

Chapter 300. Zoning

Article XI. Signs

[Amended 5-29-2003 by Ord. No. 59]

§ 300-66. Policy and general guidelines.

[Amended 12-29-2005 by Ord. No. 206]

A. Declaration of policy.

- (1) It is hereby declared to be the policy of the City of Beverly that the protection of property values, the protection of the character of the various neighborhoods in the City, the encouragement of the sound development of land throughout the City for its most appropriate use, and the protection of the public welfare in general requires strict limitation of all display signs in the City.
- (2) It is the general policy of the City that the primary purpose of a sign is for the identification of a business and not for advertisement. The design of the sign must respect and be compatible with the architecture of the building and surrounding buildings for which or upon which it is being erected.
- (3) The intent of setting size, design, and location parameters for signs is not to promote the design of nearly identical signs, but to define limits within which applicants can be creative.
- (4) Any sign placed on land or on a structure for the purposes of identification or protection of the same or for advertising a use conducted thereon shall be deemed to be accessory and incidental to such land, structure or use. All applications for a building permit to erect or alter any sign shall be reviewed by the Design Review Board. It is the purpose of this article to place such limitations on display of all such signs in order to achieve a sense of order and aesthetics, to promote attractive commercial areas and entrances to the City of Beverly, to provide for the display of signs which are structurally safe and do not interfere with traffic movement, traffic signals, or traffic signs; and to assure that the signs will be appropriate to the land, building or use to which they are appurtenant and be adequate, but not excessive, for the purpose of identification. With respect to signs identifying business uses, such regulations have been devised after considering, among other matters, shopping habits, extent of trade areas, and means of access to such uses, and are specifically intended, among other things, to avoid excessive competition among sign displays in their demand for public attention.
- (5) Any exterior design features of a building or structure that are associated with a corporate image or identification of a business shall be considered a sign, or the extension of the area of a sign, and subject to regulation under this article.

B. General guidelines. All signs must meet the following general guidelines regardless of zoning district and shall not violate the provisions of § 300-69:

- (1) The definitions for signs at § 300-5 shall apply to this article.
- (2) Sign location. Signs must be located so as not to detract from a building's architecture. A sign shall not be placed so that it obscures architectural elements such as roofs, cornices, columns, arches, windows, details, or other such building features or ornamentation.

- (3) Style and design of sign. Lettering, shape, and color employed in a sign shall be compatible with the form, color, and materials of the building housing the establishment that the sign is identifying. Signs for different businesses within the same building, or for a collection of buildings, including but not limited to those which from a shopping center, shall be of harmonious style and design.
- (4) Sign message. Given a sign's primary purpose is identification, a sign's message should clearly and simply identify a business. A sign may include lettering and symbols to indicate the name and the kind of primary business, service or facility conducted on the premises, and the year the business was established. The sign may include a street address.
- (5) Trademark. A sign may incorporate no more than one registered trademark, logo, or identifying symbol, provided that the registered trademark, logo, or identifying symbol must be for an establishment only, not for a commodity or product sold by the establishment. The area of the registered trademark, logo, or identifying symbol shall be included in the calculation of the allowable area of the sign.
- (6) Illumination. Except as otherwise provided, signs may be illuminated either internally through the use of some sort of translucent materials (for example, individual letters, opaque, overhang) with lights behind or with neon tubing or externally through mounting of incandescent or fluorescent lamps directed at the sign on the building. The type of illumination employed shall not distract from the building's architecture. Colored lighting, open flame, or bare bulbs shall not be used.
- (7) No sign or any portion of any sign shall be allowed to have changeable messages, except those signs belonging to theaters, places of worship, nonprofit educational entities.
- (8) In the case of any inconsistencies among the provisions of this Article **XI**, the most restrictive provisions shall apply.

§ 300-67. Specific standards by zoning district.

A. Signs permitted in any CG, CC, IR, or IG District.

(1) Wall signs.

- (a) One permanent wall sign shall be permitted for each ground-floor business' primary facade that faces a public way. The maximum size of the sign shall be determined as follows:

[1] For businesses with up to 30 feet of primary facade: 20 square feet.

[2] For businesses with a primary facade between 30 feet and 40 feet: 30 square feet.

[3] For businesses where the primary facade is greater than 40 feet in length, the allowed size of the sign shall be determined by a formula that, described in general terms, compares the length of the primary facade, expressed as a square footage number, with a distance between the business and a public way. The size is determined as follows:

[a] If the distance of the closest point of the building to the nearest lot line abutting a public way is more than zero foot but not greater than 20 feet, the maximum sign area shall be the lesser of either 25 square feet or two times the length of the primary facade (that is, the length of the primary facade expressed as a square footage number).

[b] If the distance of the closest point of the building to the nearest lot line abutting a public way is more than 20 feet, but not greater than 40 feet, the maximum sign area shall be the lesser of either 30 square feet or two times the length of the primary facade (that is, the length of the primary facade expressed as a square footage number).

[c] If the distance of the closest point of the building to the nearest lot line abutting a public way is more than 40 feet but not greater than 80 feet, the maximum sign area shall be the lesser of either 60 square feet or two times the length of the primary facade (that is, the length of the primary facade expressed as a square footage number). {For example, if the primary facade of the building is 50 feet long, then the sign could be no larger than 60

square feet. [60 square feet is less than two by 50 (the length of the primary facade) = 100 square feet]]

[d] If the distance of the closest point of the building to the nearest lot line abutting a public way is more than 80 feet, the sign shall be the lesser of either 150 square feet or two times the length of the primary facade (that is, the length of the primary facade expressed as a square footage number). {For example, if the primary facade of the building is 50 feet long, then the sign could be no larger than 100 square feet. [100 square feet (two by 50, the length of the primary facade) = 100 is less than 150 square feet]]}

(b) All signs must be placed in the building's sign band, if one exists, and the sign must be placed so it does not obscure architectural details of the building. If a building does not have a sign band, then the top of any sign shall be no higher than the middle of the sills of the second-story windows or 15 feet above grade, whichever is lower. Wall signs shall project no more than 12 inches out from the building. Mounting hardware shall be placed to minimize its view from the sidewalk.

(2) Freestanding signs.

(a) No freestanding sign shall be permitted in the CC, CG, IR, and IG Districts except in the cases where:

[1] Single building with a single business: a single building has only one business and lacks visibility from the street because the entire building is situated more than 200 feet from the front lot line, or more than 75% of the building is obscured by topography (ledge, hills, valleys). In this case, one freestanding sign up to 10 square feet in area is allowed. The top of the sign shall be no higher than 15 feet above grade, the sign shall have no more than two faces, shall not overhang any public way, and shall not be more than 12 inches deep.

[2] Single building with several businesses: a single building has two or more businesses and lacks visibility from the street because the entire building is situated more than 200 feet from the front lot line, or more than 75% of the building is obscured by topography (ledge, hills, valleys). In this case, one freestanding sign up to 30 square feet in area is allowed. The top of the sign shall be no higher than 15 feet above grade, the sign shall have no more than two faces, shall not overhang any public way, and shall not be more than 12 inches deep.

[3] Several buildings with several businesses: several buildings have, in the aggregate, more than two businesses (for example, without limitation, retail shopping center, business office park consisting of wholesale, manufacturing, or service businesses) and lack visibility from the street because all buildings are situated more than 200 feet from the front lot line, or more than 75% of all buildings are obscured by topography (ledge, hills, valleys). In this case, one freestanding sign up to 35 square feet in area is allowed. The top of the sign shall be no higher than 15 feet above grade, the sign have no more than two faces, shall not overhang a public way, and shall not be more than 12 inches deep.

(b) Freestanding signs for single buildings with several businesses and for several buildings with several businesses shall employ a sign that gives the place name of the set of businesses as one entity or by one name (e.g., "North Beverly Plaza" or "Cumings Center") and may include the street address within the square foot area allowed for the sign.

(3) Window signs.

(a) Upper-floor and ground-floor uses.

[1] One sign is permitted per business, provided it does not cover any more than the lesser of:

[a] Twenty percent of the window opening in which the sign is located.

[b] A maximum of 10 square feet.

[2] Such signs must be individual letters affixed or painted in a single window opening (see definition).

- (4) Awning signs. One awning sign is permitted for each ground-floor use, provided that letters are painted on or integral to the awning fabric, are in a maximum of one line and are no larger than six inches in height. No internally illuminated awning signs are allowed.
- (5) Temporary signs.
- (a) Temporary exterior signs are allowed as follows:
- [1] An application must be filed with the Building Inspector;
 - [2] The application must state text and time period when the sign will be displayed;
 - [3] Only one sign is allowed at a time per business;
 - [4] The sign shall be displayed no longer than 14 consecutive days; and
 - [5] No other temporary sign can be applied for until a twenty-one-day no-sign period has passed since the last temporary sign was displayed.
- (b) The provisions of this Subsection **A(5)** shall not apply to retail businesses from November 15 to January 15.
- (6) Gasoline filling station signs. Gasoline filling stations shall be allowed the following three types of permanent signs: a primary facade sign, a canopy sign, and a gasoline price sign; provided, however, that such signs shall meet all of the other requirements of this chapter, in addition to those set forth in this subsection.
- (a) Canopy signs. Up to two canopy signs are permitted for each gasoline filling station, provided that they are each a maximum of one line, not greater than 12 inches in height and not longer than six feet. Identifying symbols (logo, trademark, etc.), if any, shall be considered part of the canopy sign when calculating the maximum allowed size. No internally illuminated canopy signs are allowed.
- (b) Gasoline price signs.
- [1] In addition to signs specified in this section and pump signs specifically allowed in § **300-68**, gasoline filling stations are also permitted one nonilluminated gasoline price sign not to exceed nine square feet. All letters and numbers shall not exceed eight inches in height. The bottom of the gasoline price sign shall not exceed eight feet higher than grade.
 - [2] The calculation of the maximum size of a gasoline filling station price sign shall include the gasoline prices, the company name, if any, and all identifying symbols (logo, trademark, etc.), if any. No business establishment that includes a gasoline filling station shall be allowed more than one gasoline price sign. The gasoline filling station price sign shall have no more than two faces.
 - [3] All signs for the retail sale of food (whether prepackaged or prepared on the premises under a separate business name) and accessory items associated with automobile maintenance and use shall be included in the maximum allowed signage calculations for gasoline filling stations.
 - [4] See also gasoline pump signs in § **300-68M**.
- (7) Residential project signs. Sign may not exceed 20 square feet in area and six feet in height, and may give the place name of a multiple-family dwelling complex or single-family subdivision.
- (8) Projecting signs. Projecting signs shall project no more than four feet from the facade of a building. Only one projecting sign no larger than seven square feet may be erected per business. Mounting hardware shall be placed to minimize its view from the sidewalk. Business owners shall be encouraged to mount a projecting sign so the top of the sign is no more than 15 feet above the sidewalk and the bottom of the sign is no less than nine feet above the sidewalk. Projecting signs shall not be internally illuminated.
[Amended 6-24-2004 by Ord. No. 161; 12-29-2005 by Ord. No. 206]
- (9) Sandwich board signs. One sign not exceeding two feet in width and 3 1/2 feet in height may be permitted within the sidewalk/grass strip of a public right-of-way or on private property, provided the following

requirements are met:

[Amended 6-20-2007 by Ord. No. 57]

- (a) The sign is located in front of and within 12 feet of the main entrance to the establishment it advertises;
- (b) Placement of the sign allows a minimum of 36 inches of unobstructed sidewalk clearance between it and any building or other obstruction;
- (c) The sign must be freestanding and shall not be affixed, chained, anchored, or otherwise secured to the ground or to any pole, parking meter, tree, tree grate, fire hydrant, railing, or other structure;
- (d) The sign must be internally weighted so that it is stable and windproof;
- (e) The sign shall be placed within the public right-of-way only during the hours of the establishment's operation;
- (f) No sign shall be placed in a public right-of-way for the duration of a declared snow emergency;
- (g) The design of the sign (which includes the color, lettering style, symbols and material) shall complement and be compatible with the design of the establishment's primary sign(s), abutting properties, and the general streetscape in the immediate vicinity of the establishment;
- (h) The City Council issues a permit to allow the sign in accordance with Chapter **192**, Article **X**, Signs; and
- (i) Adequate liability insurance is provided to the City Clerk and remains in effect for the duration of the permit issued by the City Council.

B. Signs permitted in any CN, HD, or BHD District:

[Amended 6-24-2004 by Ord. No. 161; 12-29-2005 by Ord. No. 206; 6-20-2007 by Ord. No. 57; 6-1-2015 by Ord. No. 314]

(1) Wall signs.

- (a) One permanent wall sign not to exceed a maximum of 20 square feet is permitted for a ground-floor use's primary facade.
- (b) All signs must be placed in the building's sign band if one exists and the sign must be placed so it does not obscure architectural detail of the building. If a building does not have a sign band, then the top of any sign shall be no higher than the bottom of the sills of the second-story windows or 15 feet above grade, whichever is lower. The sign shall project no more than nine inches out from the building. Mounting hardware shall be placed to minimize its view from the sidewalk. Lighted signs may only be externally illuminated.

(2) Freestanding signs.

- (a) No freestanding sign shall be permitted in the CN, HD, or BHD Districts except in the cases where:

[1] Single building with a single business: a single building has only one business and lacks visibility from the street because the entire building is situated more than 200 feet from the front lot line, or more than 75% of the building is obscured by topography (ledge, hills, valley). In this case, one freestanding sign up to 10 square feet in area is allowed. The top of the sign shall be no higher than 15 feet above grade, the sign shall have no more than two faces, shall not overhang any public way, and shall not be more than 12 inches deep.

[2] Single building with several businesses: a single building has two or more businesses and lacks visibility from the street because the entire building is situated more than 200 feet from the front lot line, or more than 75% of the building is obscured by topography (ledge, hills, valleys). In this case, one freestanding sign up to 20 square feet in area is allowed. The top of the sign shall be no higher than 15 feet above grade, the sign shall have no more than two faces, shall not overhang any public way, and shall not be more than 12 inches deep.

- [3] Several buildings with several businesses: several buildings have, in the aggregate, more than two businesses (for example, without limitation, retail shopping center, business office park consisting of wholesale, manufacturing, or service business) and lack visibility from the street because all buildings are situated more than 200 feet from the front lot line, or more than 75% of all buildings are obscured by topography (ledge, hills, valleys). In this case, one freestanding sign up to 25 square feet in area is allowed. The top of the sign shall be no higher than 15 feet above grade, the sign shall have no more than two faces, shall not overhang a public way, and shall not be more than 12 inches deep.
- (b) Freestanding signs for single buildings with several businesses and for several buildings with several businesses shall employ a sign that identifies the set of businesses as one entity or by one name (e.g., "North Beverly Plaza" or "Cummings Center") and may include the street address within the square foot area allowed for the sign.
- (3) Window signs.
- (a) Upper-floor uses. One sign (up to three square feet in size) is permitted per business. Illuminated signs are not permitted.
- (b) Ground-floor uses. One sign is permitted per business provided it does not cover more than the lesser of:
- [1] Twenty percent of the window opening in which the sign is located; or
- [2] A maximum of six square feet;
- (c) Such signs must be individual letters affixed or painted in a single window opening (see definition).
- (4) Awning signs. One awning sign is permitted for each ground-floor use, provided that letters are painted on or integral to the awning fabric, are a maximum of one line and are no larger than six inches in height. No internally illuminated awning signs are allowed.
- (5) Temporary signs.
- (a) Temporary signs are allowed as follows:
- [1] An application must be filed with the Building Inspector;
- [2] The application must state text and time period when the sign will be displayed;
- [3] Only one sign is allowed at a time per business;
- [4] The sign shall be displayed no longer than 14 consecutive days; and
- [5] No other temporary sign can be applied for until a twenty-one-day no-sign period has passed since the last temporary sign was displayed.
- (b) The provisions of this Subsection **B(5)** shall not apply to retail businesses from November 15 to January 15.
- (6) Gasoline filling station signs. Gasoline filling stations shall be allowed the following three types of permanent signs: a primary facade sign, a canopy sign, and a gasoline price sign; provided, however, that such signs shall meet all of the other requirements of this chapter, in addition to those set forth in this subsection.
- (a) Canopy signs. Up to two canopy signs are permitted for each gasoline filling station, provided that they are each a maximum of one line, not greater than 12 inches in height and not longer than six feet. Identifying symbols (logo, trademark, etc.), if any, shall be considered part of the canopy sign when calculating the maximum allowed size. No internally illuminated canopy signs are allowed.
- (b) Gasoline price signs.

- [1] In addition to signs specified in this section and pump signs specifically allowed in § 300-68, gasoline filling stations are also permitted one nonilluminated gasoline price sign not to exceed nine square feet. All letters and numbers shall not exceed eight inches in height. The bottom of the gasoline price sign shall not exceed eight feet higher than grade.
 - [2] The calculation of the maximum size of a gasoline filling station price sign shall include the gasoline prices, the company name, if any, and all identifying symbols (logo, trademark, etc.), if any. No business establishment that includes a gasoline filling station shall be allowed more than one gasoline price sign. The gasoline filling station price sign shall have no more than two faces.
 - [3] All signs for the retail sale of food (whether prepackaged or prepared on the premises under a separate business name) and accessory items associated with automobile maintenance and use shall be included in the maximum allowed signage calculations for gasoline filling stations.
 - [4] See also gasoline pump signs in § 300-68M.
- (7) Residential project signs. Signs may not exceed 20 square feet in area and six feet in height, and may give the place name of a multiple-family dwelling complex or single-family subdivision.
 - (8) Projecting signs. Projecting signs shall project no more than four feet from the facade of a building. Only one projecting sign no larger than seven square feet may be erected per business. Mounting hardware shall be placed to minimize its view from the sidewalk. Business owners shall be encouraged to mount a projecting sign so the top of the sign is no more than 15 feet above the sidewalk and the bottom of the sign is no less than nine feet above the sidewalk. Projecting signs shall not be internally illuminated.
 - (9) Sandwich board signs. One sign not exceeding two feet in width and 3 1/2 feet in height may be permitted within the sidewalk/grass strip of a public right-of-way or on private property, provided the following requirements are met:
 - (a) The sign is located in front of and within 12 feet of the main entrance to the establishment it advertises;
 - (b) Placement of the sign allows a minimum of 36 inches of unobstructed sidewalk clearance between it and any building or other obstruction;
 - (c) The sign must be freestanding and shall not be affixed, chained, anchored, or otherwise secured to the ground or to any pole, parking meter, tree, tree grate, fire hydrant, railing, or other structure;
 - (d) The sign must be internally weighted so that it is stable and windproof;
 - (e) The sign shall be placed within the public right-of-way only during the hours of the establishment's operation;
 - (f) No sign shall be placed in a public right-of-way for the duration of a declared snow emergency;
 - (g) The design of the sign (which includes the color, lettering style, symbols and material) shall complement and be compatible with the design of the establishment's primary sign(s), abutting properties, and the general streetscape in the immediate vicinity of the establishment;
 - (h) The City Council issues a permit to allow the sign in accordance with Chapter 192, Article X, Signs, of the City Code; and
 - (i) Adequate liability insurance is provided to the City Clerk and remains in effect for the duration of the permit issued by the City Council.

§ 300-68. Signs not requiring Design Review Board approval.

The following signs shall be allowed by right without the necessity of Design Review Board (DRB) approval; provided, however, that they shall conform with the provisions of § 300-66:

- A. Signs erected by or on the order of a governmental agency when limited to governmental purposes, and excluding any advertising.
- B. Names of building, date of erection, monument citation and commemorative tablets when made a permanent and integral part of a building or site, not exceeding five square feet.
- C. Banners or flags emblematic of or issued by national, state, or local governments.
- D. Holiday decorations and lights when in season.
- E. Signs not to exceed two square feet in size which indicate warnings, hazards, or public conveniences such as "trespass," "beware of dog," and rest room signs.
- F. Signs not to exceed two square feet in size which are necessary for safety and direction of residents, employees, customers and visitors, whether in a vehicle or on foot, provided that such signs do not carry the name or symbol of any product and that the name or symbol of any business does not take up more than 30% of the sign space.
- G. Signs whose purpose is to identify a house of worship or a community building, provided that the sign does not exceed 12 square feet in size and is not internally illuminated.
- H. Signs not to exceed two square feet in size whose purpose is giving only direction and distance to a specified house of worship or community buildings, provided that no such sign shall be illuminated.
- I. Home signs, not to exceed two square feet in size, which indicate the name and address of the occupant(s) of a dwelling.
- J. A sign, not to exceed two square feet, which indicates a permitted accessory use or home occupation.
- K. One temporary sign, not to exceed six square feet in all residential districts or 24 square feet in all other districts, which announces the prospective sale, rent, lease, or trade of, or contracting work done on, the property. Such sign shall be removed within three days after the sale, rental, lease, trade, or completion of work on such premises. Temporary signs announcing an "open house" event for the prospective sale or lease of a property are allowed, provided such signs are erected no more than three hours prior to commencement of the event and are removed within one hour of the close of the event, and provided that no more than three such signs shall be erected for any one event. "Open house" event signs are allowed off-premises, subject to the provisions of this Subsection **K**.
[Amended 6-20-2007 by Ord. No. 57]
- L. Directory boards attached to buildings shall be allowed for the sole purpose of directing the public to and identifying the location of occupants or tenants within a building(s), provided that the letters in directory boards shall not exceed one inch in height; and the total sign area shall not exceed three square feet.
- M. One sign on the gasoline pump indicating the types and prices of gasoline, provided the sign shall not exceed one square foot.
- N. Temporary window signs on the first floors of nonresidential buildings, provided they do not exceed the smaller of six square feet or 20% of the area of the window (see definition of "sign area" in § 300-5) and are up no longer than 14 days.

§ 300-69. Prohibited signs.

The following types of signs are prohibited:

- A. Any sign displaying flashing or intermittent lights, or lights of changing degrees of intensity, except a sign indicating time or temperature, with changes alternating on not less than a five-second cycle when such time or temperature sign does not constitute a public safety or traffic hazard, in the judgment of the Building Inspector and the judgment of the Design Review Board.

- B. Any lighting either by exposed tubing or string of lights outlining a part or all of a building or affixed to any ornamental feature thereof, except those items temporarily affixed to a building or other portions of the premises which denote a particular season of the year or universally celebrated holiday.
- C. Any sign that obscures a sign displayed by public authority for the purpose of giving traffic instructions or directions or other public information.
- D. Any sign that uses the word "stop" or "danger" or otherwise presents or implies the need or requirement of stopping or caution or the existence of danger, or which is a copy or imitation of, or which for any reason is likely to be confused with any sign displayed by public authority.
- E. Any sign that obstructs light or impedes a person's passage through any window, door, fire escape, stairway, ladder or opening intended to provide light, air, ingress, or egress for any building, as required by law.
- F. Any sign or sign illumination that causes any direct glare into or upon any street, or into or upon any building other than the building to which the sign is affixed.
- G. Any portable sign (except a sandwich board sign), with or without self-contained wheels, which is designed and constructed so as not to be permanently affixed to the land (namely, freestanding) and moved from one place or location to another. This includes any removable signs displayed on a vehicle.
[Amended 6-20-2007 by Ord. No. 57]
- H. Any sign that violates any provision of any law of the state relative to outdoor advertising.
- I. Signs constructed, erected or maintained above the roofline of any building, except with Design Review Board approval.
- J. Any off-premises sign, such as a billboard, which indicates a use or product not available on the property where the sign is located.
- K. Any sign which advertises or calls attention to any products, businesses, or activities which are no longer sold or carried on at the premises where the sign is located. No such sign shall remain for more than 30 days beyond the date the business vacates said premises. Both the landlord and the lessee shall be individually responsible for removing such signs.
- L. Any right-angle wall sign that project more than four feet from a building face or wall.
- M. Any sign which, due to its placement, obscures the visibility of motor vehicles, thus creating a traffic hazard.
- N. Any sign not expressly permitted by this chapter.

§ 300-70. Permit requirements; design review process.

Except as provided for in § 300-68, no sign shall be erected or an existing sign altered in any way without review and approval by the Design Review Board and without issuance of a building permit as required by the Building Inspector. All such signs shall be subject to the following design review process:

- A. Application. The applicant shall submit to the Design Review Board seven copies of the application form describing the design of the proposed sign along with a colored drawing of the sign to scale, a site plan, if applicable, and a photograph showing the existing building or site, and such other material as may be required by the Design Review Board. The submittal of the application shall be in form and format as specified by the Design Review Board. The Board may revise such application requirements, as necessary, from time to time.
- B. Design review application fees. The applicant shall submit to the Design Review Board the application form, other required materials and the application fee identified below:
 - (1) For signs and canopies: \$2 per square foot.
 - (2) For new building construction: \$100.

- C. Design Review Board decision. Within 60 days of the receipt of the application, including all required materials, the Design Review Board shall either approve or disapprove the application. It is suggested that the applicant be present at the meeting. Should the DRB fail to take action within 60 days after receiving an application, the requested sign shall be deemed approved by the Design Review Board.
- D. Sign permit. Upon notice of approval from the Design Review Board, the applicant may apply for a sign permit for the proposed signage from the Building Inspector. In keeping with § 300-22, and in recognition of the difficulty in regulating the use of all types of signs within the City, the Design Review Board shall also be assigned the following duties:
- (1) The Design Review Board shall approve or disapprove all signs proposed now or hereafter within the City of Beverly which are not expressly allowed by right by this chapter. In approving or disapproving any particular sign not expressly allowed by this chapter, the Design Review Board shall take into consideration the following:
 - (a) The zoning district, the uses existing in the area, and the general character of the area.
 - (b) The economic and business interests of the party having erected or proposing to erect the sign.
 - (c) The aesthetic appearance of the sign and its overall effect on the surrounding area, including ensuring that the sign is consistent with the general policy and adheres to the design guidelines as defined in § 300-66.
 - (2) The Design Review Board shall not approve the erection of any sign expressly prohibited by this chapter, other City ordinance, or the Building Code of the Commonwealth of Massachusetts.

§ 300-71. Maintenance; enforcement; violations and penalties.

- A. All signs and their devices supporting them shall be kept in good repair and safe condition. This shall mean the absence of rust, broken or dangling parts, and cracked, peeling, and flaking paint.
- B. The Building Inspector or a designee is authorized to order the repair or removal of any sign and its supporting structure which in the judgment of the Building Inspector is deemed unsafe, in disrepair, or which is erected or maintained contrary to the provisions of this chapter.
- C. With the exception of § 300-68K, any person, firm or corporation violating any section or provision of this chapter which pertains to signage shall be issued a warning and be given 14 days to comply. If a violation continues unabated past such time, a citation with a fine of \$100 shall be issued for each day willful violation continues. Violations of § 300-68K shall be punishable by a warning for the first offense and a fine of \$100 for the second and subsequent offenses, with each day of violation constituting a separate offense.
[Amended 6-20-2007 by Ord. No. 57]
- D. The Building Inspector or a designee shall be responsible for issuing such warnings and citations for such violations of the provisions of this article and for enforcing the provisions of this article.
[Amended 5-29-2003 by Ord. No. 59]

§ 300-72. Variances.

[Amended 7-12-2011 by Ord. No. 61]

The Zoning Board of Appeal, by special permit, may allow deviation from the requirements of this article if it determines that special circumstances or conditions exist with respect to application of the requirements contained herein and that such deviation will be in harmony with the general purpose and intent of this article and the general policy set forth in § 300-66 hereof and will not be injurious to the neighborhood or adversely affect abutting properties.