

TOWN OF DEDHAM

Chapter 237 Signs

Article I: General Provisions

SECTION 237-1. Purpose.

The purpose of this chapter is to establish reasonable regulations for the design, construction, installation, and maintenance of all exterior signs in the Town of Dedham in order to:

- A. Encourage the use of signs as an effective means of communication, to promote public access and awareness of goods and services and to improve the town's ability to attract sources of economic development and growth;
- B. Maintain and enhance the aesthetic environment by promoting visual order and clarity on town streets and appropriate relationship between signs and the buildings and environment to which they relate;
- C. Promote pedestrian and traffic safety by controlling the location, design, and placement of signs on Town streets;
- D. Protect property values by ensuring the appropriate location, size, number and use of signs in neighborhoods and business districts.

SECTION 237-2. Authority.

This chapter is adopted pursuant to Chapters 93 and 43B of the General Laws of Massachusetts.

SECTION 237-3. Applicability and Effect.

A. sign may be erected, placed, established, painted, created or maintained in the town only in conformance with the standards, procedures, exemptions, and other requirements of this chapter.

B. The effect of this chapter as more specifically set forth herein is:

- (1). To establish a permit system to allow a variety of types of signs subject to the standards and the permit procedures of this chapter;
- (2). To allow signs that are not expressly prohibited by this chapter; and
- (3). To provide for the enforcement of the provisions of this chapter.

Article II Definitions

SECTION 237-4. Definitions and interpretation.

Words and phrases used in this chapter shall have the meanings set forth in this section. Words and phrases not defined in this section but defined in Massachusetts Building Code shall be given the meanings set forth therein.

Animated or Flashing Sign:

Any sign that uses movement or change of lighting to depict action or create a special effect or scene.

Applied Lettering:

A sign or informative text which is created by applying each letter individually, adhering them directly to a wall or the surface of a window, without any contrasting background material.

Awning:

An awning or canopy is any device, fixed or retractable, made of canvas or duck cloth, which extends over or otherwise cover a sidewalk, courtyard, walkway, eating area, driveway, or other area or space, whether that area or space is intended for pedestrians, vehicles or other purposes. (see Table 1 Footnote #1, for controls)

Awning Sign:

Any and every sign displayed on an awning or canopy. An awning or canopy on which the only commercial message is a maximum of six (6) inches in height shall not be considered a sign for purposes of this chapter.

Back-Lighted Sign:

Any wall mounted sign which is illuminated by a diffused light source providing so-called “halo effect” to allow light to extend beyond the actual limits of the sign panel or individual letters. Any such illumination shall be by steady, white, non-neon lighting.

Banner:

Any sign of lightweight fabric or similar material that is mounted to a pole or a building ~~by a frame~~ at one or more edges. National flags, state, or the official flag of any institution or business shall not be considered ~~B~~anners.

Beacon:

Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source or any light with one or more beams that rotate or move.

Billboard:

A freestanding off-premises sign larger than one hundred square feet (100) of sign panel area, or a sign affixed to a building covering more than twenty percent (20) of the wall area to which it is affixed.

Board:

Zoning Board of Appeals.

Building Marker:

Any sign indicating the name of a building, date of construction or other incidental information about its construction or history.

Building Sign:

Any wall sign, projecting sign, suspended sign, or any sign attached to any exterior part of a building.

Business Identification Sign:

A sign identifying or directing attention to the name of the building, development, business, product, activity or service sold, provided, or offered upon the lot.

Center Identification Sign:

A sign identifying only the name and location of an entire planned commercial, office or industrial complex developed or managed under one ownership or single control.

Changeable Sign Copy:

A sign or portion thereof with characters, letters, or illustrations that can be changed without altering the face or the surface of the sign. A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign for the purposes of this chapter. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a time and temperature portion of a sign and not a changeable copy sign for purposes of this chapter.

Commercial Message:

Any sign wording, logo, or other representation that directly or indirectly names, advertises or calls attention to a business, product, service, or other commercial activity.

Commissioner:

The Building Commissioner of the town or a designee of the Commissioner.

Design Review Advisory Board:

DRAB.

Digital Display Sign:

A sign utilizing a digital display. This sign type utilizes a light source derived from LCD, LED, or other display technologies, featuring changeable graphics and streaming video. A digital display is effective at close viewing range. Free-standing digital display signs shall be allowed only in Planned Commercial (PC) developments provided the message on same is not legible from a public way. This sign type is not considered an animated or flashing sign for purposes of this Chapter.

Directory Sign:

A sign located at or near the entrance of a multi-tenant building, lot, park or campus, the sole purpose of which is to provide a listing of the names of the individual tenants or users located therein.

Externally Illuminated Sign:

A sign which is lighted from a source which is outside of the sign panel, with the light source mounted on the building face, the sign structure, or on the ground.

Flag:

Any fabric containing distinctive colors, patterns, or symbols used as a symbol of a government, political subdivision, business corporation or other entity on a pole or suspended from a building.

Free-Standing Sign:

Any sign supported by structures or supports that are placed on or anchored in the ground and that are independent from any building or other structure.

Incidental Sign:

A sign, generally informational, that has a purpose secondary to the use of the lot on which it is located such as 'no parking', 'entrance', 'loading only' or similar directives. No sign with a commercial message legible from a position off the lot on which the sign is located shall be considered incidental.

Internally Illuminated Sign:

A sign that is lighted by a source concealed behind a translucent sign panel.

LED Illuminated Sign:

A sign that is illuminated from a light emitting diode.

Lot:

An area of land in single ownership with definite boundaries, established by a recorded plan or deed, including a lot created by combining several previously recorded lots, and used or available for use as the site of one or more buildings or for any other purpose.

Marquee:

Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

Monument Sign:

Any detached sign whose sign surface is attached to a proportionate base or structural frame, the width of which shall be a minimum of one-half the width of the widest part of the sign face. Said base shall not exceed a height of three (3) feet above the average finished grade. An enclosed or solid sign base shall not be required if the sign face is within one (1) foot of the average finished grade.

Multi-Tenant Lot:

Any lot with more than one business or more than one use with exterior signs.

Neon Sign:

A sign comprised of any electric discharge tubing filled with various inert gases.

Nonconforming Sign, Pre-existing:

Any sign that does not comply with the requirements of this Chapter, and which was either erected on a date prior to April 8, 1996 the effective date of this Chapter or which conformed to the provisions of this Chapter in effect on the date of the erection of the sign.

Normal Grade:

Normal grade shall be construed to be the lower of (i) existing grade prior to construction or (ii) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the lot, whichever is lower.

Off-premises Sign:

A sign pertaining to products, accommodations, services, or activities not located on the premises.

On-Premises Sign:

A sign pertaining exclusively to the premises on which it is located or to the products, accommodations, services, or activities on the premises.

Pennant:

Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string.

Pole or Pylon Sign:

Any sign that is supported by uprights, braces, columns, poles, or other vertical members which are not attached to a building and where the bottom edge of the sign face is located three (3) feet or more above the normal grade at the base of the sign.

Portable Sign:

Any sign not permanently attached to the ground or some type of permanent structure; a sign designed to be transported by means of wheels; a sign converted to or located on A- or T-frames other than a Sandwich Board sign with a sign permit; an inflatable sign or tethered balloon; and a sign attached to or painted on a vehicle parked and visible from the public right-of-way, unless such vehicle is used in the normal day-to-day operations of the business.

Principal Building:

The building in which is conducted the principal use of the lot on which it is located. Lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages, and other clearly accessory uses shall not be considered principal buildings.

Principal Façade:

Any facade that constitutes the primary visual and functional orientation of the building or tenant space, characterized by a combination of such features as principal entry, storefront, and visibility from streets or parking areas.

Projecting Sign:

Any sign affixed to a building or wall in such a manner that its leading edge extends more than twelve (12) inches beyond the surface of the building or wall. A projecting sign may be either perpendicular or parallel to a wall and may have a message on more than one (1) face.

Real Estate Open House Sign:

Any Real Estate sign advertising an open house showing may be displayed in the front yard of the subject property provided that such sign location does not block passage on the sidewalk and complies with the size specified in the Sign Code and further that such sign is installed and removed on the day of the open house.

Residential Sign:

Any sign for residential uses that contains no commercial message except advertising for goods and services offered on the premises where the sign is located, provided that offering such goods or services conforms with all requirements of applicable zoning and town regulations.

Roof Sign:

A sign which is located above, or projected above, the lowest point of the eaves or the top of the parapet wall of any building, or which is painted on or fastened to the roof.

Sandwich Board Sign:

A non-illuminated, free-standing sign located on an A- or T-frame support, which advertises goods or services sold or available at adjacent premises.

Setback:

The distance from the property line to the nearest part of the applicable building, structure, or sign, measured perpendicularly to the property line.

Sign:

Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

Street Frontage:

A linear measurement of the distance between side lot lines along the street where the signage will be viewed.

Sign Height:

The height of a sign shall be computed as the distance from the base of the sign at the normal grade to the top of the highest attached component of the sign.

Sign Package:

An optional master sign plan for an entire lot and/or multi-tenant building that includes drawings, material, color specifications, number of signs, types of signs and locations, as recommended by DRAB.

Sign Panel:

The area of a sign face (which is also called the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representations, emblem, or other display for applied lettering, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed for all other signs, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets all applicable regulations and is clearly incidental to the display itself.

Suspended Sign:

A sign that is suspended from the underside of a horizontal plane surface and is supported by that surface.

Temporary Sign:

Any sign that is not permanently mounted, except for a window sign, that is in place for a period of not more than thirty (30) days.

Waiver Application Packet:

A completed Waiver Application for Hearings, Application for Abutters List, Dedham Times Legal Ad Form, Letter of Authorization from the property owner and additional materials in support of the waiver request.

Wall Area:

The area of a wall within a single plane.

Wall Sign:

Any sign parallel and attached to a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and displays only one (1) sign surface.

Window Sign:

Any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service that is placed within a window or upon the interior face of a window panes or glass, including lettering applied to the window surface and a sign panel hung within or mounted close to the transparent portion of a window so as to be visible from the exterior of the window.

Article III Administration

SECTION 237-5. Permits; review by Design Review Advisory Board required.

No sign shall be erected, enlarged, redesigned, structurally altered, or used without the review of the DRAB and a sign permit issued by the Building Commissioner, except as provided for elsewhere in this chapter. Permits shall be issued only for signs in conformance with this chapter.

Section 237-6. Applications; issuance of permits, notification of denial.

A. Application fees shall be established and revised from time to time by DRAB at a level not exceeding that sufficient to defray the estimated cost of administering this article.

B. All applications for sign permits shall be submitted to the Planning and Zoning Board Office. The DRAB at their December meeting shall vote on the upcoming year submittal deadline and meeting schedule. The 30 day review process starts on submittal deadline and meeting schedule that is posted.

C. The Planning Director and Building Commissioner shall review all sign permit applications for completeness and compliance with the Sign Code. Once an application is deemed complete it will be placed on the next available agenda of DRAB. In cases where an application does not comply with the Sign Code; the applicant will be notified by the Planning and Zoning Board Office that a waiver needed for whatever element of a sign does not comply with the Sign Code.

D. DRAB shall hold a meeting within 30 days of submittal of a sign permit application to review the application and provide a recommendation letter. The recommendation letter may recommend in favor or against the applications, or may recommend in favor on condition of specified modifications. Upon the written assent of the applicant the review period may be extended to provide additional time for review of the application. DRAB shall provide a written recommendation to the Building Commissioner and the applicant within 10 business days after the recommendation is so voted. The failure of DRAB to provide a recommendation within 10 business days shall be deemed a favorable recommendation.

E. Once the recommendation letter is issued the applicant may apply for a sign permit with the Building Department. Cases where a sign waiver is needed, an applicant may not apply for sign permit until the waiver is granted by the Board.

237-7 Inspection; certificate of compliance; notice of deficiencies.

During the sixth month after the issuance of a permit or at such earlier date as the applicant may request, the Commissioner shall cause an inspection of the lot for which each such permit for a new sign or for modification of an existing sign has been issued. If the construction is complete and in full compliance with this chapter and with the building and electrical codes, the Commissioner shall issue a certificate of compliance. If construction is not substantially complete or not in full compliance with this chapter and applicable codes, the Commissioner shall give the owner or applicant notice of the deficiencies and shall allow an additional thirty (30) days from the date of inspection for the deficiencies to be corrected. If the deficiencies are not corrected by such date, the permit shall lapse. If construction is completed within said 30 days and the deficiencies corrected, the Commissioner shall issue a certificate of compliance.

237-8 Replacing signs shown on Sign Package.

Where the owner of a property has a recommended Sign Package on file with DRAB, the Building Department issue a sign permit for a sign that conforms to a Sign Package.

Article IV General Regulations

SECTION 237-9 Permits required.

Signs identified as “P” on Table 1 shall be erected, installed, or created only in conformance with a duly issued and valid sign permit. Such permits shall be issued only in accordance with the following requirements and procedures.

Section 237-10 Public right of way signs.

No sign shall be allowed in the public right-of-way, except as follows and in conformance with the following conditions:

- A. Permanent bus stop signs erected by a public transit company;
- B. Permanent informational signs of a public utility regarding its poles, lines, pipes, or facilities;
- C. Awning, projecting, and suspended signs projecting over a public right-of-way in conformance with all other regulations of this chapter.
- D. Temporary emergency warning signs erected by a governmental agency, a public utility company, or a contractor doing authorized or permitted work within the public right-of-way.
- E. Sandwich Board signs in conformance with all other regulations of this chapter.
- F. Banner signs including signs with commercial message approved by the Board of Selectmen.

Section 237-11 Town-Owned Property – temporary signs.

Temporary signs promoting events, programs or functions sponsored by charitable, cultural, educational or religious organizations based in Dedham are permitted on town-owned property upon fifteen (15) days notice to the town agency with jurisdiction for the property, subject to space availability at places designated by the agency; provided, however, that an organization may at each location place a single sign not to exceed nine (9) square feet; provided, further, that such signs may be installed only during the period from thirty (30) days prior to the event to three (3) days subsequent to the event. For the purposes of this section multi-day events occurring at least once per week may be treated as a single event.

Section 237-12 Town-owned property – sponsorship signs.

Notwithstanding the prohibition of roof signs and commercial signs attached to fences cited in Section 237-15, sponsorship signs supporting municipal recreational facilities and activities are permitted on Town-owned property subject to the approval of the Town agency with the jurisdiction for such property, provided in the case of roof signs that such signs be limited to forty (40) square feet in size and shall be limited to the following locations, with no more than one (1) sign allowed at each such location; Memorial Field, Condon Park, Rustcraft Road and Stone Park.

Section 237-13 Exempt signs.

The following do not require a permit under this chapter:

- A. Any sign erected or required by public agencies pursuant to federal, state, or local law.
- B. Public signs erected by or on behalf of a governmental body to post legal notices, to identify public property, to convey public information, and to direct or regulate pedestrian or vehicular traffic.
- C. Any sign inside a building, not attached to a window or door, that is not visible from a distance of more than three (3) feet beyond the lot line of the lot or parcel on which such sign is located.
- D. On-premises traffic control devices on private property, the face of which meet Department of Transportation standards and which contain no commercial message of any sort.

Section 237-14 Private property – exempt signs.

The following signs are allowed on private property without sign permits:

- A. On all residential properties, one sign, either attached or freestanding, indicating only the name of the owner or occupant, street number, and permitted uses or occupations engaged in thereon, not to exceed two (2) square feet in area.
- B. On all residential properties, one temporary, unlighted, on-premises sign announcing or identifying occasional sale, such as a yard or garage sale or an institutional or school fair, provided that such sign shall not exceed nine (9) square feet.
- C. In any location, one temporary unlighted real estate sign advertising the sale, rental, or lease of the premises or subdivision on which it is erected, such sign not to be larger than nine (9) square feet.
- D. In any location, one temporary unlighted sign not larger than nine (9) square feet indicating the name and address of the parties involved in construction on the premises. Said sign shall not be installed until the construction work commences on the property and shall be removed immediately upon completion of the project.
- E. In any location, unlighted non-commercial signs, provided that each such sign shall not exceed nine (9) square feet.
- F. In any location within the SC District, lighted or unlighted signs visible from a position outside of the SC District, provided that each such sign shall not exceed fifteen (15) square feet. Such signs shall not be included in a determination of Maximum Total Sign Area for a lot within the SC District.
- G. In any location, one temporary unlighted real estate open house sign may be displayed in the front yard of the subject property, provided that such sign location does not block passage on the sidewalk and complies with the size limitations specified in this chapter and further that such sign is both installed and removed on the day of the open house.

Section 237-15 Prohibited sign types.

The following are prohibited:

- Animated or flashing signs
- Beacons
- Billboards
- Commercial signs attached to fences or rocks
- Digital Display Sign except for Planned Commercial Development
- Neon signs
- Pennants
- Portable commercial signs other than Sandwich Board signs in Districts LB, GB, and CB with sign permit
- Roof signs
- Signs having red or green lights erected within sight of a traffic signal unless approved as non-hazardous by the Chief of Police
- Signs which obscure or tend to block a clear view of traffic, warning and control signs or signals, pedestrian crosswalks, or handicapped access ramps, or any sign that the Commissioner determines may endanger public safety.
- Wind-driven, whirling, turning, or spinning signs.

Article V Special Regulations

Section 237-16. Central Business District.

These regulations shall be in addition to existing relevant general regulations contained in the Sign Code.

A Signs.

(1) Location. Any wall sign installed on a building with an architectural sign band shall be located within that sign band which is the horizontal plane of the facade of the building defined by architectural details such as cornices, lintels, pediments, pilasters and windows.

(2) Design. Sign design shall conform to the materials specified in the Design Guidelines incorporated in Appendix A.

B. Awnings.

(1) Location. The awning location on the building shall not obscure or cover the architectural sign band of the building.

(2) Design. The shape of the awnings may be triangular as viewed from the side and may contain a valance with sufficient area for lettering.

(3) Colors. The color of the awning shall be consistent with the overall design scheme for the building and the Central Business District. The color of the awning material shall be selected from the range of colors provided for in Appendix A.

Section 237-17. Design Guidelines.

In reviewing sign applications DRAB shall apply design guidelines in “Building Better: A Design Manual for Building Improvements and Design Bulletins” by RBA Group adopted on April 11, 2013.

Section 237-18 Illumination.

- A. No sign shall be lighted except by a steady, stationary, non-neon light, shielded and directed at the sign.
- B. External illumination shall be by steady, stationary, non-neon light, shielded and directed at the sign. The foregoing is **also** applicable to permanent interior signs which are designed to be visible through a door or window.
- C. Internal illumination shall be by white, steady, stationary, non-neon light, directed on translucent materials to illuminate the sign. No more than four (4) colors shall be used. Black and white shall not be considered colors.
- D. Times of illumination. No sign shall be illuminated in any district beyond the business hours of the establishment to which it pertains, nor between 12 a.m. midnight and 6 a.m. unless allowable business hours extend into such period.
- E. No internally illuminated signs shall be permitted in any residential districts, ~~the~~ Limited Manufacturing, Central Business, General Business, or Local Business districts.
- F. No illumination shall be permitted which casts light or glare beyond the perimeter of the property on which the sign is located.
- G. No illumination shall be permitted which casts light or glare onto any residential premises or onto any portion of a way as to create a traffic hazard.
- H. No pylon, pole, or sign-supporting structure shall be illuminated, except as required by other applicable state or federal law.

Section 237-19 Computation of sign area and height.

The following principles shall control the computation of sign area and height:

- A. The sign area of a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two (2) identical sign faces are placed back to back so that both faces cannot be viewed from any point at the same time, and when such faces are part of the same sign structure, the sign area shall be computed by the measurement of one of the faces.
- B. The permitted sum of all individual signs on a lot shall be computed by applying the formula contained in Table 2 for Maximum Total Sign Panel area to the lot frontage for the district in which the lot is located. Lots fronting on two (2) or

more streets are allowed the permitted sign area for each street frontage. However, the total Sign Panel area that is oriented toward a particular street may not exceed the portion of the lot's sign area allocation that is derived from the lot, building, or wall area frontage on that street. The computation of frontage shall only include the actual, physical frontage of a lot on a street.

- C. If not located in a larger landscaped area, all free-standing signs shall be located with a curbed, landscaped area extending a minimum of three (3) feet on all sides of the sign base.
- D. A sign projecting more than twelve (12) inches from the face of a building shall be at least eight (8) feet above ground level and its upper edge no more than fourteen (14) feet above ground level. Such sign shall be located only as allowed elsewhere in this chapter.
- E. No wall sign, except window signs which identify a business occupying space in a level above the ground floor level, shall extend higher than the lowest of (i) twenty-five (25) feet above grade; or (ii) below the second floor window frame; or (iii) the lowest point of the roof.

Section 237-20 Construction and maintenance standards.

All signs shall be constructed and maintained in accordance with the following standards:

- A. All signs shall comply with applicable provisions of the state building code, General By-Laws, and the electrical code of the town at all times.
- B. Except for banners, flags, temporary signs, and window signs conforming in all respects with the requirements of this chapter, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure.

Article VI: Nonconforming Signs and Signs without Permits

SECTION 237-21 Removal of nonconforming existing sign: permit for conforming sign.

The owner or person in control of any lot or other premises on which exists a sign that does not conform with the requirements of this chapter and for which there is no current and valid sign permit shall remove such sign. The owner or person in control of any lot or other premises on which exists a sign without a permit but which would otherwise comply with this chapter shall apply for a permit.

Section 237-22 Continuation of certain existing signs.

A sign that would be permitted under this chapter only with a sign permit, but which was lawfully in existence on the seventeenth of June nineteen hundred and ninety-six and which was constructed in accordance with the by-laws and other applicable laws in effect on the date of its construction, but which by reason of its size, height, location, design, or construction does not conform to the requirements of this chapter may remain in place and be repaired and maintained, but not expand in size or in degree of nonconformity. A change in the information on the face of a Pre-existing Nonconforming Sign is allowed by replacing a the Sign Panel in an existing frame or repainting the information on an existing Sign Panel with review by DRAB and a sign permit. Maintenance shall be limited to cleaning and refinishing existing sign frames and supports, but shall not include any modifications to the frames and, in the case of a free-standing or monument sign, shall not include any modification to the support structure.

Section 237-23 Requirements for sign modification.

A sign permit shall lapse and become void whenever there are modifications to a preexisting nonconforming sign other than as described in section 237-22. Upon notification by the Building Commissioner of such modification, the owner shall, within forty-five

(45) days, make the sign conform to the prior permit, remove the sign, or re-apply for a new sign with review by DRAB and a sign permit.

Section 237-24 Removal of sign when business is discontinued.

A sign permit shall lapse and become void when there has been a discontinuance of the activities, business, goods or services described on the sign. The owner shall remove a sign within 30 days of discontinuance of the activities, business, goods or services described on the sign. A Freestanding Pre-existing Non-conforming Sign structure shall be removed after three-hundred and sixty five days have elapsed where all signage on said structure has been or is required to be removed for discontinuance of the activities, business, goods or services.

Section 237-25 Previously nonconforming sign still in violation.

Nothing in this chapter shall be construed to make permissible a pre-existing sign which was constructed or displayed in violation of this chapter or any predecessor to this chapter and which continues not to be in conformance with the requirements of this chapter.

Section 237-26 Sign Area; setback.

Notwithstanding any provision to the contrary, a pre-existing nonconforming sign with a sign area greater than allowable under this chapter and/or with a setback from a public way less than allowable under this chapter may be replaced with a sign erected on the same lot with a sign area greater than allowable under this chapter and/or a setback less than allowable under this chapter upon the issuance of a waiver by the Board; provided, however, that the maximum sign area of any sign waived under this paragraph shall be no greater than seventy percent (70%) of the sign area of the nonconforming sign being replaced and the minimum setback of any sign erected under this paragraph shall be no less than the current setback of the nonconforming sign being replaced.

Article VII. Enforcement

SECTION 237-27. Violations.

- A. Each sign installed, created, erected, or maintained in violation of this chapter shall be considered a separate violation when applying the penalty portions of this chapter.
- B. Each such day of a continued violation shall be considered a separate violation when applying the penalty portions of this chapter.

SECTION 237-28. Enforcement and remedies.

A. The Commissioner may enforce the provisions of this chapter in accordance with section 1-6 of these bylaws; provided however, that except where he determines that public safety requires immediate abatement of any violation, the Commissioner shall, prior to initiating such enforcement, for purposes of a warning, give written notice to abate the violation of this chapter by delivery of same to the premises where said violation is or has occurred, or by certified mail, return receipt requested, addressed to the owner, resident or person in charge of the premises.

B. All such remedies provided herein shall be cumulative and shall not impair the authority of the Commissioner to take any action authorized or required by the State Building Code or other local, state or federal law.

SECTION 237-29. Waiver from requirements.

- A. No waiver may be granted by the Board from Section 237-15 Prohibited Sign Type.
- B. A waiver request shall be submitted on a Board application, together with a Waiver Application Packet. The application must identify each section or sections of the Sign Code where a waiver is being sought and include a statement explaining the reasoning why a waiver is being sought. Applicants shall apply to DRAB first for sign review in order for DRAB to make a recommendation on the waiver request. The Board cannot act on any waiver unless DRAB has made a recommendation that has been forwarded to the Board prior to the hearing.
- C. Seven (7) copies of the Waiver Application Packet shall be filed with the Town Clerk with DRAB's recommendation. In cases where an applicant simultaneously applies to DRAB for sign review which requires a sign waiver the Planning and Zoning Office will forward DRAB's recommendation letter to the Board prior to the hearing.
- D. A hearing for any waiver request shall be held within 65 (sixty-five) days from the date of filing with the Town Clerk. A decision shall be made within (100) one hundred days from the date of filing. The Board shall cause notice of such hearing to be published in a newspaper of general circulation and said notice shall be sent to the applicant, abutters and abutters to abutters within (300) three-hundred feet of the property line of the application as they appear on the most recent applicable tax list, notwithstanding that the land of any such owner is located in another city or town.
- E. The Board may by an affirmative vote of four (4) of its members grant waivers from the provisions of this chapter.

237-30. Waiver criteria.

The Board may grant a waiver upon making a written finding:

- A. that literal compliance with the provisions of this chapter is not practical or is unfeasible or
- B. that such waivers are recommended by the DRAB, and

provided that in all cases the desired relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the by-law.

Section 237-31. Appeal.

Any person aggrieved by the Commissioner's action or failure to act may file an appeal within thirty (30) days with the Town Clerk. An appeal from the provisions of the Sign Code is heard by the Board. A hearing for any appeal shall be held within 65 (sixty-five) days from the date of filing with the Town Clerk. A decision shall be made within (100) one hundred days from the date of filing. The Board shall cause notice of such hearing to be published in a newspaper of general circulation and said notice sent to applicant, abutters and abutters to abutters within (300) three-hundred feet of the property line of the application parties of interest within (300) three-hundred feet of the property line of the application as they appear on the most recent applicable tax list, notwithstanding that the land of any such owner is located in another city or town.

Section 237-32. Severability.

If any provision of this chapter, or the application thereof to any person or circumstance, shall be held invalid by any court of competent jurisdiction, such invalidity shall not affect the other provisions, or application thereof, of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are hereby declared to be severable.

APPENDIX A

Awning Colors

Color	Shades
Sunbrella® or Equivalent color and material	
BLUE	Admiral Navy Regatta Regatta Tweed
GREEN	Forest Green Forest Green Tweed
RED	Crimson Red Burgundy Terracotta
BLACK	
NEUTRALS Or Combined w/white stripe	Sand Toasty Beige Grey

TABLE 1 - PERMITTED SIGNS BY TYPE AND DISTRICT

Sign Type	Zoning Districts									
		All Resid.	Local Bus.	General Bus.	Central Bus.	Highway Bus.	Limited Manufacturing A & B	Research Development Office (2)	Planned Com.	Senior Campus
Freestanding	Residential (8)	A	A	A	A	A	A	A	N	A
	Pole Pylon	N	N	P	P	P	P	P	P	P
	Monument	N	N	P	P	P	P	P	P	P
	Incidental (5)	N	A	A	A	A	A	A	A	A
	Identification (3)	A	A	A	A	A	A	A	A	A
	Sandwich Board (9)	N	P	P	P	N	N	N	N	N
Wall Mount	Awning Sign (1)	N	P	P	P	P	P	P	P	N
	Building Marker (5)	A	A	A	A	A	A	A	A	A
	Identification (3)	A	A	A	A	A	A	A	A	A
	Incidental	N	A	A	A	A	A	A	A	A
	Marquee	N	N	N	P	P	P	N	N	N
	Projecting	N	P	P	P	P	N	N	N	N
	Residential (6)	A	A	A	A	A	N	N	N	A
Window	Applied Lettering (7)	N	P	P	P	P	P	P	P	P
	Sign Panel	N	P	P	P	P	P	P	P	P
Misc.	Banner (4)	P	P	P	P	P	P	P	P	N
	Flag	P	P	P	P	P	P	P	P	P

A = Allowed without sign permit
P = Allowed only with sign permit
N = Not allowed

- The following provisions shall apply to all awning signs: a.) Awning signs may only be located at the first floor level and must be painted on or attached flat against the surface of the awning or attached at an angle projecting through the awning and shall not extend beyond the valance or any other part of the awning nor be attached to or displayed on the sides or underside; b.) The area of an awning sign shall not exceed 25% of the surface area of the awning or canopy eligible for placement of signs; c.) Awning signs shall not be back lit or internally illuminated; d.) Awnings must be made of canvas or duck cloth and be completely opaque.
- Lots in the RDO district with street frontage providing actual physical access onto a major highway such as Route 1A, Providence Highway or any other street designated as a numbered highway by the Commonwealth and having at least two travel lanes in each direction, are subject to the signage regulations for the HB district and may use only the frontage on a major highway in computing the amount allowed under HB regulations.
- One sign containing only name and address of occupant, not to exceed 4 sq. ft.
- Community/Cultural banners may be permitted by the Board of Selectmen on private property or on the public ways for periods of not more than thirty (30) days. Banners may be approved for up to thirty (30) days by the Building Commissioner without DRAB review.

5. No commercial message of any kind allowed on sign if such message is legible from any off-premises location.
6. May include only building name, date of construction, or historical data on historic site; must be cut or etched into masonry, bronze, wood, or similar material.
7. Area of signage may not exceed 25% of the window area.
8. In multi-tenant residential complexes, each tenant shall be allowed a residential sign, either freestanding or wall-mounted. In addition, there may be one additional sign, either freestanding or wall-mounted, listing the name and address of the complex, total area not to exceed 25 sq. ft.
9. Each business is allowed one sandwich board sign within 30 feet of the main entrance of said premises whether on a public sidewalk or private property. The sign may be displayed only during business hours and must be removed after business hours. A sandwich board sign shall not be included in the calculation of total signage allowed on the site.

The sign frame shall be no greater in size than 2 feet wide and 3 feet 6 inches high. The message panels attached to the frame shall be no greater than 2 feet wide by 3 feet high.

The sign must be located in front of the establishment it advertises. Under no circumstances shall a sign obstruct vehicular/bus stops, benches, fire hydrants, or other features legally in the right of way, nor shall it obstruct parking access, handicapped parking access, or vehicular paths of travel. A minimum clear sidewalk width of 48 inches shall be maintained.

The sign frames must be constructed of materials that present a finished appearance and use durable weather-resistant materials including, but not limited to, painted or decay-resistant wood, metal, or wrought iron. Natural chalkboard or corkboard shall be used for message area.

Sign lettering shall either be painted in a professional-looking manner, computer-generated, or handwritten on a chalkboard. Lettering and number characters shall not exceed 8 inches in height.

Logos are encouraged.

The following are prohibited: Sign frames constructed of rough cut plywood, cardboard, paper, fabric, or non-rigid materials or use of whiteboards, magnetic letters, illumination, or changeable letters on tracks.

TABLE 2 - SIGN DIMENSIONS AND LOCATION

DISTRICT	MAXIMUM TOTAL SIGN AREA PER LOT (NOTE 1) sq. ft.	SIGN TYPE	MAXIMUM NUMBER	MAXIMUM AREA OF SIGNAGE	MAXIMUM HEIGHT	MINIMUM SETBACK FRONT	MINIMUM SETBACK SIDE
Residential	4 sq. ft.	Wall	1 per residence	4 sq. ft.			
		Freestanding	1 per residence	4 sq. ft.	5 ft. (Note 9)	3 ft.	5 ft.
		Identification	(Note 5)	4 sq. ft.			
Central Business (Note 12)	1 sq. ft. per 1 linear foot of street frontage	Wall	N/A	10 % of wall area	(Note 7)		
		Freestanding	1 per lot	20 sf.	8 ft (Note 2)	5 ft	5 ft
		Identification	1 per lot (Note 5)	4 sq. ft.			
		Awning		25 % of awning			
		Window		25 % of window area			
Local Business/General Business (Note 12)	1 sq. ft. per 1 linear foot of street frontage	Wall	N/A	10 % of wall area	(Note 7)		
		Freestanding	1 per lot	20 sf.	8 ft (Note 2)	5 ft	5 ft
		Identification	1 per lot (Note 5)	4 sq. ft.			
		Awning		25 % of awning			
		Window		25 % of window area			
Highway Business (Note 12)	2.0 sq. ft. per 1 linear foot of street frontage	Wall	N/A	20 % of wall area	(Note 7)		
		Freestanding	1 per lot	100 sq. ft. (Note 5)	20 ft.	25 ft. (Note 8)	10 ft.
		Identification	1 per lot (Note 5)	4 sq. ft.			
		Awning		25 % of awning			
		Window		25 % of window area			
Limited Manufacturing A & B (Note 12)	1 sq. ft. per 1 linear foot of street frontage	Wall	N/A	10 % of wall area	(Note 7)		
		Freestanding	1 per lot	40 sf.	12 ft.	25 ft. (Note 8)	10 ft.
		Identification	1 per lot (Note 5)	4 sq. ft.	(Note 5)		
		Awning		25 % of awning			
		Window					
Research Development & Office (Note 12)	2.0 sq. ft. per 1 linear foot of street frontage	Wall	N/A	5 % of wall area	(Note 7)		
		Freestanding	1 per lot	40 sf.	12 ft.	25 ft. (Note 8)	10 ft.
		Identification	1 per lot (Note 5)	4 sq. ft.			
		Awning		25 % of awning			

		Window		25 % of window area			
Planned Commercial (Note 4)		Identification	1 per lot (Note 5)	4 sq. ft.			
		Awning					
		Window					
Senior Campus (Note 11)	1.0 sq. ft. per 1 linear foot of street frontage	Wall	N/A	10 % of wall area	(Note 7)		
		Freestanding	1 per lot	40 sf.	12 ft.	5 ft	10 ft.
		Identification	1 (Note 5)	4 sq. ft.			
		Window		25 % of window area			

- Note 1 The maximum total area of all signs on a lot, except incidental, building marker, and identification signs and flags shall not exceed the lesser of the listed calculations
- Note 2 In no case shall the actual sign height exceed the actual sign setback from any adjacent lot that is zoned and used for residential purposes.
- Note 3 For multi-tenant residential projects, each lot may have a free-standing or wall-mounted sign not to exceed 15 feet.
- Note 4 Dimensions and locations shall be determined during approval process and shall be based on underlying district.
- Note 5 One sign containing only name and address of occupant, not to exceed 4 sq. ft.
- Note 6 Shall be based on one side only for sign panels mounted back-to-back that are viewable from one side only.
- Note 7 See Section 237-19 for description of height and locations for wall signage.
- Note 8 The front setback requirement for free-standing signs may be reduced provided that, for each foot of setback reduced, the height of the sign shall be reduced by a corresponding amount (one foot of setback reduction for one foot of sign height reduction). However, in no case shall the front setback be reduced below sixteen (16) feet.
- Note 9 For institutional uses (items B. 1-8 of the Use Regulation Table in Section II-2 of Chapter 18 of Dedham Zoning Bylaws) in a residential district, sign area for any commercial message on a sign may not exceed 20 square feet, with a maximum vertical dimension of six (6) feet.
- Note 10 Lots in the RDO District with street frontage providing actual physical access onto Route 1A, Providence Highway, or any other street designated as a numbered highway by the Commonwealth, and having at least two (2) travel lanes in each direction may use only the frontage on a major highway in computing the amount of signage allowed under HB regulations.
- Note 11 Lighted or unlighted signs visible from a position outside of the SC District, provided that each such sign shall not exceed fifteen (15) square feet, are exempt from the provisions set forth in this Table Section 237-14.
- Note 12 The amount of wall signage and compliance with the Sign Code for a multi-tenanted building is calculated based upon leased lines of each individual storefront. In cases where a multi-tenanted building has tenant space without any storefront fronting on said street; the landlord may reserve a portion of the wall area for tenant(s) signage without any storefront.