

PROPOSED AMENDMENTS TO CHAPTER 129, ARTICLE XXVI (SIGNS)

§ 129-4. Definitions. - Amendment to “Sign, Temporary”

SIGN, TEMPORARY - ~~A display, informational sign, banner or other advertising device constructed of cloth, canvas, fabric, wood or other temporary material, with or without a structural frame, and intended for a limited period of display, including decorative displays for holidays or public demonstrations.~~ A sign that satisfies all of the following criteria:

(a) The sign is either:

[1] freestanding and supported only by stakes, wire frames, posts, or similar supports driven, pressed, or set into the ground without excavation, footing, masonry, concrete, or similar fixed installation; or

[2] affixed to an existing fence, wall, or structure solely by rope, wire, zip ties, clips, brackets, or other non-penetrating fasteners that can be removed by hand without damage to the fence, wall, structure, or sign-supporting surface;

(b) The sign can be removed from its location by one person without the use of power tools, machinery, or heavy equipment; and

(c) Removal of the sign leaves no lasting alteration to the ground, building, fence, wall, structure, or other surface to which the sign was affixed.

A sign shall not be considered temporary if it is installed in a footing, foundation, masonry, or concrete base; is anchored to the ground or a structure by means requiring excavation or penetrating fasteners that cannot be removed by hand; or requires power tools, machinery, or heavy equipment for removal.

§ 129-185. Temporary signs.

The following signs shall be allowed without a permit, subject to the regulations contained herein:

A. Construction signs. One construction sign per construction project not exceeding 24 square feet per side in sign area in residential districts or 48 square feet per side in commercial or industrial districts, provided that such signs shall be erected no more than five days prior to the beginning of construction for which a valid building permit has been issued, shall be confined to the site of construction and shall be removed five days after completion of construction and prior to occupancy.

B. Holiday signs. Signs of a primarily decorative nature, clearly incidental and customary and commonly associated with any national, local or religious holiday, provided that such signs are not permanently displayed. Such signs shall be set back 10 feet from all boundary lines of the lot, provided that a clear area of 72 inches in height is maintained for a distance of 55 feet from the intersection of two streets, a railroad and a street or a street and driveway.

~~**C. Political and campaign signs.** Political or campaign signs on behalf of candidates for public office or measures on election ballots. Said signs are subject to the following regulations:~~

~~(1) Said signs may be erected no earlier than 45 days prior to said election and shall be removed within five days following said election.~~

~~(2) In any zone, only one sign per candidate or measure is permitted on any one parcel of land. Said sign shall not exceed 32 square feet in aggregate area and, if detached, shall not exceed six feet in height. Said sign shall not be erected in such a manner as to constitute a roof sign. If there should be more than one tenant, each tenant shall be permitted the above allowed dimensions.~~

~~(3) Notwithstanding the provisions of this subsection, a sign may be placed upon any legally existing sign structure but not so as to cover an already existing current sign.~~

~~(4) No political sign shall be located within or over the public right-of-way.~~

C. Temporary noncommercial signs. Temporary signs displaying noncommercial messages are permitted in all zoning districts subject to the following regulations:

(1) Size. No individual temporary noncommercial sign shall exceed four (4) square feet in the R-1, R-2, R-3, R-M, RB-1, CR-1, CR-2, and H-1 districts, or sixteen (16) square feet in the C-1, C-2, C-3, CRT, and I-1 districts, or as otherwise established in the approved development plan for overlay and planned unit development districts.

(2) Height. If freestanding, no temporary noncommercial sign shall exceed four (4) feet in height as measured from the ground to the highest point of the sign, including any supporting structure.

(3) Duration.

(a) Temporary noncommercial signs associated with a specific event, including but not limited to a scheduled civic, philanthropic, educational, or religious event, election, or referendum, may be erected no earlier than forty-five (45) days prior to the date of the event and shall be removed no later than five (5) days following the conclusion of the event. For purposes of this paragraph, the date of a referendum shall be the date designated for the final day of voting on such referendum, and an election shall be Election Day as designated by New York State Election Law. Signs not removed within the time period specified herein shall be subject to enforcement under § 129-251 and to removal by the Town of Wilton pursuant to paragraph (8)(b) of this subsection.

(b) Temporary noncommercial signs not associated with a specific event may be displayed without durational limitation, provided that such signs continue to meet the definition of a temporary sign, are maintained in good repair, and do not otherwise violate this Article.

(4) Placement. No temporary noncommercial sign shall be located within or over the public right-of-way. No such sign shall be erected in such a manner as to constitute a roof sign. No such sign shall be attached to any utility pole, traffic sign, or traffic control device.

(5) Illumination. Temporary noncommercial signs shall not be illuminated.

(6) Materials. Temporary noncommercial signs shall be constructed of durable materials suitable for outdoor display. Signs that become torn, faded, or dilapidated shall be removed or replaced by the property owner within seven (7) days of written notice from the Building Inspector.

(7) Content neutrality. The regulations in this subsection shall be applied without regard to the content or viewpoint of the message displayed on the sign.

(8) Enforcement.

(a) Signs placed within the public right-of-way in violation of paragraph (4) of this subsection may be removed by the Town of Wilton without prior notice.

(b) If any temporary noncommercial sign is erected prior to the time period permitted under paragraph (3)(a) of this subsection, or is not removed within five (5) days following the conclusion of the event, the Town of Wilton may remove the sign without notice.

D. Public notices. Official notices posted by public officers or employees in the performance of their duties.

E. Real estate signs. One real estate sign on any lot or parcel, provided that such sign is located entirely within the property to which the sign applies, is not directly illuminated, does not exceed six square feet per side in area and is removed within seven days after the sale, rental or lease has been accomplished.

~~**F. Temporary signs.** Temporary signs four square feet per side in area pertaining to drives or events of civic, philanthropic, educational or religious organizations, provided that said signs are posted only during said drive or no more than 30 days before said event and are removed no more than five days after the event.~~

G. Banner/grand opening. These banners are limited to 100 square feet, one per business and shall not be displayed more than 30 days.

~~**H. A-frame or sandwich board signs shall not be permitted in any district.**~~

I. Portable signs shall not be permitted in any district.

J. Hot air balloons or helium balloons shall not be permitted in any district.

§ 129-185.1. Noncommercial message substitution.

Any sign that has been lawfully erected to display a commercial message may, at the option of the sign owner, display a noncommercial message in lieu of the commercial message, subject to the same regulations applicable to that sign. This section authorizes only the substitution of a noncommercial message onto a sign that is otherwise lawfully in place, and does not authorize the erection of any new sign or any increase in the number, size, height, location, or duration of signs otherwise permitted.

§ 129-186. Unlawful signs. - Amendment to D(1)

D. Unclassified signs.

(1) Signs which bear or contain statements, words or pictures of an obscene, ~~pornographic or immoral~~ or pornographic character or which contain ~~advertising matter, which is untruthful~~untruthful commercial advertising matter.

§ 129-187. Permit requirements. - Conforming Amendment

A(4). Temporary commercial signs not covered in § 129-185 will be limited to six months, until 180 days after issuance of the final certificate of occupancy for the associated project, whichever is longer, and not exceed 32 square feet.