

Town of Middlebury
Select Board Policy
Regarding
Placement of Signs on Public Property

NOTE: No license/permit shall be issued for placement of any sign on the Main/Cross Streets Roundabout or the splitter islands on the approaches to the same nor on the splitter islands south of Court Square on Court Street.

This policy applies to signs that are placed by private individuals or organizations, that call attention to an event, organization, business, sale, or other activity, where such signs are placed or located within the public rights of way or on Town or State property in the Town of Middlebury (signs on private property require a permit under the Middlebury Zoning Ordinance).

“Sign” includes any card, poster, notice, yard sale sign, sandwich board “A” sign, flag, pennant or banner, balloon(s) or other outdoor advertising devices defined in Section 772 of the Middlebury Zoning Ordinance.

This policy does not apply to:

- A. Official traffic control or highway regulatory signs.
- B. Street name signs or public place name directory /guide signs that have been approved by vote of the Middlebury Select Board and are maintained by the Town (examples: Mary Hogan School, Middlebury Union High School, Police ()
- C. Any Main Street wire banner as licensed by the Middlebury Business Association.
- D. Signs on the premises of a public event having a valid Public Assemblage Permit issued by the Town Manager, during the time of the event.

REMOVAL OF UNAUTHORIZED SIGNS

The Town Manager, Zoning Administrative and Enforcement Officers, Police Department and Public Works Department are authorized to remove and dispose of any sign in a public right of way or on Town property that does not display a license number and approval in accordance with this policy.

LICENSE FOR TEMPORARY SIGNS FOR COMMUNITY EVENTS

Following are examples of traditional community events for which temporary directory signs may be licensed.

Farmer’s Market

Middlebury College public events, including:

- Athletic events
- Concerts, performances, exhibits, lectures and conferences
- Graduation
- Alumni / Reunions / Parent’s Weekend
- Orientations/welcome for new students, Language School etc.
- Festival of the Wreaths

Red Cross Blood Drive

Home & Garden Show

High School dinners, games, performances

The above list is not all-inclusive; a license authorizing one or more signs for the above events, or similar events, shall be obtained from the Planning & Zoning Office. Upon approval, the Office shall assign a license number and mark or affix a sticker on each approved sign.

Standards for license of temporary public event signs:

1. Safety for pedestrians, bicycles and vehicles. No sign shall be placed on a public sidewalk or in the traveled way or shoulder of any street. No sign shall obstruct visibility for vehicles, pedestrians or bicycles or otherwise constitute a safety hazard.
2. Interference with traffic control signs. No sign shall cover or interfere with traffic control signs. (21 VSA § 495a and 23 VSA §1025)
3. Defacing or damage to Town signs, posts, light poles. No sign shall be taped, screwed, bolted or otherwise attached to Town signs, traffic or street signposts, light poles or utility poles. (13 VSA §301)
4. Minimizing clutter. It is the policy of the Town to generally discourage use of public rights of way and Town property as advertising media. Other forms of media exist for advertising such as newspapers, radio, newsletters, email and direct mailings etc. Local /area residents familiar with local event locations do not need additional directory signs – the locations can be advertised in such other media. Organizations promoting events to defined groups of participants should mail a location map to the pre-registered enrollment or group. However, a minimum aid to direct tourists and visitors not generally familiar with Middlebury event locations is in the public interest.

In approving and managing temporary event directory signs, the Planning & Zoning Office shall balance the need to minimize clutter and avoid excess advertising, with the need for public directions to visitors.

Appeals from license denials or other actions under this policy shall be to the Town Manager and ultimately to the Select Board, whose decision shall be final.

The following policies and conditions shall apply to all signs licensed under this policy:

- A. Duration. Signs shall be licensed to specify the location(s), size, type and specific periods of time of display, which shall be limited to not more than 3 days prior to an event, and shall be conditioned to ensure removal immediately after the event (by end of day).
- B. Number of signs per event to be minimized. Generally the directory sign should be sited at the nearest critical intersection or turnoff to the event.
- C. No vested rights granted; revocation. Approval of a license under this policy or the placement of signs under prior practice shall not vest any private rights; the Town reserves the right to revoke any license granted, in the case of repeat violations of this policy, or if for any reason revocation is directed by the Select Board.

Nothing herein shall limit the right of the Town to take additional legal action and recover costs of enforcement and damage to Town sign poles, signs, light poles etc. and to seek other relief as allowed by law.

Adopted and Approved: May 2009