Article 5: SIGNS AND OUTDOOR LIGHTING

SIGNS

Section 5.0 No signs or advertising devices of any kind or nature shall be erected on any premises or affixed to the outside of any structure or be visible from the outside of any structure except as specifically permitted in this Section.

PERMITTED USES

Section 5.1

A. No more than one sign on a lot which shall not exceed a total area of three (3) square feet for identification of the property or place or the nature of any accessory use of a dwelling or accessory building.
B. No more than one sign for directional purposes in connection with any one lot, which sign shall not exceed a total of three (3) square feet.
C. No more than one "For Sale" or "For Rent" sign on a lot, which sign shall not exceed three (3) square feet.
D. Legal notices posted in a designated area for the posting of such notices.

USES FOR WHICH A SPECIAL PERMIT MAY BE OBTAINED FROM THE PLANNING BOARD

Section 5.2 Not more than two signs on a lot identifying and permitted business or trade, only one of which may be free standing and located near the road, which sign shall not exceed three (3) square feet in area and only one of which may be attached to the building or structure used in connection with the business or trade and not exceeding six (6) square feet in area.

PROHIBITED USES

Section 5.3

A. No neon, internally illuminated, flashing, occulting or moving signs shall be allowed.
B. No sign shall be illuminated in any manner other than by stationary, top-mounted, white lights pointed downward and shielded to prevent glare and avoid light trespass on roads and nearby residential properties. Illumination of outdoor signs between the hours of 11:00p.m. and sunrise is prohibited.
C. No portion of any sign shall be located more than ten feet above the ground.
D. No sign not appurtenant to the premises to which the sign directs attention shall be allowed.

SIGNS IN EXISTENCE

Section 5.4 Non-conforming business signs in existence at the time of adoption of this bylaw shall be allowed to continue in place for the duration of the business or trade connected with said signs.

OUTDOOR LIGHTING: PURPOSE

Section 5.5 In order to preserve and maintain the rural character of Chilmark, including the unique quality of the nighttime sky, this bylaw is intended to apply to new lighting installed after its passage; it is also intended to:

A. reduce the problems created by improperly designed and installed outdoor lighting;
B. eliminate problems of glare and sky glow;
C. diminish light spillage from indoor sources;

D. minimize light trespass;
E. decrease light pollution;
F. promote energy conservation;
G. conserve our natural resources and protect flora and fauna;
H. prevent unreasonable interference with astronomical observations; and
I. create standards for outdoor lighting so that its use does not unreasonably interfere with the use and nighttime enjoyment of property within Chilmark.

OUTDOOR LIGHTING: DEFINITIONS

Section 5.6 Unless the context clearly indicates otherwise, certain words and phrases used in this section shall mean the following:

"Lamp" means the component of an outdoor fixture that produces light.

"Up-light" means direct light emitted by an outdoor light fixture above horizontal plane through the fixture's lowest emitting part.

"Shielded" when referring to an outdoor light fixture means that the fixture allows no up-light.

"Outdoor lighting" means the nighttime illumination of an outside area or object by any manmade device that produces light, including lights located indoors which are directed for outdoor illumination.

OUTDOOR LIGHTING: REGULATIONS

Section 5.7 Scope: All outdoor lighting installed in Chilmark shall be in conformance with the requirements established by this bylaw.

Outdoor lighting: In all zoning districts, any private outdoor lighting fixture, whether temporary or permanent, shall be so directed, placed, and shielded so that the light shall not be offensive to other residents. All outdoor lighting must be shielded and pointed downward. All outdoor lighting shall be placed or mounted so that no lamp is higher than the eave line of the structure. Multiple lamps on fixtures are allowed; however, lights shall not be combined or grouped in such a way that circumvents the purpose and intent of this bylaw.

Electrical insect control devices (bug zappers) are prohibited.

OUTDOOR LIGHTING: EXCEPTIONS

Section 5.8 Public lighting, including lights used for temporary emergency lighting needed by the Police or Fire Departments or other emergency services shall be exempt from the requirements of this bylaw.

Vehicular and vessel lights are exempt from the requirements of this bylaw.

Alternative light fixtures may be allowed for temporary recreational events.

Holiday lights. Holiday lights may only be permitted to be illuminated during the traditional holiday periods.

Traditional and antique lights, or reproductions thereof, shall be allowed provided that they do not circumvent the spirit of this bylaw.

Temporary lighting shall be permitted for no longer than a six (6) week period in a calendar year.

EXTERIOR MECHANICAL NOISE ABATEMENT
Section 5.9 Purpose:

Due to the proliferation of mechanical devices associated with and accessory to residential dwellings, such as, but not exclusively, air conditioners/heat pumps, swimming pool heating and circulating pumps, and electric generators, noise levels as perceived by neighbors and the general public are increasing. This section is intended to limit and abate such noise pollution.

Stationary machinery, which has the potential to generate levels of sound with sufficient intensity and /or duration as to cause or contribute to a condition of noise pollution, is hereby required to be placed in soundproof enclosures or to be so screened and insulated that the perceived sound levels do not rise by more than ten decibels (10 DbA) above the ambient sound level as measured at the property line. Machinery or mechanical units, which are placed outside the footprint of a dwelling, shall be treated as "structures" and shall be subject to the normal setbacks required by zoning and applicable permitting fee.