not intended for use in providing direct service to the public.

**Home Occupation** – An accessory use generally of a service character customarily conducted within a dwelling unit or accessory structure by a resident thereof, which is clearly secondary to the use of the dwelling unit for residential purposes and does not change the character thereof.

**Incidental Sign** – A sign, generally informational or directional, that has a purpose secondary to the use of the lot on which it is located such as, “no parking”, “Entrance,” “loading area”, “telephone”, and other similar directions. No sign with a commercial
message legible from a position off the lot on which the sign is located shall be considered an incidental sign. Gas price information signs, as required by law, and located on top of or adjacent to fuel pumps and that are no larger than 4 square feet, shall be considered incidental signs.

**Non-Conforming Sign** – Any sign that does not conform to the requirements of this Ordinance.

**Off-Premise Sign** – Any sign located on land where the advertised activity is not located.

**On-Premise Sign** – Any sign located within 1,000 feet of the principal building where the business advertised is conducted.

**Portable Sign** – Any sign not permanently attached to the ground or other permanent structure. Or a sign designed to be transported, including but not limited to, signs designed to be transported by means of wheels, signs converted to A- or T-frames; menu and sandwich board signs, banners, balloons used as signs, umbrellas used for advertising; 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.

**Premises** - One or more parcels of land which are in the same ownership and are contiguous.

**Principal Building** - The building in which is conducted the principal use of the lot on which it is located. Lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages and other clearly accessory uses shall not be considered principle buildings.

**Private Way** – Any private road, or driveway not intended to be a public way.

**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.

**Public Way** – Any road capable of carrying motor vehicles, including, but not limited to any State highway, municipal road, county road, unincorporated territory road, or other road dedicated to the public.

**Roof Sign** – Any sign erected and constructed wholly on and over the roof of a building supported by the roof structure

**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 more than 6 inches.
**Scenic View** – A visual resource to the general public encompassing unique natural formations, landscapes, seascapes and cultural entities, which, when viewed, elicit overall benefits to individuals and therefore to society in general.

**Temporary Sign** – Any sign that is used only temporarily (30 days or less) and is not permanently mounted. Temporary signs cannot exceed 24 square feet in size (includes both sides) and shall not be illuminated.

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

**Yard Sale** – Any yard, garage, barn, basement or similar type of sales of merchandise by private individual, not regularly engaged in the conduct of such business, and undertaken at private residences on an irregular basis.

D. The following signs do not require a permit provided they adhere to the size and placement limitations contained in this Ordinance:

1. Temporary, freestanding or wall signs that identify a church or public building of the town, county, state or federal governments;
2. Temporary signs that identify a contractor at the site of construction underway in the Town of Trenton;
3. Temporary signs advertising services or items for sale or rent by individuals not regularly in a profit making business;
4. Temporary signs relating to the sale, lease or rental of real estate in the Town of Trenton
5. Temporary sign(s) advertising special sales at a place of business. These signs may be attached to a place of business or to a permitted freestanding sign, or a portable sign, provided such signs are no larger than a total of 24 square feet in size and are in place for no more than 30 consecutive days. Furthermore, temporary sale signs can only be in place three (3) times a year with intervals of at least 21 days between placements;
6. Window signs not covering more than (50) fifty percent of the window area;
7. Any traffic control signs or devices meaning an official route marker, warning sign, sign directing traffic to or from a community, bridge, ferry or airport, or sign regulating traffic, which has been erected by officers having jurisdiction over the public way;
8. Incidental signs and signs directing and guiding traffic and parking on private property, but bearing no advertising matter or commercial identification. Such signs
are not permitted within ten (10) feet from the outside edge of the paved portion of any public way;
9. Yard sale signs posted for less than three (3) days and no more than three (3) times per year;
10. All political signs and public referendum signs for a period of up to six weeks prior to any election, voting, or town meeting;
11. Signs bearing religious messages and signs showing the time and place of services or meetings of religious and civic groups;

Section 3 – 105 General Restrictions

A. No outdoor advertising sign shall be attached to any tree or fence or be painted upon or directly affixed to any rock, ledge or natural feature.
B. No outdoor sign shall be erected at any location where, by reason of position, shape, wording, or color, interferes with or obstructs the view of pedestrian or vehicular traffic; or which may be confused with any authorized traffic sign, signal or device.
C. All signs and their supporting structures shall be properly maintained to prevent rust, rot, peeling or similar deterioration.
D. Any outdoor sign which advertises, identifies or pertains to any activity no longer in existence or abandoned shall be removed by its owner or person otherwise responsible within 30 days from the time the activity ceases to exist. This provision does not apply to seasonal activities during the regular periods in which they are closed.
E. Unless otherwise indicated herein, any temporary sign in place for more than three (3) months shall either be removed or permanently mounted. Before a temporary sign is mounted, a permit must be obtained in accordance with the provisions of this Ordinance.
F. No advertising sign displayed on or near a public way shall have visible moving parts, except as allowed in paragraph N, nor shall be made to resemble a product or service offered for sale, not shall have blinding, flashing, glaring or moving illumination or consist of pennants, ribbons, strings of lights, streamers or similar devices. The time and temperature portion of a sign is exempt from the prohibition of flashing signs. Open flags that do not exceed 15 square feet in size are exempt from this restriction.
G. Portable signs will not be permitted in the Town of Trenton after one year from the time of adoption of this ordinance, except in accordance with Section 3 – 104 D.5. when used as a temporary sign.
H. Separate or attached, outdoor credit or charge card signs will not be permitted in the Town of after one year from the adoption of this Ordinance except as required by state statute.
I. Signs placed on residential properties may be used to convey the inhabitants’ names, the property name, and safety and caution messages. Such signs shall not be placed on the roof of the building, must be placed on private property, and shall be no larger than two (2) square feet.
J. Rental vacancies may be advertised with a non-illuminated sign no larger than two (2) square feet. Such sign shall be erected only during such times as the rental property is vacant, shall not be placed on the roof of the building, and must be placed on private property.
K. Advertising signs placed on residential properties to promote bed and breakfast inns or home occupations are limited to two in number and each shall be no larger than 15 square feet.

L. Exterior sign lights shall be shielded to ensure that light sources are not directly visible to drivers or from neighboring properties. Upward shining or ground-mounted lights may only be used provided they are shielded to direct light only at the sign.

M. The position, shape, or height of sign placement should not interfere with or obstruct a scenic view. (Refer to Map Route 3 – Scenic Viewsheds attached)

N. Electronic Signs:
   1. Shall change no more than once every twelve (12) seconds;
   2. Shall be static between changes (minimum 12 seconds);
   3. Shall not flash;
   4. Shall not scroll
   5. The message shall remain the same color for the duration (minimum 12 seconds)
   6. Shall be a maximum of two (2) sides.

Section 3 – 106 Standards

A. Excluding window signs and certain canopy signs (see Section 3.106.K), the maximum total number of advertising signs for each business or establishment displays on any premises must not exceed four (4) in number.

B. Excluding window signs, the size of any sign on any premises shall not exceed the size determined on the basis of the following:
   1. For principal structures in connection with any legal business with 5,000 square feet or more of ground floor area, one freestanding sign up to 240 square feet in size will be permitted.
   2. For principal structures in connection with any business entity with less than 5,000 square feet of ground floor area, one freestanding sign up to 120 square feet in size will be permitted. For principal structures with less than 5000 square feet of ground floor area which contain two or more separate business entities, the size of the sign may be increased from 120 square feet according to the following formula:

   2 separate business entities/10% increase in size of sign
   3 separate business entities/15% increase in size of sign
   4 or more separate business entities/20% increase in size of sign

   3. Where road frontage for a particular parcel exceeds 200 feet and the principal structure contains two or more business entities, one additional freestanding sign will be permitted provided that the total area of both signs does not exceed the size limitations provided in Section 3.106.B 1 and 2 above, that at least 100 feet will separate the two freestanding signs and that such signs are no closer than 10 feet from an adjoining property line.

   4. In addition to the freestanding signs as permitted above, each separate, legal business entity will be permitted two (2) additional building signs, totaling no more than 20 square feet in size.
5. For two-sided signs only the area of one side of surface will be included in determining total area of the sign permitted. Sign Area is the area of the smallest square, rectangle, circle or combination thereof, which encompasses the facing of a sign, including copy, insignia, and background. The structural supports of a sign are to be excluded in determining the signable area. Where a supporting structure bears more than one sign, all such signs on the structure shall be considered as one sign, and so measured.

C. Signs shall relate to the premises on which they are located. Off-Premises signs shall be guided on location, height, and size by Title 23, MRSA Section 1901 – Section 1925, as amended.

D. Roof signs are permitted only if the top of the sign does not exceed the elevation of the top of the roofline upon which the sign is erected and total square feet does not exceed 24.

E. Projecting signs shall not extend above the second floor of a building and have a minimum height of 10 feet above the ground level.

F. Window signs shall not cover more than 50 percent (50%) of the window area.

G. Official Business Directional signs require a permit from the Maine Department of Transportation and by the Selectmen. Such signs shall be uniform in size and type of lettering and shall conform to the requirements of the Maine Traveler Information Act (Chapter 23, Maine Revised Statutes Annotated Section 1901 – 1925 as amended) and the specifications contained in M.D.O.T. regulations pertaining to official Business Directional Signs (Chapter 200.01-200.09) as adopted by the Commissioner of the Maine Department of Transportation on May 18, 1982. Official Business Directional Signs will only be located in those vicinities where the traveler must change directions from one public way to another to reach the business facility or point of interest. Such signs must be furnished and preserved by the applicant.

Within two years of the effective date of this ordinance, all Official Business Directional signs located in Trenton shall be permitted only in those locations officially approved by the Selectmen of the Town of Trenton.

The Selectmen will determine acceptable locations for the placement of official business directional signs for the following reasons, and based on the following criteria:

1. Safety of the travelling public. Too many signs result in the distraction of motorists which increases the risks for accidents and is otherwise hazardous to highway users.

2. Protection of the natural beauty of the community. Scattering of official business directional signs throughout the town is detrimental to the preservation of scenic areas and to the economic base of the area.

3. Information dissemination. The provision of information on available public accommodations, commercial services for the travelling public and other lawful businesses and points of scenic, historic cultural, educational and religious interest is best accomplished in a few convenient locations and is a more effective means of providing information to tourists and other highway users about available facilities.
H. Landscaping and architectural treatment of signs: Each new business or establishment locating along Route 3 in Trenton will be required to undertake certain landscaping and architectural treatment around signs in accordance with Section 3.10.3.C of the Trenton land Use Ordinance. In addition, the construction of attractive, wood, externally lit signs is strongly encouraged for businesses locating in the Route 3 Corridor.

I. The top edge of any free-standing sign that is 240 square feet in size shall not be higher than twenty-five (25) feet vertical measure above the grade of the street nearest the sign support(s). The top edge of any free-standing sign that is less than 240 square feet in size shall not be higher than eighteen (18) feet vertical measure above the grade of the street nearest the sign support(s). For traffic safety, where vision may be obscured entering a public street, the whole of the sign board or display elements of any free-standing sign shall be situated so as to not interfere with safe and convenient access and egress from a property onto a public way. A free-standing sign located within the front yard space shall be located on private property with the exception of official business directional signs as defined herein or any other traffic or directional signs erected by the state or federal government or by the Town of Trenton. Free-standing signs shall be no closer than ten feet to either side of the side lot lines.

J. Common Signage Provisions: Where a multi-tenant or multi-business building is proposed a common signage plan is required. A common signage plan shall contain:
   1. An accurate plot plan of the lot, at such scale as the Sign Control Officer may reasonably require;
   2. Location of buildings, parking lots, driveways and landscaped areas on such lot;
   3. Computation of the maximum total sign area, the maximum area for individual signs, the height of signs and the number of signs allowed on the lot(s) included in the plan as allowed under this ordinance.
   4. An accurate indication on the plot plan of the proposed location of each present and future sign or any type, whether requiring a permit or not; and
   5. Provisions for consistency among all signs for the property including color scheme, lettering or graphic style of each sign and sign proportions.
   6. The common signage plan for all lot(s) with multiple users or multiple uses shall limit the number of freestanding signs in accordance with Section 3.106.B and shall, where necessary, provide for shared or common usage of such signs.

K. Canopy signs erected in conjunction with functional petroleum dispensing facilities may have up to twenty-five (25) percent of the vertical face of the canopy devoted to signage provided that the vertical face of the canopy is not any wider than four (4) feet.

Section 3-107 Non-Conforming Signs

Unless otherwise stated herein, the use of any non-conforming sign, our outdoor advertising sign, in existence at the time of adoption of this Ordinance may continue but only in strict compliance with the following:

1. No nonconforming sign shall be enlarged, increased or extended to occupy a greater area than it occupied when it became nonconforming or in any other way that increases its nonconformity.
2. A legally existing nonconforming sign may be replaced only with a sign that complies with this ordinance in all respects, except that a legally existing
nonconforming sign, the replacement of which is necessitated by the vandalism of persons other than the owner or his or her agents, or by a force of nature, may be replaced with a sign identical in all respects to the one being replaced.

3. Any sign removed may be replaced only with a sign that complies with this ordinance in all respects.

4. Normal maintenance and repairs including painting and name changes are permitted but the sign shall not be enlarged in any dimension except in conformance with this Ordinance, and subject to permit.

Section 3-108 Administration, Enforcement, Waivers and Appeals

A. This ordinance shall be enforced by the Sign Control Officer as appointed by the Selectmen.

B. If the Sign Control Officer finds that any provision is being violated, he shall notify in writing the Selectmen and the person responsible for the violation and stating the action necessary to correct it.

C. When any violation of any provision of the Ordinance is found to exist, the Selectmen of the Town of Trenton, upon notice from the Sign Control Officer, are hereby authorized and directed to institute proceedings that may be appropriate or necessary to enforce the provisions of this Ordinance in the name of the Town.

D. Any person who violates any provision of this Ordinance shall be guilty of a misdemeanor and on conviction shall be subject to the civil penalties as contained in Chapter 30-A M.R.S.A., Section 4452.

E. Regarding Section 3-105-D of this Ordinance and in accordance with Trenton Land Use Ordinance, if a business ceases to exist or vacates the property for whatever reasons, a new sign permit must be obtained for an existing or a new sign and the sign shall comply to this Sign Ordinance in all respects.

F. The planning board upon the recommendation of the sign control officer may waive certain specific requirements of this ordinance if an applicant for a permit can show unusual hardship due to conditions of topography, access, and or other physical characteristics.

G. Any person aggrieved by a decision of the Sign Control Officer may appeal to the Trenton Board of Appeals within thirty (30) days after the decision. Any person aggrieved by the Board of Appeals decision may appeal from the decision to the Superior Court. This appeal shall be within 30 days after the decision of the Board of Appeals.

H. The application and approval of a sign permit will be a “one-time” requirement as long as ownership remains unchanged. Upon relocation, modification or change of a sign or land, or business ownership, the (new) owner shall apply for an appropriate permit. Under new ownership, existing signs with no alteration or modifications do not require a new permit.

Section 3 – 109 Validity and Severability

A. The provisions of the Ordinance are minimum requirements. Whenever the requirements of this Ordinance are at variance with the requirements of any other lawfully adopted statute, rule, regulation, ordinance, deed restriction or covenant that imposing the higher, more stringent standard shall govern.
B. Should any section or provision of this ordinance be declared by the courts to be invalid such decision shall not invalidate any other section or provision of this ordinance.

Section 3-110 Effective Date

This Ordinance shall become effective on May 15, 1993 (date of adoption by the Town Meeting).
Amended on May 20, 2008 in a Special Town Meeting
Amended on July 31, 2018 in a special Town Meeting