

City of Northampton
MASSACHUSETTS

In the Year Two Thousand Fourteen

Upon the Recommendation of Mayor David J. Narkewicz

ORDINANCE

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section **264 – Article I** of said code; providing that *Signs*

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows: That section **264 – Article I** of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

SECTION 264 – Article I – Amend as follows:

Article I. General Provisions

§ 264-1. Permits for projecting signs

No person shall erect or cause to be erected upon or above any City sidewalk, street, highway, or any public area owned or controlled by the City, any permanent sign or advertising device which projects into or over the sidewalk, street, highway, or public area unless a permit authorizing the erection of such sign or device has been issued by the ~~Board of Public Works~~ **Building Department**.

§ 264-2. Permits for stationary sandwich board signs

A.

No person shall locate or place any stationary sandwich board sign on a public sidewalk or other public area owned or controlled by the City unless a permit has been issued for such sign by the ~~Board of Public Works~~ **Building Department**.

B.

Any permit issued by the ~~Board of Public Works~~ **Building Department** for a sandwich board sign shall state the specific location where said sign shall be placed. The permit shall not be valid for any other location nor for any sign but that indicated on the permit. Shared signs may be required to minimize obstruction and to maximize public safety.

C.

The ~~Board of Public Works~~ **Building Department** shall adopt regulations as to the location, placement, size, time restrictions on display, permit fee, and duration of permits for sandwich board signs which

shall ensure **compliance with applicable statutes, ordinances, rules and regulations** that the public safety is adequately protected. The ~~Board of Public Works Building Department~~ may allow larger dimensions for shared signs based upon the number of businesses on the sign.

D.

Sandwich board signs shall be permitted on the following streets only: Main Street in the Downtown CBD, Bridge Street in the NB District at the intersection of Market and Hawley Streets only. Any restaurant or retail business which occupies an above- or below-street level space on Main Street, downtown, is eligible to locate a sandwich board sign in front of the property in which the business is located. Any business located on one of the following side streets located off Main Street in the downtown is eligible to locate a sandwich board sign on the corner of that side street and Main Street: Gothic Street, Center Street, Masonic Street, State Street, Strong Avenue, Old South Street, Crafts Avenue. Any restaurant or retail business located on Market Street or Hawley Street is eligible to locate a sandwich board sign on the corner of Bridge Street.

E.

The annual fee for a sandwich board sign is as set forth in Chapter 174, Fees.

§ 264-3. Application for permit; hearing; compliance with zoning ordinances; bond

A.

Application for a permit to erect a permanent sign or advertising device or to locate or place a stationary sandwich board sign shall be made to the ~~Board of Public Works Building Department~~. ~~The Board of Public Works shall act upon any application within 45 days of its filing. If the Board fails to act within said 45 days, the application will be deemed denied. Approval of a permit shall require a majority vote of the Board members present and voting.~~

B.

~~The Board may hold a public hearing on the application if it feels the public interest so requires. Notice of such hearing must be published in a local newspaper of general circulation no less than seven or more than 14 days prior to the date of the hearing. The applicant shall bear the cost of such publication.~~

C.

No permit may be issued for any sign or advertising device or sandwich board sign unless the Building Inspector has certified that said sign or device as proposed complies with **applicable statutes, ordinances, including Chapter 350, Zoning, of the Code of City of Northampton, rules and regulations.**

D.

The ~~Board of Public Works Building Department~~ may require, as a condition of the issuance of a permit for such sign or device, that the applicant post a bond or purchase insurance in such amount as it deems advisable for the purpose of holding the City harmless and indemnifying it for any and all damages or liability incurred by the location of a sign or advertising device or sandwich board sign on or over a street, sidewalk, highway, or public area.

§ 264-4. Violations and penalties; removal of signs

A.

The ~~Board of Public Works or the Building Inspector~~ shall notify, in writing, the owner of any sign or advertising device or sandwich board sign requiring a permit under § 264-3A and erected without such required permit that such a sign or device violates the provisions of this article and must be removed. If

the owner fails to act within five days of the date of such notice, the sign or device may be removed by or under the direction of a police officer and at the expense of the owner.

B.

Any person erecting a sign or advertising device in violation of this article shall be subject to a fine as set forth in Chapter 40, Enforcement, for each day such sign or device remains in place after the expiration of the five-day notice period. Signs not removed after the expiration of the five-day notice period shall be removed by the ~~Board of Public Works~~ **Building Inspector** and be subject to a removal fee as set forth in Chapter 174, Fees.