



Randolph Sign Ordinance

Amendments Adopted: July 9, 2020

Effective Date: September 7, 2020

Amendments to the 2003 Sign Ordinance

Major Revision – Sign ordinance had not been updated for over 16 years

Major Change – Updated with content neutral signage code based on Supreme Court's decision of *Reed v. Town of Gilbert*. It recognizes that government signs are government speech and must be interpreted in a manner consistent with the First Amendment guarantee of free speech. We used the *International Municipal Lawyers Association Model Sign Code* as recommended by the State for guidance.

Other Changes where sign ordinance was seen to be overly demanding and restrictive:

- Did away with the requirement that a "Notice of Action" had to be posted at the site of the proposed sign – within 2 days, or permit would be revoked – EVEN FOR SIGNS NOT REQUIRING A PERMIT.
- No longer requires a Certificate of Compliance submitted to the Sign Officer after completion – or permit would be revoked.
- Old code used to be \$50 for first offense, then increasing by \$50 for 10 days plus. New code reads as follows:

First offense	\$100
Second offense	\$200
Third offense	\$300
Fourth and subsequent offenses	\$800 (this is the max by state law)
- A property with no road frontage but with ROW or easement may now place a sign within that easement or ROW e.g., LED Dynamics
- Planning Commission decided that murals are 'art' and not signs which use language as a method of communication. Selectboard can rely on the Arts and Culture committee to provide guidance on murals.

TABLE OF CONTENTS

Title	Page
ARTICLE I GENERAL ADMINISTRATION	
Section 101 Authority	1
Section 102 Purposes.....	1
Section 103 Sign Officer	2
Section 104 Severability	2
Section 105 Reference to Other Regulations	2
Section 106 General Applicability.....	2
Section 107 Non-Conforming Signs	3
Section 108 Sign Permit Application Procedure	3
Section 109 Expiration of Permits.....	4
Section 110 Enforcement.....	4
Section 111 Appeals.....	5
ARTICLE II PROVISIONS AND REGULATIONS	
Section 201 Conformity with Land Use Regulations.....	6
Section 202 General Requirements	6
Section 203 Removal of Permanent Signs	6
Section 204 Computation of Sign Area	6
Section 205 Computation of Sign Height.....	7
Section 206 Requirements by Sign Type	
A. Building Signs	7
B. Free-standing Signs.....	7
C. Projecting Signs.....	7
D. Appendage Signs.....	7
E. Sandwich Board Signs	8
F. Banners.....	8
G. Portable Signs	8
H. Canopy Signs.....	9
Section 207 Regulations by Usage	
A. Subdivisions or Housing Projects.....	9
B. Home Occupations	9
C. Signs on Public Property and Public ROW	9

	D. Temporary Signs on Private Property	9
	E. Contractor's Signs	9
	F. Civic and Other Groups.....	10
	G. Real Estate Signs	10
	H. Gas Station Signs	10
Section 208	Common Signage Plans	10
Section 209	Directional Signs	12
ARTICLE III	DEFINITIONS	
Section 301	Rules for the Construction of Language	13
Section 302	Words Defined	13
AUTHORIZING SIGNATURES		16

Town of Randolph – Sign Ordinance

ARTICLE I

GENERAL ADMINISTRATION

SECTION 101 - AUTHORITY

This Sign Ordinance is enacted under the authority granted to the Selectboard to regulate signs as set forth under Vermont statute, Title 24: Municipal and County Government, Chapter 061: Regulatory Provisions; Police Power of Municipalities. § 2291. Enumeration of powers. (Cited as 24 V.S.A. § 2291) and specifically authorized under enumerated power (7) to wit. "To regulate or prohibit the erection, size, structure, contents, and location of signs, posters, or displays on or above any public highway, sidewalk, lane, or alleyway of the municipality and to regulate the use, size, structure, contents, and location of signs on private buildings or structures."

This ordinance follows the signage guidance provided under Vermont statute, Title 10: Conservation and Development, Chapter 21: Tourist Information Services, sections §481 through §506. It also proposes a content neutral signage code based on the Supreme court's decision of Reed v. Town of Gilbert. It recognizes that government signs are government speech intended to ensure public safety but must also be interpreted in a manner consistent with the First Amendment guarantee of free speech.

This ordinance shall constitute a civil ordinance within the meaning of 24 VSA Chapter 59 Sections 1974a. A civil penalty of not more than \$800.00 may be imposed for a violation of a civil ordinance. (Each day the violation continues shall constitute a separate violation) and Section 1977 Complaint for municipal civil ordinance violations, (describing the procedure for signing and filing complaints.)

SECTION 102 - PURPOSE

The purpose of this ordinance is to regulate the size, color, illumination, movement, materials, location, height and condition of all signs placed on private property for exterior observation, thus ensuring the protection of property values and the character of various neighborhoods. This ordinance also provides rules for the design and placement of signs on public property and public rights of way.

A. The general purposes of this ordinance are:

1. To encourage the effective use of signs as a means of communication in the Town.
2. To maintain and enhance the aesthetic environment and the Town's ability to attract sources of economic development and growth.
3. To improve pedestrian and traffic safety.
4. To minimize the possible adverse effect of signs on nearby public and private property.
5. To enable the fair and consistent enforcement of this ordinance.

B. The effects of this ordinance, as more specifically set forth herein are:

1. To establish a permit system to allow a variety of types of signs in commercial and industrial zones, and a limited variety of signs in other zones, subject to the standards and the permit procedures of this ordinance.

Town of Randolph – Sign Ordinance

2. To allow certain signs that are small, unobtrusive and incidental to the principal use of the respective lots on which they are located, subject to the substantive requirements of this ordinance, but without a requirement for permits.
3. To provide for temporary signs in limited circumstances in the public rights-of-way.
4. To provide for the enforcement of this ordinance.

SECTION 103 - SIGN OFFICER

- A. The Sign Officer shall be the designated official with the authority to administer and enforce the provisions of this ordinance and may require the adjustment, relocation or removal of any sign as necessary to ensure compliance with this ordinance.
- B. The Sign Officer shall be appointed by the Selectboard. In the event that the Sign Officer is absent or has a conflict of interest, the Town Manager shall perform the functions of the Sign Officer.
- C. Should the Zoning Administrator be designated as the Sign Officer, nothing in this ordinance shall prevent the Zoning Administrator from performing his or her duties with regard to other regulations or ordinances he or she may be so designated to administer and enforce.

SECTION 104 - SEVERABILITY

- A. Should any section or provision of this ordinance be adjudicated unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole and all provisions not specifically deemed invalid shall continue in full force and effect.
- B. Whenever the provisions of this ordinance differ from those prescribed by any statute, ordinance (including this ordinance) or other regulation, state or local, the provision which imposes the greater restriction or higher standard shall govern, excepting provisions of these regulations that are contrary to current or future state or Federal law.

SECTION 105 - REFERENCE TO OTHER REGULATIONS

- A. Reference is made to the Randolph Land Use Regulations and its control of the development of property in the Town of Randolph. Nothing in this ordinance shall negate the need for a property owner or other person to apply for and secure all other permits and/or approvals that may be required under the Land Use Regulations or any other regulations or by-laws of the Town of Randolph.
- B. Reference to zoning districts (i.e. Industrial Districts, Central Business District, etc.) shall mean the districts as defined in the Land Use Regulations in effect at the time an application for a permit is deemed complete.

SECTION 106 - GENERAL APPLICABILITY

- A. No sign, whether temporary or permanent, shall be erected, installed, or altered unless in conformance with all applicable provisions of this ordinance.
- B. Unless the express terms of this ordinance state that a permit is required, all signs do not require a permit. If a permit is required, no sign shall be erected or installed until a permit has been issued for such by the Sign Officer.

Town of Randolph – Sign Ordinance

SECTION 107 - NON-CONFORMING SIGNS

- A. Except as provided for below, every sign lawfully existing on the effective date of this ordinance shall not be altered, including character or color alteration, or moved unless the sign shall be made to comply with the provisions of this ordinance. This clause is not intended and shall not be construed to restrict a person from repairing and maintaining a sign in compliance with the provisions hereof or construed to prohibit character alterations on signs which are designed to change a message on a regular basis, such as reader boards, theater marquees and pricing signs.
- B. A non-conforming sign must be removed or brought into conformance as provided for below and as set forth elsewhere in this ordinance:
 - 1. If the sign is substantially damaged or destroyed.
 - 2. If the business use for the property changes.
 - 3. If the business applies for signage under a Common Signage Plan (see § 212) and has a non-conforming sign.
- C. The above notwithstanding, a non-conforming sign may be relocated on a lot if the relocation is involuntary. Involuntary relocation is any relocation caused by street widening or other local, state or federal activity beyond the control of the property owner.

SECTION 108 - SIGN PERMIT APPLICATION PROCEDURE

- A. Application for a Sign Permit shall be filed with the Sign Officer on a form furnished by that person. The application may be completed by the property owner or a lessee of the property and shall be signed by the person filling out the application and the property owner, if different.
- B. In §§ 206 and 207, there are numerous instances in which a Sign Permit is not required but standards are established. To allow the Sign Officer to review such signs for compliance with the standards and to determine that a permit is not required, an application shall be completed and filed with the Sign Officer.
- B. A fee in the amount as set by the Selectboard shall accompany each application. No fee shall be required if the Sign Officer determines that a permit is not required, under this ordinance.
- C. The following information shall also, as a minimum, accompany each permit application:
 - 1. Site plan showing the location of all signs on the lot.
 - 2. All dimensions of the sign including height above grade.
 - 3. A graphic depiction of the sign with all lettering, scale, color and other attributes.
 - 4. The duration of usage of the sign, if temporary.
 - 5. Any proposed lighting of the sign.
 - 6. Any additional information as needed to evaluate the application and determine that the sign meets the requirements of this ordinance.
- E. All information submitted shall have a title block with the following information on each page or sheet:
 - 1. Property tax map number
 - 2. Property location (street address)

Town of Randolph – Sign Ordinance

3. Name of property owner(s)
 4. Date
 5. Name of business, if applicable.
- F. When a modification to an existing sign is proposed, the Sign Officer may waive the full requirements of application for a Sign Permit. The Sign Officer shall determine, on a case-by-case basis, whether an application constitutes a modification or whether the modification will have the effect of being a completely new sign.
- G. An application for a sign shall not be deemed complete until it contains all the information required in this section.
- H. The Sign Officer shall take action on a complete application for a sign within 14 days of deeming it complete. Such action shall be to either approve, deny or determine that no permit is required. No application shall be approved unless it conforms to this ordinance. The Sign Officer may place conditions on a Permit or a determination that no permit is required if such conditions are necessary to ensure compliance with this ordinance.
- I. A complete application that the Sign Officer fails to act on within the prescribed 14 days shall be deemed approved on the 15th day.

SECTION 109 - EXPIRATION OF PERMITS

If the work authorized by a Sign Permit is not completed within one year of the date of permit issuance, the permit shall expire and be of no further force and effect.

SECTION 110 - ENFORCEMENT

- A. Each day a property owner neglects or refuses to comply with the provisions of this ordinance shall be a violation. A violation of this ordinance shall be a civil matter which may be enforced in accordance with the provisions of 24 VSA §1974a and §1977 and as described herein. The Sign Officer shall be authorized to act as the Issuing Municipal Official to issue and pursue a municipal complaint before the Traffic and Judicial Bureau.
- B. Once the Sign Officer has determined that a violation exists, the Officer may issue a Notice of Violation before issuing a municipal complaint for a first offense of this ordinance in any calendar year. Said Notice shall include, as a minimum, the following:
1. The date the violation was first observed.
 2. The nature of the violation.
 3. What needs to be done to remedy the violation.
 4. The date by which the violation must be remedied.
 5. Notification that if the violation is not cured by the date set forth in item 4, then a Vermont Municipal Complaint ticket may be issued or the Selectboard may seek injunctive relief.
 6. The fines and waiver fees associated with the ticket.
 7. Notification of the violator's right to appeal, as provided for in §114.
- C. If a violator fails to remedy the violation by the date specified in the Notice of Violation, fails to appeal the Sign Officer's Notice of Violation as provided for in §114, or if the Selectboard, upon

Town of Randolph – Sign Ordinance

appeal and following the procedure set forth in §114, decides that a violation exists, the Sign Officer shall either:

1. Issue a Vermont Municipal Complaint with a civil penalty in the following amounts for each violation:

First offense	\$100
Second offense	\$200
Third offense	\$300
Fourth and subsequent offenses	\$800

Offenses shall be counted on a calendar year basis.

2. The Sign Officer, with Selectboard approval and on its behalf, shall enforce this matter pursuant to 24 VSA Ch. 59 and commence civil action to obtain injunctive and other appropriate relief or to pursue any other remedy authorized by law.

SECTION 111 - APPEALS

A. Rights and Time Frames for Appeals

1. All decisions of the Sign Officer, except the decision to issue a municipal complaint as described in §113, may be appealed within 15 days of such decision. An abutter to an applicant/permittee may appeal a decision of the Sign Officer regarding the issuance or denial of a Sign Permit.
2. An appeal of such a decision shall be made in writing to the Secretary of the Selectboard within 15 days of such decision. The Notice of Appeal shall include, as a minimum, the decision made by the Officer and the reason and basis of the appeal. A copy of the Notice of Appeal shall be delivered to the Sign Officer at the same time it is delivered to the Selectboard.
3. In the interest of creating finality of decisions, the time frames for filing an appeal established in this subsection shall be final and not extended. No appeals shall be considered if these time frames are not met.

B. Action by the Selectboard

1. The Selectboard shall hold a duly warned public hearing within 45 days of receipt of an appeal and shall render a decision within 15 days after the close of the final hearing.
2. All timeframes established in this subsection B are guidelines. Every effort shall be made to meet these time frames. It is understood that, in rare circumstances, these time frames may not be met. Failure to meet these time frames shall have no effect on any outcome and shall not create deemed approval of any application, action or appeal.
3. All decisions resulting from this subsection B shall be in writing and shall include findings of facts and conclusions and shall be final.

ARTICLE II
PROVISIONS AND REGULATIONS

SECTION 201 - CONFORMITY WITH LAND USE REGULATIONS

A sign shall not be allowed for a non-residential property if the property or use on the property for which the sign relates is in violation of the Randolph Land Use Regulations or has not yet received local final approvals and permits.

SECTION 202 - GENERAL REQUIREMENTS

- A. With the exception of sandwich board signs, signs shall be located on the lot where the advertised business, product or activity is located or sold except as provided below and related to special events and certain occasional off-site advertisement.
- B. Signs shall not prevent a clear and unobstructed view of official signs or otherwise impede adequate sight distances.
- C. Signs shall not appear to direct the movement of traffic or interfere with, imitate or resemble any official traffic, directional or route sign, signal or device.
- D. Signs shall not contain any animated, flashing or fluttering lights
- F. Signs shall not be within or over the right-of-way to a public road, except for signs in the downtown Central Business District, and temporary public service announcements approved by the Selectboard.
- G. Permanent signs shall not be erected, attached, or maintained upon light poles or utility poles.
- H. Signs and other advertising structures, together with all their supports, braces, hooks, guys and anchors, shall be of substantial and sturdy construction.
- I. No sign shall incorporate a public address system or other audio system.
- J. Lighting of signs shall be shielded to prevent glare off-site, into the sky, or onto adjoining properties or roads.

SECTION 203 - REMOVAL OF PERMANENT SIGNS

Unless otherwise indicated, when a use terminates or moves, an advertised product ceases to be offered.

All signs pertaining to that use service or product must be removed within 3 months unless an extension of time is approved by the Sign Officer. The Sign Officer may allow conforming sign structures without advertising message to remain in place where appropriate and usable by a subsequent business.

SECTION 204 - COMPUTATION OF SIGN AREA

- A. The area of a sign 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, 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 back drop. This calculation does not

Town of Randolph - Sign Ordinance

include the structure against which it is placed, supporting framework, bracing, or decorative fence or wall clearly incidental to the display itself.

- B. When two identical sign faces are placed back-to-back, but both faces cannot be viewed from any point at the same time and are part of the same sign structure, the sign area shall be computed by the measurement of one of the faces.

SECTION 205 - COMPUTATION OF SIGN HEIGHT

The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be the lower of (1) existing grade prior to construction, or (2) the newly established grade after construction, exclusive of any filling, berming, mounding or excavating solely for the purpose of locating the sign.

SECTION 206 - REQUIREMENTS BY SIGN TYPE

A. Building Signs (no permit required)

1. Building signs shall protrude no more than twelve inches from the wall upon which it is mounted and may not extend above the eaves of that part and side of the building to which the sign is attached.
2. There is no maximum square footage for building signs.

B. Free-standing Signs (permit required)

1. The maximum height of a free-standing sign shall be 20 feet.
2. A property that has no road frontage but has an easement or right-of-way for access to a road may place a free-standing sign within that easement or right-of-way.
3. No lot may have more than one free-standing sign except that a second free-standing sign may be placed on the lot - and the two signs will be 50 feet apart, or the lot has two separate access points.
4. The maximum sign area for a free-standing sign advertising one business is 20 square feet. The maximum sign area for a free-standing sign advertising more than one business located on the property served by the sign is 40 square feet. This notwithstanding, the maximum sign area for each of the two free-standing signs allowed in #3 above is 20 square feet.

C. Projecting Signs (permit required)

No projecting sign and supporting structure shall be less than 9 feet above walking levels, project more than 5 feet out from a building as measured at the point of mounting, or project higher than the highest peak of the roof. Canopy signs, soffit signs, roof signs and wall signs that protrude more than twelve inches from the wall upon which it is mounted shall all be considered projecting signs.

D. Appendage Signs (no permit required)

1. One or more sign appendages are allowed for each free-standing sign.
2. The size of an appendage sign shall not exceed 2 square feet. The size of the appendage shall not be considered when determining the sign area of the sign to which it is appended

Town of Randolph – Sign Ordinance

E. Sandwich Board Signs (permit required)

1. One portable sandwich board sign per business shall be permitted on a lot. However, a lot that has a sandwich board sign shall not be allowed to have a portable sign also.
2. Sandwich board signs may be double-sided with not more than 6 square feet per side.
3. Sandwich board signs shall be located on, directly in front of a parcel, or at the closest road intersection and are not subject to normal setback requirements. A property that has no road frontage but has an easement or right-of-way for access to a road may place a sandwich board sign within that easement or right-of-way.
4. They shall be located so as not to interfere with pedestrian or vehicular circulation and safety.
5. Sandwich board signs shall be removed during non-business hours.

F. Banners (no permit required)

1. A property is allowed one two-sided banner that is pole-mounted and does not exceed 10 square feet per side. All other banners are prohibited
2. Banners are only permitted in the Central Business, Gateway and Interchange Districts.
3. Banners on the Downtown Lightpost Banner Arms

Banners advertising an event (i.e. not for decoration) for installation on the banner arms of the lightposts in the downtown shall only be allowed for Town events, Town-sponsored events or events taking place on Town property. Such banners shall be allowed for no more than 31 days and shall be removed within 7 days after the event it is promoting takes place.

All banners, whether to advertise an event or for decoration, shall receive permission by the Selectboard prior to installation. Such permission shall be granted if the design of the banners is not offensive to common sensibilities and meets all applicable requirements of this Ordinance.

4. Banners over Public Road

An organization or person wishing to install a banner across Main Street or any other public street in the Town shall receive permission by the Selectboard prior to installation. Such permission shall be granted if the design of the banner is not offensive to common sensibilities. The organization or person granted such permission shall be responsible for installing and maintaining the banner. The applicant shall provide a certificate of insurance showing commercial general liability insurance in the amount required by the Selectboard. The Town of Randolph needs to be named as an additional insured on the policy. The approved banner shall be removed within 7 days after the event it is promoting takes place. The Town accepts no responsibility for any injuries incurred during the installation or removal of the banner, nor during the time it is in place.

G. Portable Signs (permit required)

1. One portable sign shall be permitted per property. However, a property that has a portable sign shall not be allowed to have a sandwich board sign also.
2. Portable signs shall meet the height and location requirements of free-standing signs as provided for in subsections (1) and (2) of Section 206(B).

Town of Randolph – Sign Ordinance

3. Portable signs shall not be in place longer than 12 months. If they are, they shall be considered a free-standing sign.

H. Canopy Signs (permit required)

Canopy signs shall be considered projecting signs except for those over gas station pumps and service areas, as provided for in Section 207(H).

SECTION 207 - REGULATIONS BY USAGE

Notwithstanding the other provisions of this Ordinance, the following shall apply:

A. Subdivisions or Housing Projects (permit required)

Subdivisions or housing projects may have one free-standing sign for identification purposes. Such sign shall not exceed 8 square feet.

B. Home Occupations (no permit required)

For home occupations, one sign of not more than 3 square feet is permitted on the premises.

C. Signs on Public Property or Within Public Rights-of-way (no permit required)

1. It is the policy of the Town to generally discourage use of public rights-of-way as advertising media.
2. Signs within the right-of-way of public highways, on splitter islands on public roads (i.e. at the intersection of VT Route 12 and 12A or South Randolph Road and VT Route 14S) and public highway dividers (i.e. on VT Route 66 at the Interstate 89 interchange) that advertise an on-going commercial activity or established business are considered off-premise signs and are prohibited.
3. Allowable signs within the right-of-way of public highways, on splitter islands on public roads and public highway dividers shall not exceed 3 square feet.
4. Signs advertising an event shall not be displayed for more than 7 days before the event and shall be removed within 48 hours after the event ends. Due to the nature and purpose of political candidate signs, there is no limitation as to when the signs can be displayed prior to an election but the signs shall be removed within 7 days after the election.
5. Only signs installed by the Town shall be allowed on Town-owned property and Town rights-of-way.
6. Multiple temporary signs for one event are allowed. However, multiple signs of one event shall not be within 100 feet of each other.

D. Temporary Signs on Private Property (variable permit requirement)

Temporary signs on the premises of a public event having a valid Assembly Permit issued by the Town Manager does not require a Sign Permit. However, all such signs shall be displayed for not more than one month before the scheduled event and shall be removed within 3 days after the scheduled event.

E. Contractor's Signs (variable permit requirement)

1. One contractor's sign may be displayed provided it is located on the lot where the construction is taking place and the sign is removed within two weeks of completion of

Town of Randolph – Sign Ordinance

construction or cessation of work. Winter shutdowns shall not constitute cessation of work provided work has commenced again by the June following the winter shutdown.

2. Only contractor's signs that exceed 10 square feet shall require a Sign Permit.

F. Civic and Other Groups (permit required)

1. Permanent

a. Main Sign (permit required)

A permit for a free-standing sign intended to identify and/or welcome the public to the Town at any location may be issued to a civic, or other group provided the property owner co-signs the permit application. Selectboard approval of the design of the sign shall accompany the application. Such a sign shall meet the provisions of free-standing signs in Section 206(B) with the exceptions that the sign may be within a town road right-of-way and the area of any informational signs described below shall not be included in the calculation of sign area.

b. Informational Signs (permit required)

1. The sign structure of a main sign described above may be used to display up to 6 small informational signs. Such signs shall be 20 inches wide by 18 inches tall in size and shall contain, as a minimum, information such as meeting times and/or places, or other such helpful information.
2. Each of these informational signs shall require a permit and shall be issued on a first come-first serve basis. Applicants who are not issued a permit due to the limit on the number of signs shall be put on a waiting list.
3. The signs shall be considered temporary, with a time limit of two years from the effective date of the permit. This is to allow for the rotation of signs, should more than 6 groups wish to display such a sign. Once a permitted sign has been up for two years, the applicant that is first on the waiting list shall be issued a permit and shall replace the sign that has met its time limit. If there is no waiting list, the permit shall be renewed for the expired sign and it shall be allowed to remain for another two-year term.

G. Real Estate Signs (no permit required)

Signs advertising the sale or lease of real estate shall follow state Real Estate Commission sign regulations:

H. Gas Station Signs (permit required)

1. Free-standing on premise gasoline signs may be permitted not to exceed 40 square feet. Additional gasoline price signs shall be confined to the pump islands.
2. No signage shall be permitted on a gas station canopy except for logos (no lettering unless an integral part of a logo).
3. Signage advertising products for sale on the premises do not require a permit and may only a) be attached to the top of the gas pumps provided they do not exceed 2 square feet and b) be attached to the ends of the gas pump islands provided they do not project more than 6 inches on either side of the width of the pumps within the island.

Town of Randolph – Sign Ordinance

SECTION 208 - COMMON SIGNAGE PLANS

A. Purposes

For properties with more than one principal building, and for a building with more than one tenant or use, common signage plans recognize the unique and/or intensive signing needs of these properties. The goals of common signage plans are not to promote more numerous or larger signs, but to promote communication, safety and aesthetic compatibility.

B. Applicability

1. Where signs are proposed, a common signage plan shall be required for all approved planned unit developments.
2. An application may be submitted for a common signage plan if one or more of the following conditions are met, for which a combination of two or more contiguous lots (disregarding intervening streets, alleys or easements) may be used to satisfy:
 - a. The property is approved as a planned residential development.
 - b. The property contains multiple buildings utilizing shared access and/or parking facilities.
 - c. The building contains multiple users.

C. Application Requirements

1. An application for common signage plan approval shall be filed with the Sign Officer on a form furnished by that person. The application shall be signed by all property owners included in the common signage plan.
2. A fee in the amount as set by the Selectboard shall accompany each application.
3. The following additional information shall also, as a minimum, accompany each application:
 - a. The approved site plan for the properties involved.
 - b. An accurate indication on the site plan of the proposed location of each present and proposed sign of any type.
 - c. A table showing the following for each sign indicated in item b above:
 - i. Sign type (i.e. - building, etc.).
 - ii. Maximum sign area and dimensions.
 - iii. Height and projection distances, as applicable.
 - iv. Description of lighting, as applicable.
 - d. Computation of total signage area.
4. All information submitted shall have a title block with the following information on each page or sheet:
 - a. Property tax map number
 - b. Property location (street address)
 - c. Name of property owner(s)
 - d. Date

Town of Randolph – Sign Ordinance

- e. Name of applicant(s)
 - 5. An application shall be deemed complete when it contains all the information required in this section.
 - 6. The Sign Officer may seek a recommendation on the common signage plan from the Development Review Board. Regardless of whether such recommendation is sought, the Sign Officer shall take action on a complete application for common signage plan approval within 45 days of deeming it complete. Such action shall be to either approve, approve with conditions or deny. No application shall be approved unless it conforms to this ordinance. A complete application that the Sign Officer fails to act on within the prescribed 45 days shall be deemed approved on the 46th day.
 - 7. Notwithstanding the other provisions of this ordinance, signs that are part of a common signage plan shall receive a Sign Permit prior to installation and shall adhere to the provisions of Article 1.
- D. Binding Effect
- After approval of a common signage plan, no sign shall be erected, placed, painted, or maintained, except in conformance with such plan, and such plan may be enforced in the same way as any provision of this ordinance. In case of any conflict between the provisions of such a plan and another provision of this ordinance, the ordinance shall control.
- E. Amendments to an Approved Common Signage Plan
- An approved common signage plan may be amended by filing a new common signage plan in accordance with this section and shall conform with all requirements of the ordinance then in effect.

SECTION 209 - DIRECTIONAL SIGNS

- A. Directional signs are allowed only on an existing street post on highways over which the Town has jurisdiction, except Class I town highways.
- B. No more than two directional signs are allowed per street post. Directional signs on the same street post shall be for different businesses or entities.
- C. A business or other entity served by a directional sign shall be limited to 2 directional signs. Directional signs for personal residences and home occupations shall not be allowed. No advertising other than the name of the business or other entity served by the sign shall be allowed on the sign.
- D. Directional signs shall be white with green lettering and measure no more than 6 inches by 30 inches. Lettering is to be a maximum of 4 inches by 1.5 inches per character. A total of 20 characters, not including spaces, are allowed on each side and both sides shall be identical.
- E. The permittee shall be responsible for the costs of the sign and the initial sign placement. A directional sign, once authorized, shall be purchased by the Town for the permittee.
- F. The Town shall be responsible for the maintenance of the sign and sign-post. For this service, the permittee shall pay an annual fee as set by the Selectboard.

ARTICLE III
DEFINITIONS

SECTION 301 - RULES FOR THE CONSTRUCTION OF LANGUAGE

Words in the present tense include the future tense, the single number includes the plural and vice-versa unless the context clearly indicates to the contrary. The word "person" includes a partnership, corporation, or other entity. The word "building" includes the word "structure" and visa-versa. The word 'shall' is always mandatory, and not discretionary. The word "may" is permissive.

SECTION 302 - WORDS DEFINED

For the purpose of this ordinance, the following words shall have the meaning contained herein:

Abutter - Any landowner whose property is within 300 feet of any portion of the applicable property of an applicant or permittee.

Applicant - The legal owner of the property applying for a Sign Permit or other approval as herein required.

Banner - Any sign of lightweight fabric or similar material that is mounted to a pole which advertise sales, special products and which constitute a form of advertising (i.e. not banners which say such things as "open" or "sale").

Building - Any structure having a roof supported by columns, and intended for the shelter, housing or enclosure of person, animal, activities or materials. "Structure" shall be synonymous with "building." All buildings shall be as defined herein unless designated as accessory.

Change of Use - The alteration or conversion of an existing use of a structure or property.

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.

Day - Each calendar day.

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

Fluorescent Colors - Colors that reflect not only their own color, but also convert the shorter wave lengths into radiant energy causing them to appear 3 - 4 times as bright as ordinary color.

Lightposts - The decorative street-lights installed primarily in the downtown area.

Light poles - The support structure for pole-mounted lights.

Lot - A parcel of land designated as a separate parcel on the tax maps maintained by the Town. "Lot" shall be synonymous with "parcel" and "premises."

Modification - Any alteration, reconstruction or replacement of any component or aspect of the sign except for character alterations of signs which are designed to change a message on a regular basis, such as reader boards, theater marquees and pricing signs.

Permit - A written authorization issued by the Town.

Permittee - An applicant, as defined herein, who has been issued a Sign Permit.

Town of Randolph – Sign Ordinance

Person - An individual, a corporation, a partnership, an association and any other incorporated or unincorporated organization or group.

Public Hearing, Duly Warned - An open meeting whereby a notification of the meeting is published or in a newspaper of general circulation in the Town or on the Town's Web Site and at least 3 public places within the Town including in or near the Town Clerk's office. Such notification shall include the date, time and place of the hearing, and the reason for the hearing.

Sign - Any structure, display, device or object, permanent or temporary, visible from a public place, made of any material, the purpose of which is to convey either a commercial or non-commercial message by means of graphic presentation or alphabetic or pictorial symbols or representations.

Sign, Appendage - An appendage to a sign which is of a temporary nature or changes on a regular basis and which is incorporated into or under a permanent sign.

Sign, Building - A sign that is flush-mounted with any part of a building, including windows.

Sign, Canopy - A 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.

Sign, Directional - A sign which indicates or directs the public to the location of a legal business, industry, home occupation or cultural, educational or other legal entity and which is located on a street post.

Sign, Directory - A sign designed to provide a listing of businesses, organizations, or entities at the location the sign is erected.

Sign, Free-standing - A sign having its own supporting structure independent of any building.

Sign, Incidental - 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," and other similar directives. No sign with a commercial message legible from a position off the lot on which the sign is located shall be considered incidental.

Sign, Home Occupation - A sign which identifies a permitted home occupation as defined in the Zoning Regulations.

Sign, Non-Conforming - A sign that does not conform to the requirement of this ordinance but which conformed with all applicable laws, ordinances, regulations intended to regulate and/or control the size, nature, location and illumination of signs within the Town at the time the sign was first established.

Sign, Portable - A sign mounted on wheels or trailers or a sign mounted on a vehicle if that vehicle is located primarily for fixed display.

Sign, Projecting - A sign that is wholly or partially dependent upon a building for support and which projects away from such building by 6 inches or more.

Sign, Real Estate - A temporary sign advertising the sale, lease or rental of the property or premises upon which it is located.

Sign, Roof - A sign that is mounted on the roof of a building or which is wholly dependent upon a building for support and which projects above the point of a building with a flat roof, the eave line of a building with a gambrel, gable or hip roof or the deck line of a building with a mansard roof.

Town of Randolph – Sign Ordinance

Sign, Sandwich Board - A portable sign, typically constructed or shaped in the form of the letter "A" that generally advertises daily restaurant menus, retail sales or other short-term activities.

Sign, Soffit - A sign hung from and within an overhang, which is attached to a building or structure and which covers a walkway serving the building or structure.

Sign, Structure - A structure that supports, has supported or is capable of supporting a sign, including the decorative cover.

Sign, Temporary - A sign intended to display either commercial or non-commercial messages of a transitory or temporary nature. In any event, a temporary sign shall not be in place and unchanged for more than 2 months in any 12 month period unless a longer period is specifically allowed.

Sign, Window - A sign applied, painted or affixed to or in the window of a building and intended to be visible to the exterior environment. A window sign may be temporary or permanent. Small signs incorporated into a window display of merchandise and measuring no more than 100 square inches shall not be considered window signs.

Sign Officer - The legally designated representative of the Town acting under authority of this ordinance. The Sign Officer may be the Zoning Administrator or other town official.

Signage - A commercial or non-commercial message by means of graphic presentation or alphabetic or pictorial symbols or representations.

Street Post - A sign installed and maintained by the Town that indicates the name of the street or streets at an intersection or along a town highway.

Town - The Town of Randolph, Vermont.

Town of Randolph - Sign Ordinance

First adopted by the Randolph Selectboard on the ____ day of _____, 2020.

Trini Brassard, Chair

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