

**TOWN OF DORSET, VERMONT**  
**SIGN ORDINANCE**

**1. Purpose and Authority**

This Sign Ordinance is adopted under authority granted in 24 V.S.A. §§ 2291(7), (14) and 24 V.S.A. Chapter 59. The purpose of this Ordinance is to help preserve and improve the existing attractive aspects of the Dorset environment, to promote convenience and safety for visitors and residents alike. This Ordinance recognizes the necessity of signs to inform the traveling public and as an aid to local business in attracting customers. This Ordinance shall constitute a civil ordinance within the meaning of 24 V.S.A. Chapter 59.

**2. Sign Permit Required**

Except as provided in Section 7, no Person shall construct, display, alter, or relocate any Sign within the Town of Dorset without first obtaining a Sign Permit from the Administrative Officer.

**3. Definitions**

The following terms and phrases, when used in this Ordinance, shall have the meaning ascribed to them in this Section:

**Banner, Temporary** A Sign made of non-rigid material as to allow movement in the wind, announcing or advertising an activity on the Lot having a limited duration.

**Establishment** A legally permitted occupant of a Lot which is found or located within its own separate physical space, and with a separate entrance.

**Lot** A parcel or group of contiguous parcels of land under the same affiliated ownership which is occupied or may become occupied by one or more principal buildings and the accessory buildings or customarily incidental uses.

**Maximum Sign Area** The area within which the smallest square or rectangle may be drawn to encompass the extreme limits of all the letters, designs, and panels which are part of the Sign together with any frame or other material or color forming an integral part of the display or used to differentiate the Sign from the background against which it is placed, excluding the necessary supports or uprights on which the Sign is placed.

Where a Sign has two or more faces, the total area of all faces shall be included in determining the Maximum Sign Area, except where two such faces are placed back to back and are at no point more than twelve (12) inches from one another, then the Maximum Sign Area shall be determined by measurement of one face. The Maximum Sign Area of a Sandwich Board Sign shall be determined by measurement of one face.

**Non-Conforming Sign** A Sign lawfully existing on the effective date of this Ordinance, but which does not conform to the requirement of this Ordinance.

**Non-Profit Organization** An association or organization which, by United States Internal Revenue Service regulations, is established for a civic, educational, cultural, religious, social, political, scientific, or philanthropic, or charitable purpose.

**Person** Any individual, institution, public or private corporation, partnership or other legal entity.

**Poster** A Sign, printed, lettered or drawn upon disposable material, announcing or advertising a Special Event.

**Residential Dwelling Unit** A structure or part of a structure that is used as a home or residence by one or more persons who maintain a household.

**Sign** Any structure, wall display, device or representation which is designated or used to advertise or call attention to or directs a person to a business, association, profession, commodity, product, institution, service, entertainment, person, place or thing, event or activity of any kind, and is visible from a highway or other public right-of-way.

**Sign, Directional** A Sign directing and informing the public of such things as the location of exits, entrances, service areas, restrooms, designated parking areas.

**Sign, Flush Mounted** A Sign attached to and mounted parallel to the face of a building or attached to an architectural feature of the building designed to accommodate a Sign mounted parallel to the building face such as an awning or entryway.

**Sign, Free Standing** A Sign not attached to a building, having no more than two parallel sides that are not more than six (6) inches apart.

**Sign, Off Premises** A sign which directs attention to a business, profession, commodity, service or entertainment that is not carried on, sold or offered on the same premises.

**Sign, Projecting** A Sign attached to and projecting away from the face of a building.

**Sign, Residential** A Sign identifying a Residential Dwelling Unit or the owner or occupants of a Residential Dwelling Unit.

**Sign, Sandwich Board** A self-supporting, moveable Sign, not secured to the surface upon which it is located, typically hinged at the top and having two visible faces.

**Sign, Soffit** A Sign hung from and within an overhang of a building.

**Sign, Temporary** A Sign made of rigid material, but not being of permanent nature or construction.

**Sign, Window** A Sign affixed to the inside of a window or door or placed within a building so as to be plainly visible and legible through a window or door.

**Sign, Lawn** A Sign made of rigid material, but not being of permanent nature or construction, announcing or advertising an activity having a limited duration.

**Sign, Seasonal Agricultural Product** A sign identifying horticultural, viticultural, forestry, dairy, livestock, poultry, bee, or other farm products available for sale for a limited duration.

**Special Event** An event or occurrence of limited duration, such as a yard sale, election, fund raiser, show, entertainment, auction or charitable event.

**Yard, Front** An open space between the building and the street, extending the full width of the lot, or in the case of a corner lot, extending to all streets.

**Yard, Rear** An open space between the building and the rear lot line, extending the full width of the lot.

#### **4. Sign Permit Procedure**

(A) A Person seeking a Sign Permit shall file an application with the Administrative Officer on a form prescribed by the Administrative Officer.

(B) An application fee shall be charged for processing a Sign Permit application. The application fee shall be paid in full at the time the Sign Permit application is filed with the Administrative Officer. The Sign Permit application fee shall be established by resolution of the Selectboard. A Non-Profit Organization shall be exempt from payment of the application fee.

(C) Upon receipt of a complete Sign Permit application, the Administrative Officer shall determine the application's conformance with this Ordinance and shall approve a Sign Permit only if the application conforms with this Ordinance.

(D) In rendering a decision, the Administrative Officer may approve the application, approve the application with conditions, or deny the application. The Administrative Officer shall render a decision on the application within thirty (30) calendar days of receipt of a complete application.

#### **5. Design Review**

(A) The construction, display, alteration, or relocation of any Sign within a Design Area established under the Dorset Zoning Bylaw shall require design approval by the Planning Commission before issuance of a Sign Permit by the Administrative Officer. The Design Review Board shall advise the Planning Commission in its deliberations concerning an application for a Sign Permit in a Design Review Area.

(B) In reviewing a Sign Permit application for design approval, the Planning Commission shall consider the following additional criteria:

(1) Signs shall not conceal architectural detail, clutter the building's image, nor distract from the unity of the façade, but rather shall complement the overall design.

(2) Sign materials shall be compatible with the Design District. Wood, metal and fabric signs are encouraged. Permanent plastic signs are not appropriate.

(3) Signs shall be proportional and sized to the scale of the structure and compatible with the windows, doors, and other openings of a building.

(4) Cornice signs shall be horizontal.

(5) Internally illuminated cabinet signs, neon signs, mechanical, inflatable, animated and flashing or blinking signs or lights are not permitted in the Design District.

(6) Color is one way in which an owner can express individuality in a sign. Earth tones and natural colors are very popular in Dorset. Restraint is the key word in choosing colors. Bright, primary, or metallic colors are best left to accent areas. Fluorescent or dayglow colors are prohibited. Contrast of light and dark colors should be considered to ensure that signs are legible.

(7) Lighting is integral to signage design. Hanging signs and those mounted on buildings can be up-lit from the ground or lit from the building's structure by one or more stationary bulbs. Lighting shall illuminate only the sign and be shielded to avoid light pollution and glare.

(8) The Dorset Green sign board has three, two-sided faces upon which to install temporary signs. Any non-profit organization in Dorset may apply to the town manager's office for permission to place a sign on one of those three boards. They may be put in place not more than two weeks in advance of the advertised event and shall be removed as soon as the event is over.

(9) "Open" banners of simple design are permitted but must be hung and removed daily. Permanent banners with a business name or logo are not permitted.

(10) A sign containing a registered trademark or logo may be used provided it occupies no more than 50% of the total sign area.

(11) Roof mounted signs are strictly prohibited.

(12) In case of awnings or canopy signs lettering shall only be placed on the front valance or side panels.

## 6. Signs Requiring a Sign Permit

The following Signs may only be constructed or displayed with a Sign Permit issued by the Administrative Officer:

(A) Free Standing Signs, subject to the following requirements:

<b>Zoning District</b>	<b>Maximum Number per Lot</b>	<b>Maximum Sign Area</b>
Agricultural and Rural Residential	1	15 sq. ft.
Village Residential	1	15 sq. ft.
Village Commercial	1	15 sq. ft.
Commercial Industrial 1	1	35 sq. ft.
Commercial Industrial 2	1	35 sq. ft.
Forest I	0	--
Forest II	1	4 sq. ft.

1. The maximum height of a Free Standing Sign shall be ten (10) feet, measured from the average finished grade level at the base of the Free Standing Sign to the highest portion of any part of the Free Standing Sign structure.
2. The minimum setback for a Free Standing sign shall be three (3) feet, measured from the inner edge of any sidewalk to the closest point of the Free Standing Sign or its support structure. Where no sidewalk exists, the setback shall be ten (10) feet measured from the edge of the pavement or traveled way to the closest point of the Free Standing Sign or its support structure
3. If a Lot does not have frontage on a public highway and is served by a legally deeded right-of-way through a parcel that does have frontage, such right-of-way shall be considered as part of the Lot. However, any such Free Standing Sign must be shared with the parcel having frontage and may not exceed the Maximum Sign Area for that Zoning District.
4. One Free Standing Sign shall be permitted for identification of a residential subdivision or housing project. Such Free Standing Sign shall have a Maximum Sign Area of four (4) square feet and shall not be illuminated unless safety concerns demonstrate that illumination is required.

(B) Flush Mounted Signs, subject to the following requirements:

Zoning District	Maximum Number per Establishment		Maximum Sign Area
	If Free Standing Sign on Lot	If <u>No</u> Free Standing Sign on Lot	
Agricultural and Rural Residential	1	2	15 sq. ft.
Village Residential	1	2	15 sq. ft.
Village Commercial	1	2	15 sq. ft.
Commercial Industrial 1	2	3	35 sq. ft.
Commercial Industrial 2	2	3	35 sq. ft.
Forest I	0	0	--
Forest II	0	1	4 sq. ft.

1. A Projecting Sign may be substituted for a Flush Mounted Sign. The Maximum Sign Area of a Projecting Sign shall be the same as a Flush Mounted Sign in the Zoning District in which the Lot is located. A Projecting Sign shall not extend more than six (6) feet from the building to which it is mounted. The lowest point of a Projecting Sign or its support structure shall be at least eight (8) feet above the grade level.
2. In addition to Flush Mounted Signs allowed above, one (1) Flush Mounted Sign having a Maximum Sign Area of three (3) square feet may be mounted directly above the rear entrance of each Establishment on a Lot, provided: (a) the rear entrance is a direct access from a parking lot which is located in a Rear Yard; (b) the rear entrance is in addition to any front or side entrance; and, (c) the Flush Mounted Sign is not illuminated.
3. Flush Mounted Signs shall be mounted in traditional locations which “fit” with the architectural design of buildings, such as over entrance doors.

(C) Soffit Signs, subject to the following requirements:

1. Where a covered walkway exists on a building with more than four Establishments in separate and unaffiliated ownership, each Establishment may have one Soffit Sign with a Maximum Sign Area of two (2) square feet.

2. A Soffit Sign shall be unlighted and hung above the entrance to the business which it advertises, and hung in a direction perpendicular to the walkway, so that it is legible to pedestrians on the walkway.

(D) Sandwich Board Signs, subject to the following requirements:

<b>Zoning District</b>	<b>Maximum Number per Lot</b>	<b>Maximum Sign Area</b>
Agricultural and Rural Residential	0	-
Village Residential	0	-
Village Commercial	1	8 sq. ft.
Commercial Industrial 1	1	8 sq. ft.
Commercial Industrial 2	1	8 sq. ft.
Forest I	0	--
Forest II	0	--

(E) Temporary Banners, subject to the following requirements:

<b>Zoning District</b>	<b>Maximum Number per Establishment</b>	<b>Maximum Sign Area</b>
Agricultural and Rural Residential	1	15 sq. ft.
Village Residential	1	15 sq. ft.
Village Commercial	1	15 sq. ft.
Commercial Industrial 1	2	35 sq. ft.
Commercial Industrial 2	2	35 sq. ft.
Forest I	0	--
Forest II	0	--

1. A Temporary Banner shall only be displayed for the duration of the activity that the Temporary Banner is announcing or advertising and shall be removed promptly when such activity is concluded.

(F) Temporary Signs, subject to the following requirements:

<b>Zoning District</b>	<b>Maximum Number per Lot</b>	<b>Maximum Sign Area</b>
Agricultural and Rural Residential	1	8 sq. ft.
Village Residential	1	8 sq. ft.
Village Commercial	1	8 sq. ft.
Commercial Industrial 1	1	8 sq. ft.
Commercial Industrial 2	1	8 sq. ft.
Forest I	0	--
Forest II	1	4 sq. ft.

1. A Temporary Sign may only be displayed on a Lot upon which a new Establishment is located or for which a zoning permit for a new land use has been issued.
  2. A Temporary Sign shall only be displayed for thirty (30) days.
- (G) Window Signs, subject to the following requirements:

<b>Zoning District</b>	<b>Maximum Number per Establishment</b>	<b>Maximum Sign Area</b>
Agricultural and Rural Residential	1	4 sq. ft.
Village Residential	1	7.5 sq. ft.
Village Commercial	1	7.5 sq. ft.
Commercial Industrial 1	1	25 sq. ft.
Commercial Industrial 2	1	25 sq. ft.
Forest I	0	--
Forest II	1	4 sq. ft.

**7. Signs Not Requiring a Sign Permit**

The following Signs may be displayed without a Sign Permit issued by the Administrative Officer, subject to the following requirements:

- (A) Up to three (3) Directional Signs per Establishment, visible from the public way, each having a Maximum Sign Area of two (2) square feet. A Directional Sign in the Front Yard of a Lot shall not contain any name or logo. A Directional Sign shall not be illuminated. A Free Standing Directional Sign shall have a maximum height of three (3) feet, measured from the average finished grade level at the base of the Free Standing Directional Sign to the highest portion of any part of the Free Standing Directional Sign structure.
- (B) One Residential Sign per Residential Dwelling Unit, having a Maximum Sign Area of one and one half (1.5) square feet.
- (C) Up to three (3) Posters per Special Event, each having a Maximum Sign Area of three (3) square feet, displayed for no more than ten (10) consecutive days. Such Posters shall be removed when the Special Event is completed.
- (D) Up to two (2) Lawn Signs per Special Event, each having a Maximum Sign Area of three (3) square feet, displayed for not more than seven (7) consecutive days. Lawn Signs may be displayed off-premises.
- (E) Up to two (2) Seasonal Agricultural Product Signs, each having a Maximum Sign Area of eight (8) square feet, displayed not more seven (7) days before and seven (7) days after the availability of Seasonal Agricultural Products. Seasonal Agricultural Signs may be displayed off-premises.
- (F) One (1) temporary Free Standing Sign or one (1) temporary Window Sign per Lot having a Maximum Sign Area of three (3) square feet located on real estate actively marketed for sale or

lease. Such temporary Free Standing Sign or Window Sign shall be removed promptly when the real estate is sold or leased.

(G) One (1) temporary Free Standing Sign or one (1) temporary Window Sign per Lot having a Maximum Sign Area of three (3) square feet located on a building construction or renovation site. Such temporary Free Standing Sign or Window Sign shall be removed promptly when the when the construction or renovation is completed.

(H) Any Sign constructed or displayed by the Federal Government, the State of Vermont, the Town of Dorset, the Taconic & Green Regional School District, or other governmental entity, or a Sign required to be constructed or displayed by one of these governmental entities.

(I) The flag of any government.

(J) Any sign located on a registered and inspected motor vehicle, provided that such motor vehicle in not regularly parked continuously in the same location or in an area not designed, designated, or commonly used for parking.

(K) Vending machines which are traditionally located outside of commercial buildings, such as those which house or dispense soda, snack foods ice and the like, that incorporate unilluminated Signs advertising the product being sold. No vending machine may be internally illuminated.

(L) One (1) Sign affixed to the top of a gasoline pump stating the price of gasoline, and having a Maximum Sign Area of one (1) square foot. Alternatively, gasoline prices may be incorporated in a permitted Free Standing Sign located on the pump island, provided that no other gasoline price Signs are displayed.

## **8. Prohibited Signs**

The following Signs are prohibited:

(A) Off Premises Signs, except off premises Lawn Signs and off premises Seasonal Agricultural Signs, as set forth in Sections 7(D) and (E)

(B) Any Sign located within the right of way of a State or Town highway.

(C) Any Sign that interferes with, imitates, or resembles any official traffic control sign, signal or device or attempts or appears to attempt to direct the movement of traffic.

(D) Any Sign that prevents the driver of a motor vehicle from having a clear and unobstructed view of any official traffic control sign, signal or device, or approaching or merging traffic.

(E) Any Sign attached to, placed upon, or painted upon, on the roof of any building or structure.

(F) Any Sign attached to, placed upon, or painted upon, any rock or natural feature.

(G) Any Sign attached to, placed upon, or painted upon, any utility pole or traffic control sign or post.

(H) Any Sign that contains, includes, or is illuminated by any flashing, intermittent or moving lights.



(I) Any Sign that is fraudulent or misleading or advertises activities which are illegal under State or Federal law or activities in violation of the ordinances, bylaws, or regulations of the Town of Dorset.

## **9. Sign Lighting**

(A) Lighting on any Sign shall be directed and shielded so that the light shines only on the subject Sign, and to prevent glare offsite, into the sky, or onto adjoining properties or roads and highways.

(B) All bulbs shall be shielded or hooded.

(C) All ground-mounted fixtures shall be screened by bushes or other appropriate means.

(D) All fixtures mounted on the sign itself shall blend in with the background color of the sign or its surroundings, as deemed appropriate for the site. Lighting on any Sign shall be limited to a total of one hundred fifty (150) watts of incandescent light or its equivalent.

(E) No Sign may be internally illuminated, lit by neon, or contain any fluorescent paint.

## **10. Non-Conforming Signs**

A Non-Conforming Sign may remain in use in that location, provided that the use has not been abandoned or discontinued for more than one hundred eight (180) days. A Non-Conforming Sign shall not be relocated or altered unless the Sign is made to comply with this Ordinance.

## **11. Signs Advertising Non-Operational Businesses**

No Sign shall remain on the premises of a non-operational business more than thirty (30) days after the business has closed. A thirty (30) day extension may be granted by the Administrative Officer. The support structure of a Free Standing Sign may remain in place where appropriate and usable by a subsequent business.

## **12. Maintenance**

All Signs and their associated support structures shall be kept in good repair and safe condition and shall be cleaned or painted as often as necessary to maintain a clean, neat, and orderly appearance.

## **13. Appeal**

(A) A Person aggrieved by a decision or action of the Administrative Officer or decision of the Planning Commission may appeal such decision or action to the Zoning Board of Adjustment. Notice of the appeal shall be in writing and shall be filed with the Town Clerk within fifteen (15) calendar days of the Administrative Officer's decision.

(B) The Zoning Board of Adjustment shall hold a hearing on the appeal within thirty (30) days after receipt of the appeal notice. Notice of the hearing shall be given not less than seven (7) days prior to the date of the hearing by posting of the time, date, place, and purpose of the hearing in three (3) or more public places within the Town and publication of the time, date, place, and purpose of the hearing on the Town website and in a newspaper having general circulation in the Town.

(C) Upon such appeal, the Zoning Board of Adjustment shall act to affirm, reverse, or modify in any regard, the decision or action of the Administrative Officer or Planning Commission. Provided, however, the Zoning Board of Adjustment may not grant variances or exemptions, or otherwise alter, amend, enlarge, or modify the provisions of this Ordinance, it being the intent of this subsection to merely provide for appeals from the decisions and actions of the Administrative Officer and Planning Commission and not to provide for variances or exceptions to this Ordinance.

(D) The Zoning Board of Adjustment shall issue its decision within fifteen (15) calendar days of the close of the appeal hearing.

#### **14. Enforcement**

Any Person who violates a provision of this Ordinance or who violates any condition of a Sign Permit issued hereunder shall be subject to a civil penalty of up to \$800.00 per day for each day that such violation continues. The Administrative Officer shall be authorized to act as Issuing Municipal Official to issue and pursue before the Judicial Bureau a municipal complaint. Each day the violation continues shall constitute a separate violation. The Issuing Municipal Official is authorized to recover Civil Penalties and Waiver Fees in the following amounts for each violation:

	<u>Civil Penalty</u>	<u>Waiver Fee</u>
First Offense	\$160.00	\$100.00
Second Offense	\$320.00	\$250.00
Third Offense	\$480.00	\$400.00
Fourth Offense	\$640.00	\$550.00
Fifth and Subsequent Offenses	\$800.00	\$700.00

If the penalty for all continuing violations is greater than \$800.00, or injunctive relief is sought, the action shall be brought in the Criminal Division of the Superior Court.

#### **15. Revocation of Permits; Other Relief**

(A) Any Sign Permit issued under this Ordinance may be revoked by the Administrative Officer for failure to comply with any provision of this Ordinance or the condition of any Sign Permit.

(B) In addition to the enforcement procedures available before the Judicial Bureau, the Town may commence a civil action to obtain injunctive and other appropriate relief and to pursue any other remedy authorized by law.

#### **16. Other Laws**

This Ordinance is in addition to all other ordinances of the Town of Dorset and all applicable laws of the State of Vermont.

#### **17. Severability**

If any section, subsection or portion of this Ordinance shall be declared by any competent court to be invalid for any reason, such decision shall not be deemed to affect the validity of any other section, subsection or portion of this Ordinance.

**18. Repeal**

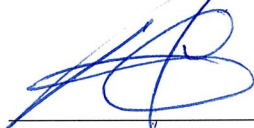
The Town of Dorset, Vermont Sign Ordinance adopted by the Dorset Selectboard on \_\_\_\_\_, is hereby repealed.

**19. Effective Date**

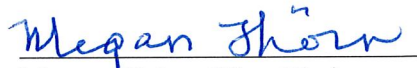
This Sign Ordinance shall become effective 60 days after its adoption by the Dorset Selectboard. If a petition is filed under 24 V.S.A. Section 1973, the taking effect of this Ordinance shall be governed by that statute.

Adopted this day of October 27, 2018.

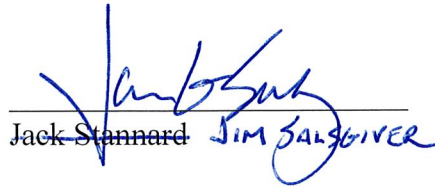
Town of Dorset Selectboard



Henry Chandler, Chair

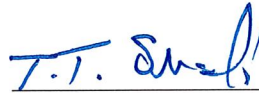


Megan Thörn, Vice Chair



Jack Stannard

SIM SALSINGER



Tom Smith



Liz Ruffa