

# TOWN OF DOVER SIGN ORDINANCE

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# TOWN OF DOVER

## SIGN ORDINANCE

The Select Board of the Town of Dover hereby ordains:

### ***Section 100: PURPOSE***

The purpose of this ordinance is to provide for the orderly signage of activities in the Town of Dover, to protect the scenic and aesthetic value of the Town, to support and complement the objectives set forth in the Town Plan and to prevent hazards to users of the roads in the Town.

This Ordinance recognizes the necessity of signs not only to inform the traveling public but also as an aid to local businesses in attracting customers. It also recognizes that neither the traveling public nor local businesses are well served by unlimited and haphazard signage.

This Ordinance is enacted by the Select Board under the authority it is granted to regulate signs set forth in 24 V.S.A. §2291 and constitutes a civil ordinance adopted pursuant to 24 V.S.A. Chapter 59.

### ***Section 105: PERMIT REQUIREMENTS***

No sign shall be erected, displayed, enlarged, moved or changed unless the Zoning Administrator has duly issued a Sign Permit (except for signs in accordance with Section 135). The Zoning Administrator shall not issue a Sign Permit unless the applicant has complied with the requirements of this Ordinance.

### ***Section 110: PERMIT APPLICATION PROCEDURES***

A Sign Permit application shall be submitted to the Zoning Administrator on forms provided by the Town of Dover. The application shall include the following:

- A. One (1) scale colored drawing of the sign and its supporting structure.
- B. A map, building elevation or site plan depicting the location of the sign.

The fee for such a Sign Permit shall be payable with the application and shall be determined by the Select Board.

## **Section 115: GENERAL REQUIREMENTS**

- A. Number of Signs
  1. There shall be permitted for each individually operated business not in a multi-business center not more than three (3) signs (consisting of any combination of free standing signs or signs attached to a building.), except as hereinafter provided in Sections 130 and 135. For businesses within a multi-business center Section 120(B) is applicable.
  2. Each individually operated business is permitted one movable sign.
  
- B. Location of Signs and Town Sign Plazas
  1. Location – In accordance with 10 V.S.A. §505, no sign shall be erected or displayed off-premises. No sign shall be erected that is overhanging a public road or right-of-way, except as provided in Section 122 (A) (2).
  2. Town Sign Plazas – An application for a directional sign, which is to be added to a Town Sign Plaza, shall first be submitted for review to the Zoning Administrator. Prior to approving the application, the Zoning Administrator shall receive permission from the Select Board for the directional sign. The directional sign shall adhere to the design criteria of the Dover Town signs (as seen on Dover Hill Rd. And Holland Rd., or South Access Road and Handle Road). If a new Town Sign Plaza is required, it may be created at the discretion of the Select Board.
  
- C. Height – The highest point of a sign, including its supporting structure, shall not be more than twenty (20) feet.
  
- D. Maintenance
  1. All signs shall be maintained in a secure and safe condition. If the Zoning Administrator is of the opinion that a sign is not in good repair, written notice sent by certified mail shall be given to the owner of the sign that said sign fails to comply with this maintenance requirement. The owner shall correct the defect within sixty (60) days or the Zoning Administrator may revoke the Sign Permit.
  2. A sign, which has been taken down, damaged, or destroyed, and which conforms to the requirements of the Ordinance, may be replaced at the same location within six (6) months of the date of damage or removal without a new permit.
  
- E. Appendages of a compatible character to, and/or texture of, the sign's material are permitted and may be attached to the sign or the sign's supporting structure. The size of appendages shall be included in the area limitation of the sign.
  
- F. For the purpose of this Ordinance, the Valley Trail is considered a right-of-way.

**Section 115: GENERAL REQUIREMENTS: (Continued)**

- G. Any change to a sign including but not limited to the color, shape, size, location, logo, or any design or physical feature of/on the sign, excluding normal repair and maintenance, shall require a new permit.
- H. Signs of permanently closed businesses shall be removed within sixty (60) days from the date of permanent closing of the business. The business owner or property owner shall be responsible for the removal of the sign.
- I. Nothing shall prohibit the Select Board, Zoning Administrator or the Development Review Board from requesting additional information as part of the application, appeal or review process.

**Section 120: SIZE LIMITATION FOR SIGNS/BANNERS REQUIRING A PERMIT**

- A. Individual Enterprises not in Multi-Business Centers – Each of the not more than three (3) signs allowed pursuant of Section 115(A) (1) shall not be larger than 32 square feet. These three (3) signs shall be signs attached to a building or free standing signs.
- B. Multi-Business Centers (Business Plazas) – are locations where two or more businesses are located in a single building or within attached buildings or within a cluster of buildings sharing a common vehicular entrance and exit. Only the following signs are permitted except as hereinafter provided in Sections 130, 133 and 135.
  - 1. One Sign Plaza not to exceed a total area of 200 square feet.
    - i. No individual business's sign within the Sign Plaza may be greater than 32 square feet.
    - ii. Each individual business may not have more than two (2) signs contained within the Sign Plaza.
    - iii. The individual businesses within the multi-business center are responsible for determining the size of the signs contained within the Sign Plaza.
  - 2. One sign not greater than 32 square feet and attached to a building is allowed per individual business in the multi-business center.
  - 3. One (1) movable sign per individual business in accordance with Section 121.
- C. Banners – each side of a banner shall have a maximum area of sixty-four (64) square feet. Banners are only for temporary use, not to exceed twenty-eight (28) days. Banners are in addition to the three (3) signs. A maximum of three (3) banners are allowed to be displayed simultaneously and are provided for in Section 122(A) (1) and (B).

### **Section 121: MOVABLE SIGNS**

The Zoning Administrator shall issue a permit to each individual business for one movable sign, in addition to the three signs allowed by Section 115(A) (1), having no more than two readable surfaces, provided it meets the requirements of this Article:

- A. Movable signs shall not be permanently attached to the ground or another structure and shall be weighted to prevent unintentional movement.
- B. During periods of extended business closings of four (4) days or longer, movable signs are to be removed to a location where the sign is not visible from a road or a right-of-way.
- C. The wording, color(s) and graphics of a movable sign may be changed without obtaining a new permit; however, the changes shall otherwise comply with all other provisions of this Ordinance.
- D. Under no circumstances are movable signs to be left face down on the ground, collapsed or otherwise located or positioned in a manner for which the sign was not originally intended.

### **Section 122: SPECIAL AND COMMUNITY EVENTS**

- A. The Town of Dover recognizes those Community Events such as athletic competitions, conferences; large retail shows and similar events further the economic vitality of the businesses and residents of the Town. A Community Event Sign permit may be granted by the Zoning Administrator for the erection and display of signs, banners, or other advertising displays on a temporary basis. The permit shall specifically state the location or locations of such signs and displays, and specifically state the starting and expiration dates for such use and the responsibility for removal.
  1. Community Event Signs/Banners shall be displayed no more than (28) twenty-eight days prior to the event and shall be removed no more than three (3) days following completion of the event.
  2. Special event banners, which are to be hung across a town highway or right-of-way, shall be attached securely on each side and at a height of not less than twenty (20) feet from the road surface.
  3. Six (6) off-premises directional signs for each event may be allowed. The applicant shall provide and the permit shall state the number, location and scale copy of such signs. The directional sign shall orient visitors to the event or parking and be subject to Section 122(C).
  4. Without location specificity, an event organizer may submit a blanket permit application which would suffice for all and any signs associated with the Special Events. Blanket permits valid for an entire event may be approved by the Zoning Administrator solely with permission of the Select Board.

**Section 122: SPECIAL AND COMMUNITY EVENTS: (Continued)**

- B. For promotions by Commercial businesses and Home Occupations, a promotional sign/banner or display permit may be granted by the Zoning Administrator for the erection of and display of signs, banners or other displays on a temporary basis. The permit shall specifically state the location of each sign, banner or display and specifically state the starting and expiration dates and the responsibility for removal. The signs/banners or displays may be displayed twenty-eight (28) days prior to the promotion and shall be removed three (3) days following the promotion. Banners/signs or displays for promotions are limited to three (3) banners/signs or displays per promotion.
  
- C. The Zoning Administrator may approve temporary off-premises directional signs for promotions by a Commercial Business or Home Occupations. All of the following conditions shall apply:
  - 1. Signs shall have no more than two readable surfaces.
  - 2. Signs shall not exceed six (6) square feet per surface.
  - 3. Signs shall be displayed for no more than five (5) days.
  - 4. No more than six (6) directional signs may be displayed.
  - 5. The applicant shall state locations of signs and be responsible for removal.
  - 6. The applicant shall provide written permission of the property owner where the sign is to be displayed to the Zoning Administrator with the permit application.

**Section 124: SIGN RESTRICTIONS AND PROHIBITIONS**

- A. Illumination
  - 1. Signs may be illuminated externally only by a steady white light, which shall be shielded to prevent glare, excessiveness or illumination of neighboring structures. Illumination may be considered a traffic hazard.
  - 2. Signs except LED lights as described in Section 124(A) (3) shall not be illuminated from within.
  - 3. LED lights of one color are permitted and only letters may be illuminated. LED lighted signs shall be limited solely to the word OPEN. The lighted area for the word OPEN shall be limited in size not to exceed 6" x 15".
  - 4. Existing internally illuminated signs shall no longer be exempt from the requirements of this Ordinance if such signs are enlarged, moved or in any way changed with the exception of ordinary maintenance or upkeep.

**Section 124: SIGN RESTRICTIONS AND PROHIBITIONS (Continued)**

**B. Prohibited**

No sign, including movable signs, may be erected or maintained along and visible from a street, highway, or right-of-way which:

1. Interferes with, imitates, or resembles any official traffic control sign, signal or device, or attempts or appears to attempt to direct the movement of traffic, nor shall such signs contain or make use of the words: STOP, SLOW, GO, LOOK, DANGER, DETOUR, or other similar warnings.
2. Constitutes a traffic hazard by way of placement or obstructing free and clear vision on an adjacent road or distracting the attention of drivers by reason of position, color or shape which may be confused with any authorized traffic signal or device.
3. Contains, includes or is illuminated by any flashing, intermittent or moving lights; contains or consists of reflective discs, strings of pennants, strings of flags, ribbons, streamers, spinners, or other moving devices; has any animated or other moving parts, generates noise or projects an image. (Except authorized traffic control signs).
4. Contains any fluorescent or day-glow like paint or material or is lit by neon or neon-like gas.
5. Is attached to a directional sign.
6. Is on an unregistered vehicle or trailer.
7. Is inflatable or hand-held.
8. Is a sign illuminated from within.
9. Is a Feather Sign.

**Section 130: CONDITIONAL SIGN PERMITS**

A. No sign permit shall be granted by the Zoning Administrator for any sign which requires Conditional Sign Approval, except as provided for in Section 130(C), until the Development Review Board grants such an approval. Conditional Sign approval may be granted by the Development Review Board for a pre-existing or new sign(s) in a specified location, which will, in the opinion of the Development Review Board, substantially comply with the intent of this Ordinance.

B. The following signs shall require a Conditional Sign Permit.

1. A roof sign may be approved for a business if it is not possible to affix a sign to the exterior walls of the business such that the sign is visible from the travelled roadway or right-of-way. A site visit may be necessary to

**Section 130: CONDITIONAL SIGN PERMITS (Continued)**

determine if a roof sign is the only option a business has regarding the displaying of its sign.

2. An additional sign or signs over the not more than three (3) signs allowed by Section 115(A)(1) may be approved for a business that has property with frontage access from two (2) public roads or on both sides of a public road or right-of-way or where public safety may be involved. When public safety is involved, the application shall be submitted to the Dover Police Department for comment at least fifteen (15) days prior to the Development Review Board hearing.
  3. A business in a multi-business center, whose entrance to the individual business does not front on, is not parallel to or visible from the public road or right-of-way may have an additional sign over the not more than three (3) signs allowed by Section 115(A) (1) approved, with the location of the sign to be established and approved by the Development Review Board.
  4. One additional one-sided awning sign over the not more than three (3) signs allowed by Section 115(A) (1) may be permitted.
  5. An additional theater marquee sign over the not more than three (3) signs allowed by Section 115(A)(1) may be approved for a movie theater or auditorium staging public events, is such a sign otherwise conforms to the requirements of this Ordinance.
- C. On a case-by-case basis, the Zoning Administrator may issue a Temporary Conditional Sign Permit, provided all of the following conditions are met:
1. There are unique circumstances or conditions, including the time frame for Development Review Board approval, which would render the purpose of the sign ineffective.
  2. The sign, if authorized, would not alter the essential character of the zoning district.
  3. All other Sections of this Ordinance shall remain in effect.
  4. The sign shall not be displayed for more than twenty-eight (28) consecutive days prior to the event and shall be removed three (3) days after the end of the event.

**Section 132: WAIVER OF FEES BY THE ZONING ADMINISTRATOR**

The Zoning Administrator may, on a case-by-case basis, waive the fee for temporary signs or banners provided that all of the following conditions are met:



**Section 132: WAIVER OF FEES BY THE ZONING ADMINISTRATOR (Continued)**

- A. The applicant represents a non-profit organization, a community/local charitable organization/foundation, or is the department head of a Town of Dover Department on official Town Business.
- B. The sign or banner to be displayed represents a municipal, non-profit or charitable event.
- C. The total fee is not more than \$100.00.
- D. All other Sections of this Ordinance shall remain in effect.

**Section 133: PRE-EXISTING SIGNS**

The following pre-exist the adoption of this Ordinance and are only required to obtain a Sign Permit if they are expanded, extended, moved or relocated:

- A. Signs, except Movable Signs and Feather Signs, erected and in existence prior to November 8, 1988.
- B. Signs, except Feather Signs, that exceed the maximum number allowed by this Ordinance but that were authorized by a Development Review Board proceeding prior to February 7, 2012.

**Section 135: SIGN NOT REQUIRING A PERMIT**

The following signs do not require a permit under this Ordinance and, except as otherwise provided, are exempt from the limit of not more than three (3) signs provided in Section 115(A)(1):

- A. Directional signs within a ski area, residential or commercial complex not visible from State or Town roads.
- B. Official highway signs and official business directional signs and directional signs erected by the Town of Dover or the State of Vermont.
- C. Small signs not greater than four (4) square feet without advertising and displayed for direction, instruction, or convenience of the public, including but not limited to signs identifying restrooms, freight entrances, posted areas, ice machines or the like.

**Section 135: SIGNS NOT REQUIRING A PERMIT (Continued)**

- D. Credit card logos with an area collectively not exceeding two (2) square feet provided such signs are on the premises of the activity served by the signs.
- E. Temporary tag sale signs.
- F. Official Town Welcome Signs approved by the Select Board and erected and maintained or directed by the Town of Dover.
- G. Works of art, commemorative placards and monuments that do not include a commercial message and are in compliance with all other Sections of this Ordinance.
- H. Commercial Dispensing Machines.

I. Type of Sign	Number	Size in Sq. Ft.	Duration
For Rent/For Sale/For Lease (Real Estate Signs)	2	6	Until Sold/Rented
House Sign	1	8	Unlimited
Construction/Maintenance Sign	2	6	Const./Main. Period
On-premises Directional Sign	Unlimited	1.5	Unlimited
Help Wanted Sign	3	1.5	Position Filled
Road/Street/Trail Sign	Unlimited	2	Unlimited
No Hunting, Trespassing, etc. Signs	1/100'	4	Unlimited
SALE Signs, Banners or Flags	2	24	6 weeks max.
"Open", "Welcome" Flags, Windsock	1 each	8	Unlimited
Country/State flags	6	8	Unlimited
Home Product Sign	2	4	Unlimited
Open House for Real Estate	8	4	Day of Open House
Bulletin, Chalk and Dry Eraser Boards	1	2	Unlimited

**Section 135: SIGNS NOT REQUIRING A PERMIT (Continued)**

<b>I.</b>	<b>Type of Sign</b>	<b>Number</b>	<b>Size in Sq. Ft.</b>	<b>Duration</b>
	Garage Sale Signs	6	4	3 Consecutive days
	Political Sign	5	6	45 Days prior and 3 Days after the election
	Changeable Copy Sign, Gas Pump	2/pump	6	Unlimited
	Bus Stop	2/stop	6	Unlimited
	Menu Boards: (Shall be permanently Mounted to the building or post)	1	4	Unlimited
	Commercial Vending Machines	1	4	Unlimited
	Indoor Window Signs	Number & size is limited to the size of Window		

J. Signs mandated by Town Departments, State Agencies and/or Federal regulations. For example: State Inspection Stations signs, Fish and Wild Life signs, etc.

**Notwithstanding the above, all signs shall be in compliance with 10 V.S.A. §494 and all Sections of this Ordinance.**

**Section 140: DEFINITIONS**

**AGRICULTURE:** The growing and harvesting of crops; the raising, keeping and boarding of livestock, except kennels; the operation of orchards, including maple sugar harvesting; the sale of farm produce on the premises where produced; the use of farm structures; activity authorized by 10 V.S.A. §6001 (22) and the storage of equipment incidental to the above.

**APPENDAGES:** An appendage is that which is attached as if by being hung on, a subsidiary adjunct or addition to, a sign. Appendages shall be of the same material, color combination and structure of the sign.

**AWNING SIGN:** Any sign painted on, attached to, or part of a canvas-like structure overhanging a window or door.

**BANNER:** A strip of material which is used as a sign, the ends of which are attached to posts or pole or fastened to a structure. Banners are only for temporary use, not to exceed twenty-eight (28) consecutive days.

**Section 140: DEFINITIONS: (Continued)**

**COMMUNITY EVENT SIGN OR BANNER:** A sign and or banner, advertising a significant or exceptional occurrence that furthers the economic vitality of the residences and businesses of the Town of Dover.

**COMMERCIAL DISPENSING MACHINES:** An apparatus or equipment used for the purpose of direct sale and dispensing items for sale or for commercial/general information to the general public, including but not limited to ATM machines, Red Box, ice machines, newspaper dispensers and vending machines.

**CONDITIONAL SIGN PERMIT:** A permit issued by approval of the Development Review Board for a pre-existing or new sign in a specified location, which will, in the opinion of the Development Review Board, substantially comply with the intent of this Ordinance.

**CONSTRUCTION SIGN:** A temporary sign that gives the name of the principal contractor(s) responsible for the construction on the site where the sign is placed, together with other information included thereon.

**FEATHER SIGNS:** (feather wind signs, feather banners, flutter flags and feather flags): Usually a continuous banner, flag, streamer or pendant which is tapered in the shape of a feather or inverted teardrop and attached along the majority of one-side to a telescoped flag pole. The sign is usually made of canvas, nylon or canvas or nylon-like material and, usually is meant to be placed on the ground and is often designed to rotate or flutter with the wind.

**FOR RENT OR FOR SALE OR FOR LEASE SIGN:** A sign, which may identify the owner, real estate broker or agency listing the property and which may include a telephone number and address.

**FREE-STANDING SIGN:** As used in this Ordinance it shall mean a sign that is: detached from any structure, is permanently affixed to the ground, is not portable and is not able to be detached from its support frame of structural members.

**HIGHWAY DIRECTIONAL SIGN:** A common sign structure for the sole purpose of providing directional assistance, governed and regulated by the Town or State.

**HOME OCCUPATION/PRODUCT SIGN:** A sign advertising home products in conjunction with a home occupation.

**HOUSE SIGN:** A sign with the name given to a house, property, street address or the name of its occupants.

**MOVABLE SIGN:** A sign that can be moved, and not permanently attached to the ground a pole or structure. A movable sign includes but is not limited to sandwich or A-frame signs.

**Section140: DEFINITIONS: (Continued)**

**MULTI-RELATED BUSINESSES:** Commercial activities of a related, customary or incident nature where one or more businesses are located in a single building, appurtenant to the building or in an adjacent building and are considered to be a single individual businesses for the purpose of this Ordinance. Multi-related businesses shall include, but not limited to, a ski shop which sell, repairs and rents skis or a real estate business, which sells, rents and maintains properties, both of which are considered on business.

**NO HUNTING/TRESPASSING/FISHING SIGN:** A sign restricting trespassing and/or hunting and fishing on posted lands which may satisfy 10 V.S.A. §5201.

**NON-CONFORMING SIGN:** A sign, which does not comply with this Ordinance, which conformed with all applicable laws, ordinances, regulations at the time it, was first established.

**NON-PROFIT ORGANIZATION:** Any organization of a type listed or qualifying as a 501(c) (3) by the Internal Revenue Code, as amended. Evidence of treatment or acceptance as a 501(c) (3) entity shall be provided if applicable.

**OFF-PREMISES SIGN:** Any sign located off the immediate deeded property upon which the principal activity of business advertised is located.

**ON-PREMISES DIRECTIONAL SIGN:** A sign to direct customers, such as “Parking”, “Entrance” and “Exit.”

**PENNANT:** A piece of material with one or more anchoring points, which is tapered to a point or swallowtail.

**PLAZA SIGN:** A sign which is displayed on or within a Sign Plaza.

**PROMOTION SIGN:** A sign advertising an out-of-the-ordinary business activity, which occurs on a temporary basis.

**ROAD/STREET/TRAIL SIGN:** A sign designating streets, roads or trails.

**ROOF SIGN:** Any sign, which is constructed upon or above the roof of any building.

**SIGN:** Any structure, display, device, or representation, which is designed or used to advertise or call attention to anything, including but not limited to a person, business activity, or place, that is visible from any public road, highway or other right-of-way. Each surface used for the above purpose shall constitute a sign. A sign does not include the flag, pennant, colors or insignia of any nation, state or town that is part of the sign. A notice attached to a window or door shall be considered a sign.

## **Section 140: DEFINITIONS: (Continued)**

**SIGN AREA:** The entire display area of the sign, including all the elements of the matter displayed including the frame. Structural members not bearing advertising material shall not be included in computation of a sign area unless those elements are decoratively lighted.

When the sign is painted upon or applied to any part of a building, including windows, the area includes all lettering, wording and accompanying designs or symbols together with any background of a color different from the color of the building.

When individual letters are attached or painted on a surface, including but not limited to, any part of the building, canopy, wall or window, the area is that of the smallest rectangle that encompasses all of the letters or symbols.

Where there is more than one set of letters or symbols, the area shall be the total of each set and shall be computed by drawing a rectangle that encompasses the entire message.

**SIGN PLAZA:** A group of signs clustered together in a single structure or compositional unit to advertise several occupants of the same building or building complex.

**SPECIAL EVENT SIGN:** A sign advertising a significant or exceptional occurrence.

**TEMPORARY CONDITIONAL SIGN PERMIT:** A permit issued by approval of the Development Review Board or the Zoning Administrator for a new sign in a specified location which will, in the opinion of the Development Review Board or the Zoning Administrator, substantially comply with the intent of this Ordinance. The Permit shall be for a specific time period not to be greater than twenty-eight (28) consecutive days.

**THEATER MARQUEE SIGN:** A sign, which may be a changeable copy sign, attached to and made part of a theater marquee. A theater marquee is defined as a permanent roof-like structure projecting beyond a building wall and generally designed and constructed to provide protection against weather.

**VALLEY TRAIL:** A scenic pedestrian and bicycle pathway approximately five (5) miles in length located in Dover. The Trail will connect Mount Snow in the north with the West Dover Historic District and Village in the south.

**WALL SIGN:** Any sign painted on or attached to and erected parallel to the wall or erected and confined within the limits of the outside wall of any building and supported by such wall or building and which displays only one advertised surface.

**WINDOW SIGN:** Any sign placed inside or upon a window facing the exterior and which is intended to be seen from the exterior.

## **Section 150: APPEALS**

Any person aggrieved by any action of the Zoning Administrator may appeal such action, or refusal to act, to the Development Review Board. Such appeal shall be lodged with the Development Review Board Secretary within fifteen (15) days of the Zoning Administrator's action or refusal to act, and shall be accompanied by an appeal fee of \$50.00. The fee for such appeal shall be the same as for appeals of actions of the Zoning Administrator to the Development Review Board pursuant to the Town of Dover Zoning Bylaws. The hearing shall be held at the time and place set by the Chairman of the Development Review Board but no sooner than seven (7) days, nor later than twenty (20) days, after public notice of such hearing has appeared in a newspaper having general circulation in the Town. The Development Review

Board may make such order or take such action, including the issuance of a permit or the revocation of same as is consistent with this Ordinance. Provided, however, in deciding such appeals the Development Review Board may not grant variances, exemption, extra-ordinary relief or otherwise alter, amend, enlarge or modify the provisions of the Ordinance, it being the intent of this section to merely provide for appeals from the decisions of the Zoning Administrator, and not to provide for variances or exceptions hereto. The Development Review Board may adopt rules governing the conduct of such hearings, and if such rules are adopted it shall cause a copy thereof to be furnished to each applicant at the time that the appeal is taken.

#### **Section 160: ENFORCEMENT**

- A. Judicial Bureau: Any person who violates any provision of this civil ordinance shall be subject to a civil penalty of up to \$800.00 per day for each day that such violation continues. The Zoning Administrator shall be authorized to act as Issuing Municipal Official to issue and pursue before the Judicial Bureau a municipal complaint for a violation of this Ordinance.
- B. Right to Civil Enforcement: In addition to the enforcement procedures available before the Judicial Bureau, the Town is authorized to utilize the procedures set forth in 24 V.S.A. §1974a, to commence a civil action to obtain injunctive and other appropriate relief, to request revocation of a sign permit or to pursue any other remedy authorized by law.

#### **Section 170: PENALTIES**

Prior to the issuance of a Municipal Violation Complaint, the Issuing Municipal Official shall issue a written notice to the alleged offender. This written notice may be sent regular mail or hand delivered and shall state the offense and allow the defendant seven (7) days to "Cure" the violation and comply with this Ordinance.

- A. Waiver Fee for Municipal Complaint: An Issuing Municipal Official is authorized to recover civil penalties in the following amounts for each violation of this Ordinance:

#### **Section 170: PENALTIES (Continued):**

First offense	\$ 25.00
Second offense	\$ 50.00
Third offense	\$ 75.00
Fourth offense	\$150.00
Fifth and subsequent offenses	\$250.00

B. Civil Penalty for Ordinance Violation: An Issuing Municipal Official is authorized to recover civil penalties in the following amounts for each violation of this Ordinance:

First offense	\$ 75.00
Second offense	\$150.00
Third offense	\$250.00
Fourth offense	\$500.00
Fifth and subsequent offenses	\$800.00

**Offenses shall be counted on a calendar year basis.**

**Section 180: SEVERABILITY**

If any part or provision of this Ordinance shall be deemed invalid by a court of competent jurisdiction, that portion of the Ordinance shall be severable, and the invalidity of said part or provision shall not invalidate any other part or provision of the Ordinance which can be given effect without the invalid provisions.

**Section 190: EFFECT**

This Ordinance shall take effect from the date of its passage.

Dated and adopted this \_\_\_\_\_ in the State of Vermont, County of Windham, Town of Dover.

**TOWN OF DOVER  
BOARD OF SELECTMEN**

\_\_\_\_\_  
**Randall Terk, Chairman**

\_\_\_\_\_  
**Linda L. Holland**

\_\_\_\_\_  
**Victoria Capitani, Vice Chairman**

\_\_\_\_\_  
**Joseph Mahon**

\_\_\_\_\_  
**Thomas Baltrus**

**Revised: June 30, 2014**