**Sign Bylaw** **Questions from Town Counsel** **August 2016**

1. The diagram included with the definition of "awning sign" includes a slightly different term, "canopy sign," which I think is confusing. Is there a need to distinguish between an awning and a canopy at all? If there is, I think we should at least delete the term "canopy sign" from the diagram. Removing the diagram with the "canopy" is an easy fix.

2. Can you explain what the intended difference is between an "animated sign" and an "electronic sign"? Are these supposed to be regulated differently? Maybe Nick can clarify this.

3. I am struggling with the intended distinction between the terms "Animated Sign" and "Electronic Sign." I had originally thought that the key distinction was that animated signs are electronic signs that change more than 8 times per day. However, once I got to the definition of "Reader Board," I am not so sure. Maybe Nick can clarify this.

4. The definition of "roof line" doesn't use the same terminology as the drawing, which makes it confusing, especially since the definition does not seem (at least to me) to match common understanding. Note that the term "roof line" is used elsewhere in the Zoning Bylaw, without a definition. You should check with Glen Redmond to see how his office has been interpreting the term. The definition seems right to me, but I will check with Glen.

5. Please also check with Glen regarding how the height of structures is currently measured. I think that "sign height," as it appears in the draft, may be inconsistent. I checked with him on this a month or so ago and he agreed with Nick's pictures and with the proposed definition.

6. I am not clear what is intended by section 8.3.b.3 (8.3.i.3), pertaining to flags. Are these restrictions intended to apply to all flags or only to flags that do not qualify as government signs? Also, is it intended that flags in residential districts are not to be subject to these restrictions? Or should I read this section to mean that flags are permitted only in the Business and Industrial Districts (which would certainly raise a few eyebrows!)? I think it means that flags in residential districts are not subject to these restrictions. Should they be?

7. While I am at it, section 8.3.b.3 (8.3.i.3) seems to be inconsistent with section 8.5.1.d.
    - The former states: Any establishment located in a Business or Industrial Zoning District may display during hours of operation:

      i A flag not exceeding four (4) feet by six (6) feet, with a minimum ground clearance of eight (8) feet over walkways, sidewalks and entrances of businesses. Ground clearance shall be defined as the distance between the lowest hanging portion or bottom of the flag and the grade directly below.

    - While the latter states: Temporary signs located on a lot containing a business that is sponsoring an opening or re-opening, open house, a special sale or a promotional event, are allowed, provided that:

      - Non-illuminated temporary banners, flags, balloons and streamers are allowed provided that they are mounted in a way that does not pose a hazard to pedestrian or vehicular traffic and sight lines as determined by the Zoning Enforcement Officer.

Can you help me sort out what the intended meaning is? I see where the confusion comes from. I think the intention in 8.3.i.3 is to allow a business to display a flag every day during hours of operation, and that the intention of 8.5.1.d is to allow any number of temporary flags for the duration of a grand opening or re-opening. I'm thinking the easiest way to clarify this would be to move 8.3.i.3 OUT of the temporary section (as it can be daily), and add "in addition to any permanent flag on site" to 8.5.1.d.

8. Section 8.4.d prohibits "Internally illuminated signs, unless the background or signboard completely blocks illumination or glow except through the characters, letters and graphics." However, section 8.5.3 allows signs with halo lighting in the Business-B District. Are these two provisions inconsistent? Maybe Nick can clarify this. Maybe we should just remove "internally illuminated signs" from the general prohibition section, as we do allow for them in some instances.

9. Section 8.4.f uses the term "backlit," but does not define it. What does it mean? Is it related to halo lighting? Also, why are modern, energy-saving technologies such as LED being prohibited? Is that really intended? This was carried over word-for-word from the existing Bylaw. The goal this year is to recodify, not to change the rules, of the Sign Bylaw.

10. The definition of "off-premises sign" includes signs affixed to motor vehicles. Such signs are prohibited in section 8.4. Can you confirm that the intent is not to prohibit commercial vehicles identifying and promoting the business in which the vehicle is used? Yes, I can confirm this. The language is intended to prohibit signs on vehicles that park 24/7 in public or unregulated lots, and not on moving vehicles or on vehicles that park at their place of business, etc. I think this is clunky though, and that "signs affixed to vehicles" should be modified or removed. Do we want to or have time to even regulate this?

11. Section 8.5.1.a provides, in pertinent part, that "All awnings and canopies shall have a minimum ground clearance of eight feet. Ground clearance shall be measured between the lowest point of the awning or canopy and the ground or sidewalk." This provision does not seem to belong in the sign bylaw (even though that is where it is today). Would you like me to suggest someplace else to put it? Or would you rather just delete it? The Commission should discuss this.

12. Section 8.5.1.b provides that "Bulletin boards are allowed, provided that no free-standing or wall-mounted bulletin board may exceed twelve square feet in size." Is there some other kind of bulletin board that I am not thinking of? Or is the intent of this provision that ALL bulletin boards must be 12 square feet or less? Good question.

13. Section 8.5.1.c provides that "Permanently affixed, weather resistant, individual letters that are not subject to wear and tear are permitted on the exterior of the window. Window Signs on the inside surface of the glass are preferred." I have publicly used the corresponding language of the existing Zoning Bylaw to illustrate the level of micro-regulation that Reading currently has. So I am a bit disheartened to see that it has survived. I tend to agree with this; however, the goal this year is to recodify, not to change the rules, of the Sign Bylaw.

Putting that bit of editorializing aside, here is my question: What is intended by "not subject to wear and tear"? Is there such a thing? Also, is some sort of standard intended by the preference for inside-the-glass sign? For example, are exterior letters allowed even if it would be possible to affix the identical letters to the interior of the glass? Let's revisit this next year.

14. Section 8.5.1 includes a provision stating: "Only one grand opening sign shall be permitted per business until the property undergoes a change of use or change of ownership." Obviously there is a problem with this provision because it regulates on the basis of the content of the sign, but I can fix that. But to do so, I need to understand what is intended. Is the idea that, whenever there is a change of use or ownership, one additional temporary sign (above the 4 otherwise authorized) can be permitted? Should there be a time limit for this extra sign? Do we even need this? Why not allow a business to have 4 grand opening signs if they want? I think we should just remove this bullet point.

15. Section 8.5.1.c states that either temporary or permanent signs may be attached to the inside of the glass surface of a window or door without a sign permit. Later is Section 8.5.1, however, temporary signs are made subject to sign permits. Assuming that inside-the-glass signs are intended to be exempt from the permitting requirement, are the remaining restrictions on the size and duration of temporary signs intended to be applied to inside-the-glass signs? Very good question. These things would be hard to regulate without a formal permit process.