

The Board of Selectmen recommends approval of this article: 5-0-0
The Finance Committee recommends approval of this article: 7-0-0

Finance Committee Recommendation:

The Finance Committee recommends approval of this article.

This article represents an effort by the Zoning Board of Appeals to refine language in the Zoning Bylaw. The intent is to provide legal clarity via written standards for future enforcement, specifically in instances requiring court intervention.

ARTICLE 12 - TEMPORARY SIGNS

To see if Town Meeting will enact the following amendments to Article 11 of the Zoning By-Law, or take any other action relative thereto:

AMEND ARTICLE 11 SIGN BY-LAW as follows:

- A. AMEND Section 1119, subsection 10 - Replace** ‘displayed on public or private way’ **with** ‘displayed on privately owned property (not state or town or county or utility owned property) with permission of said owner.’ Also add ‘traffic signs’ after ‘light poles’ in the next sentence.

EXISTING BY-LAW

“1119.4 10. Off-Premises Directional Signs
Off-premises directory boards and/or informational and directional signs, for the purpose of locating businesses, may contain identification signs not larger than two (2) square feet for each business and may be permitted along public ways if a license is granted by the Director of Inspectional Services. The identification signs may be erected below one (1) sign that may not exceed eight (8) square feet. Off-premises directional signs that do not restrict visibility, not larger than six (6) square feet, may be displayed on a public or private way for a maximum of eighteen (18) hours for such one (1) – day events as yard sales, open houses, road races, lost pets, etc. However, they may not be placed on public trees, poles, light poles, etc. These signs may be erected as a matter of right without the necessity of a license or a sign permit. *Exception – any sign under Town control on Town owned land is exempt from this provision.”

- B. AMEND Section 1122 1st paragraph – Add** ‘Such fines shall be attached to property tax bill by the Town Treasurer when submitted by the Director of Inspectional Services.’

EXISTING BY-LAW

“1122 VIOLATIONS AND PENALTIES

Violations of any provision of this bylaw or any lawful order of the Director of Inspectional Services or his/her agent(s) shall be subject to a fine of not more than

\$250.00 per offense. Each day that such violation continues shall constitute a separate offense. Enforcement shall be in accordance with Section 1111 of this bylaw.”

C. AMEND Section 1133 - Remove Section 1133 completely

EXISTING BY-LAW

1133 “OFF-PREMISES SIGNS

1133.1 Informational and directional signs containing no advertising are permitted to direct traffic flow, indicate parking space, identify points of interest or provide Other essential information to guide vehicular or pedestrian traffic flow and may be erected by the Town of Wareham Department of Municipal Maintenance as a matter of right or may seek approval of such signs from the Director of Inspectional Services.

1133.2 Off-premises signs as permitted above in Subsection A shall not be larger than two (2) square feet in area and must be freestanding.

1133.3 Off-premises directory boards and/or informational and directional signs, for the purpose of locating businesses, may contain identification signs no larger than two (2) square feet for each business and may be permitted along public ways if a license is granted by the Director of Inspectional Services after complying with Section 1126. The identification signs may be erected below one (1) sign that may not exceed eight (8) square feet.

1133.4 Off-premise directional signs that do not restrict visibility no larger than six (6) square feet may be displayed on a public or private way for a maximum of twenty-four (24) hours for such one (1) – day events such as yard sales, open houses, road races, etc. These signs may be erected as a matter of right **without the necessity of a license or a sign permit.”**

EXPLANATION: Redundant with Section 1119.

D. AMEND Section 1135 as follows:

- **ADD subsection** ‘4. Such signs may be placed 30 days before the actual election date.’

- **ADD subsection** ‘5. Such signs are not allowed on town, state, county or utility company properties. Also see Section 1119 subsection 10 for additional restrictions.’

EXISTING BY-LAW

1135 POLITICAL SIGNS

1. Such signs are permitted on private property if they are stationary, unlighted and temporary.
2. Such signs may not exceed six (6) square feet in area.
3. Such signs shall be removed within seven (7) days of posted election results.

E. AMEND Section 1117 as follows:

- **ADD subsection** ‘1117.6 All freestanding signs shall have a minimum front yard setback of five (5) feet.

Explanation:

These edits clarify previously confusing requirements and add conformance to a recent U.S. Supreme Court case; *Reed v. Town of Gilbert*.

The Board of Selectmen recommends approval of this article: 5-0-0

The Finance Committee recommends approval of this article: 7-0-0

Finance Committee Recommendation:

The Finance Committee recommends approval of this article.

This article represents an effort by the Zoning Board of Appeals to amend existing Bylaws. The intent is to provide clarity regarding signage regulations throughout Wareham.

ARTICLE 13 - STATE MANDATED REAL ESTATE AND PERSONAL PROPERTY REVALUATION

To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money necessary to complete a state mandated revaluation of all real estate and personal property in the Town, or take any other action relative thereto.

Inserted by the Board of Selectmen

Explanation:

This article seeks to raise and appropriate or transfer from available funds, a sum of money necessary to complete a State mandated revaluation of all real estate and personal property in the Town.

The Board of Selectmen recommends approval of this article: 5-0-0

The Finance Committee recommends approval of this article: 8-0-0

Finance Committee Recommendation:

The estimated cost of this “Mandated Evaluation” is approximately \$150,000. It is projected that the source of these funds will be a combination of monies released for Assessors Overlay and Free Cash. We encourage you to read our Appendices 6, ‘Assessor Tax Levy’

Appendix 5 – Assessor Tax Levy