

TOWN OF ARLINGTON
BOARD OF SELECTMEN

POLICY

Use of Town-Owned Property for Publicity and Promotion

The Board of Selectmen (“Board”) is the custodian of public ways and sidewalks within the Town as well as appurtenant fixtures, such as islands, benches, and streetlight poles.¹ As such, the Board issues this policy to govern use of its fixtures for the temporary posting or installation of signs or banners to publicize upcoming events or to designate or promote the unique commercial, historic, or cultural character or status of an area or district within the Town.

I. General

Any signs or banners not specifically authorized under this policy are prohibited and are subject to removal and disposal without notice. Any signs or banners posted on any Town-owned fixture or property must comply with Article 7 of the Zoning Bylaw (“Signs”) and all pertinent Town Bylaws, including but not limited to Title V, Article 1 (“Billboards and Signs”). Any signs or banners erected in accordance with this policy shall contain only a description of the event or activity; the date, time, and place of the event or activity; the name of the sponsoring body or organization; and associated artwork.

II. Banners – Lightpoles and Town Hall

Only (a) banners for events or activities presented or sponsored by the Town or a Town committee; or (b) traffic, informational, educational, directional, or promotional signage installed by the Town or at its direction may be hung from the brackets on Town lightpoles or on Town Hall. Only the Town Department of Public Works, its employees, or agents may hang and remove

¹ This policy applies only to Town-owned streetlight poles, not to utility poles owned by private companies that may or may not also support Town streetlights.

such banners. The Board of Selectmen must approve the hanging of any such banners or signs and the period of time for which they will be hung.

III. Sandwich Boards/Islands

Privately owned or controlled sandwich boards may be placed on street islands only with prior approval of the Board of Selectmen and must be removed promptly (within 24 hours) after the conclusion of the events they announce. All sandwich boards must be secured or weighted to ensure they do not become dislodged by wind, traffic, or other foreseeable cause. Sandwich boards may not be placed on sidewalks abutting public ways.

NOTE: As of October/Special Legislation approval (from Town Meeting 2015):

WARRANT:

ARTICLE 7 ZONING BYLAW AMENDMENT AND BYLAW AMENDMENT/ REGULATION OF POSTED EVENT NOTICES

To see if the Town will vote to amend the Zoning Bylaws and the Town Bylaws to allow for and regulate the posting of appropriate signage for the noticing of certain types of events on either private or public property, including but not limited to Town events, non-profit events, personal yard sales, and lost pets; or take any action related thereto.

(Inserted at the request of Christian Klein and ten registered voters)

BoS REPORT:

ARTICLE 7 ZONING BYLAW AMENDMENT AND BYLAW AMENDMENT/REGULATION OF POSTED EVENT NOTICES

VOTED: That Title V, Article 1 (“Billboards and Signs”), Section 1 is hereby amended by adding the following to the end of Section 1:

J. Signs erected by a person or non-profit organization for the purpose of advertising an individual yard sale, public event, or lost pet are hereby referred to as “notices” and are exempt from the provisions of this article of the Town Bylaws subject to Board of Selectmen regulations of “The Display of Notices” to be promptly promulgated by the Board of Selectmen upon the passage of this section.

(4-0)

Ms. Mahon was not present.

COMMENT: The Board of Selectmen supports this citizen-sponsored companion amendment to the Town Bylaws following the Arlington Redevelopment Board’s (“ARB”) March 4, 2015 vote of favorable action to amend the Zoning Bylaws to allow for temporary signage by private persons, non-profit entities which advertise *individual* public events, yard sales, or lost pets, all of which are termed “notices” under both proposed amendments. These combined changes to Town and Zoning Bylaws will provide a clear, consistent authority and process for the posting of these limited categories of temporary signage, most of which are presently forbidden by zoning, the Town’s signage bylaw, or both.

1. If approved by Town Meeting, this Board will promptly promulgate new regulations for the display of notices, which can be more readily re-evaluated and altered than the Town Bylaws or Zoning Bylaws in an area of regulation that is well served by the ability to promptly reconsider the interests of advertising events or lost pets against other important aesthetic concerns. However, for Town Meeting’s consideration, the following draft regulations provide an example of the scope and nature of regulations contemplated by the article’s proponent, the ARB, and this Board.

Draft Regulations for the Display of Notices

Pursuant to its duties under Title V, Article 1, Section 1(J) and in exercising its jurisdiction over public and private ways, as well as a Town licensing and permitting authority, the Board of Selectmen shall permit, through the Board Administrator, temporary signage on public and private ways defined as “notices” in Title V, Article 1, Section 1 (J) of the Town Bylaws pursuant to the following conditions:

- 1. Notices must be constructed of resilient materials (laminated paper, card stock, poster board, corrugated plastic, etc.) and must be erected in a way that is removable and not dangerous to the general public. Notices that are loose or damaged must be removed or replaced by the sponsoring person or organization.*
- 2. Notices may not be erected earlier nor removed later than allowed by Table 1.*
- 3. Notices cannot exceed the areas allowed by Table 1. Maximum area of all signs promoting an event may not exceed the area allowed by Table 1.*
- 4. Notices must include the name of the sponsoring person or organization, the date of the yard sale or event, and a contact phone number or email address.*
- 5. Registered trademarks may not occupy more than ten percent (10%) of the notice area.*
- 6. Notices may not be placed on trees.*
- 7. Notices cannot be placed on private property without the consent of the property owner.*
- 8. Notices cannot be placed on public property without approval from the Board of Selectman’s Office.*
- 9. Town Departments may establish policies for the display of notices on public property under their jurisdiction. Notices erected under such policies do not require separate approval from the Board of Selectmen.*
- 10. Notices cannot be erected in a way that limits visibility at corners along public and private ways.*

2.

Table 1: Notice Display Parameters	<i>Time Before Event</i>	<i>Time After Event</i>	<i>Maximum Notice Size</i>	<i>Total Maximum Notice Area</i>
<i>Notice Type</i>				
<i>Public Event</i>	<i>14 Days</i>	<i>2 Days</i>	<i>10 sq. ft.</i>	<i>120 sq. ft.</i>
<i>Individual Yard Sale</i>	<i>7 Days</i>	<i>2 Days</i>	<i>4.5 sq. ft.</i>	<i>25 sq. ft.</i>
<i>Lost Pet</i>	<i>N/A</i>	<i>2 Days</i>	<i>4.5 sq. ft.</i>	<i>25 sq. ft.</i>

TOWN MEETING VOTE:

**ARTICLE 7 ZONING BYLAW AMENDMENT AND BYLAW
AMENDMENT/REGULATION OF POSTED EVENT NOTICES**

VOTED: (ELECTRONIC TALLY, YES – 171, NO – 35)

That the Zoning Bylaw be and hereby is amended by:

(a) adding the definition of “Notices” to Article 2 of the Arlington Zoning Bylaw, (Definitions) immediately after “Membership Club”, as follows:

“Notice: Temporary sign erected by a person or non-profit organization for the purpose of advertising an individual yard sale, non-commercial public event, or lost pet”;

(b) amending Section 7.03 – General Regulations by adding immediately after item p. a new item, as follows:

“q. Notices in compliance with Title V, Article 1 of the Town Bylaws are allowed in any district.”;

VOTED: (AFFIRMATIVE) (ELECTRONIC TALLY, YES – 177, NO – 30)

That Title V, Article 1 (“Billboards and Signs”), Section 1 is hereby amended by adding the following to the end of Section 1:

J. Signs erected by a person, town committee, student organization or non-profit organization for the purpose of advertising an individual yard sale, non-commercial public event, or lost pet are hereby referred to as “notices” and are exempt from the provisions of this article of the Town Bylaws subject to Board of Selectmen regulations of “The Display of Notices” to be promptly promulgated by the Board of Selectmen upon the passage of this section.

**A true copy of the vote under
Article 7 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 4, 2015.**