

**TOWN OF LYNDEBOROUGH  
NEW HAMPSHIRE**



**NON-RESIDENTIAL BUSINESS SIGN ZONING  
ORDINANCE**

*Adopted March 11, 2008*

TOWN OF LYNDEBOROUGH  
NON-RESIDENTIAL BUSINESS SIGN ZONING ORDINANCE

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## I. PURPOSE

The purpose of this ordinance is to provide for reasonable uniformity in the size, treatment and presentation of signs used to call attention to the existence of a business activity, product or service. This section recognizes the need for adequate business identification and advertising as well as the need to protect the rural character, which the Town, through its adopted Master Plan, has expressed a strong desire to maintain.

## II. DEFINITIONS

**Code Enforcement Officer:** Individual assigned by the Board of Selectmen to enforce the Town of Lyndeborough's Zoning Ordinances.

**Free Standing Sign:** Any sign not attached to or part of any building, but separate and affixed to, or upon the ground. Included are pole signs, pylon signs and masonry wall-type signs.

**Sign:** Any material, structure or device, or part thereof, composed of lettered or pictorial matter that is located on, or external to any building that displays an advertisement, announcement, notice or name and shall include any declaration, demonstration, display, representation, illustration or insignia used to advertise or promote the interest of any person or business when such is placed in view of the general public.

**Sign Structure:** The supports, uprights, bracing and framework for the sign.

**Sign Surface Area:** The entire area within a single, continuous perimeter enclosing all elements which form an integral part of the sign. In the case of a sign having more than one side, each side shall be considered a separate sign area.

**Temporary Sign:** A sign on display for a period of no more than thirty (30) days.

**Wall Sign:** A sign that is painted on and attached to the outside wall of a building with the face of the sign in the plane parallel to such wall and not raised more than twelve (12) inches from the face of such wall.

## III. GENERAL REGULATIONS

Except as otherwise provided for in the initial approval, no person shall erect, alter or relocate any sign without first gaining conceptual approval from the Planning Board and then, obtaining a permit from the Code Enforcement Officer. Subsequent to this initial application, no permit shall be required for a sign to be repainted or repaired provided that the sign is returned to its original design, condition, placement and presentation.

### A. Application Procedure

Applicants for signs must first come before the Planning Board for conceptual approval with the details regarding the type, size, design, and material for the proposed sign. Upon conceptual approval a formal application shall be made on forms supplied by the Planning Board and shall contain applicable information required. The Planning Board will forward the completed and approved form to the Office of Selectman and the Code Enforcement Officer for processing.

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**B. Permit**

Upon the filing of a complete application and payment of the Filing fee, the Code Enforcement Officer shall examine the plans, specifications and other data submitted and the premises on which the sign is to be erected. If the sign is in compliance the Code Enforcement Officer shall, within thirty (30) days, issue a permit for the erection of the proposed sign.

If the erection of the sign, authorized under this permit has not been completed within one (1) year of the date of issuance, the permit will become null and void. The voided permit may be renewed by first gaining Planning Board conceptual approval and filing a new application in compliance with the then current requirements.

**C. Exempt Signs**

The following types of signs may be erected and maintained without permits or fees, provided such signs comply with the general requirements of this ordinance and other conditions specifically imposed by all other regulations. No two or more permitted signs may be combined to create a larger sign.

1. Historical markers tablets and statutes, memorial signs and plaques, names of buildings and dates of erection when cut into any masonry surface, or when constructed of bronze, stainless steel, or similar material; and emblems installed by government agencies; religious, or non-profit organizations not exceeding six (6) square feet. These provisions shall not supersede regulations for signs that may fall under the Historic District Commission.
2. Flags and insignias of any government, except when displayed in connection with a commercial promotion.
3. On-premise directional signs for the convenience of the general public, identifying parking areas, fire zones, entrances and exits and similar signs, not to exceed four (4) square feet per face and three (3) feet in height. Signs are not to include any names or logos.
4. Up to two (2) temporary signs for a specific activity, with a total maximum surface area of sixteen (16) square feet, with no one (1) sign larger than twelve (12) square feet. All signs must be setback beyond the public right-of-way at least ten (10) feet from the edge of the roadway. Such signage, unless otherwise approved by the Planning Board, cannot be displayed for more than thirty (30) consecutive days within any year.

**IV. SIGN STANDARDS**

Within all Non-Residential Zoning Districts the following permanent signs may be erected.

**A. Wall Signs:**

1. Wall Signs will be mounted and secured to the building according to the construction standards outlined in Section V.

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2. Wall signs shall not extend beyond the ends or over the top of the all to which it is attached and shall not extend beyond the eave of the building. No wall sign shall be located more than 20 feet from ground level.
3. Wall Signs shall not be raised more than twelve (12) inches from the surface of the building wall to which it is attached.
4. The number of wall signs per business establishment will be limited to two (2), with a total maximum surface area of sixteen (16) sq. ft. and no one sign larger than twelve (12) sq. ft. of surface area.
5. No wall sign shall be internally lit. All other applications for lighted signs will be reviewed and adjudged by the Planning Board.

**B. Free-Standing Signs:**

1. Unless otherwise permitted, no free-standing sign shall be located less than fifteen (15) feet from the curb, edge of the pavement or inside of sidewalk, provided the sign is not within the governmental right-of-way and is located on the applicant's property. No free-standing sign may be located less than one-hundred (100) feet from any other free-standing sign.
2. If for any reason the property line is changed at some future date, any free-standing sign made nonconforming thereby must be relocated within ninety (90) days to conform with the minimum setback requirements to the extent possible.
3. No free-standing sign shall be more than sixteen (16) square feet in surface area, exceed ten (10) feet in height above the road level.
4. No free-standing sign shall extend over or into the public right-of-way, pedestrian walkway, driveway or the property lines.
5. No free-standing sign shall be internally lit. All other applications for lighted signs will be reviewed and adjudged by the Planning Board.

**V. EXISTING SIGNS**

**A. Non-Conforming Signs:**

1. In the event that a sign lawfully erected prior to the effective date of this ordinance does not conform to the provisions herein, such a sign shall meet the following specifications:
2. A non-conforming sign shall not be replaced or altered by another sign which is more non-conforming.
3. In the event that a non-conforming sign is replaced, the replacement new sign will be subject to the provisions of this ordinance, unless it is constructed to its original non-conforming form.

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**B. Removal of Signs:**

Any sign existing on, or after the effective date of this ordinance, whether in conformance with this ordinance or not, which advertises a business which is no longer an existing business being conducted on the premises, upon which the sign is located, shall be removed within fifteen (15) days of being notified by the Code Enforcement Officer.

If the Code Enforcement Officer shall find that any sign regulated in this ordinance is not used, coded in advertising, is abandoned, unsafe or insecure, or is a menace to the public, the Officer shall give written notice to the named owner of the land upon which it is located, who shall remove or repair the sign within fifteen (15) days from the date of notification. Failure to remove or repair such a sign within this time period would be considered a violation of this provision and the Selectmen have the option to revoke the permit issued for such sign and take whatever action necessary to settle the matter.

**VI. CONSTRUCTION STANDARDS**

This section provides guidance and standards for construction of signs requiring permits and shall serve as guidance for the construction of exempt signs. It identifies the specifications needed so that the signs are constructed to ensure the community's safety.

1. All signs installed after the effective date of this ordinance shall have attached to the sign a name plate giving the sign permit number and the name and address of the owner responsible for general requirements and maintenance as outlined in this ordinance.
2. All signs shall be securely anchored and shall be designed not to move in any intentional manner.
3. All signs, sign finishes and supports shall be kept clean, neatly painted and free from all hazards, such as, but not limited to loose supports, braces and anchors.
4. All signs shall be painted and or fabricated in accordance with generally accepted standards.
5. Sign Panels may be made of any conventional weather resistant and rigid sign material acceptable to the Town of Lyndeborough Planning Board.

**VII. DESIGN GUIDELINES**

The intent of this section is to promote a uniform and aesthetic message presentation that is designed to provide information to the general public keeping in mind the wishes of the Town's Master Plan.

1. Signs shall be designed to be compatible with their surroundings and appropriate to the architectural character of the building on which they may be placed or installed near.
2. Signs should be appropriate to the types of activities they represent.
3. Layout should be orderly, with lettering and numerals of standard form and shape.
4. Final sign design drawings must be approved by the Town of Lyndeborough Planning Board prior to applying for a permit.

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## **VIII. ADMINISTRATION**

### **A. Reviews and Appeals:**

Any person aggrieved by a decision of the Code Enforcement Officer relative to this ordinance may appeal such a decision to the Zoning Board of Appeals as provided in the Zoning Regulations and shall comply with all procedural requirements prescribed by such board.

### **B. Violations and penalties:**

Any person, firm or corporation, whether as owner, lessee or employee, who proceeds to erect, re-erect, construct or structurally alter any sign without first applying for and obtaining the necessary permit, or in any way violates this ordinance shall be prosecuted under the laws of the State of New Hampshire in effect at the time and are subject to finest as established in RSA 676:17. Each day's continuous violation, after an infraction notice from the Code Enforcement Officer, shall constitute a separate additional violation.

**Adopted by Town vote on March 11, 2008**