



Office of the Town Clerk

Town of Chelmsford  
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Onorina Z. Maloney, CMMC/CMC  
Town Clerk

Thaddeus J. Soulé  
Assistant Town Clerk

**CERTIFICATE OF VOTE**  
**ARTICLE 14**  
**2013 FALL TOWN MEETING**  
**Second Session - Thursday, October 24, 2013**

I, Onorina Z. Maloney, Town Clerk of Chelmsford, Massachusetts do hereby certify the following vote taken under Article 14 at the second session of the October 21, 2013 Fall Annual Town Meeting held at the Chelmsford Senior Center 75 Groton Road, North Chelmsford. The meeting was called to order at 7:10 pm by Moderator Richard DeFreitas. There were 106 Town Meeting Representatives in attendance which satisfied the quorum of 82.

**ARTICLE 14.** To see if the Town will vote to amend the Town Code, Chapter 195, "Zoning Bylaw", Article VII, "Signs and Outdoor Lighting", for the purposes of amending Sections 195-25, 195-30, 195-31, 195-32, 195-34, and 195-35 by deleting the language shown in strikethrough and adding the language shown as underlining, as follows:

**ARTICLE VII** Signs and Outdoor Lighting

§ 195-25 Objectives. (remainder not included for brevity)

**§ 195-25.1 Definitions**

- A. Sign – see 195-108. Word Usage and definitions. For purposes of legal notices or informational devices erected or required by public agencies; it is the Town's preference that signage for public agencies comply to the maximum extent practicable.
- B. Sign Area - see 195-108. Word Usage and definitions
- C. Sign Types
- i. Direct (Internally) illumination. A sign whose light source is located in the interior of the sign so that the light becomes visible by shining through a translucent surface, but not including changing image signs.
  - ii. Indirect (Externally) illumination. A sign that is illuminated from an external source such as a light directed toward or across or by backlighting from a source not within the sign.
  - iii. Light-emitting diode (LED) Sign. A sign using LED as a direct source of light. Such sign may be an Electronic Message / Image Board as further defined and regulated.
  - iv. Neon Signs an illuminated sign containing neon, argon or any other similar gas to illuminate transparent or translucent tubing or other materials to create a colored light.

- v. Bulletin Board Sign. A free standing, wall or window sign with letters, words or numerals that are manually moveable. , indicating the names of persons associated with, or events conducted upon, or products or services offered upon the premises upon which such sign is maintained. Such sign is permitted in all zoning districts as applicable.
- vi. Electronic Message / Image Board. A sign or portion thereof using digital, electronic or other methods to create characters, letters, illustrations or images that can be changed, altered or rearranged without altering the face or the surface of the sign. Such signs shall not be changed, altered or rearranged more than once per day. A digital display of time, temperature, or fuel prices shall not be considered a changing image sign.
- vii. Temporary Signs. A sign which is not permanently affixed to a building or mounted in the ground, or placed on the ground, which is designed to be movable and / or portable. Temporary signs may include small ground signs such as A-Frame, H-frame, T-frame (also known as Sandwich Signs), small wall signs (also known as banner signs) and special signs. Portable temporary signs shall not include trailer or motorized vehicles. Such a sign shall not be lit, erected on a sidewalk, walkway or driveway, or within 5 feet from the sideline of a Street or right of way customarily used by the general public. Such signs shall not block vision of vehicles entering or exiting driveways and the Building Commissioner has the discretion to request portable signs be moved when there is a safety issue.
- vii. Special Sign: A temporary sign used for advertising, identification or promotion such as an opening, re-opening, under new management, sale or service, product, commodity, entertainment or activity. Such sign is not intended to advertise a continuing or regularly reoccurring operation.

§ 195-26 Permit required. (remainder not included for brevity)

§ 195-27 Maintenance. (remainder not included for brevity)

§ 195-28 Nonconforming signs. (remainder not included for brevity)

§ 195-29 Identification number. (remainder not included for brevity)

§ 195-30 Prohibited signs.

A. -E. (remainder not included for brevity)

F. LED and neon signs are not allowed, except as permitted in Section 195-32.E

§ 195-31 Signs permitted in residential districts.

The following signs are permitted in Residential Districts RA, RB, RC and RM:

- A. One non-internally lit sign for each family residing on the premises indicating the owner or occupant or pertaining to a permitted accessory use, provided that no such sign shall exceed one square foot in area.
- B. One non-internally lit sign not over nine square feet in area pertaining to a permitted use or building other than dwellings or their accessory uses.
- C. One non-lit temporary sign not over six square feet in area pertaining to the sale, rent or lease of the premises, provided that it shall be removed within seven days after the sale, rent or lease thereof. Such signs may be illuminated only if granted a special permit by the Board of Appeals upon its determination that such illumination serves public safety and convenience without damage to neighborhood character. These signs require no sign permit if the erecting agent has obtained a one-year permit from the Inspector of Buildings for erecting such signs.
- D. Unlighted directional signs not exceeding one (remainder not included for brevity)
- E. One temporary unlighted sign not larger than (remainder not included for brevity)

F. Internally lit signs and Electronic Message/ Image Board shall be prohibited.

G. LED signs are prohibited

**§ 195-32 Signs permitted in business districts.**

The following internally or externally illuminated signs are permitted in Business Districts CA, CB, CC, and-CD.

A. Attached signs. (remainder not included for brevity)

B. Freestanding signs.(remainder not included for brevity)

C. Directional signs. (remainder not included for brevity)

D. Window signs. (remainder not included for brevity)

E. Lighted window signs. One lighted window sign, including all types of internally illuminated signs, whether or not neon and LED, conforming to the following standards:

(1) - (6) (remainder not included for brevity)

(7) Such signs shall not have a lit background.

F. Bulletin Boards and Electronic Message / Image Boards are permitted.

**§ 195-32.1 Signs permitted in Center Village district**

Any sign permitted in a business district is permitted in the Center Village district (CV), with the exception of electronic message / image boards. All signage located within the Historic District shall receive approval from the Historic District Commission and the applicable Commission regulations shall prevail.

**§ 195-32.2 Signs permitted in the Public Districts**

Although signs for public agencies are exempt, per section 195-108, Definition of a Sign, it is the Town's preference that the signage complies to the maximum extent practicable and shall take into consideration the surrounding area, public need and public benefit.

**§ 195-33 Signs permitted in industrial districts. (remainder not included for brevity)**

**§ 195-33.1 through § 195-33.4. (Reserved).**

**§ 195-34 Outdoor illumination.**

**[Amended 10-16-2000 ATM by Art. 19]**

**A. Purpose. (remainder not included for brevity)**

**B. Applicability. The requirements of this section shall apply to all new lighting and any new construction. With the exception of single-family dwellings and two-family dwellings, if modifications or additions exceed 25% of the gross floor area, dwelling units or parking spaces, all lighting on the property shall be made to comply with the provisions of this section. For the purposes of this section, if the aggregate of any additions or modifications within the five previous calendar years exceeds 25%, the provisions of this section shall apply. The requirements of this section may be reduced by special permit issued by the Planning Board upon a finding that such reduction will not detract from the objectives of this section.**

**C. Standards.**

**(1) -(6) remainder not included for brevity)**

(7) Luminaires intended solely to illuminate any freestanding sign or the walls, roof or any other architectural feature of any building shall be shielded so that its direct light is confined to the surface of such sign or building, and its lumen output shall be such that the average illumination on the ground or on any vertical surface is not greater than 0.5 footcandle or five lux.

(8) No flashing, moving, color (white only) or revolving lights shall be maintained.

D. Exceptions. (remainder not included for brevity)

E. Submission. (remainder not included for brevity)

F. Definitions. The terms used in this section shall be defined as follows: (remainder not included for brevity)

### **§ 195-35 Temporary signs.**

Temporary signs (including those mounted on wheels, trailers or motor vehicles if those vehicles, trailers or wheeled signs are regularly located for fixed display) are prohibited unless complying with all requirements of this chapter as applicable to permanent signs or as may be allowed herein.

#### **1. By-right Temporary Signs for which a Permit is NOT required**

A. Political signs. (remainder not included for brevity)

B. Construction signs. (remainder not included for brevity)

C. Real estate signs. (remainder not included for brevity)

D. Yard sale signs. (remainder not included for brevity)

#### **2. Temporary Signs for which Registration is Required**

The following signs do not require a permit; however registration is required. Such signs shall comply with all applicable signage provisions unless specifically provided otherwise in this Section.

#### **A. Special Signs**

Any use may erect one special sign as follows:

i. a small wall sign not exceed 12 sq. ft. in sign area

ii. a small ground sign not exceed 12 sq. ft. in sign area and a height of 4 feet as measured from average grade;

iii. Off Premise signs are not allowed

#### **B. Sign Registration for Special Signs**

The following procedures and standards apply:

i. prior to installation signs shall be registered and receive written approval from the Building Commissioner

ii. each use / business located on a site may have one sign at a time

iii. a sign may be registered for no more than 14 consecutive calendar days

iv. each use / business may register a sign once per quarter of the calendar year. Such quarter is defined as the periods from January 1<sup>st</sup> to March 31<sup>st</sup>, from April 1<sup>st</sup> to June 30<sup>th</sup>, from July 1<sup>st</sup> to September 30<sup>th</sup> and from October 1<sup>st</sup> to December 31<sup>st</sup> or as determined by the Building Commissioner.

v. There shall be at least 30 days between the display of registered signs.

**C. Non Municipal Signs on Town Property and within or over Town owned Right of Ways**  
**Signs related to community based events, sponsored by public, charitable, religious or agricultural organizations and / or businesses and the like, may erect signs as follows:**

- i. a ground sign not to exceed 12 sq. ft. in sign area and a height of 4 ft. as measured from the average grade
- ii. a banner type sign over a street right-of-way
- iii. the sign shall not be in place for more than 14 days prior to the event
- iv. Wall signs are prohibited.
- v. prior to installation signs shall be registered and receive written approval by the Board of Selectmen or its designee in accordance with adopted policies or regulations

**§ 195-36 Design and content guidelines.** (remainder not included for brevity)

**§ 195-37 Sign Advisory Committee.** (remainder not included for brevity)

Or act in relation thereto.

Finance Committee: has no position on Article 14

Board of Selectmen: unanimously recommends approval of Article 14

Planning Board: recommends approval of Article 14

William Wagner, Precinct 8, moved to amend. Amendment was reviewed by Town Counsel, and the Planning Board accepted it as a friendly amendment.

The amendment reads as follows:

I move to amend the main motion under Article 14 by adding the following words:

*and laser projector lights* after the words located in section

*(195-25.1 (iii) (LED)*

*(195-30) LED and neon*

*(195-31 G) LED*

*(195-32 E) and LED*

The amendment carried, as declared by the Moderator, by hand count

The body is ready to vote on the main motion, as amended.

At 10:46 pm, the electronic voting devices registered the following votes

YES: 96

NO 20

Abstentions: 1

**Motion under Article 14, as amended, carries by 2/3 vote**

*Please see below for section with added amended text.*

*Added amended text is indicated in bold.*

**§ 195-25.1 Definitions**

iii. Light-emitting diode (LED) and laser projector lights sign. A sign using LED as a direct source of light. Such sign may be an Electronic Message / Image Board as further defined and regulated.

**§ 195-30 Prohibited signs.**

F. LED and neon and laser projector lights signs are not allowed, except as permitted in Section 195-32.E

**§ 195-31** Signs permitted in residential districts.

The following signs are permitted in Residential Districts RA, RB, RC and RM:

G. LED and laser projector lights signs are prohibited

**§ 195-32** Signs permitted in business districts.

The following internally or externally illuminated signs are permitted in Business Districts CA, CB, CC, and-CD.

E. Lighted window signs. One lighted window sign, including all types of internally illuminated signs, whether or not neon and LED and laser projector lights, conforming to the following standards:



Onorina Z. Maloney