



**Town of Bar Harbor**  
Planning & Code Enforcement

### Sign Permit Application

A permit is required for signs in accordance with the Town of Bar Harbor Land Use Ordinance § 125-77. Signs must comply with standards in § 125-67 BB and definitions listed in § 125-109. More information about sign requirements is available in the attached Sign Requirement document.

Property Address: \_\_\_\_\_ Map \_\_\_\_\_ Lot \_\_\_\_\_

Owner: \_\_\_\_\_

Applicant: \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Estimated project cost: \$\_\_\_\_\_

NOTE: If not owner, please attach written authorization to apply for permits and/or approvals.

#### I. Sign Description

Please provide a specific description of the sign including details, location, dimensions, materials, colors and attachment structure(s). (Please continue on back if necessary and attach color design)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### II. Signature

Name \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_

----- **For Office Use Only** -----

- |                                      |   |  |
|--------------------------------------|---|--|
| <input type="checkbox"/> Map & Lot   | <input type="checkbox"/> Application Complete | <input type="checkbox"/> Authorization |
| <input type="checkbox"/> District    | <input type="checkbox"/> Design Plan Attached | <input type="checkbox"/> Fee Amount    |
| <input type="checkbox"/> DRB Overlay | District: _____                               |  |

**Approved By:** (Name & Title) \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_ Permit Number \_\_\_\_\_

Signature



## **Sign Requirements**

### **Definition:**

**SIGN:** An object, device or display, or part thereof, whether freestanding, portable, affixed to a building or otherwise, situated outdoors or indoors, which is directed at persons outside or off the premises, used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images. This definition shall not, however, be construed to include merchandise or decorative displays ([§ 125-109](#)).

### **Permit Required:**

A written permit from the Code Enforcement Officer is required for the placement of signs ([§ 125-77 D](#)). Signs may require review and approval by the Design Review Board.

### **Permit Not Required:**

The following signs do not require a permit or approval ([§125-67 BB](#)):

- Political signs on private properties or vehicles only, provided that such sign shall not exceed six square feet in sign area, shall not be placed in such location as to constitute a traffic or pedestrian safety hazard, and shall not be displayed for more than 42 days prior to the appropriate election or more than two days following such election.
- Holiday decorations which contain no commercial messages and which are displayed during the appropriate season.
- Fuel pump signs as required by state law are allowed and shall not affect the computation of allowable number of signs or aggregate sign area on a property.
- Any sign within a structure, so long as the sign is not visible from other properties or from any street right-of-way.
- Residential identification signs, showing resident's name and street address.
- Flags of countries, states, counties, cities, religious and civic organizations.
- National Register of Buildings or Places markers or other historic plaques.
- Memorial signs and tablets.
- Signs as listed and noted as historic are exempt from calculations of maximum sign area and lighting requirements.

- Signs created by public, civic, philanthropic charitable or religious organizations announcing an auction, public supper, lawn sale, arts and educational events, a campaign or drive or other like event or soliciting contributions. Such signs shall be removed within 72 hours of the close of the event.
- Banners and signs for an event wholly within a Town park. The approval of any banners or signs within the park to advertise the event may be given by the Town Council or the Parks and Recreation Committee.
- Signs located on the rolling stock of common carriers and on registered and inspected motor vehicles are permitted, except such signs which are determined by the Code Enforcement Officer to be circumventing the intent of these regulations.
- Any restaurant may display its menu in a manner so that it is visible to persons passing by the outside of said restaurant provided that the displayed menu is no larger than the menus actually distributed to the restaurant's customers and provided that it is displayed in a frame or a box.
- One on-premises real estate sign, and one off-premises directional sign not exceeding six square feet in total sign area, may be erected advertising the sale, lease or rental of the premises upon which the on-premises real estate sign is located and shall be removed by the owner or agent when the property is sold or leased.
- Garage/yard sale and open house/studio signs, limited to one sign located on the property on which the garage/yard sale is taking place and one at each of no more than two intersections of public streets. Said sign shall be placed no more than two days prior to the sale event and removed within one day after the event.
- One development or construction sign, not exceeding 20 square feet in sign area, may be erected 30 days prior to construction at the site of a construction project solely to identify the project and contractors and shall be removed within 30 days after completion of the project.
- Directional signs solely indicating ingress and egress placed at driveway locations, containing no advertising material or display area, not exceeding two square feet in sign area, and not extending higher than three feet above ground level are permitted.
- A sign indicating a business is open or closed, and/or a sign indicating hours of operation, not to exceed one each per entry and not to exceed more than one square foot in sign area each. In the case of a combination sign, it shall not exceed two square feet in total sign area.
- Flags containing the word "OPEN" for businesses having frontage on Routes 102 or on Route 3 from the municipal boundary with Trenton to the intersection of West Street and from the intersection with Park Street to the municipal boundary with Mount Desert.
- Internally lit vending and dispensing machines facing a residential district if screened to prevent the visibility of light from neighboring properties.

- Sales flyers or other commercial notices not otherwise regulated, up to two square feet per tenant.
- Temporary signs defined as those that are to be displayed less than 30 days, exemplified by the following: political posters, charitable signs, construction signs, carnival signs, garage sale signs, lawn sale signs, rummage sale signs, all signs advertising sales or promotions, and "for rent" signs ([§ 125-109](#)).

### **General Standards:**

- No sign shall be located closer than five feet to a lot line unless the setback requirement in that district is less than five feet ([§ 125-67 B \(6\) \(d\)](#)).
- Signs must comply with the following sign area requirements ([§ 125-109](#)):
  - The total area of the exposed surface of the sign, including all ornamentation, embellishment, background, and symbols, but excluding the structure which does not form a part of the message of the sign is measured in square feet.
  - The area of a sign is measured as the smallest rectangle which encloses the whole message regardless of the sign shape.
  - The total sign area for a premises means the sum of the areas of all signs visible from public streets, sidewalks, parks, etc. This includes small signs attached to the principal sign for a premises.
  - Only one side is measured in calculating the allowable area for a sign, with a double signboard or display area, where the sign faces are parallel and the faces duplicate one another.
- General requirements for all signs ([§125-67 BB](#)):
  - Enhance character of the area.
  - Enhance architectural elements of a building.
  - Use minimum wording and sign size to avoid cluttered appearance.
  - Encourage compatible materials, color, scale and design to provide consistency with the existing building and its environs.
  - Improve traffic, pedestrian and public safety; reduce distractions and obstructions.
  - Protect and enhance property values.
  - Respect the historical elements of a building, property and district.
  - Respect the scenic qualities of the Acadia Byway.
  - No sign, whether new or existing, shall be permitted that causes a traffic, health, or welfare hazard, or results in a nuisance due to illumination, placement, display or manner of construction.

- No sign in a business district shall be located in the rear or side yard of any premises which abuts a lot in a residential district.
- Unless otherwise allowed, signs located on private property shall be related only to goods or services sold or rendered on that property.
- No sign shall have visible moving parts, or blinking, intermittent, or glaring illumination, or consist, in whole or in part, of pennants, ribbons, streamers, spinners or other similar devices. No light-emitting-diode (LED) motion signs are allowed. No sign or other advertisement shall include the use of smoke, vapors, noxious odors or noise. Analog clocks, analog thermometers, flags and banners otherwise permitted shall be allowed as the only exceptions to this subsection.
- Outdoor neon signs are prohibited, except that neon signs containing only the words "Vacancy" or "No Vacancy" and limited to a maximum sign area of two square feet are permitted for transient accommodations located in business and corridor districts.
- No sign shall be erected, painted, drawn or attached to, or on any utility pole, tree, rock or other natural feature, except that this subsection shall not be deemed to prohibit the attachment to rocks of metal commemorative plaques.
- Safety and neatness. All signs must be kept clean, neatly painted, and free of all hazards, such as, but not limited to, faulty wiring or loose fastenings, and must be maintained at all times in safe condition. The owner of any sign shall at all times maintain such liability insurance as may be required by the Code Enforcement Officer.
- Removal of signs for a discontinued use. Unless otherwise required, any sign for a discontinued use or a past activity/event, shall be taken down and removed within 30 days. This provision shall not be construed to require the owners of seasonal businesses to remove signs at the end of each season.
- Erected on private property only. All signs must be located on private property, with the exception of official business directional signs, as defined in 23 M.R.S.A. § 1903, and any other traffic or directional signs erected by the state or federal government or by the Town of Bar Harbor.
- Maximum sign area. The aggregate area for signs for any premises shall not exceed two square feet per one foot of road frontage up to 100 square feet. Aggregate sign area may be increased upon review by the Design Review Board of multitenant sign plans, signage for property with multiple front property lines, and campus sign plans that meet the purpose and intent of the Sign Ordinance.
- Maximum individual sign area. Unless otherwise approved by the Design Review Board, individual signs shall not exceed 24 square feet in the Downtown Village I and II and historic districts.
- Wall signs. The maximum area of a wall sign shall not exceed 10% of the wall area to which it is attached. Projecting wall signs shall have a minimum of 10 feet of clearance from the ground.

- Roof signs. Roof signs are permitted only if the height of the sign is two feet or less and the top of the sign does not exceed the elevation of the top of the roofline upon which the sign is erected. No roof sign shall obscure the view of natural vistas as seen from any public park or right-of-way.
- Window and door signs. Permanent window sign area and door sign area shall not exceed 30% of the window or door area.
- The illumination of all signs shall comply in all respects with the provisions of the code.
- Signs shall be in a material that is compatible with the architectural style and components of the building facade and its environs.

**Other Related Definitions** ([§ 125-109](#)):

**BANNER:** A sign on any lightweight material, either enclosed or not enclosed in a rigid frame, and secured, mounted, suspended or displayed in a manner to allow movement caused by wind.

**SIGN, FREESTANDING:** A sign that is not fixed or otherwise attached to a principal or accessory structure

**SIGN, INTERNALLY ILLUMINATED:** A sign with a light source incorporated into the body of the sign and where light emanates through, or from, the message of the sign; there are four types, as follows:

**Type 1;** Cabinet with Translucent Face: An internally illuminated sign with a cabinet style fixture with full or nearly full translucent face(s) and/or sides, through which light from an internal source passes. Note: Type 1 and Type 3 are prohibited in all districts ([§125-67 BB](#))

**Type 2;** Cabinet with Light Limiting Face: An internally illuminated sign with an opaque surround cabinet style fixture with light limiting translucent face(s), flush translucent sign graphics within an opaque background field, through which light from an internal source passes. Note: Type 2 (cabinet with light limiting face 30% (or less) translucent face and 70% (or greater) opaque background field) are prohibited in all districts except for lots with frontage on Route 102 or Route 3.

**Type 3;** Channel Letter: An internally illuminated sign comprised of three-dimensional sign graphic letters and logos, each with its own internal light source, in which the dimensional faces are internally illuminated and affixed to the sign or structure upon which the channel letters are mounted. Note: Type 1 and Type 3 are prohibited in all districts ([§125-67 BB](#))

**Type 4;** Halo: An internally illuminated sign comprised of dimensional sign graphics, which cast a halo-like glow along the sides of the graphics, or cast light backward onto the face of the sign or structure upon which the graphics are mounted.

**SIGN, OFFICIAL BUSINESS DIRECTIONAL:** A sign erected and maintained in accordance with the Maine Traveler Information Services which points the way to public accommodations and facilities or other commercial facilities.

**SIGN, OFF-PREMISES:** Any sign designed, intended or used for advertising a product, property, business, entertainment, service, amusement or the like and not located where the matter advertised is available or occurs.

**SIGN, PORTABLE:** A sign not designed or intended to be permanently affixed into the ground or to a structure.

**SIGN, PROJECTING:** Any sign projecting more than six inches from a wall surface of a building.

**SIGN, ROOF:** Any sign painted on, integral to, or attached to the roof of a building.

**SIGN, WALL:** Any sign painted on, or attached parallel to and projecting not more than six inches from, the wall surface of a building.

**SIGN, WINDOW/DOOR:** Any sign visible from the exterior of a building or structure which is painted, attached, glued or otherwise affixed to or placed within six inches of a window or door.

**Special Sign Requirements** ([§125-67 BB](#)):

Home Occupations: One sign identifying the name, address and profession or occupation of a home occupation is allowed provided that such sign is nonilluminated and does not exceed the maximum sign area requirements for the street on which the home occupation has frontage:

<b>Posted Speed Limit</b> (MPH at location of sign)	<b>Maximum Sign Area</b> (square feet)
Less than 30	4
30 to 49	8
50 or more	12

Freestanding Signs shall not extend more than 20 feet above ground level at their base, as defined by the natural contour of the ground. A freestanding sign shall adhere to the following maximum sign area requirements:

<b>Posted Speed Limit</b> (MPH at location of sign)	<b>Maximum Sign Area</b> (square feet)
Less than 30	24
30 to 49	32
50 or more	50

All freestanding signs shall be set back a minimum of five feet from any property line except in the downtown village districts.

Off-Premises Signs: Off-premises signs, excluding official business directional signs as defined in 23 M.R.S.A. § 1903, may be constructed, erected or maintained only in accordance with the following:

- Any commercial establishment having frontage on the Old Bar Harbor Road, Sand Point Road, Norway Drive, or the Hadley Point Road shall be permitted to have up to four off-premises signs.
- Any commercial establishment not having frontage which is contiguous to the main entrance on Maine State Route 102 or 233 or on Eden, Mount Desert, Main, Cottage, or West Street shall be permitted to have up to two off-premises signs.
- Any commercial establishment having contiguous frontage on Maine State Route 102 or 233 or on Eden, Mount Desert, Main, Cottage or West Street shall not have off-premises signs.
- Off-premises signs shall be directional only in nature.

The maximum area of any off-premises sign shall be limited dependent upon its location according to the following:

<b>Location of Off-Premises Sign</b>	<b>Permitted Area (square feet)</b>
In the area bounded by and including the Atlantic Ocean, Eden Street and Mount Desert Street and the imaginary extension thereof shoreward	2
On roads with speed limits less than 30 miles per hour	4
On roads with speed limits of 30 to 49 miles per hour	8
On roads with speed limits greater than 49 miles per hour	12

Multitenant Buildings: Property owners of multitenant buildings shall submit an overall signage plan for their property. No individual sign shall be approved on a multitenant building unless a signage plan has been submitted and approved. The signage plan need not show the specific message content for any individual sign contained therein; but as changes occur, individual signs will be reviewed. The signage plan shall show:

- Allowable square footage for each unit;
- Any restrictions on signage as may be imposed by the landowner.



**Design Review Board:** All signs listed below are required to receive a certificate of appropriateness prior to receiving a building permit if they are located within the identified districts or are associated with a conditionally permitted use.

- All signs except those otherwise exempted are required to obtain a building permit as well as the certificate of appropriateness.
- All signs are required to receive a certificate of appropriateness prior to receiving a building permit if they are located within the following districts or are associated with a conditionally permitted use: Village Historic, Bar Harbor Gateway, Downtown Village I and II Districts, Educational Institutional, Lots with road frontage on Routes 102 and 3, Marine Research, Scientific Research, Shoreland General Development I and II, Town Hill Business. And Town Hill Residential Corridor.
- Indoor neon signs visible from the street. Allowed neon signs shall be for the purpose of displaying whether the business is open or the general type of merchandise available for purchase. Neon signs are part of the calculation for allowed signage and shall not exceed two square feet in total.
- Banners and signs for Chamber of Commerce events, drives and large gatherings, Merchant's Flag Program, sales flyers totaling more than two square feet per tenant and other advertisements not otherwise regulated. The Design Review Board shall review the location, color, and size, compatibility of design, quantity, and length of time for display. Such displays shall not visually impede upon existing commercial signs, nor block public views in public parks.
- Sandwich signs or boards.
- Taxi or tour stand signs.
- Activity/program signboard: chalkboard, tack board, grease board or wood panel.
- Other portable signs not otherwise listed unless specifically prohibited.
- Campus signage. In the Education Institute, Marine Research and Scientific Research Districts, a campus sign plan shall be submitted to the Design Review Board. This plan shall show the entire campus site plan, outlining the location and design specification for entry point signs, internal building signs, directional signs and any other pertinent signage. The Board's review will be to determine adequate locations, ease and safety for finding parking and buildings, and cohesiveness of overall design theme.
- Awning or canopy:
  - Lettering or graphics no more than 12 inches in height permitted on the valance;
  - Lettering and graphics on an awning or canopy or attached valance are considered signage and must comply with the requirements of this chapter.
  - There shall be eight feet of clearance from the bottom of the valance to the ground.

- Kiosks for the purpose of visitor way-finding and general information sponsored and maintained by either the Town of Bar Harbor or a private nonprofit agency.
- Internally illuminated signs: opaque background only and allowable only on Routes 102 and Route 3 outside of the Downtown Village Districts and historic districts.

**The following activities are not subject to Design Review:**

- Replacement of one conforming wall-mounted, hanging, or window sign, provided that the replacement sign is equal to or less than the square footage of the existing conforming sign it will replace. The sign may be altered in any code-compliant manner, except that it may not be relocated or enlarged.
- A tenant occupying a space with a Design Review Board approved tenant signage plan may replace signage at any time, provided that the new signage will comply with the approved tenant signage plan for the building.
- Installation of one twenty-four inch-by thirty-six inch sandwich board sign, provided that it is not located in a public way and is taken inside at the close of business each night.
- Installation of lighting for signage, provided that such lighting complies with [§125-67Z](#).

**Nonconforming Signs:** are defined as a legally existing (grandfathered) nonconforming sign is a sign that lawfully existed immediately prior to July 2009 which, as a result of the enactment of the 2009 Bar Harbor Land Use Ordinance, or any subsequent amendment, presently fails to comply with any of the requirements of the Land Use Ordinance. Any other sign that fails to comply with any of the requirements of [§125-67 BB \(7\)](#) or its amendments is an illegal nonconformity.

**General Standards for Nonconforming Signs:**

- All nonconformities shall be encouraged to convert to conformity whenever possible and, when required by this chapter, shall convert to conformity.
- Any nonconformity not expressly allowed by this section to continue is hereby deemed illegal and shall cease or be corrected immediately.
- The burden of establishing that any nonconformity is a legal nonconformity shall, in all cases, fall upon the owner of such nonconformity and not upon the Town of Bar Harbor.
- Any legally existing nonconformity may be transferred and the new owner may continue such nonconformity; however, nothing contained herein shall be construed to permit any person or entity to display any sign in violation of any other federal, state or Town of Bar Harbor statute, ordinance or regulation.
- Once converted to conformity, no sign shall revert to nonconformity.
- Notwithstanding any other provision of [§125-67 BB \(7\)](#), legally existing nonconforming signs shall be required to comply with all other pertinent sections.

- The use or display of any legally existing nonconforming sign may be continued, but only in strict compliance with the following:
  - No nonconforming sign shall be enlarged, increased or extended to occupy a greater area than it occupied when it became nonconforming or changed in any other way that increases its nonconformity.
  - A legally existing nonconforming sign may be replaced only with a sign that complies with this chapter in all respects, except that a legally existing nonconforming sign, the replacement of which is necessitated by the vandalism of persons other than the owner or his or her agents, or by a force of nature, or by normal wear from the elements, may be replaced or maintained with a sign identical in all respects to the one being replaced.
  - Any sign removed pursuant to [§125-67 BB \(7\)](#) may be replaced only with a sign that complies with [§125-67 BB \(7\)](#) in all respects.