

## Article 72 C

### DIRECTIONAL AND INFORMATIONAL SIGNS ON OR WITHIN PUBLIC WAYS

The effective date of this article is April 1, 2017, except for Section 6.3 for which the effective date is July 1, 2017

#### Section 1 Purpose and criteria

The purpose of this by-law is to promote the public health, safety and welfare of the inhabitants of the Town of Natick (the Town) through the regulation of placement, type, appearance and servicing of signs on or within public ways so as to:

1. Provide for vehicular and pedestrian safety and convenience;
2. Provide for the reasonable provision of information regarding town events, institutions, achievements, and organizations;
3. Encourage the visitation and patronage of, and safe and adequate access to, various public and private amenities and destinations located within the Town; and
4. Regulate in a fair and equitable manner all signs on public ways, such that signs are licensed and conform to standards and conditions established by the Town.

#### Section 2 Definitions

As used in this Article 72C, the following terms shall have the meanings indicated:

1. Directional Sign: Any Official Directional Sign, Private Directional Sign, or Public Safety Directional Sign that is located on a Public Way.
2. Informational Sign: A sign located on a Public Way providing information regarding Town events, institutions, achievements, sponsorships or organizations.
3. Official Directional Sign: A Directional Sign providing directions to a publicly-owned site in the Town, publicly-owned point of historical, scenic, or cultural interest, or district within the Town.
4. Private Directional Sign: A Directional Sign providing directions to a privately-owned or operated facility, point of interest, or attraction, including, but not limited to, those owned or operated by not-for-profit entities.
5. Public Safety Directional Sign: A Directional Sign providing directions to a public safety or health facility, such as, but not limited to, a police station, fire station, or hospital; or a Directional Sign requested by a Public Agency to be necessary for the public safety of the Town. This term excludes an Official Directional Sign.
6. Public Way: Any accepted public way, including, but not limited to, a street or other way, located in the Town.
7. Public Agency: Any Town of Natick board, committee, commission, agency or department; or any governmental unit whose jurisdiction includes the Town.

### **Section 3 Regulated Signs**

The provisions of this by-law shall apply as follows:

1. The provisions of this by-law are intended to apply to all Informational and Directional Signs on or within Public Ways.
2. The provisions of this by-law shall not apply to traffic control signs placed on or within Public Ways.
3. The provisions of this by-law shall not apply to signs announcing or providing directions to an event lasting fewer than seven (7) days or to signs which are intended to remain, or so remain, on Public Ways for fewer than thirty (30) days.
4. The provisions of this by-law shall not apply to signs not located on or within Public Ways, nor shall it apply to signs otherwise regulated under the Zoning By-Laws of the Town of Natick.

### **Section 4 Directional Sign specifications**

The design of Informational and Directional Signs shall conform to the relevant and applicable guidelines of the *Manual on Uniform Traffic Control Devices (MUTCD)* regarding Community Wayfinding Signs, as may be amended from time to time.

### **Section 5 General placement of Informational and Directional Signs**

The placement of Informational and Directional Signs shall comply with the relevant provisions of the MUTCD regarding Community Wayfinding Signs. Informational and Directional Signs may be installed by the Town on or within Public Ways in locations approved by the Select Board, according to the following guidelines.

1. Every effort shall be made to minimize the number of Informational and Directional Signs needed to achieve the stated goals of this by-law.
2. Directional Signs shall be located at locations suitable for navigation and convenience.
3. To the extent possible, Informational and Directional Signs shall be mounted together on a single assembly.
4. The placement of Informational and Directional Signs shall not interfere with other traffic signs located on Public Ways.
5. The placement of Informational and Directional Signs shall not obscure the view or interfere with pedestrians or vehicles at intersections or crosswalks, or in any location where the clear space for passage of pedestrians would be reduced to less than five (5) feet in width.
6. Informational and Directional Signs shall not be affixed to buildings, trees, or utility poles.

## **Section 6      Procedures**

The Select Board shall be responsible for the regulation of Informational and Directional Signs in the Town of Natick. The Select Board shall obtain a recommendation from the Safety Committee and any other Public Agencies with jurisdiction regarding the proposed Directional and Informational Signage. Copies of applications shall be sent to the Historic District Commission, the Design Review Board, and the Planning Board. For purposes of this by-law, the Select Board may delegate the administration of any or all of the activities regulated herein under its authority.

### **1.      Informational Signs**

- a. The Select Board shall be responsible for identifying and approving Informational Signs that a Public Agency wishes to install on or within Public Ways, and shall be responsible for the cost and effort of the design, production, installation, maintenance, and replacement of all Informational Signs identified and approved by the Select Board under this by-law.
- b. Private entities or parties desiring to locate Informational Signs on Public Ways shall submit an application to the Select Board. Such application shall be on the form prescribed by the Select Board and shall include the design, specifications, and proposed location of the Informational Sign. The Select Board shall issue a decision within ninety (90) days of receipt of the application. In the event that the Select Board has not issued a decision within such ninety (90) day period, unless the applicant has agreed to extend the deadline for issuing a decision, the application shall be deemed constructively denied. Approved Informational Signs proposed by a private entity shall be designed and produced at the cost and effort of the applicant.
- c. The Town shall be responsible for the installation of Informational Signs requested by a private entity or private party, and may charge to the applicant an applicable fee for installation of such signs, which fee may be waived by the Select Board. Approval of the application to install an Informational or Directional Sign shall result in a license for such sign, subject to any conditions that the Select Board may place upon the license. Such license may be suspended or revoked by the Select Board based on noncompliance with this by-law and/or any condition for such license.

### **2.      Official Directional Signs and Public Safety Signs**

- a. The Select Board shall be responsible for identifying and determining the destinations that shall have Official Directional Signs and Public Safety Directional Signs, and shall consult with Town agencies with jurisdiction.
- b. The Select Board shall be responsible for the cost and effort of the design, production, installation, maintenance, and replacement of all Official Directional Signs and Public Safety Directional Signs approved under this by-law.

3. Private Directional Signs
  - a. Private entities or parties desiring to locate Private Directional Signs on or within Public Ways shall submit an application to the Select Board. Such application shall include the design, specifications, and proposed location of the Private Directional Sign.
  - b. In making its recommendation, the Safety Committee or other Public Agency may consider the following:
    - i. Comments from the public and Town officials.
    - ii. Number of visitors to the destination.
    - iii. Nature of visitors (i.e. frequent and repeat visitors or one-time visitors).
    - iv. Difficulty in locating the destination.
    - v. Importance of the destination to Natick's economy, culture, and/or recreation.
    - vi. Desire to have visitors utilize a particular route to the destination.
  - c. Within ninety (90) days of receipt of the application, the Select Board shall, in its sole discretion, determine whether or not to approve the application, taking into account any recommendations received. The Select Board may deny approval consistent with the purposes and criteria of this by-law and/or if an application does not satisfy the applicable requirements of this by-law, taking in account any recommendations received. In the event that the Select Board has not issued a decision within such ninety (90) day period, unless the applicant has agreed to extend the deadline for issuing a decision, the application shall be deemed constructively denied.
  - d. The Select Board may place conditions upon any approval granted to the applicant.
  - e. Approval of the application shall result in a license to install a Private Directional Sign on or within the Public Way for a period not to exceed one (1) year. Unless revoked or suspended based on noncompliance with this by-law and/or any license condition, such license shall automatically renew at the end of each one (1) year term, subject to the following:
    - i. The Private Directional Sign shall remain legible, in good repair, and in compliance with this by-law.
    - ii. The applicant shall pay any applicable license fee. Such fee may be waived by the Select Board.
    - iii. The Select Board has not voted to terminate the license.
4. A Public Agency may request that the Select Board classify as a Public Safety Directional Sign a Directional Sign that would otherwise be classified as a Private Directional Sign.
  - a. In making such decision, the Select Board shall consider:
    - i. The volume of traffic to the destination.
    - ii. A demonstrated history of visitors having difficulty locating the destination.

- iii. A demonstrated history of unsafe traffic conditions being caused by visitors' searching for the destination.
  - iv. A desire to have visitors utilize a particular route to the destination.
- b. If the Select Board determines that a Directional Sign, which would otherwise be classified as a Private Directional Sign, is to be classified as a Public Safety Directional Sign, the Town shall be responsible for the cost and effort of the design, production, installation, maintenance, and replacement of such Directional Sign. The Select Board may place conditions upon any decision that such Directional Sign is to be classified as a Public Safety Directional Sign.

### **Section 7 Enforcement**

This by-law shall be enforced by the Select Board, acting through the Town Administrator or his or her designee, subject to the following:

1. Nonconforming and Noncompliant Informational and Directional Signs. Within one (1) year after the effective date of this by-law, and at any time thereafter, any Informational or Directional Sign in violation or nonconformance with any provision of this by-law may be subject to enforcement as provided by law and by this by-law, including but not limited to removal by the Town.
2. Abandonment. In the event that any Informational or Directional Sign installed pursuant to this by-law is not covered by a license, the Sign shall be considered abandoned and the Town shall thereafter remove such Sign. In the event that a licensee desires to voluntarily abandon or discontinue one (1) or more Informational or Directional Signs, said Signs shall be removed by the Town at the licensee's expense.
3. Fines imposed in the enforcement of this by-law shall be as provided for under the Town of Natick General By-laws and/or Massachusetts General Laws.

### **Section 8 Prohibition**

No license for any Informational or Directional Sign regulated under this by-law shall be issued other than in conformity with the provisions of this by-law.

### **Section 9 Severability**

If any subsection, paragraph, term or provision of this by-law is determined to be illegal, invalid or unconstitutional by final judgment or order of a court of competent jurisdiction, the remaining provisions of this by-law shall continue in full force and effect, to the extent permitted by law.