

CHAPTER 28 - BREWER SIGN ORDINANCE

ARTICLE 1 - DEFINITIONS

SECTION 100. AUTHORITY. This Chapter is adopted pursuant to and consistent with Maine Home Rule Powers as provided for in Article VIII, Part 2, §1 of the State of Maine Constitution; Title 30-A M.R.S.A. § 3001; and the Brewer City Charter.

SECTION 101. For the purpose of this Chapter, the following words and phrases shall have the meaning ascribed to them in this section.

- (a) "ADVERTISING SIGN." Advertising sign shall mean a sign, which directs attention to a business, product, service, activity or entertainment not necessarily conducted, sold or offered upon the premises where such sign is located, but shall not include billboards.
- (b) "ANIMATED SIGN." Animated sign shall mean a sign, which has any moving light or lights, or has any moving parts.
- (c) "AREA OF SIGNS." Area of signs shall mean the total area, whether it is in one (1) sign or a number of signs. The area of signs composed of individual letters without background shall be taken as that enclosed by a series of lines jointed to form a perimeter bounding all parts of the display.
- (d) "ATTACHED SIGNS." Attached sign shall mean a sign attached to a building or other structure.
- (e) "BILLBOARD." Billboard shall mean a detached or free - standing sign having one (1) or more panels designed to contain informative messages of advertisement, which are changed from time to time.
- (f) "BUSINESS SIGNS." Business sign shall mean a sign which directs attention to a business, profession, product, service, activity or entertainment sold or offered upon the premises where such sign is located.
- (g) "DETACHED OR FREESTANDING SIGN." Detached or freestanding sign shall mean a sign that is not attached to any building or structure and is self-supporting structure.

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- (h) "DIRECTIONAL SIGN." An off-premise sign providing the traveling public information where a change of direction from a highway of regional significance to another public way must be made so as to reach a business or service.
- (i) "ERECT." Erect shall mean to construct, build, raise, assemble, place, affix, attach, create, paint, draw or in any other way, bring into being or establish. It shall not include any of the foregoing activities when performed as an incident to the change of advertising.
- (j) "FLASHING SIGN." Flashing sign shall mean a sign, the illumination of which is not kept constant in intensity at all times when in use, and which exhibits sudden or marked changes in such light or color effects. Illuminated signs, which indicate the time, temperature, weather or other similar information shall not be considered flashing signs.
- (k) "GUY." Guy shall mean a rod, stake, chain or wire used to stay or steady a sign.
- (l) "ILLUMINATED SIGN." Illuminated sign shall mean a sign, which has character, letter, figures, designs or luminous tubes as part of the sign or is internally lit.
- (m) "INDIRECTLY ILLUMINATED SIGN." Indirectly illuminated sign shall mean an illuminated, non-flashing sign whose illumination is derived entirely from an external artificial source and is so arranged that no direct rays of light be projected from such artificial source into residential zones or public streets.
- (n) "PROJECTING SIGNS." Projecting sign shall mean a sign which is attached to the building wall and which extends more than fifteen (15) inches from the face of such wall and is eight (8) feet above grade level.
- (o) "REVOLVING SIGN." Revolving sign shall mean a sign that rotates on an axis, turns, rolls or otherwise moves.
- (p) "SET BACK." Set back shall mean the distance from any street, highway or right-of-way line abutting a lot and shall also apply to the side and rear lot lines.
- (q) "SHOPPING CENTER." Shopping Center shall mean a privately owned area where two or more stores are grouped together and use a common, private parking lot.

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- (r) "SIGN." Sign shall mean any name, identification, description, display, illustration or devise which is affixed to or represented directly or indirectly upon a building, structure or land in view of the general public, and which directs attention to a product, place, activity, person, institution or business. A sign shall include writing, representation or other fixture or similar character within a building only when permanently installed, illuminated and located in a window.
- (s) "SIGN ASSEMBLY." A sign assembly is the tiering of more than one directional sign permitted under the provisions of this Chapter.
- (t) "NEIGHBORHOOD IDENTIFICATION SIGN." Neighborhood identification sign shall mean a sign display limited to the identification of a neighborhood or subdivision tract. The message display of such signage is limited to no greater than thirteen hundred (1300) square inches and use of a maximum size letter of seven (7) inches. Such signs are intended to include appropriate landscaping at the base of the message, be it a wall or free - standing sign.

ARTICLE 2 - GENERAL PROVISIONS

SECTION 201. SCOPE. This Chapter shall be known and may be cited as "The Brewer Sign Ordinance".

SECTION 202. MATTERS COVERED. This Chapter relates to the erection, construction or maintenance of signs erected or to be erected in the City of Brewer. If this Chapter conflicts with Chapter 24 Land Use Code, Article 4, Section 430 through and including 430.6, of the City of Brewer Charter, Codes and Ordinances, the provisions of Chapter 24 shall control.

SECTION 203. CHAPTER REMEDIAL. This Chapter is hereby declared to be remedial, and shall be construed to secure the beneficial interests and purpose thereof, which are to promote maximum safety, comfort and well-being of the highway user, to preserve and enhance aesthetic features of highways and to prevent unreasonable distraction.

SECTION 204. ALL NEW WORK TO CONFORM. No sign shall be hereinafter erected, altered, relocated, removed or replaced except in conformity with the provisions of this Chapter.

SECTION 204.1. No sign shall be altered in any manner that would be in violation of the provisions of this Chapter or of any authorized rule or approval of the Code Enforcement Officer made and issued thereunder.

SECTION 205. MAINTENANCE. It shall be unlawful to maintain a sign that has been erected or altered in violation of the provisions of this Chapter.

SECTION 206. SIGNS AFFECTED. The provisions of this Chapter shall apply to signs on buildings, land or over water and to street encroachments.

SECTION 206.1 The provisions of this Chapter shall not apply to warning, neighborhood identification, or directional signs on or near highway erected by the State or the City of Brewer or other signs erected or intended exclusively for the safety of persons using such highways but none of these shall be painted upon or annexed to any rock or tree and are subject to regulations and supervision by the Code Enforcement Officer to prevent or remove whatsoever will injuriously affect the public interest or public safety.

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Section 206.1.1

206.1.1 POLITICAL SIGNS AND POSTERS. Signs and posters bearing political messages relating to an election, primary or referendum, are permitted providing that these signs and posters may not be placed within any public right-of-way prior to six (6) weeks before the election, primary or referendum to which they relate and must be removed by the candidate or political committee not later than one (1) week thereafter. Such signs and posters located in public rights-of-way shall not be affixed to any utility pole, traffic sign or device. Political signs and posters may not be placed in or on any traffic islands or on the grounds of any city cemetery. Signs or posters erected outside of the Right-of-Way limits of public ways shall be limited to a maximum of 50 square feet. The Brewer City Clerk, or an agent of the City Clerk, any Brewer Police Officer and the Code Enforcement officer are empowered to enforce this Subsection of Chapter 28 of the Charter, Codes and Ordinances of the City of Brewer. Notwithstanding the above, nothing in the Sub-Section shall be interpreted as to prohibit any person from holding a political sign or banner on any traffic island provided such signs or banners do not, in the opinion of the Brewer Police Chief or his agent, deter the visibility of motorists traveling on any public highway. (#2)

ARTICLE 3 - PERMITS

SECTION 301. APPLICATION. No person, firm or corporation shall hereinafter erect any sign within or on any building, structure or premises publicly or privately owned, nor shall any alterations, relocations, removal or replacements of any sign be made without first securing a permit, therefor from the Inspector of Buildings.

SECTION 301.1. All applications for permits as specified above, shall be filed with the Code Enforcement Officer, upon forms furnished by him and shall be accompanied by plans, to scale, showing the area of the sign, the position of the sign in relation to adjoining buildings or structures, the location of the building, structure or lot to which or upon which the sign is to be erected, the method of illumination, if any, and such other information as the Code Enforcement Officer may require to assure full compliance with the Chapter.

SECTION 301.2 The Code Enforcement Officer shall review the application to determine if the same are found by him or her to conform to the provisions of law and this chapter, and the proposed installation or to the regulations hereinafter contained.

SECTION 302. SCHEDULE OF FEES.

Sign permit fees shall be established by order or resolve of the City Council. (#1)

302.1 Any person, firm, corporation or other legal entity who shall commence any work for which a permit is required by this Chapter without first having applied for a permit therefore shall pay double the permit fee fixed by this Chapter for such work, provided, however, that this provision shall not apply to emergency work when it shall be proved to the satisfaction of the Code Enforcement Officer, or his agent, that such work was urgently necessary and that it was not practical to apply for a permit therefor before the commencement of the work. Following the effective date of this Chapter, any person, firm, corporation or other legal entity who commences work before applying for a permit shall not be subject to paying double the permit fee for the first time that such failure to apply occurs but instead shall be issued a verbal or written warning by the Code Enforcement Officer, or his or her agent, that subsequent failures to apply for permits will result in the person, firm, corporation or other legal entity being subject to the payment of double the permit fee.

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Section 303 - 304

SECTION 303. LIMITATIONS. Should the work authorized by a permit granted under this Chapter not have commenced within six (6) months, or if the authorized work is suspended or abandoned for a period of six (6) months after the time of commencing, then and in that event, the permit shall become null and void and a new permit shall be required before any work may continue.

SECTION 304. OUTDOOR ADVERTISING. An annual permit shall be required for all billboards and off-premise advertising signs.

ARTICLE 4 - RESTRICTIONS

SECTION 401. ILLUMINATED SIGNS. All illuminated signs erected or maintained shall be illuminated by non-flashing and non-intermittent light or lights. All such signs shall be illuminated to prevent beams or rays of light from being direct at any portion of the public street or highway and shall not be of the intensity or brilliance to cause glare or impair the vision of the operator of any motor vehicle or to otherwise interfere with such operator.

SECTION 402. BILLBOARDS. Hereinafter, billboards may be erected in Industrial, Convenience Business and General Business Zones only with a size no smaller than 10' x 25' or larger than 15' x 50', and shall conform with regulations set forth in Article 5, Section 503 of this chapter. Billboards must conform to State law and other City Ordinances.

SECTION 402.1 Notwithstanding, any lawfully erected billboard in any zone other than Industrial, Convenience Business and General Business, and in existence on the date that this Chapter shall become effective, may remain and be maintained but shall not be enlarged or replaced.

SECTION 402.2 No billboard erected in a zone permitting billboards shall be erected within one hundred (100) feet from any existing billboard on the same side of the roadway.

SECTION 403. ATTACHED SIGNS. No sign shall be attached to, or obstruct, any window, door, stairway or other opening intended for ingress or for needed ventilation or light. Further, no sign shall be attached to any tree, fence or utility pole. Any City employee at the direction of the City Manager can remove said signs.

SECTION 404. SIGNS PAINTED ON BUILDINGS. Any existing sign that is painted directly on the surface of a building may remain and may be repainted, even though it may exceed the total allowable surface area of signs. Any new sign to be painted on the surface of a building must not exceed the total allowable surface area of signs.

SECTION 405. REVOLVING SIGNS. Revolving signs shall not revolve more than six (6) times per minute.

SECTION 406. No sign shall project over any lot line, public sidewalk, street or right-of-way line. No projecting sign shall be less than eight (8) feet above grade level.

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Exception: Projecting signs are allowed over public sidewalks in the convenience business (CB) and general business (GB) district provided that the following provisions are met:

- A. Each building may have one projecting sign oriented to each street on which the premises has frontage, identifying the building as a whole or it's, predominate use.
- B. Projecting signs must clear sidewalks by at least eight (8) feet, and shall project no more than four (4) feet from the building or to a point two (2) feet of the curb line, whichever is less.
- C. Projecting signs must be pinned away from the wall at least six (6) inches.
- D. Projecting signs are not permitted at the corners, except at right angles to a building front.
- E. No projecting sign may be displayed unless the building to which it is attached is twenty (20) feet or more in width, and no projecting sign may be closer than fifty (50) feet to any other projecting sign (unless one of the projecting signs consists solely of a symbol).
- F. Projecting signs may extend to the bottom of the eaves of a building.
- G. Projecting signs shall have a maximum area of seventeen and one half (17.5) square feet. Only one (1) side of a projecting double-faced sign shall be included in calculating surface area, providing that the two (2) display faces are joined at an angle no greater than sixty (60) degrees.
- H. BOCA code provisions as provided in Chapter 30 of the City of Brewer Charter, Codes and Ordinances relating to signs shall apply except Section 1911.3 (clearance). Solid wood shall be considered an acceptable material in Section 1911.1.

SECTION 406.1 SET BACK. All signs, except directional signs and except advertising signs permitted under Article 4, Section 407.1 of this Chapter and those projecting signs allowed in Article 4, Section 406 of this Chapter shall set back at least seven (7) feet from property or street right-of-way lines. Notwithstanding the above, signs on properties in the General Business (GB) District must be set back a minimum distance of twenty (20) feet from all property lines or street right right-of-way lines. The set back shall be determined from highway right-of-way, street or lot lines to that part of the sign that extends nearest to the said line, whether it be at ground level or above ground level. Signs supported by a post or posts or similar means of support may be located at the property right-of-way line but shall not project over nay lot line, public sidewalk, street or right-of-way line shall be not less than ten (10) feet above the grade level and no part of the

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Section 406.1 - 407.1

sign, sign support or any construction on or in the area of the sign supports shall be so located or constructed as to impair the vision of the operator of any motor vehicle or otherwise interfere with such operator. Notwithstanding the above, signs on properties in the General Business (GB) District must be set back a minimum distance of twenty (20) feet from all property lines or street right-of-way lines.
(#1)

SECTION 407. ADVERTISING AND BUSINESS SIGNS. No advertising sign or business sign shall be erected on any premises other than on the premises where that business or activity is located.

SECTION 407.1 EXCEPTION. A directional sign not larger than 2' x 4' which directs attention to a business not conducted upon the premises where such sign is located, shall be allowed for businesses having floor space of over one thousand (1,000) sq. feet; but said sign(s) may be located only at the intersection approaches of the street where such business is located, or which provides access to the business, provided that street intersects either South Main Street, North Main Street, Parkway South, Wilson Street, or State Street. Directional signs may be located within the highway right-of-way. Businesses so qualifying shall be eligible for a maximum number of two directional signs.

The following standards apply:

(A) Directional signs meeting Article 4, Section 407.1 of this Chapter shall be mounted with a maximum of three (3) directional signs per assembly.

Where practicable, signs shall be located two hundred (200) feet from traffic control signs or devices. Signs shall be located so as not to interfere with, obstruct, or divert a driver's attention from a traffic control sign or device or obstruct required distances at intersections and/or curb cuts.

Signs located near pedestrian and parking areas may be required to have a vertical clearance greater than the minimum.

Signs assemblies must be located within eight hundred (800) feet of the intersection where a change in traveling direction is required. Successive directional sign assemblies shall be spaced sufficiently apart for drivers to comprehend the messages contained thereon. In general, the minimum distance between sign assemblies shall be two hundred (200) feet.

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Traffic control signs or devices placed at intersection approaches subsequent to the placement of directional signs shall have precedence as to location and may require the relocation of directional signs.

(B) Signs shall have the following minimum clearances:

1. Vertical: five (5) feet from the lower edge of the sign
2. Lateral: three (3) feet from the edge of the curb face

(C) Signs sizes and details are as follows:

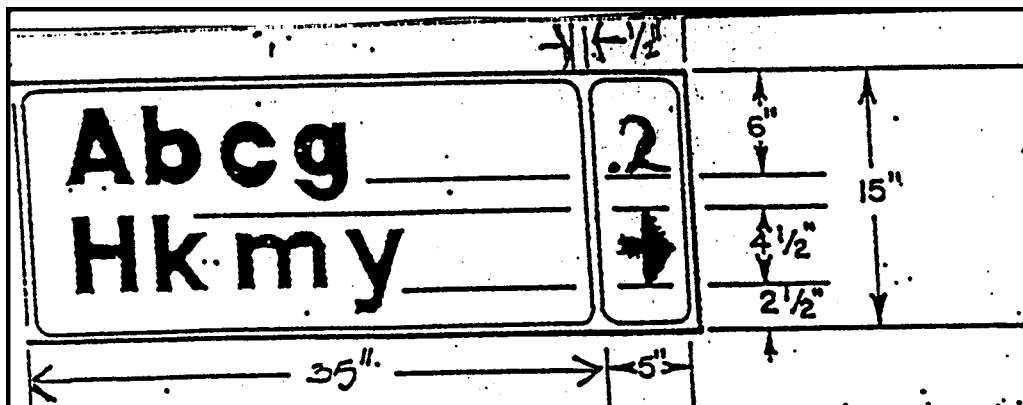
Signs permitted under this exception shall be uniform and standard in design, color and reflectorization.

The following standards in writing and illustrations apply:

1. Sign Size:
 - a. Signs on a road with posted speed limits of thirty (30) MPH or less:

Overall dimensions 15" wide, 40"
4" lettering (2 lines maximum)
Logos or symbols 8" maximum

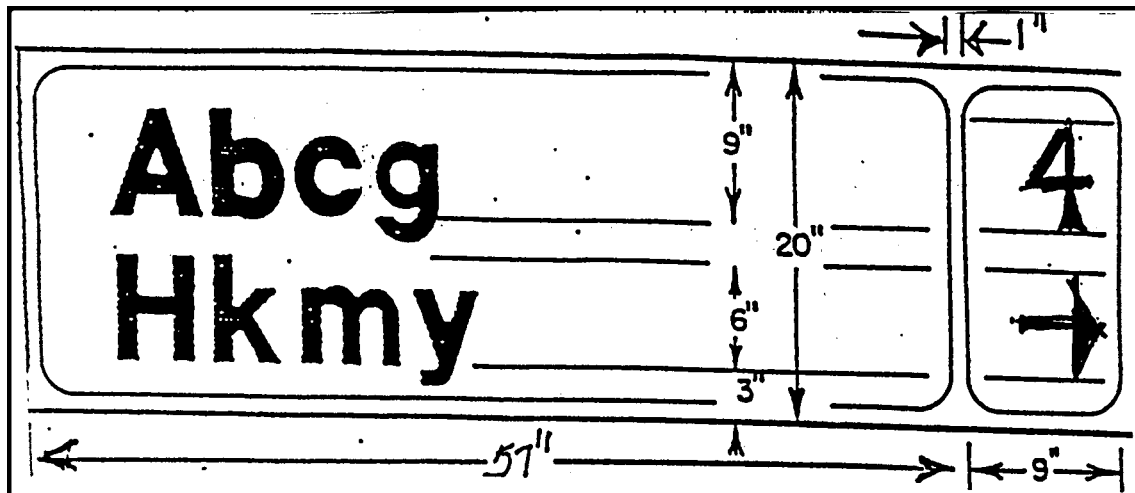
Maximum length of business name per line is thirty two (32) inches



- b. Signs located on a road with posted speed limits of thirty five (35) MPH or greater:

Overall dimensions 20" wide, 66" long
6" lettering (2 line maximum)
Logos or symbols 12" maximum

Maximum length of business name per line is fifty two (52) inches



All signs in a sign assembly shall be the same size. Sign sizes at a particular location must be consistent with the visual and aesthetic character of that location.

2. Color

The background color of all directional signs shall be "safety blue".

All legend and border shall be silver. The edges and back of the signboards shall be sealed and painted brown.

3. Layout

Sign legends shall be specific in identifying the name of the appropriate business. Messages, symbols and logos, which interfere with, imitate, or resemble any official traffic control device or serve to advertise rather than identify a business are prohibited. Logos or symbols intended for directional sign shall not be offensive to the public at large.

Sign legends shall begin in the upper left hand corner of the space provided. Sign line legends, if used, shall occupy the top line of the space starting in the upper left hand corner.

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Directional legend shall be located on the left edge or the right edge of the sign depending upon whether a left or right turn is required. The distance in miles from the intersection to the business, service facility, or point of interest shall be shown above the directional arrow.

The log or symbol, if used, shall be located on the opposite end of the sign from the directional arrow.

Layout of the signboard and legend including the logo and symbol shall conform to good graphic layout practices.

4. Material

Sign panel material shall be high-density overlaid plywood, a minimum of one-half (1/2) inch thick, or other material for the application of reflective sheeting and sufficiently stable not to deform under normal conditions of weather and use.

Signboards furnished by the applicant shall be installed by the City on signposts and mountings so constructed as to hold signs in a proper and permanent position.

All materials furnished shall be durable and weather resistant.

5. Installation & Maintenance

- a. Directional signs shall be furnished by the qualifying business. The signs shall be installed by the City on signposts furnished by the City, who shall be responsible for maintenance of the sign support;
- b. Directional signs that become lost, stolen, defaced, deteriorated or otherwise damaged shall be replaced by the qualifying business and reinstalled by the City;
- c. Failure to properly maintain the directional sign by the owner may result in removal of such signs by the City.

6. Permits and Fees

Application for directional signs shall be made with the Code Enforcement Officer on forms furnished by the City.

Directional sign applicants shall provide written documentation that the existence of the business is in conformity with all applicable laws concerning licensing, zoning, and building/electrical and plumbing permit requirements.

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Section 407.1- 407.2

Fees for directional signs shall be established by the City Council and consist of an application fee and a renewal fee. The application fee shall accompany the application and will not apply to installation for the remainder of the calendar year, but will not be prorated for any fractional part a year.

Renewal fees will cover annual permit based on a May to April each year. Renewal fees are due the first Monday of May. Failure to pay renewal fee within thirty (30) days will result in removal of signs.

- (D) 1. All direction signs assemblies and signs shall be kept in a state of repair, cleanliness and legibility.
2. The Code Enforcement Officer is authorized to order the removal of any sign or assembly, which is not maintained in accordance with provisions.

SECTION 407.1.1 EAST-WEST INDUSTRIAL PARK DIRECTORY AND ENTRANCE SIGNS. Indirectly illuminated directory and entrance signs in East-West Industrial Park may be erected within the public way subject to the approval of the City Engineer. Any such approval by the City Engineer shall be in writing and shall be filed with the City Clerk. Directory and entrance signs shall not exceed one hundred sixty (160) square feet in size.

SECTION 407.1.1.1 RECYCLING EFFORTS BY THE CITY OF BREWER. Nothing in this Chapter shall prevent the City of Brewer from erecting, maintaining, and repairing such signs as the Brewer City Council, in its sole discretion, may deem necessary and appropriate for advertising and promoting the City of Brewer's recycling efforts and/or to direct citizens to a recycling facility within the City of Brewer. Such signs shall not exceed one hundred sixty (160) square feet in size.

SECTION 407.2 NON-FUNCTIONAL SIGNS. It shall be unlawful for any sign to remain on display after it ceases to be functional. If a sign is found to be non-functional for a period of ninety (90) days, the owner shall be given written notice to remove same within ten (10) days after receipt of said notice. If the owner refuses or neglects to comply with the order, the City Council may order such sign to be removed by City personnel, and the owner thereof shall repay all expenses to the City within thirty (30) days after demand. Non-functional sign shall mean a sign displayed after the business or product advertised is no longer located, operating, or available on the premises to which the sign pertains.

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Section 408- 413

SECTION 408. HOUSE SIGNS. Signs pertaining to use, sale or lease of lot on which placed, shall be permitted but must not exceed eight (8) square feet in area.

SECTION 409. SIGNS FOR HOME OCCUPATION. Signs for home occupations shall be limited to one (1) nameplate, which may display the name of the occupant and/or the name of the home occupation. Such sign shall not exceed two (2) sq. ft. in area, shall be non-illuminated, and shall be attached to the principal structure or visible through a window in the principal structure.

409.1 Exception for Home Occupation in Low Density Residential Districts. Home occupations located on that portion of North Main Street which is in the Low Density Residential District (LDR), shall be allowed to display one (1) nameplate, which may display the name of the occupant and/or the name of the home occupation. Such sign shall not exceed four (4) square feet in area, shall be non-illuminated, and shall be attached to the principal structure or visible through a window in the principal structure.

SECTION 410. ANIMATED SIGNS. No sign shall be erected that is animated or has any moving parts.

SECTION 411. SURFACE AREA OF SIGNS. For projecting and double face signs only one (1) display face shall be measured in computing the total surface area if the sign faces are parallel or if the interior angle formed by the faces is sixty (60) degrees, both display faces shall be measured in computing the total face area.

SECTION 412. AFFIXED SIGNS. Signs affixed to any wall or roof of a building or signs composed of individual letters without a background, may be located on the edge of a roof or parapet wall on a flat roof or at the line of the eaves on other types of roofs. A sign affixed to any of the above locations shall not project more than three (3) feet above the area to which it is affixed as follows:

1. Edge of roof
2. Parapet wall on a flat roof
3. The eave line of other types of roofs
4. Top of wall at roof edge

SECTION 413. SIGNS WITH CONCEALED SPACES. Signs having concealed spaces shall be inspected and approved by the Inspector of Buildings before they are erected.

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Chap. 28 Art. 4&5
Section 414- 501

SECTION 414. ELEVATION OF SIGNS. No sign, either attached, detached or affixed to any wall of a building or roof, shall extend to an elevation greater than twenty-five (25) feet above the average ground level of the lot.

SECTION 415. Neighborhood Identification Signs. Neighborhood Identification signs smaller than thirteen hundred (1300) square inches of message identity may be permitted with the right of way provided:

- a) The non-illuminated signs are less than seven (7) feet in height.
- b) The location and arrangement of said signs is subject to review and approval of the Chief of Police and the City Planner.
- c) The sign's location shall be erected or installed in such a manner so as not to interfere with or obstruct access, activity or vision along such right of way.
- d) The sign shall be provided with a landscape base installed and maintained so as to complement the neighborhood identification sign.
- e) The neighborhood so requesting such shall be responsible for the care and maintenance of such landscaping.
- f) The permit period for such neighborhood sign is limited to three (3) years and renewable for periods of three (3) years. Failure of the neighborhood to care for and maintain the sign and landscape base will be deemed as non-compliance with the permit. The sign will be removed by the City at the expense of the neighborhood.

ARTICLE 5 - ZONE RESTRICTIONS

SECTION 501. SIGNS IN ALL RESIDENCE ZONES. In all residence zones, the following signs shall be considered accessory to the principal use of the premises on which they are located:

- (a) a single sign not over sixteen (16) square feet in an area attached to a building or detached and located in the front yard describing an apartment house or a conforming non-residential building or use.
- (b) in M.D.R.-1, H.D.R., and M.D.R.-2 Zones, signs not exceeding eight (8) square feet in area, pertaining to use, sale of lease of lot on which placed will be permitted.

SECTION 502. SIGNS IN FORESTRY AND AGRICULTURE ZONES AND LOW DENSITY RESIDENTIAL ZONES. In Forestry and Agriculture zones and Low Density Residential zones, the following signs shall be considered accessory to the principal use of the premises on which they are located:

- (a) A maximum of two (2) detached signs located in any front yard-describing farm products raised or produces on the premises. The display area of each sign shall not exceed twenty-five (25) square feet, except that a single double-faced sign may be erected with a display area not to exceed twenty-five (25) square feet on each side.

SECTION 503. SIGNS IN INDUSTRIAL, CONVENIENCE BUSINESS AND GENERAL BUSINESS ZONES. In Industrial, Convenience Business and General Business zones, signs may be located on any part of the premises as to face an adjoining lot in a residence zone and no sign shall be constructed in the rear property line or side property line of which abuts a lot in a residential zone.

SECTION 504. SIGNS IN INDUSTRIAL ZONES. In Industrial zones, the following signs shall be permitted.

- (a) Attached, detached or projecting signs, single or double faced, identifying uses of goods sold or services rendered on the premises aggregating four (4) square feet of area for every running foot of building frontage based upon the building street address. (#1)

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Section 505 - 506

SECTION 505. SIGNS IN CONVENIENCE BUSINESS ZONES. In Convenience Business Zones, the following signs shall be permitted:

(a) Attached signs identifying uses or services rendered on the premises, aggregating four (4) square feet in area for every running foot of building frontage. Such signs may be affixed to any wall of a building or signs composed of individual letters without a background may be located on the edge of a roof or parapet wall on a flat roof or at the line of the eaves on other types of roof.

SECTION 506. SIGNS IN THE GENERAL BUSINESS ZONE. (#1)

Free Standing Signs:

All single use tenancies are allowed up to one 100 sq. ft. free standing sign.

Multi-use tenancies up to 4 tenants are allowed up to one 100 sq. ft. free standing sign.

Structures up to 20,000 sq. ft. with 1-4 tenants are allowed up to one 100 sq. ft. free standing sign.

Structures 20,001 sq. ft. to 80,000 sq. ft. with 5 or more tenants are allowed up to one 200 sq. ft. free standing sign.

Structures 80,001 sq. ft. and up with 5 or more tenants are allowed up to one 300 sq. ft. free standing sign.

Building Façade Signs:

Single or multi-use up to 20,000 sq. ft.: 2 sq. ft. per linear foot of building frontage based on the building street address.

Single or multi-use 20,001 sq. ft. to 80,000 sq. ft.: 3 sq. ft per linear foot of building frontage based on the building street address.

Single or multi-use 80,001 sq. ft. and up: 4 sq. ft. per linear foot of building frontage based on the building street address.

If development is bounded by more than one street and accessed by more than one entrance on another street, and any one entrance sign can not be seen from the other entrance, one other free standing sign of one third the allowed square footage of the allowed free standing sign shall be permitted at the second entrance. No more than two (2) free standing signs shall be allowed per site.

Maximum height: 25 feet
Setback requirements: 20' from all property lines or street right-of-way lines.

ARTICLE 6 - SHOPPING CENTERS

SECTION 601. ATTACHED SIGNS. In Shopping Centers developed under a single ownership, each store or shop front may have an attached sign aggregating four (4) square feet of area for every running foot or its frontage except for the General Business (GB) District where all signs must meet requirements of Article 5, Section 5065 of this chapter. However, no attached sign or supporting structure shall extend more than five (5) feet above the level of a flat roof or the level of the eaves on other types of roofs. (#1)

SECTION 601.1 Each unit in a shopping center that is a separate establishment shall be treated as such in determining the allowable frontage and number of signs.

SECTION 602. DETACHED SIGNS. Each shopping center may have an additional detached sign directing the public to the shopping center and identifying use or services rendered on the premises but not describing goods by brand or trade names, and having a total area not greater than six hundred (600) square feet except for the General Business (GB) District, where all signs must meet the requirements of Article 5, Section 506 of this chapter. (#1)

Detached signs shall not extend to an elevation greater than twenty-five (25) feet above the level of the ground upon which they are erected.

ARTICLE 7 - STRUCTURE AND DESIGN

SECTION 701. STRUCTURE. All signs, except those of insignificant size shall have a structural frame. All frames shall have corner braces or "gusset plate" or equivalent at all corners.

SECTION 702. STRUCTURAL ROLLED SHAPES. The minimum thickness of structural rolled shapes shall be one-eighth (1/8) inch if galvanized or three-sixteenth (3/16) inch if not galvanized.

SECTION 703. LIGHT GAUGE STEEL MEMBERS. Structural members of so-called "light gauge" steel must be galvanized and of no less gauge than No. 18 or one-sixteenth (1/16) inch. The latter must be designed in accordance with specifications for the design of "light gauge" steel members of the American Iron and Steel Institute.

SECTION 704. WELDING. All welding of structural frames, whether done in shop or field, must be done by welders effectively certified by an approved certifying agency within one (1) week prior to the date of such welding.

SECTION 705. GUYS. Guys shall be required on the following signs:

- (a) Projecting signs of horizontal length of twenty four (24) in. or greater.
- (b) Free standing signs and billboards that cannot be sufficiently anchored or supported.

SECTION 705.1 Signs without guys shall be figures as "cantilevers" and extra care shall be taken with the effectiveness at the anchor or supporting end.

SECTION 705.2. Guys, together with the supports on the building, establish certain frame members as "simple" beams.

SECTION 705.3. When there is not sufficient room for cable guys at both sides of a sign, angle or side guys may be used. All angle or side guys shall form an angle or no less than forty five (45) degrees with the face of the sign and the wall of the building.

SECTION 705.4. All angle or side guys shall be horizontal.

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SECTION 705.5 With permission of the Inspector of Buildings, short angle or side guys not reaching to the outer end of frame members, or gusset plate between members against the wall of a building and the main sign frame member, may be allowed, but the fastening shall be to the continuous, horizontal sign frame member.

SECTION 705.6. The minimum, allowable size of cable guy shall be three-sixteenth ($3/16$) of an inch.

SECTION 705.7. The minimum size of lag bolts for use with expansion shields in masonry wall, shall be three-eighths ($3/8$) of an inch by five (5) inches.

SECTION 706. WIND LOADS. All projecting signs, roof signs, detached signs, rectangular signs and free - standing signs and billboards, shall be designed and erected to withstand wind loads experienced in this area.

ARTICLE 8- ENFORCEMENT

SECTION 801. ENFORCEMENT OFFICER. This Chapter shall be enforced by the Code Enforcement Officer in such manner and with the same powers as now or hereafter are practiced or provided under the Building Code of the City of Brewer.

SECTION 802. UNSAFE OR UNLAWFUL SIGNS. If the Code Enforcement Officer shall find that any sign or sign structure regulated herein is unsafe or insecure, was erected or is being maintained in violation of the provisions of this Chapter, he shall give written notice to the owner thereof to remove or alter the structure to comply with the provisions of this Chapter within ten days after receipt of said notice. If the owner refuses or neglects to comply with the order of the Code Enforcement Officer, then and in the event, the City Council may order such sign or structure to be removed or altered to comply with this Chapter, and all expenses thereof shall be repaid to the City by the owner within thirty (30) days after demand.

SECTION 803. APPEAL. Any person aggrieved by a decision of the Code Enforcement Officer may appeal from said decision to the Board of Appeals within five (5) days after said determination or before the issuing of the permit. The Board may affirm, modify or reverse the decision of the Code Enforcement Officer in accordance with the terms of this Chapter. Any person aggrieved by the decision of the Board of Appeals may appeal from said decision to the Superior Court. The appeal to the Superior Court shall be within thirty (30) days after the decision of the Board of Appeals as provided by law. Notwithstanding, if a person aggrieved prefers, he may appeal from the decision of the Code Enforcement Officer has given his or her written decision, or after the application shall be deemed to have denied.

SECTION 804. PENALTY. Any person who violate any provision of this Chapter or fails to comply with any of its requirements, shall, upon conviction, thereof, be fined not more than one hundred dollars (\$100.00). The City shall also be entitled to its reasonable attorney fees and costs. Each day such violation continues shall constitute a separate offense. The City shall also be entitled to its reasonable attorney fees and costs if it successfully prosecutes a violation under this Chapter.

SECTION 805. VALIDITY. If any section, subsection, sentence, clause, phrase or portion of this Chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provision and such holding shall not affect the validity of the remaining portions of this Chapter.

END OF CHAPTER NOTATIONS

1. Enacted 05/20/2003, effective 05/25/2003 (2003-C009)
2. Enacted 10/12/2004, effective 10/17/2004 (2004-C024)