

CITY OF DOVER

CITY OF DOVER – ORDINANCE

Posted: April 12, 2016

Ordinance Number: **O – yyyy.mm.dd -**
Ordinance Title: Updating the Dover Zoning Ordinance
Chapter: 170

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 170 of the Code of the City of Dover, entitled Zoning, by updating the Code to reflect changes in the community and in land use regulations.

2. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-32 “SIGN Review and Regulations” as follows.

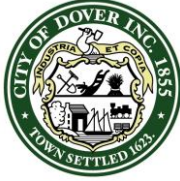
“ARTICLE X

SIGNS AND FENCES

170-32. SIGN Review and Regulations. [Amended on 3-14-84 by Ord. No. 7-84; on 6-10-87 by Ord. No. 13-87; on 10-26-88 by Ord. No. 18-88; on 08-01-90 by Ord. No. 8-90; on 04-21-93 by Ord. NO. 04-93; on 11-22-95 by Ord. No. 19-95; on 01-22-2003 by Ord. No. 35-02; on 03-21-2007 by Ord. No. 01-07; on 12-09-2009 by Ord. No. 2009.09.09-15; on 12-08-2010 by Ord. No. 2010.10.27-13; on 02-22-2012 by Ord. No. 2012.01.25; on 08-19-2015 by Ord. No. 2015.07.22 – 017

Purpose. The purpose of this Section is to create a legal framework for SIGNAGE regulations that is intended to facilitate a flexible and agreeable communication between people. Such an ordinance acknowledges the need to protect the safety and welfare of the public, the need for a well-maintained and attractive appearance throughout the City of Dover and the need for adequate business identification, advertising and communication. While this Section recognizes that aesthetics and design quality cannot be satisfactorily legislated, it does, however, operate on the premise that a large percent of that which is unattractive can be eliminated by sensible quality control through maintenance and inspection and by guidelines formulated to minimize clutter.

- A. Permitted SIGNS. No SIGN shall be permitted within the City of Dover, except in accordance with the provisions of this Section. See tables of Use and Dimensional Regulations by District for overview of permitted SIGNS.
- B. Permit required. No SIGN, other than a ~~directional SIGN~~, a residential nameplate or a **SIGN exempted from the permitting requirements of this Section as described herein** or ~~SIGN advertising a sale or lease of a premise~~, shall be erected or placed in the City of Dover without a SIGN permit. Said permit shall be issued by the Zoning Administrator, provided that the SIGN meets all the regulations of this Section, after the



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submission of **an application and** a set of plans to an appropriate scale, showing site location, dimensions, method of illumination, if any, and types of materials to be used in construction. Replacement of existing SIGNS and support STRUCTURES, where the area, location or materials are being altered, shall require a permit, and such replacement shall conform to the regulations of this Section.

C. General provisions. All SIGNS shall conform to the following regulations:

(1) **SIGN Location.** ~~All SIGNS shall be located on the same LOT as the uses which they identify with the following exceptions:~~ **SIGNS shall relate only to the premises upon which they are located, excluding Temporary SIGNS as regulated in Subsection Q.**

~~(a) Political Advertising SIGNS. Political advertising SIGNS shall be regulated as required in Subsection L.~~

~~(b) Industrial Park SIGNS. Industrial Park SIGNS shall be regulated as required in Subsection J.(2)(g).~~

~~(c) Temporary Real Estate and Yard Sale SIGNS. Temporary (forty eight (48) hours) real estate and yard sale SIGNS may be located off site with the permission of the property owner of the land on which the SIGN is to be placed.~~

~~(d) Temporary Non-profit, Public Benefit and/or Municipality Related SIGNS. Temporary non-profit, public benefit and/or municipality related SIGNS shall be regulated as required in Subsection Q.~~

(2) All SIGNS shall be constructed, erected and maintained so as not to present a hazard to persons and property.

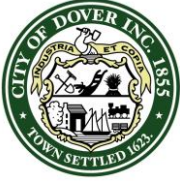
(3) All SIGNS shall be erected in such a manner so as not to obstruct free and clear vision along or onto a public right-of-way.

(4) All SIGNS shall be erected in such a manner so as not to obstruct the view of, be confused with or mistaken for any authorized traffic SIGN, signal or like device.

(5) The illumination of any SIGN shall be nonflashing; spot or floodlights shall be arranged so that the direct rays of light do not shine or reflect directly into adjacent properties or the line of vision ~~of~~ **of** a motorist.

(a) FLASHING SIGNS are prohibited.

(b) Illuminance of the SIGN face shall not exceed the following standards:



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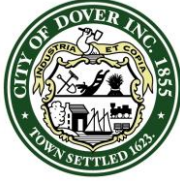
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- (i) ~~External illumination~~ **EXTERNAL ILLUMINATION**: fifty (50) foot-candles as measured on the SIGN face.
 - (ii) ~~Internal illumination~~ **INTERNAL ILLUMINATION**: five thousand (5,000) nits (candelas per square meter) during daylight hours, and five hundred (500) nits between dusk and dawn, as measured at the SIGN's face.
 - (iii) ~~Direct illumination~~ **DIRECT ILLUMINATION**: five thousand (5,000) nits during daylight hours, and five hundred (500) nits between dusk and dawn, as measured at the SIGN's face.
- (6) The top edge of a WALL SIGN shall be at least one (1) foot below the top of the wall or PARAPET wall. The top edge of a roof SIGN shall be at least one (1) foot below the roof ridge or the highest point of the roof if no ridgepole exists.¹
 - (7) No SIGN shall be painted or affixed with adhesive directly on the surface of a BUILDING.
 - (8) Rotating SIGNS or beacons, waving pennants or whirling devices are prohibited.
 - (9) Temporary SIGNS are prohibited, except as otherwise provided in Subsection Q.
 - (10) All SIGNS are prohibited within the public right- of-way, except as otherwise provided in this Section.
 - (11) The terms of this Section shall not ~~be construed so as to exclude~~ **apply to** SIGNS being necessary for the public welfare and, as such, are required by the municipal, **State, or Federal** government. ~~and historical associations, etc.~~
 - (12) The material and construction of any SIGN or supporting elements shall be in accordance with the Building and Electrical Codes (in use by the City at the time of installation) and all other applicable City regulations.
 - (13) On a CORNER LOT, no FREESTANDING SIGN or support element shall be erected to materially impede vision between a HEIGHT of two and a half (2 ½) feet and eight (8) feet above curb grades in the same area bounded by the STREET lines of such CORNER LOT and a straight line joining points along said STREET lines thirty (30) feet from point of their intersection except as otherwise provided in this Section.

¹See Figure 1 of the SIGN Diagrams, Part I, included at the end of this Chapter



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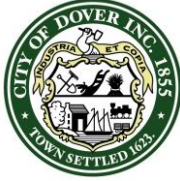
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- (14) Essential directional SIGNS not exceeding four (4) square feet, in area, are permitted indicating entrance and exit driveways. **Said SIGNS shall not be subject to the permitting requirements of this Section.**
- (15) SIGNS not exceeding two (2) square feet, in area, are permitted in parking LOTs indicating aisles or reserved areas or spaces. **Said SIGNS shall not be subject to the permitting requirements of this Section.**
- (16) **On a BUILDING or project under construction, or on a property currently for sale or rent, one additional SIGN is permitted and shall conform to the following additional regulations:**
- (a) One (1) SIGN not exceeding thirty-two (32) square feet **is permitted** on a BUILDING or project under construction, ~~identifying the architect, owner and/or contractor.~~ Such SIGN shall be removed upon the receipt of a CERTIFICATE OF OCCUPANCY **or upon the expiration of the BUILDING permit. Said SIGN shall not be subject to the permitting requirements of this Section.**
- (b) One (1) SIGN not to exceed four (4) square feet may be erected on a property currently for sale or rent. Said SIGN shall not be subject to the permit requirements of this Section.**
- (17) WALL SIGNS shall conform to the following additional regulations:
- (a) No WALL SIGN shall be located in such a manner so as to extend above the next floor's window sill or descend below the top of the lower floor's lintel.²
- (b) In all nonresidential zoning districts where a business/premises fronts on more than one (1) public STREET or municipal parking LOT, one (1) WALL SIGN shall be permitted ~~for~~ **upon** each FRONTAGE. The SIGN AREA displayed shall not exceed that area permitted by the FRONTAGE on that public STREET or parking LOT.³
- (c) In all nonresidential zoning districts, one (1) informational/directional WALL SIGN shall be permitted for each BUILDING entryway. Said SIGN shall not exceed four (4) square feet in area and shall not be illuminated. **Said SIGN shall not be subject to the permitting requirements of this Section.**
- (18) All FREESTANDING SIGNS shall conform to the following regulations:

²See Figure 2 of the SIGN Diagrams, Part I, included at the end of this Chapter.

³See Figure 3 of the SIGN Diagrams, Part I, included at the end of this Chapter.



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- (a) No FREESTANDING SIGNS shall be located in an area designated for parking unless said SIGN is protected along all sides by curbing. A four (4) foot clear space is required along all approaches.⁴
 - (b) No FREESTANDING SIGN shall be placed within fifty (50) feet of a low-density residential district (R-40, R-20) boundary.
- (19) All PROJECTING SIGNS shall conform to the following additional regulations:
- (a) PROJECTING SIGNS shall be attached to the main wall of the BUILDING.
 - (b) PROJECTING SIGNS shall be prohibited from projecting over a STREET, alley or other PUBLIC SPACE beyond four (4) feet eight (8) inches from a BUILDING facade or two-thirds (2/3) of the width of the SIDEWALK, whichever is less.⁵
 - (c) A clear space of not less than ten (10) feet shall be provided below all parts of a PROJECTING SIGN, except for residential nameplates.
 - (d) In all nonresidential zoning districts where a business/premise fronts on more than one (1) public STREET or municipal parking lot, one (1) PROJECTING SIGN shall be permitted ~~for~~ **upon** each FRONTAGE. The SIGN AREA displayed shall not exceed that area permitted by the FRONTAGE on that public STREET or parking lot.
- (20) Awnings may be used in lieu of permitted WALL SIGNS provided said letters, insignia or emblems do not exceed the square footage allowed for a WALL SIGN in the applicable zoning district.

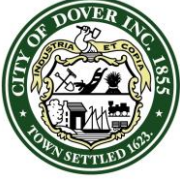
D. SIGNS permitted in residential districts. Any SIGN permitted in a Residential District shall conform to the following regulations (See tables for overview of permitted SIGNS):

(1) CUSTOMARY HOME OCCUPATION SIGNS shall identify only the name of each occupant and the STREET address. Said SIGN shall not exceed two (2) square feet and shall not be subject to the permit requirements of this Section.

~~(2) One (1) SIGN not to exceed four (4) square feet to announce for sale or rent real property or any part thereof upon which said SIGN is located may be erected on a property currently for sale or rent. Said SIGN shall not be subject to the permit requirements of this Section.~~

⁴ See Figure 4 of the SIGN Diagrams, Part I, included at the end of this Chapter.

⁵ See Figure 5 of the SIGN Diagrams, Part I, included at the end of this Chapter.



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- (3) One (1) SIGN not to exceed sixteen (16) square feet may be erected in connection with any legally permitted non-residential use, excepting home occupations and BED AND BREAKFASTs.
- (4) One (1) SIGN may be erected in connection with a lawfully maintained NONCONFORMING USE.
- (5) All nonresidential SIGNS may only be illuminated by a constant ~~indirect source of lighting~~ **EXTERNAL ILLUMINATION**. The lighting element shall be shielded and shall illuminate only the SIGN. No SIGN shall be illuminated after 9:00 p.m. or **before 6:00 a.m.**
- (6) One (1) SIGN not to exceed four (4) square feet may be erected in connection with a BED AND BREAKFAST.
- (7) No SIGN shall be located greater than eight (8) feet above the ground, whether freestanding or attached to a BUILDING.

E. SIGNS permitted in CBD and CWD **districts Zones**. ~~SIGNS shall relate only to the premises upon which they are located, identifying the occupancy of such premises or advertising the articles or services available within such premises.~~ No SIGN in the CBD Downtown Gateway sub-district shall be illuminated after 9:00 p.m. or before 6:00 a.m. (See table for overview of permitted SIGNS.)

(1) WALL SIGNS⁶

- (a) An additional one (1) square foot of SIGN AREA per one (1) foot of BUSINESS FRONTAGE shall be permitted, provided that the character of the SIGN conforms to mill motif design criteria. Refer to Subsection **Q O** for applicable criteria.

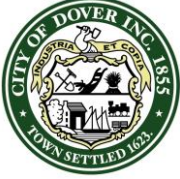
(2) FREESTANDING SIGNS

- (a) ~~Where a PRINCIPAL BUILDING fronts on more than one (1) STREET, one (1) FREESTANDING SIGN may be erected for upon each FRONTAGE.~~

F. SIGNS permitted in B-3 **district Thoroughfare Business District**. ~~SIGNS shall relate only to the premises upon which they are located, identifying the occupancy of such premises or advertising the articles or services available within said premises.~~ (See table for overview of permitted SIGNS.)

(1) FREESTANDING SIGNS

⁶ See Figure 6 of the SIGN Diagrams, Part II, included at the end of this Chapter.



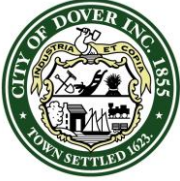
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- (a) Where a PRINCIPAL BUILDING fronts on more than one (1) STREET, one (1) FREESTANDING SIGN may be erected ~~for~~ **upon** each FRONTAGE, provided that the BUILDING complies with applicable SETBACKS.
- (b) One (1) FREESTANDING SIGN shall be permitted for every principal entryway to a SHOPPING CENTER. Such SIGNAGE shall be a distance of five hundred (500) feet apart.
- G. SIGNs permitted in B-1 ~~district NEIGHBORHOOD Business Districts~~. SIGNs shall ~~relate only to the premises upon which they are located, identifying the occupancy of such premises or advertising the articles or services available within said premises~~. No SIGN shall be illuminated after 9:00 p.m. **or before 6:00 a.m.** (See table for overview of permitted SIGNs.)
- (1) PROJECTING SIGNs
- (a) All PROJECTING SIGNs shall only be illuminated by a constant ~~indirect source of lighting~~ **EXTERNAL ILLUMINATION**. The lighting element shall be shielded and shall illuminate only the SIGN.
- H. SIGNs permitted in O ~~district OFFICE District~~. SIGNs shall ~~relate only to the premises upon which they are located, identifying the occupancy of such premises or services available within said premises~~. No SIGN shall be illuminated after 9:00 p.m. **or before 6:00 a.m.** (See table for overview of permitted SIGNs.)
- (1) SIGNs shall only be illuminated by a constant ~~indirect source of lighting~~ **EXTERNAL ILLUMINATION**. The lighting element shall be shielded and shall illuminate only the SIGN.
- I. SIGNs permitted in ~~Industrial Districts I-1, I-2, and I-4 districts~~. SIGNs shall ~~relate only to the premises upon which they are located, identifying the occupancy of such premises or advertising the articles or services available within such premises~~. (See table for overview of permitted SIGNs.)
- (1) FREESTANDING SIGNs
- (a) Where a PRINCIPAL BUILDING fronts on more than one (1) STREET, one (1) FREESTANDING SIGN may be erected ~~for~~ **upon** each FRONTAGE, provided that the BUILDING complies with applicable SIGNAGE SETBACKS.
- (b) Two (2) FREESTANDING **DEVELOPMENT IDENTIFICATION** SIGNs shall be permitted ~~within an~~ **per** approved industrial park, provided that the combined square footage of such SIGNs does not exceed five hundred (500)



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square feet in area, ~~that they are used solely for the purposes of identifying the park, its occupancies and uses, location and layout,~~ and that, if on a CORNER LOT, such SIGNS shall be set so as to not materially impede vision.

- J. SIGNS permitted in ETP and B-4 Districts. ~~SIGNS shall relate only to the premises upon which they are located, identifying the occupancy of such premises or advertising the articles or services available within such premises.~~ (See table for overview of permitted SIGNS.)

(1) FREESTANDING SIGNS

- (a) Where a development fronts on more than one (1) public STREET or roadway, one (1) FREESTANDING SIGN shall be permitted ~~for~~ **upon** each FRONTAGE.
- (b) Each FREESTANDING SIGN shall not exceed sixteen (16) feet in HEIGHT, except as provided for below, and shall be permanently affixed to the ground. Notwithstanding, FREESTANDING SIGNS fronting on the Spaulding Turnpike shall not exceed thirty (30) feet in HEIGHT.
- (c) SIGN AREA shall not exceed sixty (60) square feet in area. Notwithstanding, a FREESTANDING SIGN fronting the Spaulding Turnpike shall not exceed one hundred (100) square feet in area.

- K. SIGNS permitted in the B-5 ~~district~~ Commercial/Retail District ~~SIGNS shall relate only to the premises upon which they are located, identifying the occupancy of such premises or advertising the articles or services available within such premises.~~ (See table for overview of permitted SIGNS.)

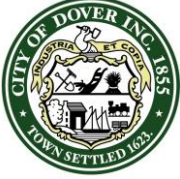
(1) FREESTANDING SIGNS.

- (a) Where a development fronts on more than one (1) public STREET, one (1) FREESTANDING SIGN shall be permitted ~~for~~ **upon** each FRONTAGE.

Notwithstanding, no FREESTANDING SIGN shall be allowed on Old Rochester Road.

- L. Political advertising SIGNS. Political advertising SIGNS are permitted as follows: **per the political advertising SIGN provisions of State law.**

- ~~(1) The provisions of this Section are in addition to the political advertising SIGN provisions of State law.~~



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~~(2) The person whose name appears on a political advertising SIGN, or the person providing consent to placement, is responsible for the placement of and removal of the SIGN.~~

~~(3) No SIGN in any district shall be larger than sixteen (16) square feet.~~

~~(4) Removal of a political advertising SIGN not placed or removed in accordance with State law or local ordinance shall be subject to an administrative fine as contained in the local fee schedule.~~

M. ~~Obsolete SIGNs. Any SIGN which is located on property which becomes vacant and unoccupied for a period of more than six (6) months or any SIGN which pertains to a business, service activity or event which no longer applies because of discontinuance or relocation of said business, service, activity or event shall be deemed to have been abandoned, and the SIGN shall be considered obsolete. Such obsolete SIGNs are prohibited and shall be removed by the owner of the SIGN or owner of the premises. In the event that the said SIGN(s) and support(s) are not removed as requested by the Zoning Administrator, the City of Dover may remove said STRUCTURE(s) and assess all costs and expenses incurred in said removal against the STRUCTURE's owners and/or the owner of the land upon which said STRUCTURE(s) is located.~~

N. ~~Nonconforming SIGNs. A SIGN installed prior to the effective date of this Section which meets the applicable requirements of the zoning code then in effect but which is not in conformance with the provisions of this code shall be deemed a permitted nonconforming SIGN if a permit is obtained for said SIGN within six (6) months after the effective date of this Section.~~ Such nonconforming SIGN shall, however, be subject to the following regulations.

(1) No nonconforming SIGN shall be altered in any way in STRUCTURE or material, which makes the SIGN less in compliance with the requirements of this Section than it was before the alterations.

(2) No nonconforming SIGN shall be relocated to a position making it less compliant with the requirements of this Section.

(3) Non-conforming FREESTANDING SIGNs and PROJECTING SIGNs may be replaced upon approval of a SIGN permit application, provided that the support STRUCTURE of the SIGN remains in place and the dimensions of the SIGN are the same or smaller. If any other nonconforming SIGN is replaced, it shall be replaced in total with a SIGN that is in conformance with the provisions of this Section.



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- (4) Should a nonconforming SIGN be destroyed by any means to an extent of more than seventy-five percent (75%) of its replacement cost at the time of its destruction, it shall not be reconstructed except in conformity with the provisions of this Section.

O. Mill motif design criteria.

(1) Intent.

- (a) A recurring architectural theme exists within the Central Business District, where the use of brick, granite and slate dominates much of the existing commercial BUILDING stock. Influenced by the early 19th century mill development, SIGNAGE was closely integrated with the style and composition of the BUILDING, often consisting of handsomely carved and painted wooden signboards. The use of dark background tones, highlighted with bright lettering was dominant. PROJECTING SIGNS were typically constructed from dark-hued metal, cast iron in particular, and internal lighting or use of plastics, aluminum and vinyl was nonexistent.
- (b) The use of a mill motif SIGNAGE theme is an attempt to promote a style or architectural continuity within Dover's urban center. Within the defined mill motif theme, a great amount of flexibility is permitted where design and materials are involved, and all SIGNAGE should be guided by general design criteria.

(2) SIGN location.

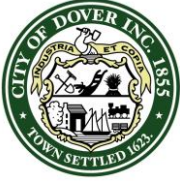
- (a) Every SIGN shall be required to be an integral part of its BUILDING.

SIGNS shall be located with respect to the basic architectural framework of the BUILDING, so as not to obscure the primary elements (door and window openings and decorative facade treatments) of a BUILDING's framework.

(3) SIGN composition.

(a) Lettering.

- (i) No more than one (1) font shall be permitted per SIGN. More than one (1) size is permitted.
- (ii) Letters may be attached to the BUILDING façade.
- (iii) Light-colored letters on a dark background are required.



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- (iv) Lettering shall be located so as not to obstruct architectural detailing on the BUILDING face.
 - (v) Product trademarks are not permitted. Generic trade symbols (e.g., a shoe for a cobbler, a mortar and pestle for a druggist) are permitted.
 - (vi) Letter styles shall be limited to the classic genre, i.e., Copperplate Gothic, Times, Franklin Gothic, Benton, Clarendon, Haas Helvetica, Folio Caravelle Medium, Windsor, and Times Roman.
 - (vii) The size of the lettering shall be in proportion to both the SIGN configuration and the BUILDING.
- (b) Color.
- (i) No more than three (3) colors are preferred, plus black and white. Differences in shade or hue are considered different colors. Lettering is limited to one (1) color.
 - (ii) Colors used in SIGNAGE should relate to the color composition of the BUILDING material and be compatible with them.
 - (iii) The determination of SIGN color must relate to the degree of contrast between the SIGN lettering and SIGN background.
- (c) Lighting.
- (i) ~~Internally lit or back lit~~ SIGNs **INTERNAL ILLUMINATION and DIRECT ILLUMINATION** are prohibited.
 - (ii) Only shielded ~~indirect light~~ **EXTERNAL ILLUMINATION** shall be permitted if lighting is used.
- (d) Materials.
- (i) The appearance of traditional materials, such as wood, glass, brass, bronze or iron, is required.
 - (ii) Wooden SIGNs shall be constructed of dense, clear wood that adapts to engraving/carving and paint or stain. The use of plywood shall be limited to overlay, exterior or marine plywood.



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- (iii) PROJECTING SIGNs shall be supported by black, iron attachments to the BUILDING. Guy wires shall not be permitted as a principle SIGN support member.
- (iv) No support for a PROJECTING SIGN shall extend above the cornice line of the BUILDING to which it is attached.

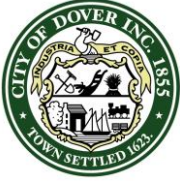
(2) Permit process

- (a) The Zoning Administrator shall be responsible for the issuance of SIGN permits relative to mill motif accessory SIGNs. Application for said SIGNs shall include the following items:
 - (i) A scaled elevation drawing of the entire BUILDING façade(s).
 - (ii) Proposed SIGN clearly delineated on the elevation drawing.
 - (iii) Detailed drawings indicating materials, size, colors and style of lettering, lighting and attachment method.
 - (iv) A photograph of the BUILDING.
 - (v) A sample color rendering of the intended SIGN.
- (b) Upon completion of the review, the Zoning Administrator will approve or disapprove the application and inform the APPLICANT of the decision in writing.

P. Fees for the review of SIGNAGE are set annually and may be found in the City's Fee Schedule.

Q. ~~Temporary~~ **TEMPORARY** SIGNs. No ~~temporary~~ **TEMPORARY** SIGN shall be erected or placed in the City of Dover without a temporary sign permit issued by the Planning Department, except as noted in Subsection (1)(b). The following regulations shall apply:

- (1) ~~Business Advertising.~~ ~~Business advertising~~ **TEMPORARY** SIGNs are **prohibited in all residential zoning districts (R-40, R-20, R-12, RM-SU, RM-U, HR, CBD-R) and the NEIGHBORHOOD Business District (B-1).** ~~permitted in the CBD General, CBD Downtown Gateway, CBD Mixed Use, CBD TOD, CWD, B-3 and B-5 Districts only and~~ **Where permitted, TEMPORARY SIGNs** are subject to the following regulations:



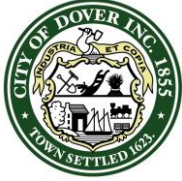
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Ordinance Number: **O – yyyy.mm.dd -**
Ordinance Title: Updating the Dover Zoning Ordinance
Chapter: 170

- (a) ~~Special Events-~~ **TEMPORARY SIGNS Allowed with One-Week Permit.** A ~~business~~ **LOT or tenant** may obtain a ~~temporary~~ **TEMPORARY SIGN** permit for a ~~special event one week~~, provided that all of the following conditions are met:
- (i) ~~Special events shall include sales, product promotions, business sponsored fundraisers and other similar events.~~
 - (ii) ~~Special event temporary~~ (i) **One-week TEMPORARY SIGN** permits are valid for a consecutive seven (7) day period and may be obtained once every three (3) months, for a maximum of four (4) ~~special event one-week~~ **TEMPORARY SIGNS** per business per year. If a ~~special event SIGN~~ the permit is not used in one (1) quarter, it shall not be carried over to the next quarter.
 - (iii) (ii) The ~~special event~~ **TEMPORARY SIGN** shall be limited to twenty-four (24) square feet in size and shall not be placed in such a manner so as to create a traffic or safety hazard. **Banner type TEMPORARY SIGNS are permitted only in the B-3 and B-5 Zoning Districts.**
 - (iv) (iii) The ~~special event~~ **TEMPORARY SIGN** shall be removed within twenty-four (24) hours after the end of the ~~event~~ **approved display period**. If a ~~special event~~ the **TEMPORARY SIGN** or banner is not removed within twenty-four (24) hours, the **TEMPORARY SIGN** or banner may be removed by the City of Dover.
 - (v) (iv) If the **TEMPORARY SIGN** is located on a City **SIDEWALK** or within a public right-of-way **directly in front of the BUILDING**, the requirements in Subsection Q.(1)(d) must be met.
- (b) **TEMPORARY SIGNS** allowed without a permit. One (1) ~~temporary~~ A-frame sandwich board **TEMPORARY SIGN** is permitted per ~~business~~ **LOT or tenant** and does not require a permit, provided all of the following conditions are met:
- (i) The **TEMPORARY SIGN** is not located on a City **SIDEWALK** or within a public right-of-way.
 - (ii) The maximum size of the **TEMPORARY SIGN** is eight (8) square feet.
 - (iii) The **TEMPORARY SIGN** must be placed directly in front of the ~~business~~ **BUILDING** at a distance no greater than two (2) feet from the **BUILDING** and must not impede pedestrian or handicapped access to the business or adjacent businesses.



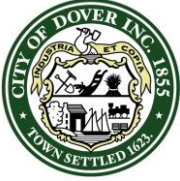
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- (c) **TEMPORARY SIGN**s allowed with annual permit. One (1) ~~temporary~~ **TEMPORARY SIGN** shall be permitted per each **PRINCIPAL BUILDING**. **BUILDING**s with an excess of one hundred (100) feet of **STREET FRONTAGE** shall be permitted one (1) additional ~~temporary~~ **TEMPORARY SIGN** per every **additional** one hundred (100) feet of **STREET FRONTAGE**. See District Tables of Use for additional requirements.
- (i) If the **TEMPORARY SIGN** is located on a City **SIDEWALK** or within a public right-of-way **directly in front of the BUILDING**, the requirements in Subsection Q.(1)(d) must be met.
- (ii) The following additional regulations shall apply to **TEMPORARY SIGN**s located in the CBD-General District:
1. The structure of the ~~temporary~~ **TEMPORARY SIGN** must consist of medium density overlay plywood, or a similar durable wood-like material which can withstand the weather, or metal (except as supplemented by material for changeable messages, see below). The use of other materials is permitted if styled and composed to imitate wood or metal.
 2. Any graphics, lettering, words, numbers, messages and/or symbols on the ~~temporary~~ **TEMPORARY SIGN** shall be applied directly onto the surface of the **SIGN** and/or shall be made with **SIGN** plastic film.
 3. The material for changeable messages shall be either chalk board or dry erase board. **TEMPORARY SIGN**s with moveable slide-in plastic letters are not permitted.
 4. **TEMPORARY SIGN**s using stencils or spray paint are not permitted.
 5. **TEMPORARY SIGN**s may not be painted traffic yellow or construction-zone orange or use any reflective or fluorescent materials.
- (d) **TEMPORARY SIGN**s located on a City **SIDEWALK** or within a public right-of-way. **TEMPORARY SIGN**s located on a City **SIDEWALK** or within a public right-of-way shall meet the following requirements:
- (i) A certificate of insurance in the amount of one hundred thousand (\$100,000.00) dollars (bodily injury/property damage) shall be filed as part of the ~~temporary~~ **TEMPORARY SIGN** permit application to ~~assure~~ **ensure** sufficient liability coverage of the **APPLICANT**.



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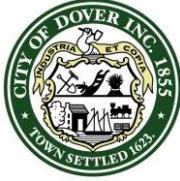
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- (ii) A hold-harmless certification letter shall be filed as part of the temporary SIGN permit application to relieve the City of Dover from bodily injury and property damage liability.
- (iii) **TEMPORARY** SIGNs shall only be displayed during business hours.
- (iv) A five (5) foot, clear passageway must be maintained at all times.
- (v) **TEMPORARY** SIGNs shall be located **directly** in front of the **BUILDING** or **in front of the space within the BUILDING** occupied by the business ~~or in front of the space occupied by the business if the business is located in a multi-tenant BUILDING.~~ **TEMPORARY SIGN owner.”**

(2) Community SIGNs. With a permit, TEMPORARY SIGNs may be located in the public right of way at Central Square, Weeks Crossing, and the intersections of Durham Road and Back River Road, Sixth Street and Indian Brook Drive, and Knox Marsh Road and Littleworth Road provided that the following requirements are met:

- (a) Community SIGNs shall be a-frame/sandwich board type and no larger than six (6) square feet in area and no greater than three (3) feet in height.**
- (b) No more than three (3) permits shall be issued per location, per display period.**
- (c) Display periods shall be limited to the first (1st) through the fourteenth (14th) day of each calendar month and the fifteenth (15th) through the twenty-eighth (28th) day of each calendar month. No APPLICANT will be issued permits for more than one (1) display period or more than one (1) SIGN location in one (1) calendar month. No APPLICANT will be issued a community SIGN permit for more than eight (8) display periods per calendar year.**
- (d) Applications for the first (1st) through the fourteenth (14th) day display period will be accepted by the Planning and Community Development Department only between the fifteenth (15th) and twentieth (20th) days of the previous month. Applications for the fifteenth (15th) through the twenty-eighth (28th) day display period will be accepted only between the twenty-fifth (25th) and thirtieth (30th) days of the previous month. Applications will not be accepted in advance. Permits will be granted on a first-come, first-served basis.**



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(e) Applications must be signed by the property owner (APPLICANT or APPLICANT’s landlord) and shall include:

(i) A certificate of insurance in the amount of one hundred thousand dollars (\$100,000.00) (bodily injury/property damage) to ensure sufficient liability coverage of the APPLICANT.

(ii) A hold-harmless certification letter to relieve the City of Dover from bodily injury and property liability.

(f) A display period sticker will be issued with the community SIGN permit and shall be affixed to the lower right corner of the SIGN face.

3. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District” by revising the Sign Regulations Table in the Hotel/Retail (B-4) District, Restricted Industrial (I-1) District, Rural Restricted Industrial (I-2) District, Assembly and OFFICE (I-4) District, Executive and Technology Park (ETP) District, Hospital (H) District, Office (O) District), and Little Bay Waterfront (LBW) District to add TEMPORARY SIGNS as a permitted sign type.

4. TAKES EFFECT

This ordinance shall take effect upon passage and publication of notice as required by RSA 47:18.

AUTHORIZATION

Approved as to
Funding:

Daniel R. Lynch
Finance Director

Sponsored
by:

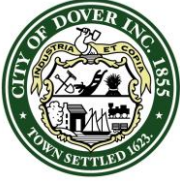
Councilor Dennis Ciotti
City Council Planning Board
Representative

Approved as to Legal
Form
and Compliance:

Anthony Blenkinsop
City Attorney

Recorded by:

Karen Lavertu
City Clerk



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DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor, Karen Weston		
Deputy Mayor, Robert Carrier		
Councilor John O'Connor, Ward 1		
Councilor Dennis Ciotti, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Vacant, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Jason Gagnon, Ward 6		
Councilor Sarah Greenshields, At Large		
Total Votes:		
Resolution does does not pass.		

ORDINANCE BACKGROUND MATERIAL: