

Order 143-07/08

Given first reading & referred to Planning Board 2/4/08

Public Hearing, Amended and Passage 5/19/08 9-0

EDWARD J. SUSLOVIC (MAYOR)  
KEVIN J. DONOGHUE (1)  
DAVID A. MARSHALL (2)  
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CHERYL A. LEEMAN (4)

**CITY OF PORTLAND**  
IN THE CITY COUNCIL

JAMES I. COHEN (5)  
JOHN M. ANTON (A/L)  
JILL C. DUSON (A/L)  
NICHOLAS M. MAVODONES (A/L)

**AMENDMENT TO PORTLAND CITY CODE  
ART. III, DIVISION 22, SEC. 14-368,  
REGULATIONS (OFF-PREMISE SIGNS)**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,  
MAINE IN THE CITY COUNCIL ASSEMBLED AS FOLLOWS:**

1. **That Chapter 14 of the Land Use Code (Regulations: Off-Premise Sign), §14-368 be amended to add the following:**

**Sec. 14-368. Regulations.**

...

(e) *Signs in the public right-of-way.* No signs shall be allowed in the public right-of-way, except for the following:

- (1) Permanent signs, limited to the following: Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, and direct or regulate pedestrian or vehicular traffic, including parking regulatory signs; bus stop signs erected by a public transit company; informational signs of a public utility regarding its poles, lines, pipes or facilities.
- (2) Signage meeting the requirements of section 14-370.
- (3) Emergency warning signs erected by a governmental agency, a public utility company or a contractor doing authorized or permitted work within the public right-of-way.
- (4) Community/cultural banners.
- (5) Permanent Directional Signs Retail / Accessory Retail in residential Zones. A lawfully existing retail business, existing as of March 1, 2008 and located in a residential zone, qualifies for an off-premise sign if it meets the following requirements: 1) the establishment is not a home occupation 2) the establishment is not located within 500 feet of a major or minor arterial 3) the sign would be no larger than 12 inches x 48 inches

and would otherwise adhere to the requirements set out by MDOT/MUTCD in their standard sign manual. Such establishment may qualify for one, two sided, or two, one-sided off-premise signs to be located on a major or minor arterial in a location determined safe by the City Traffic Engineer and upon the payment of an initial fee of \$300.00, with an annual renewal fee of \$30.00. In the event the sign is damaged or destroyed, the replacement of any sign shall be the sole responsibility of the permittee. The permittee shall be required to obtain a permit for said sign from the building inspections department, after securing \$400,000 insurance for said sign, naming the City of Portland as an additional insured.