

TOWN OF MENDON
SIGN ORDINANCE – OUTDOOR ADVERTISING

SECTION 1. AUTHORITY

This Ordinance is adopted pursuant to the authority set forth in Chapters 59 and 61 of Title 24 of the Vermont Statutes Annotated, including specifically 24 V.S.A. § 2291(7). This Ordinance shall be designated as a civil ordinance under 24 V.S.A. § 1971(b).

SECTION 2. PURPOSE AND POLICY

In order to promote the public health, safety, and other aspects of the general welfare, it is the public interest to provide information about and help guide travelers to public accommodations and services, other businesses and points of scenic, historic, cultural, educational and religious interest. To provide that information, it is the policy of the Town of Mendon and the purpose of this section:

- (a) To prohibit the indiscriminate use of outdoor advertising.
- (b) To regulate the size, construction, and type of outdoor advertising.
- (c) To promote commercial sign plazas in appropriate locations.
- (d) To augment the provisions of 10 V.S.A. Chapter 21.

SECTION 3. DEFINITIONS

As used in this section, the following terms are defined as set forth:

"Enforcement Officer" shall mean the Town Zoning Administrator or any other person designated as an Enforcement Officer by the Selectboard.

"Erection" of a sign shall include erection, construction, alteration, modification, removal, replacement, and renovation, except that the sign may be repainted or stained to preserve the sign without falling under the provisions of this section.

"Official business directional sign" means a sign erected and maintained by the State of Vermont to indicate to the traveling public the route and the distance to public accommodations, commercial services for the traveling public and points of scenic, historic, cultural, educational and religious interest.

"Outdoor advertising" means a sign which advertises, calls attention or directs a person to a

business, association, profession, commodity, product, institution, service, entertainment, person, place, thing, or activity of any kind whatsoever, and is visible from a highway or other public right-of-way.

"Sign" means any structure, display, device, or representation which is designed or used to advertise or call attention to anything, person, business, activity, or place and is visible from any highway or other right-of-way. It shall include lettering or designs affixed to a building's walls, roof, or the like, whether by paint or by other structural device. It does not include the flag, pennant or insignia of any nation, state, or town. A flagpole shall not exceed 40 feet in height and shall be placed away from any adjoining property line a distance at least equal to the height of the flagpole. Whenever dimensions of a sign are specified, they shall include panels and frames, but not the open space beneath the sign, or the supporting structure.

"Sign Copy" means the physical sign message, including any words, letters, numbers, pictures, and symbols.

"Sign Plaza" means any two or more signs grouped together on one support structure.

"Supplemental Sign" means a sign that is physically attached to a principal sign, and subordinate in size and placement. A supplemental sign provides additional information related to the use or operation or operation of the premises. Examples include, but are not limited to, indicators of professional memberships, affiliations, certifications, payments methods accepted, or ratings. (See Section 703(12)).

"Traffic control sign or device" means an official route marker: guide sign, warning sign, or sign directing traffic to or from a bridge, ferry, or airport, or sign regulating traffic, which has been erected by officers having jurisdiction over the highway.

"Flat Sign" means a sign, whether it consists of letters on a separate structure or simply letters attached to the wall of a building, that is attached to the exterior wall of a building and is supported primarily by the surface of the wall, the readable surface thereof which is parallel to the wall.

SECTION 4. PERMIT REQUIRED

It shall be unlawful for any person to erect, alter, or relocate within the Town of Mendon, any permanent sign, as defined in this Ordinance, without first obtaining a sign permit from the Enforcement Officer, in accordance with the provisions of this Ordinance. The permit application shall be filed with the Enforcement Officer accompanied by a filing fee, set by the Selectboard, which shall include a sketch of the proposed sign with dimensions, height, location, description of support and landscaping plans.

SECTION 5. RESTRICTIONS AND REGULATIONS

No outdoor advertising shall be erected by any person in the Town of Mendon unless said outdoor advertising conforms to the following restrictions:

- (1) All signs shall be of wood, faux wood (composite sign material designed to resemble natural wood) or natural material construction, and shall not exceed forty-eight (48) square feet in area. No one side of the sign shall exceed 10 feet. Any other materials shall be subject to the Enforcement Officer's review and approval.
- (2) No person shall erect more than one sign within 500 feet of another erected by the same person, on the same property, except a business which has frontage on a secondary public road and its entrance is on the secondary frontage road may have an additional sign placed at its entrance, the size of which sign is not to exceed 8 square feet.
- (3) A business which has in excess of 500 feet of road frontage, thereby being eligible for more than one sign, may, (a) in lieu of multiple signs, request one large sign with an area not exceeding 30 square feet for each 500 feet of road frontage, and next partial increment thereof, however, in no event shall the large sign exceed 100 square feet, or (b) may have multiple signs consisting of one sign for every 500 feet of frontage, with each sign not exceeding 48 square feet, or (c) may place an additional small sign not to exceed 12 square feet within 500 feet of another sign.
- (4) There shall be no fluorescent, neon, strobe, digital or day-glow lettering, background, borders, highlights or illustrations on any signs. Any lighting of a sign shall be spot or other directed light, placed to avoid glare to passing traffic.
- (5) No portion of any sign shall exceed a distance of fifteen (15) feet above ground level or the level of the highway, or whichever is higher.
- (6) The sign support post may be of metal, concrete, or wood, and shall be of sturdy construction so as to not imperil passers-by. No signs, other than temporary signs described in subparagraph (14) below may be placed on wheels.
- (7) No sign shall be placed closer to the highway right-of-way limits than five (5) feet.
- (8) Multiple businesses located on a single property shall group their signs on a common set of supports.
- (9) In the event a sign plaza is required, the following shall apply:
 - (A) The total area shall not exceed 75 square feet for two businesses. No one side shall exceed 12 feet.
 - (B) The total area shall not exceed 105 square feet for three businesses. No one side shall exceed 14 feet.
 - (C) The total area shall not exceed 120 square feet for four or more businesses. No one side shall exceed 15 feet.
 - (D) In addition thereto, each business shall be permitted an eight (8) square foot sign for identification at its entrance or on its storefront.
- (10) Supplemental signs are acceptable so long as they are physically appended to an otherwise acceptable sign or signpost or the building. There shall not be permitted more

than two such signs per business, and each sign shall be no more than three (3) square feet. Nothing shall be hereby construed to prevent advertising of such credit cards or affiliations within the body of the permitted sign.

- (11) Notwithstanding the foregoing, awnings may be constructed in addition to signs allowed under this Section 703(3). An awning is a roof-type structure made of canvas or similar material over a window or door that may contain the proprietor's logo, the name of the business, or the type of the business. The total space of letters and/or the logo on all awnings combined shall not exceed 25% of the area that would be allowed under the sign ordinance. The awning shall not be erected to create additional business space and shall meet the set-back requirements. An awning shall be in proportion to the door or window area that it covers and shall be attached to the building.
- (12) No temporary signs or interim signs may be allowed except as provided hereby:
 - (A) Temporary signs may not exceed eight (8) square feet, with no one side exceed five (5) linear feet. A temporary sign may be double-sided.
 - (B) No more than one temporary sign may be displayed by any one business at any one time.
 - (C) Construction may be of wood, plastic, canvas, or metal.
 - (D) Each business may display a temporary sign for a total of six (6) times per year, or for a total period of sixty (60) days per year, whichever limit is reached first.
- (13) Any commercial signs for pre-existing commercial uses located outside of the commercial district or the village district, shall not exceed eight (8) square feet, with no one side exceeding five (5) linear feet.
- (14) Non-commercial signs, including, but not limited to, signs identifying residential developments, shall not exceed five (5) square feet, with no one side exceeding three (3) linear feet.
- (15) In addition to all other signs allowed hereunder, there shall also be allowed "commercial flags" according to the terms and restrictions set forth as follows:
 - (A) The maximum size of the flags shall be 4 feet in length and 2 feet in width. The pole supporting such flag shall be no longer than 4 feet.
 - (B) The flags may only be displayed when at least one business at the premises is open for business and, therefore, must be removed on a daily basis following the close of business.
 - (C) The flags must be in a condition such that they have no tears, rips or frayed material whatsoever.
 - (D) For single businesses, the pole for the flag must be placed on an existing sign or on the business structure itself.
 - (E) For multiple business locations, the pole for the flag must be on an existing sign or sign plaza. In addition thereto, for multiple business locations, each such business at the location may display a plaque on the outside of the business structure utilizing the word "open" and such plaque shall be no larger than 1.5

square feet.

- (16) In addition to all other signs allowed hereunder, there shall also be allowed “flat signs”, as defined above, according to the terms and restrictions set forth as follows:
- (A) The structure and lettering shall be of wood, metal, or plastic.
 - (B) The sign may not be lit from within. Neon signs and signs of a similar nature are not allowed.
 - (C) The signs may be erected on any exterior wall of the building which contains the business that is being advertised.
 - (D) The maximum size of all flat signs combined on any building shall be thirty two square feet. The size shall be determined by measuring the smallest rectangle that can encompass all the letters and any other markings on a sign.
 - (E) The maximum height of any letters on a flat sign is twelve inches.

SECTION 6. REMOVAL OF SIGNS

Any sign or sign plaza, including the physical structure thereof and the lettering thereon, shall be removed by the owner of the property upon the request of the Enforcement Officer if it has not been lawfully utilized as outdoor advertising with respect to a business on the property for a period of nine (9) consecutive months from the date of non-use. If the owner does not remove the sign after written notice from the Enforcement Officer to the owner, the Town may remove the sign and charge the owner the reasonable costs of such removal.

SECTION 7. NON-CONFORMING SIGNS

All non-conforming signs shall be removed, lawfully replaced, or otherwise altered so as to comply with all applicable provisions of this Ordinance within five years of adoption or amendment of this Ordinance. If the Enforcement Officer determines that a non-conforming sign is unsafe or insecure, or is a menace to the public, the Enforcement Officer shall immediately give written notice to the owner thereof. If the owner fails to remove or alter the structure so as to comply with this Ordinance, said sign or structure may be removed by the Town at the expense of the sign owner.

SECTION 8. EXCLUSIONS

Nothing in this article shall be construed to apply to:

- (1) Official business directional signs.
- (2) Traffic control signs.
- (3) Signs advertising the sale of any residential or business premises, provided such sign is located upon the advertised premises.
- (4) Entrance/exit signs having an area of not more than two (2) square feet.
- (5) Signs sponsored by or approved by the Town of Mendon.

SECTION 9. ENFORCEMENT

Any person who violates a provision of this civil ordinance shall be subject to injunctive relief and a civil penalty for each such violation. Each day the violation continues shall constitute a separate offense. The Enforcement Officer shall have authority to issue and pursue before the Judicial Bureau, or another court having jurisdiction, municipal complaints to enforce this Ordinance. An Enforcement Officer or the Town Attorney may dismiss or amend a municipal complaint in appropriate circumstances in accordance with law or court rules.

(1) Waiver Fees

An Enforcement Officer is authorized to recover waiver fees, in lieu of a civil penalty, in the following amounts, for any person who declines to contest a municipal complaint and pays the waiver fee:

First Offense — \$50

Second Offense — \$100

Third and Subsequent Offenses — \$200

(2) Civil Penalties

An Enforcement Officer is authorized to recover civil penalties in the following amounts for each violation:

First Offense — \$100

Second Offense — \$200

Third and Subsequent Offenses — \$400

Offenses shall be counted on a twelve (12) month basis, beginning January 1 and ending December 31 of each year. An Enforcement Officer shall have discretion, for good cause shown, to issue a written warning, without recovering a waiver fee or civil penalty for any First Offense. In such instance, the written warning shall be counted as a First Offense for calculating the number of annual offenses.

(3) Other relief

In addition to the enforcement procedure available under Chapter 59 of Title 24, the Enforcement Officer is authorized to work with the Town Attorney and commence a civil action in a court of competent jurisdiction to obtain injunctive relief and/or to seek such other appropriate relief to enforce this Ordinance as is authorized by law.

SECTION 10. SEVERABILITY

If any provision of this Ordinance is deemed by a court of competent jurisdiction to be unconstitutional, invalid or unenforceable, that provision shall be severed from the ordinance and the remaining provisions that can be given effect without the severed provision shall continue in effect.

SECTION 11. EFFECTIVE DATE

This Ordinance shall take effect sixty days from adoption unless a petition is filed in accordance with 24 V.S.A. § 1973.

Adopted on this 15th day of December, 2025.

Mendon Selectboard:

Megan Smith

Seth Bridge

Sarah Buxton

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