

Permit Number: _____

**TOWN OF HILLSBOROUGH, NEW HAMPSHIRE
SIGN PERMIT APPLICATION**

INSTRUCTIONS

Please return the completed application form, supporting documentation as indicated on the checklist, and application fee to:

Planning Director
Town of Hillsborough
27 School Street
P.O. Box 7
Hillsborough, NH 03244
Phone: (603) 464-3877 ext. 227

APPLICANT

Name: _____
Last First MI

Mailing Address: _____

Phone/Email: _____

PROPERTY INFORMATION

Location (include street address and directions): _____

Assessor=s Map Number: _____ Lot Number: _____

OWNER OF RECORD

Name: _____
Last First MI

Mailing Address: _____

Phone/Email: _____

CONTRACTOR

Name: _____

Mailing Address: _____

Phone/Email: _____

DESCRIPTION OF PROPOSED CONSTRUCTION (include dimensions)

Estimated Value of Proposed Construction: \$ _____

APPLICATION CHECKLIST

- Site Plan
(Scaled site plan showing sign location in relation to buildings and lot boundaries.)
- Scaled Drawing of Sign
- Inventory of Existing Signs
(Include locations and dimensions for all signs on property.)
- Scaled Building Elevation
(For signs located on building.)
- Application Fee
(Fee is \$50.00 per sign permit.)

I hereby certify that to the best of my knowledge this proposal complies with all applicable local, state and federal regulations and I understand that noncompliance with any applicable regulation may result in the revocation of this permit, if issued.

Signature of Property Owner

Date

Application Fee Paid: \$ _____

STAFF RECOMMENDATION

Planning Director

___ Approved Conditions: _____

___ Denied Reason: _____

Date: _____

Hillsborough Official

§229-35. Signs [Repealed and Replaced ATM Art 5 3-15-2017]

1) Purpose and Intent

This Article is adopted for the regulation of signs within the Town of Hillsborough (the “Town”) and is based on the compelling governmental interests of preventing hazards to vehicular and pedestrian traffic safety by controlling the number, location and placement of signs; providing easy recognition and legibility of permitted signs and uses and promoting visual order and clarity on the streets; facilitating efficient communication by implementing design criteria that produces signs which can be easily read, recognized, and without distracting elements; complementing the historic and scenic character of the Town; and supporting business and community vitality by informing the public of available goods, services and activities. Accordingly, this Article regulates the size, color, illumination, movement, materials, location, height and condition of all signs placed on private property for exterior observation.

Signs perform important functions that are essential for public safety and general welfare, including communicating messages, providing information about goods and services, orienting and directing people, and are a form of protected free speech under both the United States and New Hampshire Constitutions. It is the intent of this ordinance to provide a content-neutral regulatory scheme for the placement of signs consistent with the purpose of this ordinance to further public safety and general welfare.

2) This Article does not regulate every form and instance of visual communication that may be displayed anywhere within the Town. Rather, this Article is intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the purposes set forth above.

3) This Article is not intended to and does not apply to signs erected, maintained, or otherwise posted, owned or leased by the State of New Hampshire (the “State”), the federal government or the Town. The inclusion of “government” in describing some signs does not intend to subject the government to regulation, but instead, helps illuminate the type of sign that falls within the immunities of the government from any regulations.

A. **Definitions** As used in this section, the following terms shall have the meanings indicated:

ANIMATED SIGN: The presentation of pictorials and graphics on signs displayed in a progression of frames which give the illusion of motion, including but not limited to the illusion of moving objects, moving patterns or bands of light, or expanding or contracting shapes

AREA and HEIGHT: The area of the smallest rectangle or circle within which the entire sign can fit; excluding structural supports which do not contribute through shape, color, or otherwise to the sign's message; but including any separate surface, board, frame or shape on or within which the sign is displayed.

The height of a sign shall be measured to the highest point of the sign, including any structural or ornamental projections above the sign proper, from the average ground level above which the sign is located. For signs the components of which are painted or engraved on, or otherwise applied directly to a building or other structure, the sign area shall include any background of a different color, material or appearance from the remainder of the wall or structure, and shall in any event enclose all letters, figures, or representations related to the sign. The dimensions of a sign shall be the length and width of such a rectangle or the diameter of such a circle.

BUILDING FRONTAGE: The length of the exterior building wall or walls that is visible from a public street and runs parallel to said street. Further building frontage shall mean that side of the commercial building which runs along the primary public street access. In no instance shall this calculation be inclusive of more than one side of a commercial building.

CHANGEABLE COPY SIGN: A sign designed to allow the changing of copy through manual, mechanical, or electrical means. A CHANGEABLE COPY SIGN shall not be animated.

DILAPIDATED SIGN: A sign where elements of the display area or panel are visibly cracked, broken or discolored, where the support structure or frame members are visibly corroded, bent, broken, torn, or dented or where the message can no longer be read under normal viewing conditions.

FEATHER OR TEARDROP SIGN: A free standing flag not attached to any building in a shape similar to that of a feather or a teardrop.

GOVERNMENT SIGN: Shall mean a sign that is constructed, placed or maintained by the federal, state or local government or a sign that is required to be constructed, placed or maintained by the federal, state or local government either directly or to enforce a property owner's rights.

GROUND SIGN: A sign erected on a freestanding frame, mast or pole and not attached to any building.

GRANDFATHERED SIGN: Shall mean any nonconforming sign in any zone legally in existence prior to the enactment of this Article.

ILLUMINATION: The directing of light onto a sign, whether the light fixture is located on the ground or attached to the sign structure, or lighting of a sign from a light source internal to the sign itself

NAMEPLATE: A nonelectric sign, affixed to the facade of a building, identifying only the name and occupation or profession of the occupant of the premises on which the sign is located. If any premises includes more than one occupant, "nameplate" means all names and occupations or professions as well as the name of the building and directional information.

OFF-PREMISES SIGN: Any sign visible from a public right-of-way not located on the premises where the sign is installed and maintained.

ON-PREMISES SIGN: Any sign visible from a public right-of-way if located on the premises where the sign is installed and maintained.

PORTABLE SIGN: A sign that is not permanently affixed to a structure or the ground not to exceed fifteen (15) square feet in sign area per face may be located on any property for a maximum of 90 calendar days. Portable signs shall include but are not limited to signs mounted upon a trailer, bench, wheeled carrier or other non-motorized mobile structure with or without wheels.

PREMISES: A lot or parcel and all of the buildings located thereon.

PROJECTING SIGN: A sign other than a wall sign which is attached to and projecting more than 18 inches from a building face or wall.

ROOF SIGN: A sign erected upon, against or directly above a roof or on the top or above the parapet of a building.

ROTATING SIGN: Any sign or portion of a sign which moves in any manner.

SIGN: Shall mean a name, identification, description, display or illustration, which is affixed to, painted, or represented directly or indirectly upon a building, or other outdoor surface which directs attention to or is designed or intended to direct attention to the sign face or to an object, product, place, activity, person, institution, organization or business. Signs located completely within an enclosed building, and not exposed to view from a street, is not considered a sign.

SIGN STRUCTURE: Any structure which supports or is capable of supporting a sign, including decorative cover. A sign structure may be a single pole and may or may not be an integral part of a building or structure.

TEMPORARY SIGN: Any banner, pennant, poster or advertising display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood or other like materials and that appears to be intended or is determined by the Code Enforcement Officer to be displayed for a limited period of time. If the sign display area is permanent but the message displayed is subject to periodic manual changes, that sign shall not be regarded as a temporary sign.

WALL SIGN: Any sign attached to, painted on or erected against any wall of a building or structure so that the exposed face of the sign is on a plane parallel to the plane of the wall.

WINDOW SIGN: A sign located on a window, which is visible from the exterior.

C. General Provisions

1) Prohibited Signs—Signs, are prohibited in all zoning districts unless:

- a) Constructed pursuant to a valid permit when required by this Article.
- b) Authorized under this Article; or
- c) Specifically exempted under this Article

2) Signs Authorized without a Permit

- A. Grandfathered signs shall be replaced within one (1) year of their discontinuance with a sign which does not exceed in size that which it replaces. A sign larger or less conforming in any other aspect shall require a variance from the Zoning Board of Adjustment.
- B. A nonconforming sign shall be allowed to continue in a nonconforming status until its use has been discontinued for a period of one year. At that time, it shall be removed promptly by the property owner. When replacing several signs, the total square footage of the new sign(s) shall not exceed the aggregate square footage of the sign(s) to be replaced. The number of replacement signs shall not exceed that of the grandfathered status and shall not be less conforming in any way.
- C. This Article does not apply to signs erected, maintained or posted by the State, federal or Town government, government signs which form the expression of the government when erected and maintained in accordance with applicable law are allowed in every zoning district.
- D. Each property owner must mark their property using numerals that identify the address of the property so that public safety departments can easily identify the address from the public street. Unless otherwise required under this Zoning Ordinance or other law, the identification must be curbside and may be on the principal building on the property. The size and location of the identifying numerals and letters must be proportional to the size of the building and the distance from the street to the building. In cases where the building is not located within view of a public street, the identifier must be located on the mailbox or other suitable device such that it is visible from the street.
- E. Where a federal, State or local law requires a property owner to post a sign on the

owner's property to warn of a danger or to prohibit access to the property either generally or specifically, the owner must comply with the federal, State or local law to exercise that authority by posting a sign on the property.

- F. The signs described in Section C (2)(a) – (d) of this Article are an important component of measures necessary to protect the public safety and serve the compelling government interest of protecting traffic safety, serving the requirements of emergency response and protecting property rights or the rights of persons on property.

G. Temporary Signs:

- 1. All Temporary Signs shall be securely constructed and properly secured and shall be placed in such a location as to not endanger vehicular or pedestrian traffic by obscuring a clear view or by creating confusion with official street signs or signals.
- 2. Temporary signs shall not be illuminated.

3) Permit Application Process

- A. No permanent sign shall be placed, erected, constructed, or altered within the Town without a permit for such sign unless otherwise exempted.
- B. Application for a Sign Permit shall be made on blanks provided by the Office of the Selectmen and shall contain the following information:
 - 1. Name address and telephone number of the applicant as well as the name, address, and telephone number of the land and/or building owner, if applicable
 - 2. Location of the property where the sign is to be erected
 - 3. Scaled drawing showing the position of the sign in relation to the streets, rights-of-way, buildings, etc.
 - 4. Scaled drawing of the sign, including all alpha numeric text and images stating the colors to be used
 - 5. Name address and telephone number of the firm or person erecting the sign
 - 6. Written consent of the owner of the property if different than the applicant
- C. It shall be the duty of the Selectmen or their designee to examine the Sign Permit application and corresponding plans and specifications for a proposed sign, and, if necessary, inspect the location for the sign within 15 days. If it shall appear that the proposed sign is in full compliance with all pertinent regulations, a permit shall be issued by the Selectmen. Upon reaching a decision, the applicant will be notified by the Selectmen. The permit shall expire within one year if the sign is not erected.

4) Regulations Applicable to All Signs

- a) No sign shall be placed in a manner that will endanger traffic by obscuring the view, by confusion with official signs, by glare or by flashing light, or by any other means.
- b) No sign shall use animated, moving, flashing images or text.
- c) No sign shall emit audible sound, noise, or visible matter.

- d) Every permanent sign shall conform to the setback provisions of the zoning district within which the sign is located.
- e) Portable signs are permitted provided that they comply with the location, size and use restrictions in this ordinance.
- f) The copy on any commercial sign may be substituted with noncommercial copy.
- g) Flags shall be exempt from this ordinance.
- h) Signs shall not be mounted on utility poles.
- i) Externally lighted signs shall be illuminated from the top only, and the lighting fixtures shall be fully shielded.
- j) Signs that are dilapidated or that advertise a business no longer conducted or a product or service no longer available shall be removed within one year.

5) Directional Signs

- a) In order to maintain public safety, temporary off-premises ground mounted commercial directional signs, relating to businesses within the Town of Hillsborough, are permitted in all zoning districts. Such signs shall have a maximum area of 6 sq. ft. Commercial directional signs for any one business shall not exceed one (1) every one-quarter (1/4) mile length of road.
- b) Non-commercial ground mounted directional signs are also permitted within all zoning districts. Such signs will conform to the general signage requirements as to location and size as found in this Article.

D Specific Sign Regulations by District

1) Commercial District

- a) These regulations shall relate to commercial signage within the Commercial Zoning District.
- b) Permanent Signs:
 1. The maximum allowable total area for all permanent signs shall not exceed two square feet of sign area for every one lineal foot of building frontage. The term “building frontage” in this context shall mean that side of the commercial building which runs along the primary street access. In no instance shall this calculation be inclusive of more than one side of a commercial structure.
 2. Ground Signs: One ground sign is allowed per property. A property on a corner facing two or more streets may have two ground signs. The maximum height for a ground sign is 20 feet and the maximum area is 150 square feet [Amended 3-12-2013 ATM by Art. 2]
 3. Wall Signs: Wall signs are permitted. The maximum size height for a wall sign is 40% of the width of the wall on which it is placed. A wall sign shall not protrude above the wall on which it is located.
 4. Projecting Signs: Projecting Signs are permitted. This type of sign shall not project more than five feet from the supporting building façade. A minimum clearance of eight feet must be maintained between the sign and the finished grade. The maximum height for a projecting sign shall not exceed the height of the wall on which it is located.

5. Temporary Signs: Temporary signs are permitted subject to the requirements of Section C (2) (f) of this article.

2) Central Business District

a) These regulations shall relate to commercial signage within the Central Business District.

b) Permanent Signs:

1. The maximum allowable total area for all permanent signs shall not exceed one square foot of sign area for every one lineal foot of building frontage. The term “building frontage” in this context shall mean that side of the commercial building which runs along the primary street access. In no instance shall this calculation be inclusive of more than one side of a commercial structure.
2. Ground Signs: One ground sign is allowed per property. A property on a corner facing two or more streets may have two ground signs. The maximum height for a ground sign is 18 feet and the maximum area is 50 square feet [**Amended 3-12-2013 ATM by Art. 2**]
3. Wall Signs: Wall signs are permitted. The maximum size for a wall sign is 40% of the width of the wall on which it is placed. A wall sign shall not protrude above the wall on which it is located.
4. Projecting Signs: Projecting Signs are permitted. This type of sign shall not project more than five feet from the supporting building façade. A minimum clearance of eight feet must be maintained between the sign and the finished grade. The maximum height for a projecting sign shall not exceed the height of the wall on which it is located.

3) Residential Districts

- a) Home Businesses: Persons conducting an approved Home Business may further erect a single permanent sign not exceeding six (6) square feet in area.
- b) Non-commercial temporary signs are permitted in residential districts per C(2)(e) of this Article.

4) Historic District Adopted ATM 3-10-20

- A. Signs in the Historic District are not to exceed four (4) square feet.
- B. All signs located in the Historic District require a Certificate of Approval from the HDC in addition to a Sign Permit from the Building Department
- C. Temporary signs are prohibited in the Historic District.

D. SEVERABILITY

The invalidity of any provision of this Ordinance shall not affect validity of any of the provisions. If any section, clause, provision, or portion of this ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding will not affect or impair any other section, clause, provision or portion of this ordinance.

E. ENFORCEMENT

The enforcement of this Sign Ordinance shall be the duty of the Selectmen or its duly authorized agent.