What's Your "Sign"?

April 26, 2012 | by Theodore Einhorn

I own a business; I own the property and building where the business is located. Until recently we had just a small sign on the street indicating our business, but now I want to make the sign large and electric and visible to any who are driving down the road. My daughter, the architect, told me that I need to get approval from the town. Is this true?

Sincerely,

Trying to get more traffic

Dear "Trying to get more traffic"

Yes. You should contact your local Municipality since most, if not all, Municipalities have provisions in their local Ordinances (usually Zoning Ordinances) dealing with signs.

The local Ordinance usually divides signs into 2 categories for commercial businesses – wall-mounted signs and freestanding signs – yours would be a freestanding sign. Then, there are restrictions as to the height of your freestanding sign, the dimensions of the sign itself as well as the lettering on the proposed sign and lighting and landscaping requirements.

In addition to the above specific requirements for signs, most Municipalities have the following general requirements:

1. No sign is to interfere with or be mistaken for a traffic light or similar safety device;
2. No sign should be located to create a traffic safety problem or reduce visibility at an intersection;
3. As to illuminated signs, no flashing or intermittent illumination;

4. A limitation as to hours of illuminated signs and/or a limitation as to hours of illuminated signs within a specified distance of existing residential properties.

All of the above is based on the premise that your sign is permitted in your zone district; however, if your business is located in a residential zone, your proposed changes to your sign may create a serious problem since your residential zone may not permit businesses or allow freestanding business signage. This gets into the question of non-conforming uses – a sign which was installed before the Ordinance bars such signage. This could become tricky and you should consult with an attorney who specializes in zoning matters.

Since you are a business, most Municipalities would require some type of Site Plan to be approved by either the Building Inspector and/or the Planning Board.

Hope this has been of some help to you and your business is increased with your new sign.