

**ARTICLE 28-6  
SIGN REGULATIONS**

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## **Article 28-6. Sign Regulations**

**28-6-1 Purposes of Sign Regulations.** The purposes of these sign regulations are to:

- (a) Encourage the effective use of signs as a means of communication in the City of Concord;
- (b) Maintain and enhance the appearance and aesthetic environment of the City, particularly in downtown Concord and Penacook, and along the highway corridors leading into the City;
- (c) Retain the City's ability to attract and encourage economic development and growth;
- (d) Improve pedestrian and traffic safety;
- (e) Minimize potential adverse effects of signs on nearby public and private property; and
- (f) Enable fair and consistent enforcement of these sign regulations.

**28-6-2 Permit Required for Signs.** Except as otherwise provided in this Article, no sign may be erected, placed, replaced, moved, enlarged, or substantially altered in the City of Concord without a permit in accordance with the provisions of this ordinance. No permit shall be issued until a Master Signage Plan is filed pursuant to Section 28-6-5, Master Signage Plan, with the City of Concord for the parcel on which a permit is being sought. A permit application and fee shall be submitted to the Code Administrator together with a set of plans at an appropriate scale, together with architectural elevations or photographs, showing the location, size, colors, copy, method of illumination, and materials proposed for said sign. The Code Administrator shall review the permit application, refer it for action to the appropriate Board or Committee if required by the provisions of this ordinance, or otherwise act to approve or deny it. If approval for development of the parcel on which a sign is to be located is required pursuant to the Site Plan Review Regulations in accordance with Section 28-9-4(b), Site Plan Review, of this ordinance, said site plan approval is inclusive of all signs proposed on the premises and must be received from the Planning Board prior to issuance of any permit for a sign on the premises. Other sign approvals are required pursuant to Section 28-6-9(f), Requirements for Architectural Design Review, and Section 28-3-4, Historic (HI) District, of this ordinance. In addition to the requirements of this ordinance, the terms and conditions of the issuance and expiration of sign permits are those imposed by the Building Code, and the Electrical Code.

**28-6-3 Signs Allowed and Exempted from Permit Requirements.** The following signs are exempt from the permit requirements of Section 28-6-2 of this Article, but are subject to the standards contained herein. Any failure to comply with these standards and any other provisions of this Article shall be considered a violation of this ordinance:

- (a) Signs not exceeding two (2) square feet in area that are customarily associated with a principal residential use and that are not of a commercial nature, including nameplate signs indicating property identification names or the numbers or names of occupants, and signs posted on private property relating to private parking or warning the public against trespassing or danger from animals;

- (b) Signs erected by or on behalf of or pursuant to the authorization of a governmental body, including legal notices, identification and informational signs, and traffic, directional, or regulatory signs;
- (c) Official signs of a non-commercial nature erected by public utilities;
- (d) Flags of any governmental organization when not displayed in connection with a commercial promotion or as an advertising device;
- (e) Incidental signs relative to parking spaces, loading spaces, stacking lanes, entry and exit drives, direction of traffic flow, and pedestrian ways on private property that do not exceed four (4) square feet each;
- (f) One sign per lot containing the message that the real estate on which the sign is located (including buildings) is for sale, lease, or rent, together with information identifying the owner or agent. Such signs shall not be illuminated and shall not exceed four (4) square feet in area in residential districts or thirty-two (32) square feet in area in non-residential districts, and shall be removed immediately after sale, lease, or rental;
- (g) Construction site identification signs. Such signs shall not be illuminated, and may identify the project, the owner or developer, architect, engineer, contractor and subcontractors, funding sources, and may contain information related to sale or leasing of the premises. Such signs shall not exceed thirty-two (32) square feet in area, shall not be erected prior to the issuance of a building permit, and shall be removed upon discontinuance of construction or within thirty (30) days after the issuance of the Certificate of Occupancy, whichever occurs first;
- (h) Signs attached temporarily to the interior of a building window or glass door. Such signs, individually or collectively, may not cover more than thirty (30) percent of the surface area of the transparent portion of the window or door to which they are attached. Such signs shall be removed within thirty (30) days after placement;
- (i) Displays, including lighting, erected in connection with the observance of holidays. Such signs shall be removed within ten (10) days following the holidays;
- (j) Signs erected in connection with elections or political campaigns pursuant to RSA 664:14-17-a, Political Advertising, subject to the following conditions:

  - (1) Such signs are permitted no sooner than forty-five (45) days prior to an election and must be removed within ten (10) days of the closing of the polls;
  - (2) Such signs shall not exceed twenty (20) square feet in area; and
  - (3) Such signs shall not be painted, or pasted on the exterior of a building, or placed or affixed in any manner on public property or within street rights-of-way.
- (k) One (1) banner sign per property that does not exceed four (4) square feet in area;

(l) Building marker signs, and historic marker signs that do not exceed four (4) square feet in area;

(m) Signs that are recognized as contributing to the National Register status of a property; and

(n) Banners displaying an “Open” or “Sale” message, provided that only one (1) of said banners shall be permitted per principal use, that the size of said banner shall be no greater than three (3) feet by five (5) feet, that the banner shall be flown only during the hours when the principal use is open for business, and that the height of any pole or support for said banner shall not exceed fifteen (15) feet.

**28-6-4 Design, Construction, and Maintenance of Signs.** All signs shall be designed, constructed, and maintained in accordance with the requirements of this ordinance, the Building Code, and the Electrical Code. Except for portable signs, banner signs, and pennant signs, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or other structure.

**28-6-5 Master Signage Plan.** A permit shall not be issued for an individual sign requiring a permit unless and until a Master Signage Plan for the lot on which the sign will be erected has been submitted. A sign permit shall not be issued if the Master Signage Plan reveals that the total existing sign area on a lot, or the total existing sign area for an individual principal use on a lot is in excess of the sign area standards contained in this ordinance. If the total existing sign area on a lot or for an individual principal use on a lot is reduced so as to comply with the sign area standards, then additional sign permits may be issued, provided that the lot or the individual principal use on a lot remains in compliance with the sign area standards at all times. Where a Master Signage Plan is included in the approval of a development pursuant to the Site Plan Review Regulations in accordance with Section 28-9-4(b), Site Plan Review, of this ordinance, any subsequent proposed change in the design of signs, or any subsequent proposed increase in the number or size of signs shall be subject to review and approval in the same manner as the original Master Signage Plan. A Master Signage Plan may be phased where the development for which the Plan is submitted is to be phased. Subsequent phases of a Master Signage Plan shall be subject to review and approval in the same manner as the original phase of the Master Signage Plan. The Master Signage Plan shall contain the following:

(a) An accurate plan of the lot, to scale, showing the location of buildings, parking lots, driveways, and landscaped areas;

(b) Photographs or architectural elevations of existing buildings, and elevations of any proposed buildings;

(c) An accurate indication on the plan, photographs, and architectural elevations of the location of all existing signs;

(d) A photograph and description of each existing sign including type, size, colors, copy, height above ground, materials, and method of illumination; and

(e) An accurate indication on the plan, photographs, and architectural elevations of the location of proposed or future signs for which applications for permits will be submitted, and a description and depiction of the type, size, colors, copy, height above ground, materials, and method of illumination.

**28-6-6 Sign Area and Height Computations.**

(a) Computation of Area of Individual Signs. The area of a sign shall be the surface area of the sign, which shall be considered to include all lettering or elements of a sign, accompanying designs and symbols, together with the background, whether open or closed, on which they are displayed, but not including any supporting framework and bracing which are incidental to the display itself and which are not designed to attract attention. Where a sign consists of letters or symbols affixed to a surface or building, without any distinguishing border, panel or background, the area of the sign shall be considered to be the smallest rectangle or shape which encompasses all of the letters and symbols. The area of one side of a double faced sign shall be regarded as the total area of the sign provided that such sign faces are either parallel or at an angle of thirty (30) degrees or less to each other, and are part of the same sign structure, and not more than forty-two (42) inches apart at any point.

(b) Computation of Height of a Freestanding Sign. The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of the following:

(1) the existing grades of the lot before construction, or

(2) the newly established grade of the lot after construction exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign.

**28-6-7 Signs Prohibited Under This Ordinance.** All signs not expressly permitted under Sections 28-6-8 and 28-6-9 of this ordinance, or signs not expressly exempt from permit requirements under Section 28-6-3 of this ordinance, are prohibited in the City of Concord. Such signs include but are not limited to the following:

(a) Programmed or environmentally activated signs which physically or visually move, rotate or create an illusion of movement, or which have parts or surfaces that physically or visually move, rotate or create the illusion of movement or which emit audible sound or noise. (Ord#2938 12.8.14)

(b) Beacons, or 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;

(c) Pennants, inflated signs, and tethered balloons;

(d) Signs painted directly on the exterior surface of a building;

- (e) On corner lots, signs of a height between two and one-half (2 1/2) and eight (8) feet above curb grade in a triangular area bounded by the adjacent street right-of-way lines and a straight line joining points on the right-of-way lines which are thirty (30) feet from the point of intersection of the right-of-way lines, except that the distance from the intersection may be reduced to twenty (20) feet along the right-of-way lines where the intersection of the adjacent streets is controlled by a traffic signal;
- (f) Signs, or any point on a sign, located higher than the roof ridge, the plate of a flat roof, or the highest point of the roof;
- (g) Signs, other than signs erected by or on behalf of a governmental body, that are located in, or on a public right-of-way;
- (h) Signs which appear animated or projected, or which are intermittently or intensely illuminated or have a traveling, tracing, scrolling, automated, or sequential light type signs which contain or are illuminated by animated or flashing light; (Ord#2938 12.8.14)
- (i) Wall signs located such that any part thereof covers, obstructs, or is placed over any existing windows on the same wall, or placed above the sills of the first level of windows above the first story on the same wall, or placed more than twenty-five (25) feet above grade, except as may otherwise be allowed where a conditional use permit has been granted by the Planning Board pursuant to Section 28-6-9(b)(2), Permitted Building Signs, of this ordinance;
- (j) Projecting signs that are lower than ten (10) feet or greater than twenty-five (25) feet above grade, protrude above the sills of the windows above the first story, project more than five feet (5') from the building, and contain more than twelve (12) square feet of sign area; (Ord#3011 06.11.18)
- (k) Signs attached to a tree, utility pole, fence, or rock;
- (l) Signs, other than traffic control signs, that use the words "stop", "yield", "caution", and "danger", or that contain red, amber, and green lights that may resemble traffic control signs or lights;
- (m) Billboards and signs unrelated to the principal use or uses of the premises on which the sign is located, except as provided in Section 28-6-9(c)(5);
- (n) Illuminated signs that direct the illumination onto adjacent streets or onto property other than the premises on which the sign is located;
- (o) Signs that resemble City of Concord street identification signs; and
- (p) Signs attached to, or painted on, vehicles or trailers which are parked and visible from a street or limited access highway, except where such vehicles or trailers are regularly and customarily used to transport persons, goods, or materials as part of the principal use of the premises.

(q) Signs which by reason of position, wording, illumination, size, shape or color that obstruct, impair, obscure, interfere with the view of, or may be confused with, any traffic control sign, signal or device; (Ord#2653 8.14.06)

(r) Electronic message center type signs. (Ord#2653 8.14.06)

### **28-6-8 Signs Permitted in Residential Districts.**

(a) Permitted Signs. The following signs are permitted in residential districts:

(1) One (1) sign of up to twenty (20) square feet in area for each conforming, principal, non-residential use. The sign may be a freestanding sign or a building sign provided that there is no more than one (1) freestanding sign per lot;

(2) For the purpose of identifying a residential subdivision, multi-family development, or mobile home park of eight (8) units or more, one (1) freestanding sign of up to twenty (20) square feet in area may be placed at an entrance to such residential development;

(3) One (1) sign of up to four (4) square feet in area for a use permitted pursuant to Section 28-5-30(c), Major Home Occupation, of this ordinance; and

(4) Signs in accordance with Section 28-6-3, Signs Allowed and Exempted from Permit Requirements, of this ordinance.

(b) Sign Illumination. No sign in residential districts may be illuminated from within, but may be illuminated by a shielded external light source. No sign in residential districts may be illuminated between the hours of 9:00 p.m. and 7:00 a.m., except to the extent that a sign is accessory to a permitted nonresidential use, the sign may be illuminated during those hours that such a permitted nonresidential use is open or in operation. (Ord#2608 5.9.05)

(c) Freestanding Signs. No freestanding sign shall exceed six (6) feet in height, nor shall any freestanding sign be placed any closer to the front lot line than the lesser of ten (10) feet or one-half (1/2) of the depth of the required front yard as specified in Section 28-4-1(h), Table of Dimensional Regulations, of this ordinance. No freestanding sign shall have a horizontal dimension in excess of ten (10) feet.

**28-6-9 Signs Permitted in Non-Residential Districts.**

**(a) Table of Maximum Sign Dimensions for Non-residential Districts.**

Non-Residential Districts	Building Signs		Freestanding Signs		Maximum Height (ft)
	Maximum Sign Area per Building Frontage (sf);		Maximum Sign Area as per Section 28-6-9(c)(1) (sf);		
	Column 1: Without Architectural Design Review *	Column 2: With Architectural Design Review	Column 1: Without Architectural Design Review *	Column 2: With Architectural Design Review	
CN	20	40	20	40	10
CG/CH	40	150	40	100	20
CU	40	150	40	60	15
CBP	-	150	-	40	10
GWP	-	200	-	150	20
OCP	-	150	-	100	20
OFP	-	100	-	40	10
CVP	-	40	-	12	8
IS	20	100	20	40	12
IN	40	100	20	40	12
UT	10	40	6	12	8

\* Where major site plan approval is required pursuant to Section 28-9-4(d), Site Plan Review, of this ordinance, Architectural Design Review is required for all signs regardless of sign area. (Ord#2742 2-17-09)

**(b) Permitted Building Signs.** The following building signs are permitted in non-residential districts:

**(1)** For each building frontage, a maximum of three (3) building signs of any type are permitted provided that the total area of all signs does not exceed the lesser of the following:

- a.** an area equal to one (1) square foot per linear foot of building frontage, or
- b.** the maximum area specified in Section 28-6-9(a), Table of Maximum Sign Dimensions for Non-residential Districts, of this ordinance;

Where the building frontage is on the side of a building which does not contain the principal public entry to the primary floor of a principal use, the side which does contain the principal public entry may be used as building frontage in lieu of said side which does not contain the principal public entry.

(2) Where a building is three (3) or more stories in height, the Planning Board may grant a conditional use permit to allow one (1) wall sign for each building frontage, to be located between rows of windows or above the top row of windows or on the wall at a height in excess of twenty-five (25) feet above grade, provided that no window or exterior window trim is obstructed by the sign, and further provided that the sign identifies a principal use which is the sole occupant of the building, or the sign identifies the name or address of a building which is occupied by multiple principal uses. A wall sign so permitted by the Planning Board shall be considered to be one of the allowable building signs permitted for a building frontage pursuant to Section 28-6-9(b)(1) and is subject to the area limits specified therein.

(3) On a lot with multiple principal uses, where buildings are sited such that no side of the primary floor of a principal use faces a street, and therefore there is no building frontage for said principal use, the Planning Board may grant a conditional use permit to allow the building frontage for such a principal use to be measured along a side or sides of the primary floor which face a common parking lot or exterior pedestrian area and which provide a main public entrance to the principal use.

(4) For principal uses located on upper or lower floors with no building frontage, window signs not exceeding four (4) square feet in total area are permitted as are four (4) square feet of building signs at the ground floor entry door providing access to a single principal use. When the entry serves more than one use or tenant, one (1) directory sign of up to six (6) square feet may be placed at the entry door. (Ord#2742 2.17.09)

(c) Permitted Freestanding Signs. The following freestanding signs are permitted in non-residential districts:

(1) Except as otherwise allowed in this Section, one (1) freestanding sign is permitted per lot. Except as otherwise permitted in this Section, the maximum height limit of the freestanding sign shall be as specified in Section 28-6-9(a), Table of Maximum Sign Dimensions for Non-residential Districts, of this ordinance. Where multiple principal uses are located on the same lot, the freestanding sign may be a directory sign on which each principal use may be identified by a sign panel such that the total area of all sign panels does not exceed the maximum area specified herein. The maximum area of the freestanding sign shall not exceed the lesser of the following:

- a. An area equal to one (1) square foot per linear foot of building frontage, where the principal use is within a building on the lot; or
- b. An area equal to one-quarter (1/4) square foot per linear foot of lot frontage, where the principal use consists of an outdoor display or storage, or the principal use is not otherwise contained within a building on the lot; or
- c. The maximum area specified in Section 28-6-9(a), Table of Maximum Sign Dimensions for Non-residential Districts, of this ordinance.

**(2)** No freestanding sign or any part thereof shall be placed closer than five (5) feet to any lot line, or be placed such that the sign interferes with sight distances from any driveway providing access to the lot from the adjacent street, or be located less than fifty (50) feet from the boundary of a residential district.

**(3)** No freestanding sign shall have a horizontal dimension in excess of sixteen (16) feet.

**(4)** Where there is more than one (1) building on a lot and each building contains discrete principal uses, and the lot is not eligible for more than one (1) freestanding sign pursuant to Section 28-6-9(c)(7), in lieu of erecting a single freestanding sign on the lot a monument sign may be allowed for each building, identifying the building or the principal uses therein, subject to the granting of a conditional use permit by the Planning Board pursuant to Section 28-9-4(b), Conditional Use Permits, of this ordinance, provided that:

- a. Each freestanding sign shall not exceed the lesser of the maximum height allowed under 28-6-9(a) or twenty (20) feet in height;
- b. Each freestanding sign permitted under this section shall not exceed the lesser of forty (40) square feet or one (1) square foot per building frontage;
- c. No freestanding sign permitted under this section shall be placed closer to another freestanding sign on the same lot than a distance equal to the minimum lot frontage required in the base district; and
- d. When more than one (1) sign is allowed pursuant to this section, no sign shall be placed closer to a side or rear lot line than a distance no less than one half (1/2) the required minimum lot frontage for the base district.

**(5)** Where a lot shares a driveway with an adjacent parcel, and the shared driveway is located more than fifty (50) feet from the property line of such a lot that has no direct access to the street, then the freestanding sign that is permitted for the lot lacking direct access to the street may, subject to the granting of a conditional use permit by the Planning Board pursuant to Section 28-9-4(b), Conditional Use Permits, of this ordinance, be located off-site and on the adjacent parcel on which the driveway is located, subject to the following conditions:

- a. The off-site freestanding sign shall be located no closer than five (5) feet to the common driveway and on the side of the driveway closest to the lot intended to be identified;
- b. The off-site freestanding sign shall be located no closer than forty (40) feet to any freestanding sign serving the parcel on which the driveway is located;
- c. The off-site freestanding sign shall require an easement or agreement between lot owners relative to its placement, a copy of said easement or agreement to be provided to the Planning Board;

**d.** No other freestanding sign shall be placed on the lot lacking direct access except where additional freestanding signs are permitted pursuant to Section 28-6-9(c)(7); and

**e.** If the driveway ceases to be shared, and a new driveway is created such that both lots have direct access to the street, then the freestanding sign for the lot that was formerly lacking direct access shall be removed from the adjacent parcel.

**(6)** Where it is proposed that three (3) or more lots share a driveway or driveways entering a street such that the number of driveways is fewer than the number of lots, then a freestanding directory sign may, subject to the granting of a conditional use permit by the Planning Board pursuant to Section 28-9-4(b), Conditional Use Permits, of this ordinance, be located adjacent to each shared driveway, subject to the following conditions:

**a.** A master access plan of the driveways proposed to be shared shall be submitted for approval as part of the application for a conditional use permit, and there shall be no more than two (2) driveway entrances serving up to four (4) lots, or three (3) driveway entrances serving five (5) or more lots;

**b.** A freestanding directory sign shall be located no closer than forty (40) feet to any other freestanding sign on any of the lots served by a shared driveway;

**c.** A freestanding directory sign shall require an easement or agreement among the lot owners relative to its placement, a copy of said easement or agreement to be provided as part of the application for a conditional use permit;

**d.** A freestanding directory sign shall be located only adjacent to driveway which is for both entry and exit purposes or for entry purposes exclusively;

**a.** On a freestanding directory sign, one (1) sign panel shall be allowed for each lot to provide direction to the principal uses on that lot. No individual sign panel shall exceed twelve (12) square feet in area. The combined area of all sign panels on a freestanding directory sign shall not exceed the maximum sign area for freestanding signs as specified in Section 28-6-9(a), Table of Maximum Sign Dimensions for Non-residential Districts, of this ordinance. Where more than one (1) freestanding directory signs is allowed, the total area of each additional freestanding directory sign shall not exceed one-half (1/2) of the maximum sign area for freestanding signs as specified in Section 28-6-9(a), Table of Maximum Sign Dimensions for Non-residential Districts, of this ordinance.

**f.** The height of any freestanding directory sign shall not exceed the maximum height for freestanding signs as specified in Section 28-6-9(a), Table of Maximum Sign Dimensions for Non-residential Districts, of this ordinance.

(7) In the General Commercial (CG), Gateway Performance (GWP), and the Opportunity Corridor Performance (OCP) Districts, a freestanding sign as permitted in Section 28-6-9(c)(1), of this ordinance, may be allowed at a greater height, and additional freestanding signs may be allowed on a lot, provided that the lot on which the signs are to be located meets the lot size and frontage standards contained in the following table. Where more than one (1) freestanding sign is allowed on a lot, the freestanding signs shall be located at least two hundred fifty (250) feet apart, and a minimum of twenty-five (25) feet from side and rear lot lines and a minimum of fifty (50) feet from a residential district boundary. Ord#2742 2.17.09)

Standards for Additional Height and Number of Freestanding Signs in Certain Districts								
District	Required Lot Size (acres)	Required Lot Frontage* (feet)	Freestanding Signs per Lot					
			#1		#2		#3	
			Maximum Sign Area (sf)	Maximum Height (ft)	Maximum Sign Area (sf)	Maximum Height (ft)	Maximum Sign Area (sf)	Maximum Height (ft)
CG	5	500	as per Section 28-6-9(c)(1)	25	One-half (1/2) of the area of Sign #1	20	-	-
	10	1,000					One-half (1/2) of the area of Sign #1	20
OCP, GWP	10	1,000	as per Section 28-6-9(c)(1)	25	One-half (1/2) of the area of Sign #1	20	-	-
	20	2,000					One-half (1/2) of the area of Sign #1	20

\* The required lot frontage may be the total of frontages on more than one (1) street. Where three (3) freestanding signs are allowed on a lot, the lot shall have the minimum frontage, as specified in Section 28-4-1(h), Table of Dimensional Regulations, of this ordinance, on at least two (2) streets.

**(d) Other Permitted Signs.** The following signs other than freestanding and building signs are permitted in non-residential districts:

**(1)** Portable signs not exceeding thirty-two (32) square feet in area shall be allowed provided that only one portable sign shall be placed on a lot at a given time, and no lot shall have portable signs placed upon it for more than a total of forty-five (45) days per calendar year. No portable sign shall be placed without a permit. A new permit shall be required and a new application fee charged for each different sign and for each fifteen (15) day period for the same sign. Each portable sign application shall specify the date of placement and the date of removal. No portable sign shall be placed within a public right-of-way; and

(2) Directional Signs: On sites with multiple buildings on a single lot, such as campuses, contained office, institutional, or industrial uses, freestanding directory signs may be allowed subject to the granting of a conditional use permit by the Planning Board pursuant to Section 28-9-4(b), Conditional Use Permits, of this ordinance. Such freestanding directory signs shall not exceed twenty-four (24) square feet in area or twelve (12) feet in height. These signs are for directional purposes only, shall bear no advertising, and shall contain only the names of buildings and tenants, and indications of special entrances or available services such as parking, together with directional wording and symbols. The Planning Board may approve a number of such signs that bears a reasonable relation to the number of internal roadway intersections where a turning or identification decision must be made, the number of buildings and entrances to said buildings on the site, and the number of discrete parking facilities on the site. The directional wording and symbols may be modified by the applicant without further approval by the Planning Board provided that the size, placement, colors and shapes remain consistent with the Planning Board's approval. Campus or site identification may be permitted on each sign.

(3) Signs in accordance with Section 28-6-3, Signs Allowed and Exempted from Permit Requirements, of this ordinance

(e) Sign Illumination. Illumination of signs is permitted as follows:

1. Signs in the Civic Performance (CVP), Institutional (IS), and Urban Transitional (UT) Districts may be externally illuminated by a shielded fixture, but may not be internally illuminated.
2. Signs in the Central Business Performance (CBP) District may be externally illuminated by a shielded fixture, or internally illuminated provided the sign background is opaque or a darker color than the message on the sign. Channel letters may be internally lit or back-lit. (Ord#3011 06.11.18)

(f) Requirement for Architectural Design Review. The following signs shall be subject to review by the Design Review Committee and approval by the Planning Board consistent with the requirements of Section 28-9-6, Advisory Recommendations by the Design Review Committee, Section 28-9-4, Decisions by the Planning Board, and Section 28-6-5, Master Signage Plan, of this ordinance:

(1) All signs in the Performance Districts;

(2) All signs that are part of a development that is subject to major site plan review pursuant to Section 28-9-4(d), Site Plan Review, of this ordinance;

(3) In non-residential districts other than Performance Districts, those building signs and freestanding signs that meet the sign area standards specified in Section 28-6-9(a), Table of Maximum Sign Dimensions for Non-residential Districts, of this ordinance; and

(4) Any freestanding sign that will be the second or third freestanding sign on a lot, as allowed pursuant to Section 28-6-9(c)(7) of this ordinance. (Ord#2742 2.17.09)

**28-6-10 Status of Non-Conforming Signs.** A sign installed prior to the date of adoption of this ordinance for which a permit has been previously issued, and which is not in conformance with the provisions and requirements of this ordinance, shall be deemed to be a permitted non-conforming sign. Such non-conforming signs shall be subject to the following regulations:

- (a) Alterations. No non-conforming sign shall be altered in any way in structure or material which makes the sign less in compliance with the requirements of this ordinance than it was before the alteration;
- (b) Relocation. No non-conforming sign shall be relocated to a position making it less in compliance with the requirements of this ordinance;
- (c) Removal. If the non-conforming sign is removed, it shall be replaced only with a sign that is in conformance with the provisions of this ordinance; and
- (d) Destruction and Reconstruction. Should a non-conforming sign be destroyed by any means to an extent of more than seventy-five (75) percent of its replacement cost at the time of its destruction, it shall not be reconstructed except in conformity with the provisions of this ordinance.

**28-6-11 Insurance Requirements for Non-Governmental Signs Over a Public Right-of-Way.**

- (a) Any applicant for a permit to locate a projecting sign over a public right-of-way, in accordance with this ordinance, shall file with the Code Administrator a certificate of insurance indemnifying the City of Concord against any form of liability in a minimum amount as specified by the Finance Director. No permit shall be issued prior to the receipt of said certificate and the permit shall be valid only so long as the certificate remains in effect. The policy shall provide for advance notification to the Code Administrator in the event of cancellation. If the policy should lapse or be canceled, the applicant shall remove the sign immediately.
- (b) Signs projecting over a public right-of-way shall be safely and securely affixed to and supported by a building such that no part of the sign is lower than nine (9) feet above the sidewalk or if there is no sidewalk, the surface of the right-of-way.

**28-6-12 Removal of Certain Signs From a Public Right-of-way or Public Property.** The Code Administrator shall cause to be removed any sign placed on or over any public right-of-way or public property that is without a valid permit or is not in compliance with the terms of a valid permit, or where such a sign is exempt from permit requirements, the sign is not in compliance with the standards and provisions of this ordinance.

- a) Political Advertising. Any political advertising that is placed on or over any public right-of-way or public property in violation of this ordinance or State statutes shall be removed in accordance with RSA 664:17, Placement and Removal of Political Advertising;
- b) Signs Related to an Adjacent Principal Use. Where a sign that is placed on or over any public right-of-way or public property in violation of this ordinance is related to a principal use of adjacent private property, the Code Administrator shall notify the owner of the principal use or the property that a violation exists and shall specify a time limit for removal

of the sign. If the owner fails to comply with the order for removal, the Code Administrator shall remove the sign and the owner shall be liable for the cost of said removal and subsequent storage. If the owner does not redeem the sign within thirty (30) calendar days from the date that the sign is removed, the sign shall be deemed to be abandoned and may be disposed of by the City as abandoned property; and

c) Other Signs. Where a sign that is placed on or over any public right-of-way or public property in violation of this ordinance is not erected in connection with elections or political campaigns, and is unrelated to a principal use of adjacent private property, the Code Administrator shall remove the sign and it shall be deemed to be abandoned and may be disposed of by the City as abandoned property.