

ARTICLE 5 To see if the Town will vote to continue the following Revolving Funds for certain Town departments under the Massachusetts General Laws or regulations cited for the fiscal year beginning July 1, 2011 or take any other action thereto.

Revolving Fund	Authorized to Spend Fund	Revenue Source	Use of Fund	FY2012 Spending Limit
Conservation Commission	Conservation Commission	Fees for review of permits, postage and advertising	Consulting Services, postage and ads	\$20,000
Board of Health Consulting	Board of Health	Fees for review of permits	Consulting services	\$30,000
Recycling bins	Highway Surveyor	Fees for purchase of bins	Purchase of bins	\$5,000
Earth Removal Review	Board of Selectmen	Fees for review of permits	Consulting services	\$15,000
Planning Board Consulting	Planning Board	Fees for review of permits	Consulting services	\$50,000
Building Inspector Consulting	Building Inspector	Fees for review of permits	Consulting services	\$15,000
Youth & Recreation Programs	Youth and Recreation	Fees for Programs	Youth and Recreation Programs	\$80,000
CPR Classes	Fire Chief	Fees for Classes	CPR instructors and materials	\$5,000
ZBA Consulting	Zoning Board of Appeals	Fees for review of permits, postage and advertising	Consulting services, postage, legal ads	\$15,000
Library Computer and printers	Library Trustees	Computer/printer fees	Computer/printer supplies	\$5,000
Selectmen Legal Advertising	Board of Selectmen	Payments for Legal ads	Legal ads	\$1,500
COA Elderbus	Council on Aging	Transportation fees & donations	Elderbus operation including wages	\$8,000
Inspector Wages	Building Inspector	Fees for permits	80% for plumbing, gas and wiring inspectors wages; remainder to general fund	\$30,000

In all cases, all the revolving funds are authorized under MGL Chapter 44, Section 53E-1/2.

Proposed by the Finance Committee

**Finance Committee recommendation at Town Meeting**

ARTICLE 6 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$65,000 to the Reserve Fund to cover extraordinary or unforeseen expenditures during Fiscal Year 2012 in accordance with Chapter 40, Section 6 of the Massachusetts General Laws, and to transfer from available funds the sum of \$25,000 to the Water Department Reserve Fund or take any action thereon.

Proposed by the Finance Committee

**Finance Committee recommendation at Town Meeting**

ARTICLE 7 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$0 to meet the Town's share and to appropriate the sum of \$259,235 from available funds under Chapter \_\_\_\_\_ of the Acts of 2011 as the State's share of the cost of work under Chapter 90, Section 34(2)(a) of the General Laws, for the purposes as set forth in the memorandum of agreement with the Massachusetts Highway Department including maintaining, repairing, improving, and constructing town and county ways and bridges, sidewalks adjacent to said ways and bridges, bike ways and other projects eligible for funding as a "transportation enhancement project" as described in the Intermodal Surface Transportation Efficiency Act of 1991, P.L. 102-240, salt storage sheds, public use off-street parking facilities related to mass transportation, for engineering services and expenses related to highway transportation enhancement and mass transportation purposes, for care, repair, storage, purchase, and long-term leasing of road building machinery, equipment and tools, and for the erection and maintenance of direction signs and warning signs, or take any action thereon.

Proposed by the Highway Surveyor

**Finance Committee recommendation at Town Meeting**

ARTICLE 8 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$150,000 for the maintenance of Town roads, or take any action thereon.

Proposed by the Highway Surveyor

**Finance Committee recommendation at Town Meeting**

ARTICLE 9 To see if the Town will vote to raise and appropriate or transfer from available funds \$85,000 to purchase and equip a new multi-purpose tractor or take any action thereon.

Proposed by the Cemetery Superintendent

**Finance Committee recommendation at Town Meeting**

ARTICLE 10 To see if the Town will vote to raise and appropriate or transfer from available funds \$32,000 to purchase and equip a new F250 4-wheel pickup truck with plow and trade or sell the 1998 Ford F150 or take any action thereon.

Proposed by the Highway Surveyor

**Finance Committee recommendation at Town Meeting**

ARTICLE 11 To see if the Town will vote to transfer \$19,900 from the Water Department Retained Earnings Account to purchase and equip a new service truck and to sell or trade the 2000 truck or take any other action thereon.

Proposed by the Board of Water Commissioners

**Finance Committee recommendation at Town Meeting**

ARTICLE 12 To see if the Town will vote to raise and appropriate or transfer from available funds \$5,000 to purchase portable radios and pagers for use by the Fire Department or take any action thereon.

Proposed by the Fire Chief

**Finance Committee recommendation at Town Meeting**

ARTICLE 13 To see if the Town will vote to raise and appropriate or transfer from available funds \$15,000 to purchase new structural and forestry turn-out gear for Fire Department personnel or take any action thereon.

Proposed by the Fire Chief

**Finance Committee recommendation at Town Meeting**

ARTICLE 14 To see if the Town will vote to raise and appropriate or transfer from available funds \$31,000 to purchase a new Life Pak 15 (Heart Monitor) or take any action thereon.

Proposed by the Fire Chief

**Finance Committee recommendation at Town Meeting**

ARTICLE 15 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$92,000 to send 4 Fulltime Firefighters to the Fire Academy located in Stow, to complete the 12 week Fire Fighter class.

Proposed by Edward J. Gavin, Jr. et al

**Finance Committee does not recommend**

ARTICLE 16 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$5,000 to make improvements to the crosswalks at the Elementary School and by the Post Office or take any action thereon.

Proposed by the Traffic Safety Committee

**Finance Committee recommendation at Town Meeting**

ARTICLE 17 To see if the Town will vote to raise and appropriate or transfer from available funds \$82,635 to purchase and equip with miscellaneous police equipment, two (2) new marked police vehicles and trade or sell two older vehicles or take any action thereon.

Proposed by the Police Chief

**Finance Committee recommendation at Town Meeting**

ARTICLE 18 To see if the Town will vote to transfer \$1,820 from Article 12 (Library HVAC) of the Annual Town Meeting of May 10, 2010, \$4,706.27 from Article 30 (School Generator) of the Annual Town Meeting of May 11, 2009, \$1,006.02 from Article 1 (Highway Barn Roof) of the Special Town Meeting of September 29, 2009 and raise and appropriate \$2,467.71 for a total of \$10,000 to replace the heating unit at the Museum of Halifax or take any action thereon.

Proposed by the Municipal and School Building Committee

**Finance Committee recommendation at Town Meeting**

ARTICLE 19 To see if the Town will vote to transfer \$5,979 from Article 12 (Library HVAC) of the Annual Town Meeting of May 10, 2010 and raise and appropriate or transfer \$35,521 for a total of \$41,500 to repair and replace the roof on the older section of the Fire Station and sections of the Town Hall Roof or take any action thereon.

Proposed by the Municipal and School Building Committee

**Finance Committee recommendation at Town Meeting**

ARTICLE 20 To see if the Town will vote to raise and appropriate or transfer from available funds \$23,000 to pave and make improvements to the Council on Aging parking lot or take any action thereon.

Proposed by the Municipal and School Building Committee

**Finance Committee recommendation at Town Meeting**

ARTICLE 21 To see if the Town will vote to raise and appropriate or transfer from available funds \$10,000 to be added to the Assessors' Triennial Revaluation Account for assistance in revaluations and related costs or take any action thereon.

Proposed by the Board of Assessors

**Finance Committee recommendation at Town Meeting**

ARTICLE 22 To see if the Town will vote to raise and appropriate or transfer from available funds \$1,500 to purchase new holiday, welcome and patriotic banners, and equipment to hang the banners or take any action thereon.

Proposed by the Holidays in Halifax

**Finance Committee recommendation at Town Meeting**

ARTICLE 23 To see if the Town will vote to raise and appropriate or transfer from available funds \$1,000 to purchase a new computer to be placed on the counter at the Collector's office or take any action thereon.

Proposed by the Town Collector/Data Processing

**Finance Committee recommendation at Town Meeting**

ARTICLE 24 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$150 for the use of the Trustees for County Cooperative Extension Service and authorize the Selectmen to appoint a Town Director within fifteen days as provided in revised Chapter 128, Section 41 of the Massachusetts General Laws, or take any action thereon.

Proposed by the Board of Selectmen

**Finance Committee recommendation at Town Meeting**

ARTICLE 25 To see if the Town will vote to raise and appropriate or transfer from available funds \$100 to pay for a bond for Constable Thomas Hammond for fiscal year 2012 or take any action thereon.

Proposed by Constable Thomas Hammond

**Finance Committee recommendation at Town Meeting**

ARTICLE 26 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$15,000 for computer hardware and software and accompanying materials and equipment, or take any action thereon.

Proposed by the Halifax Elementary School Committee

**Finance Committee recommendation at Town Meeting**

ARTICLE 27 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$7,500 to repair the Halifax Elementary School roof, or take any action thereon.

Proposed by the Halifax Elementary School Committee

**Finance Committee recommendation at Town Meeting**

ARTICLE 28 To see if the Town will vote to adopt Massachusetts General Laws Chapter 32B, Section 18 which requires all eligible retirees to enroll in Medicare B or take any action thereon.

Proposed by the Town Accountant

**Finance Committee recommendation at Town Meeting**

- ARTICLE 29 To see if the Town will vote to adopt Massachusetts General Laws Chapter 32B, Section 20 which allows the Town to set up an irrevocable trust for “Other Post Employment Benefits Liabilities” or take any action thereon.

Proposed by the Town Accountant

**Finance Committee recommendation at Town Meeting**

- ARTICLE 30 To see if the Town will vote to transfer the amount of \$5,760.89 plus any interest accrued before July 1, 2011, from the Stabilization #2 Fund, set up in Article 50 of the May 12, 2008 Annual Town Meeting for Unfunded Liability and Future Compensation and Benefits to an “Other Post Employment Benefits Liabilities Trust Fund” to be considered an irrevocable trust fund where the funds can be used only for post employment benefits offered to the Town’s retirees and to raise and appropriate or transfer from available funds \$100,000 for said Fund or take any action thereon.

Proposed by the Town Accountant

**Finance Committee recommendation at Town Meeting**

- ARTICLE 31 To see if the Town will vote to raise and appropriate or transfer from available funds \$1,800 to purchase a digital duplicator for the Council on Aging or take any action thereon.

Proposed by the Council on Aging

**Finance Committee recommendation at Town Meeting**

- ARTICLE 32 To see if the Town will vote to raise and appropriate or transfer from available funds \$12,778.26 for the Town’s share of the purchase of a new Council on Aging Van or take any action thereon.

Proposed by the Council on Aging

**Finance Committee recommendation at Town Meeting**

ARTICLE 33 A New Day (formerly Womansplace Crisis Center) requests from the Town of Halifax that \$3,500 be raised and appropriated to A New Day in fiscal year 2012 in lieu of services provided to the sexual assault survivors and their families.

Proposed by Amanda Briggs, et al

**Finance Committee does not recommend**

ARTICLE 34 To ask the Town of Halifax to raise or appropriate or transfer from available funds, the sum of \$3,500 to contract with South Shore Women's Resource Center for domestic violence intervention and prevention services for its residents.

Proposed by Maria Edlin, et al

**Finance Committee recommendation at Town Meeting**

ARTICLE 35 To see if the Town of Halifax will vote to raise and appropriate or transfer from available funds the sum of \$3,000 to support South Coastal Counties Legal Services, Inc.'s continued free legal services in civil matters to elders, low-income families and their children or take any action thereon.

Proposed by Lisa Arcuri, et al

**Finance Committee recommendation at Town Meeting**

ARTICLE 36 To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$5,000 to purchase and install an alarm system to monitor the performance of the Halifax Elementary School heating system, or take any action thereon.

Proposed by the Halifax Elementary School Committee

**Finance Committee recommendation at Town Meeting**

ARTICLE 37 To see if the Town of Halifax will vote to establish two new line items: Personnel Administrator-Wages and Personnel Administrator-Expense and to raise and appropriate or transfer from available funds the sum of \$32,129 for Personnel Administrator-Wages and to raise and appropriate or transfer from available funds the sum of \$2,500 for Personnel Administrator-Expense, for Fiscal Year 2012 or take any action thereon.

Proposed by the Town Treasurer-Collector

**Finance Committee recommendation at Town Meeting**

ARTICLE 38 To see if the Town will vote to request its state legislators to submit the following bill:

An Act Transferring a parcel of land, approximately seventeen (17) acres in area, from the Commonwealth of Massachusetts to the Town of Halifax:

Whereas the Department of Fisheries, Wildlife and Environmental Law Enforcement of the Commonwealth of Massachusetts, and the Town of Halifax signed a settlement agreement in June, 2002 which included a stipulation that the Town of Halifax file legislation to facilitate the transfer of a certain acreage of land, which the parties believe to be approximately seventeen (17) acres, as shown on the sketch attached to the settlement agreement and incorporated as Exhibit "B" in the settlement agreement and;

Whereas, the Department of Fisheries, Wildlife and Environmental Law Enforcement of the Commonwealth of Massachusetts agreed not to oppose and to provide a positive recommendation to legislation filed by the Town of Halifax for the aforementioned land transfer.

That, the Commonwealth of Massachusetts transfer said parcel to the Town of Halifax.

This act shall take effect upon its passage.

Proposed by the Board of Selectmen

**Finance Committee recommendation at Town Meeting**

ARTICLE 39 To see if the Town will vote to request its state legislators to submit the following bill:

An Act Exempting the Position of inspector of gas piping and gas appliances and the assistant inspector of gas piping and gas appliances of the Town of Halifax from the Provisions of the Civil Service Law:

SECTION 1. The positions of inspector of gas piping and gas appliances and the assistant inspector of gas piping and gas appliances of the Town of Halifax shall not be subject to chapter 31 of the General Laws.

SECTION 2. Section 1 shall not impair the civil service status of any person holding the office of inspector of gas piping and gas appliances and the assistant inspector of gas piping and gas appliances of the town of Halifax on the effective date of this act.

SECTION 3. This act shall take effect upon its passage.

Proposed by the Board of Selectmen

**Finance Committee recommendation at Town Meeting**

ARTICLE 40 To see if the Town will vote to transfer from available funds a sum of money to fund the provisions of the collective bargaining agreement between AFSCME AFL-CIO Union Council 93, Local 1700 (Dispatchers) and the Town of Halifax, or take any action thereon.

Proposed by the Board of Selectmen

**Finance Committee recommendation at Town Meeting**

ARTICLE 41 To see if the Town will vote to transfer from available funds a sum of money to fund the provisions of the collective bargaining agreement between AFSCME AFL-CIO Union Council 93, Local 1700 (Highway/Cemetery) and the Town of Halifax, or take any action thereon.

Proposed by the Board of Selectmen

**Finance Committee recommendation at Town Meeting**

ARTICLE 42 To see if the Town will vote to transfer from available funds a sum of money to fund the provisions of the collective bargaining agreement between IBPO, Local 309 (Sergeants) and the Town of Halifax, or take any action thereon.

Proposed by the Board of Selectmen

**Finance Committee recommendation at Town Meeting**

ARTICLE 43 To see if the Town will vote to transfer from available funds a sum of money to fund the provisions of the collective bargaining agreement between IAFF, Local 3159 (Firefighters) and the Town of Halifax, or take any action thereon.

Proposed by the Board of Selectmen

**Finance Committee recommendation at Town Meeting**

ARTICLE 44 To see if the Town will vote to transfer from available funds a sum of money to fund the provisions of the collective bargaining agreement between the Halifax Association of Police Patrolmen and the Town of Halifax, or take any action thereon.

Proposed by the Board of Selectmen

**Finance Committee recommendation at Town Meeting**

ARTICLE 45 To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to the Stabilization Fund in accordance with Chapter 40, Section 5B of the Massachusetts General Laws or take any action thereon.

Proposed by the Finance Committee

**Finance Committee recommendation at Town Meeting**

ARTICLE 46 To see if the Town will vote to amend the Code of the Town of Halifax, Section 167-12 subsection F (5) which reads as follows:

No garage or barn shall have a door height greater than 12 feet unless authorized by special permit from the Zoning Board of Appeals.

And replace it with the following:

No *residential* garage or barn shall have a door height greater than 12 feet unless authorized by special permit from the Zoning Board of Appeals.

Proposed by the Planning Board

**Finance Committee recommendation at Town Meeting**

ARTICLE 47 To see if the Town will vote to amend the Code of the Town of Halifax, Section 167-10 subsection N which reads as follows:

All lots, with the exception of estate lots, shall have a ratio of area to perimeter of more than 45. Estate lots shall have a ratio of area to perimeter of more than 40.

And replace it with the following:

All lots, with the exception of estate lots, shall have a ratio of area to perimeter of more than 35. Estate lots shall have a ratio of area to perimeter of more than 30.

Proposed by the Planning Board

**Finance Committee recommendation at Town Meeting**

ARTICLE 48 To see if the Town will vote to amend the Code of the Town of Halifax, Section 167-13 (Exterior Signs) by replacing the current Chapter 167-13 with the following:

*A list of changes to Chapter 167-13 follows the proposed new Chapter 167-13. Copies of the current and proposed Chapter 167-13 along with a list of the changes are available at the Halifax Board of Selectmen's Office and the Town's web site: <http://www.town.halifax.ma.us/townmeetings.html>*

167-13 Exterior signs. [Amended 5-11-1992 ATM, Art. 34; 5-11-1992 ATM, Art 35; 5-11-1992 ATM, Art. 42; 5-10-1993 ATM, Art. 38]

A. Purpose.

- (1) To promote the safety, comfort and well-being of the users of streets, roads and highways;
- (2) To reduce distraction and obstructions from signs which would adversely affect traffic safety, and to alleviate hazards caused by signs projecting over or encroaching upon public ways;
- (3) To discourage excessive visual competition in signage and ensure that signs aid orientation and adequately identify uses and activities to the public; and;
- (4) To preserve the aesthetic nature of the Town and enhance community character by requiring new and replacement signage which is:
  - (a) Creative and distinctive;
  - (b) Compatible with the surroundings;
  - (c) Appropriate to the type of activity to which it pertains;
  - (d) Expressive of the identity of individual proprietors or the community as a whole; and
  - (e) Appropriately sized in its context so as to be easily readable.
- (5) All signs shall be subject to any and all other applicable bylaws and regulations of the Town of Halifax and the Commonwealth of Massachusetts. Nothing in this bylaw is intended to limit the exercise of the right of free speech guaranteed under the Constitution of the United States or the Commonwealth of Massachusetts.

B. Definitions. As used in this section, the following terms shall have the meaning indicated:

ADDRESS SIGN - A sign displaying the street number or name of the occupant of the premises or both.

AWNING SIGN - A sign painted on or attached to the cover of a movable metallic frame of the hinged roll or folding type of awning.

**BILLBOARD** - A free standing sign larger than 40 square feet in gross area, or a wall sign covering more than 10% of the area to which it is affixed.

**COMMERCIAL DIRECTORY SIGN** - A sign to be located at the entrance of an Industrial Development, to specifically identify more than one property and business, allowed by Special Permit from the Planning Board.

**FAÇADE** - The exterior surface of a building.

**FLASHING SIGN** - A sign whose illumination is not kept constant in intensity at all times when in use.

**FREESTANDING SIGN** - A self-supporting sign not attached to any building, wall or fence, but in a fixed location. This does not include portable or trailer-type signs.

**ILLUMINATED SIGN** - Any sign lit by electrical bulbs, fluorescent lights or neon tubes. Neon tubes used as abstract, graphic, decorative or architectural elements shall be considered to constitute an "illuminated sign."

**LANDMARK SIGN** - An older sign of artistic or historic merit, uniqueness or extraordinary significance to the community.

**MARQUEE SIGN** - A sign painted on, attached to or consisting of an interchangeable copy reader, on a permanent overhanging shelter which projects from the face of a building.

**MOVABLE/PORTABLE SIGN** - A sign capable of being readily moved or relocated, including portable signs mounted on a chassis and wheels, or supported by legs, not to include sandwich board signs.

**MULTIPLE DIRECTORY SIGN** - A group of signs clustered together in a single structure or compositional unit used to advertise several occupants of the same building or building complex.

**OFF-PREMISE SIGNS** - Any sign which is not on the premises of the business, including a billboard.

ON-PREMISE SIGNS - Any sign that advertises, calls attention to or identifies the occupant of the premises on which the sign is maintained, or the business transacted thereon.

PAINTED WALL SIGN - A permanent mural or message painted directly onto a building surface.

POLITICAL SIGN - A sign designed to influence the action of voters for the passage or defeat of a measure or the election of a candidate to a public office at a national, state or other local election.

PROJECTING SIGN - A sign which is affixed to a building, pole or other structure and which extends more than six (6) inches beyond the surface to which it is affixed.

PUBLIC SERVICE SIGN - A sign located for the purpose of providing directions towards or indication of use not readily visible from the street (e.g., restrooms, telephones, etc.)

ROOF SIGN - A sign which is located above or projects above the lowest point of the eaves or the top of the parapet wall of any building or which is painted on or fastened to a roof.

SIGN - Any device visible to the public from outside of a building or from a traveled way which either conveys a message to the public or intends to advertise, direct, invite, announce or draw attention to a use conducted, goods, products, services or facilities available, on the property, excluding window displays and merchandise.

TEMPORARY/PROMOTIONAL SIGN - A sign, (including sandwich board type signs) which is to advertise or promote a service or conveys a message to the public. i.e.: for a business opening, special event/advertisement, or function for a limited amount of time as per section E13(c).

WALL SIGN - Any sign which is painted on, incorporated into or affixed parallel to the wall of a building, and which extends not more than six (6) inches from the surface of that building.

WINDOW SIGN - Any sign which is painted, mounted or hung onto a window pane, directly inside the window with the purpose of advertising any premises or services or products for sale.

C. Administration.

(1) Permits.

- (a) No sign shall be erected, displayed, altered or enlarged until an application has been filed and until a permit for such action has been issued, except where hereinafter excluded. Applications shall be on forms prescribed by the sign officer. At a minimum, all applications shall include a scale drawing specifying dimensions, materials, illumination, letter sizes, colors, support systems, cost and location on land or buildings, with all relevant measurements.
  - (b) Permits shall be issued only if the sign officer determines the sign complies or will comply with all applicable provisions of this bylaw and the state building code. Such applications may be filed by the owner of the land or building, or any person authorized by the owner of the property to erect a sign on the premises.
  - (c) The sign officer shall act within thirty (30) days of receipt of such application together with the required fee. The sign officer's action or failure to act may be appealed to the Board of Appeals under the provisions of Chapter 40A.
  - (d) A special permit application for lighted signs, signs which are larger than those allowed by right or signs not allowed in all districts shall be referred to the Planning Board. The Planning Board shall hold a public hearing, and its decision must be rendered within twenty-one (21) days of the public hearing. An appeal from the Planning Board's decision must be made in compliance with Massachusetts General Laws Chapter 40A, Section 8.
- (2) Special Permits. The Special Permit Granting Authority shall be the Planning Board.
- (3) Fees. A schedule of fees for such permits may be established and amended from time to time by the Board of Selectmen.
- (4) Enforcement. The Building Inspector/Zoning Enforcement Officer is hereby designated as the Sign Officer and is hereby authorized to enforce this bylaw. The Sign Officer is authorized to order the repair or removal of any sign and its supporting structure which is judged dangerous or in disrepair or which is erected or maintained contrary to this bylaw. Whenever a Sign Officer is designated, that person shall notify the State Outdoor Advertising Board.
- (5) Removal of signs. Any sign which has been found to be abandoned, discontinued, in disrepair, illegible, dilapidated or in any manner a hazard to public safety and health shall be ordered removed by the Sign Officer. Identified sign or signs shall be

removed by the property owner, person, firm or corporation responsible for the sign within thirty (30) days of written notice to remove.

- (6) Penalties. Violation of any provision of this bylaw or any lawful order of the Sign Officer shall subject the owner of the property to a fine of not more than three hundred dollars (\$300) per offense. Each day that such violation continues shall constitute a separate offense. Provisions of this bylaw are subject to Massachusetts General Laws Chapter 40, Section 21D.

D. General Provisions.

- (1) Permitted signs. Only signs which refer to a permitted use or an approved conditional use as set forth in § 167-13 of the Town of Halifax Zoning Bylaw are permitted, provided that such signs conform to the provisions of this section.
- (2) Prohibited signs:
  - (a) A sign which is structurally or otherwise unsafe.
  - (b) Signs which are internally lit.
  - (c) Billboards.
  - (d) Signs which flash, rotate or which contain moving or motorized parts.
  - (e) Streamers, pennants, ribbons, spinners or other similar devices posted or erected in any zone. Exceptions: Flags and bunting exhibited to commemorate national patriotic holidays, and temporary banners announcing charitable or civic events.
  - (f) Signs containing reflective elements which sparkle or twinkle in the sunlight. Exceptions: Signs indicating the current time and/or temperature are permitted, provided that they meet all other provisions of this bylaw.
  - (g) Signs that constitute a hazard to pedestrian or vehicular traffic because of intensity or direction of illumination.
  - (h) Signs advertising or identifying a business or organization which is either defunct or no longer located on the premises and off-premises businesses. Exception: commercial directory signs which may be located at the entrance of any complex.
  - (i) No sign shall be larger than forty (40) square feet.
  - (j) No sign, except for a traffic, regulatory or informational sign that use the words "stop" or "danger", or shall incorporate red, amber or green lights resembling traffic signals, or resemble "stop" or "yield" in shape and color.
  - (k) No person may erect a sign with exposed electrical wires or is capable of causing electrical shock.

- (3) Measurement of sign area:
  - (a) Sign measurement shall be based upon the entire area of the sign, with a single continuous perimeter enclosing the extreme limits of the actual sign surface.
  - (b) For a sign painted on or applied to a building, the area shall be considered to include all lettering, working and accompanying designs or symbols, together with any background if a different color than the natural color or finish material of the building.
  - (c) For a sign consisting of individual letters or symbols attached to or painted on a surface, building, wall or window, the area shall be considered to be that of the smallest rectangle or other shape which encompasses all of the letters and symbols.
  - (d) The area of supporting framework (for example: brackets, posts, etc.) shall not be included in the area if such framework is incidental to the display.
  - (e) When a sign has two (2) or more faces, the area of all faces shall be included in determining the area, except where two (2) faces are placed back to back and are at no point more than two (2) feet from each other. In this case, the sign area shall be taken as the area of either face, and if the faces are unequal, the larger shall determine the area.
- (4) Measurement of height. The height of any sign shall be measured from the surface of the road up to the highest point on the sign. In situations where a sign is intended to be visible from two (2) roads of different elevations, measurement shall be from the surface of the lower roadway.
- (5) Illumination standards:
  - (a) Signs may be illuminated only by a white, steady, stationary light of reasonable intensity shielded and directed solely at the sign and shall not be permitted to shine onto residential properties or traveled ways.
  - (b) Neon window signs may be permitted in cases where they are designed to be compatible with the building's historic and/or architectural character, as approved by the Sign Officer or the Historical Commission if within the historical zone.
  - (c) Gas-filled tubes shall be allowed for indirect illumination and when placed in such a manner that the tubes are not exposed to view from any point along the public roadway or sidewalk.

- (d) No sign shall be illuminated between the hours of 11:00 p.m. and 6:00 a.m. unless the premises on which it is located is open for business.
  - (e) Strings of bulbs are not permitted, except as part of a holiday celebration. In addition, strings of bulbs may be permitted to decorate trees at the discretion of the Sign Officer, provided that such display does not interfere with neighboring land uses.
- (6) Placement and Safety standards:
- (a) No Sign may be erected or affixed to a fence, utility pole structure, tree, scrub, rock or other natural object.
  - (b) Signs shall not be mounted on roofs or extend above the roofline (unless mounted on a parapet wall which extends above the roofline, in which case the sign may not extend above the top of said parapet).
  - (c) No projecting sign shall extend into a vehicular public or private way or be less than ten (10) feet above a pedestrian way. If projecting over an alley or driveway, the clearance must be at least thirteen (13) feet
  - (d) No signs, together with any supporting framework, shall extend to a height above twenty (20) feet, except that in the Industrial Zone Districts they may be erected to heights of thirty (30) feet above the roadway if approved by the sign officer and located as not to create a danger or hazard to the public.
  - (e) No Sign may be erected which obstructs free entrance or exit from a required door, window or a fire escape.
  - (f) No Sign may be erected which interferes with light, air flow or which interferes with the proper functioning of a building.
- (7) Exceptions : For the purpose of this section, the term “sign” shall not include:
- (a) Signs erected or posted and maintained for public safety and welfare of pursuant to any governmental function, law, bylaw, or other regulation.
  - (b) A bulletin board or similar sign not exceeding twenty (20) square feet in display area, in connections with any church, museum, library, school, municipal uses or similar public or semipublic structure, provided that the top of such sign shall not be more than eight (8) feet above ground level, and provided that it does not possess any of the characteristics listed in subsection D(2) above.
  - (c) Directional signs solely indicating ingress and egress placed at driveway locations, containing no advertising material, and where display area does not exceed three (3) square feet.

Such sign will conform in all respects with the requirements of this bylaw.

- (d) Signs relating to trespassing or hunting, not exceeding two (2) square feet in area.
- (8) Nonconforming signs:
  - (a) Maintenance. No sign can be enlarged, reworded, redesigned or altered in any way, including repainting in a different color, except to conform to the requirements of this bylaw; and provided further that any such sign which has deteriorated to such an extent that the cost of restoration would exceed thirty-five percent (35%) of the replacement cost shall not be repaired or rebuilt or altered except to conform to the requirements of this bylaw.
  - (b) Replacement. Any sign replacing a nonconforming sign shall conform to the provisions of these sections, and the nonconforming sign shall no longer be displayed.

E. General Standards for specific types of signs.

- (1) Addresses: One (1) sign permitted in all districts.
  - (a) Such sign may include identification of an on-premise professional office or customary home occupation.
  - (b) Such sign may be attached to the building or may be on a post not more than five (5) feet high, and set back at least three (3) feet from the public right of way.
  - (c) Such sign may not exceed two (2) square feet in area.
- (2) Awning:
  - (a) Such sign must be painted on or attached flat against the surface of the awning, but not extend beyond the valance or be attached to the underside.
  - (b) Letters shall not exceed ten (10) inches in height.
  - (c) A minimum of eight (8) feet above walkway level must be allowed for pedestrian clearance.
- (3) Freestanding sign:
  - (a) Such sign shall have no more than two (2) faces.
  - (b) The area of each face shall not exceed thirty (30) square feet
  - (c) A lot with a frontage of three hundred (300) feet or more may have two (2) such signs, not less than one hundred seventy-five (175) feet apart.
  - (d) Such signs shall be erected so as not to interfere with safe and free egress to or from any building or public right of way.
- (4) Individual letters or symbols: These may be attached to an awning, marquee, building surface, wall or signboard.

- (a) Letters or symbols shall not project more than six (6) inches from the building surface.
- (b) Such letters and symbols shall not obscure the architectural features of the building to which they are attached.
- (c) Such letter and symbols shall not extend above the lowest part of the roof, nor beyond the ends of the wall to which they are attached.
- (d) Such letters and symbols shall have an aggregate area not exceeding one and five-tenths (1.5) square feet for each foot of the building face parallel to a street lot line, or ten percent (10%) of the wall area to which they are affixed, whichever is less, when a lot fronts on more than one (1) street, the aggregate sign area facing each street frontage shall be calculated separately.
- (e) See also Subsection E(14) Wall signs.
- (5) Landmark Sign: The restoration and/or preservation including size and placement shall be determined by the Planning Board.
- (6) Marquee signs: Permitted as determined by the Planning Board.
- (7) Movable/portable signs: Movable/portable signs are only permitted by Special Permit issued by the Planning Board, except as allowed under section 13(c).
- (8) Multiple directory signs: [Amended 5-8-2006 ATM, Arts. 41;41]
  - (a) The display board shall be of integrated and uniform design.
  - (b) The maximum sign area permitted is 40 square feet for the sign bearing the name of the building or office park, inclusive of each business or office located there.
  - (c) Complexes with over three hundred (300) feet of frontage will be allowed two (2) freestanding signs not less than one hundred seventy-five (175) feet apart.
- (9) Painted wall signs: A special permit is required for all new signs of this type, and will comply with the dimensional requirements of a wall sign.
- (10) Political signs:
  - (a) Such signs are permitted in all districts without a permit if they are stationary, unlighted and temporary.
  - (b) Such signs shall be displayed no earlier than forty-five (45) days prior to a voting day and shall be removed the day after the voting day.
  - (c) Such signs may not exceed nine (9) square feet in area.
  - (d) A maximum of two (2) signs per lot per cause is allowed.
  - (e) Such signs may be posted on private property only with permission of the property owner.

- (f) No political signs are allowed on public property or telephone poles.
- (11) Projecting signs:
  - (a) If flat, each face shall not exceed ten (ten) square feet.
  - (b) The total area of a three dimensional sign shall be determined by enclosing the largest cross section of the sign in an easily recognizable geometric shape and computing its area which shall not exceed nine (9) square feet.
  - (c) Such sign shall be hung at right angles to the building and shall not project closer than two (2) feet to the curb line.
  - (d) The supporting framework shall be in proportion to the size of such sign.
  - (e) Signs which overhang public ways (including sidewalks) shall be covered by a public liability insurance policy which names the town as the insured party.
  - (f) The top of the sign may be suspended in line with one (1) of the following, whichever is the most successful application of scale, linear continuity and visibility as determined by the Sign Officer:
    - [1] Suspended between the bottom sills of the second story windows and the top of the doors and windows of the ground floor; or
    - [2] The lowest point of the roof of a one-story building.
- (12) Public service signs:
  - (a) Such signs necessary for public safety and convenience shall not exceed two (2) square feet.
  - (b) Such signs shall bear no advertising.
  - (c) Such signs are not included in computing total sign area allowed.
- (13) Temporary signs:
  - (a) Construction: An on-premise sign identifying the contractor, architect, landscape architect and/or engineer's name, address and other pertinent information,
    - (1) Such signs shall not exceed twelve (12) square feet in area and shall be set back at least ten (10) feet from the street lot line, or one-half (1/2) the building setback distance, whichever is less.
    - (2) Such a sign may be maintained on the building or property for the interim of construction, and not more than thirty (30) days following the completion of said construction.
  - (b) For sale/rent/lease. An on-premise sign advertising the property being sold or rented.
    - (1) Such signs shall not exceed six (6) square feet.

- (2) Such signs shall advertise only the property on which the sign is located.
  - (3) A maximum of two (2) such signs may be maintained on any property being sold or rented, and they shall be removed by the owner or agent within thirty (30) days of sale, rent or lease.
- (c) Promotional signs: (including sandwich board signs) advertising a sale or special offer by a merchant.
  - (1) Allowable by permit from the building inspector upon application of property owner
  - (2) Such sign shall not exceed six (6) square feet
  - (3) Such signs shall only be out during operating business hours
  - (4) Maximum of 1 on single occupancy property, and maximum of 2 on multi occupancy property
- (d) Special events: of both civic and private nature
  - (1) Such sign shall not exceed six (6) square feet in area
  - (2) May be erected no sooner than 14 days before an event, and must be removed no later than 24 hours after the event.
  - (3) Flags and buntings exhibited to commemorate national patriotic holidays, and temporary banners announcing charitable or civic events.
- (14) Wall signs:
  - (a) Such sign and/or no part of, including the display surface shall not project more than six (6) inches from the building surface.
  - (b) The maximum height of a wall sign shall not exceed two feet. The length shall not exceed 60% of the horizontal building frontage of each said business.
  - (c) Where two or more wall signs are affixed to one wall, the gross display area shall be the sum total area of all signs.
  - (d) Wall signs shall not extend higher than the eave line or top of the parapet wall of the principal building.
  - (e) The size of signs attached to buildings may be increased in area (over allowable size) by 25% for every 100 feet of building setback. This shall apply to buildings set back more than 100 feet from the road right-of-way, and the increase may be prorated according to the actual setback distance.
- (15) Window signs: Window signs shall not exceed more than 30% of the window area in which they are displayed.

F. Use by Districts.

(1) Table of Districts.

AR = Agricultural and Residential

B = Business/Commercial

I = Industrial

I-2 = Industrial 2

C = Conservancy

(2) Table of Use Regulations.

Y = Permitted use

N = Prohibited use

SP = Use allowed under special permit by the Planning Board or other designated special permit granting authority as provided in §167-13C(2)

(3) Schedule of Placement Standards.

Type of Sign	AR	B	I	I-2	C
Address	Y	Y	Y	Y	Y
Awning	N	Y	Y	N	N
Freestanding	N	Y	Y	N	SP
Illuminated	SP	Y	Y	N	SP
Landmark	Y	Y	Y	Y	Y
Marquee	N	Y	Y	N	SP
Moveable/portable	SP	SP	SP	SP	SP
Multiple/directory	N	Y	Y	N	SP
Painted wall sign	N	SP	SP	SP	SP
Political sign	Y	Y	Y	Y	Y
Projecting	N	Y	Y	SP	SP
Public service	Y	Y	Y	Y	Y
Temporary	Y	Y	Y	Y	Y
Wall	N	Y	Y	SP	SP
Window	SP	Y	Y	Y	SP

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***Changes made to the Sign By-laws***

Section A Purpose – no changes

Section B. Definitions –

“Lintel” removed, as there is no further mention of the word in the by-laws

“Commercial Directory sign” - added

“Special Permit Granting Authority” – moved from definitions to Administration - Section C(2).

“Temporary signs” – language change/addition to definition

“Address, awning, marquee, multiple directory painted wall, political public service and window sign” definitions added

Section: C. (General Provisions – moved to Section D.)

Now as “Administration”

Subsection 1. – Permits – (b) some language added

Subsection 2. – changed from Fees to Special Granting Authority

Subsection 3. – changed from Enforcement to Fees

Subsection 4. – changed from Removal of signs to Enforcement

Subsection 5. – changed from Penalties to Removal of signs-  
language change and combined with formerly C2  
subsection (f)

Subsection 6. – changed from Measurement of sign area to Penalties

Subsection 7. –moved to D4

Section: D. (Administration – moved to Section C.)

Now as “General Provisions”

Subsection 1. – Permitted signs – no changes

Subsection 2. – changes within Prohibited signs & combined with  
some Safety Standards

Subsection 3. – changed from Illuminated standards to  
Measurement of sign area (no further changes within this  
section)

Subsection 4. – changed from Placement standards to Measurement  
of height (no further changes)

Subsection 5. – changed from Safety standards to Illumination  
standards (changes within this section – some moved into  
prohibited signs - Illuminated standards and Illuminated  
Signs have been incorporated together for this section)

Subsection 6. – changed Exceptions to Placement and Safety  
standards changes within this section – as placement and  
safety standards have been incorporated together to create  
one section – eliminating duplications.)

Subsection 7. – changed from Nonconforming signs to Exceptions  
(no changes to this section)

Subsection 8. – added - Nonconforming signs. (no changes to this  
section)

Section: E. General Standards for specific types of signs

Subsection 1. – Addresses – definition moved to B, no other  
changes

Subsection 2. – Awning – definition moved to B, no other changes

\*\*Subsections 3&4. - “Construction” & “For sale/rent/lease”: now under Subsection 13  
 Subsection 5. – Freestanding sign – now as subsection 3 (changes within section)  
 \*\*Subsection 6. – Illuminated signs now incorporated with Illuminated standards section D(5)  
 Subsection 7. – Individual letters or symbols – now as subsection 4 (without changes)  
 Subsection 8. – Landmark signs – now as subsection 5 (with language change)  
 Subsection 9. – Marquee signs – now as subsection 6: definition moved to B and language change  
 Subsection 10 – Movable/portable signs – now as subsection 7 (language added)  
 Subsection 11 – Multiple directory signs – definition moved to B, now as subsection 8      Subsection 12 – Painted wall signs – definition moved to B, now as subsection 9 (“exceptions” language removed as is duplicated)  
 Subsection 13 – Political signs – now as subsection 10 (no changes)  
 Subsection 14 – Projecting signs – definition moved to B, now as subsection 11, (g) taken out as duplicated 6C  
 Subsection 15 – Public service signs – now as subsection 12, definition moved to B (no changes)  
 NEW SUBSECTION 13 – TEMPORARY SIGNS ADDED  
 Subsection 16 – Wall signs – now as subsection 14 (g taken out as duplicate of a / b taken out as duplicate in placement standards)  
 Subsection 17 – Window signs – definition moved to B, now as subsection 15, (no changes)

Section: F. Tables – Construction, For sale/rent/lease taken out, Temporary added in which Subsection includes: Construction and for sale/rent/lease

Proposed by the Planning Board

**Finance Committee recommendation at Town Meeting**

ARTICLE 49 To see if the Town will vote to amend the Code of the Town of Halifax, Chapter 167 (Zoning) by amending Section 7, subsection (13) concerning the sizes of commercial buildings which reads as follows:

All commercial buildings or structures 5,000 square feet or greater in area are allowable by special permit from the Planning Board in the Commercial, Industrial, Industrial-2, and Conservancy Districts and are not allowed in the Agriculture-Residential Districts.

To:

All commercial buildings or structures 30,000 square feet or greater in area are allowable by special permit from the Planning Board in the Commercial, Industrial, Industrial-2, and Conservancy Districts and are not allowed in the Agriculture-Residential Districts.

Proposed by the Planning Board

**Finance Committee recommendation at Town Meeting**

ARTICLE 50 To see if the Town will vote to amend Chapter 167 (Zoning) by deleting Section 10(E) on minimum frontage/area requirements which reads as follows:

A lot or parcel of land having an area or frontage of lesser amounts than required in the following table (2) may be considered as coming within the area and frontage requirements of this section, provided that such lot or parcel of land was shown on a plan or described in a deed duly recorded or registered at the time of the adoption of this chapter or subsequent amendment hereto and did not at the time of such adoption or amendment adjoin other land of the same owner available for use in connection with such lot or parcel. Lots specifically exempted under MGL C. 40A, 5A and 7A are also exempted from this chapter, or take any action thereon.

Proposed by the Board of Selectmen

**Finance Committee recommendation at Town Meeting**

ARTICLE 51 To see if the Town will vote to amend the Code of the Town of Halifax Chapter 167-7 Use Regulations – Table of Use Regulations, as follows by:

Replacing

Residential uses	AR	B	I	I-2	C
Single-family detached dwellings	Y	Y	N	N	SP

With

Residential uses	AR	B	I	I-2	C
Single-family detached dwellings	Y	Y	SP	N	SP

Or take any other action thereon.

Proposed by Kozhaya Nessralla

**Finance Committee recommendation at Town Meeting**

ARTICLE 52 To see if the Town will vote to amend the Code of the Town of Halifax Chapter 167-4 C Use Districts – Industrial District Purpose, as follows by:

Replacing:

I Industrial District Purpose: To provide space for industrial uses and the higher impact commercial uses in suitable locations. The district allows a wide range of light industrial and commercial uses as of right. It also allows most public/institutional uses as of right but excludes housing to avoid use conflicts. It requires a minimum of lots of forty thousand (40,000) square feet.

With:

I Industrial District Purpose: To provide space for industrial uses and the higher impact commercial uses in suitable locations. The district allows a wide range of light industrial and commercial uses as of right. It also allows most public/institutional uses as of right but excludes housing, with the exception of single-family dwellings by special permit, to avoid use conflicts. It requires a minimum of lots of forty thousand (40,000) square feet.

Proposed by Kozhaya Nessralla

**Finance Committee recommendation at Town Meeting**

ARTICLE 53 To see if the Town will vote to amend the Code of the Town of Halifax by inserting the following as Chapter 1 (General Provisions), Section 5 (Numbering):

The Town Clerk shall be allowed to make nonsubstantive changes to the numbering of these by-laws in order that they may be in compliance with the numbering format of the Code of the Town of Halifax.

Proposed by the Town Clerk

**Finance Committee recommendation at Town Meeting**

**And on Saturday, May 14, 2011 from 10:00 a.m. to 6:00 p.m. to meet at the Halifax Elementary School:**

ARTICLE 54 To see if the Town will vote to elect one Assessor for three years, one Board of Health member for three years, two Halifax Elementary School Committee members for three years, one Highway Surveyor for three years, one Housing Authority member for five years, two Holmes Public Library Trustees for three years, one Park Commissioner for three years, one Planning Board member for five years, one Selectman for three years, one Silver Lake Regional School Committee member for three years and one Water Commissioner for three years.

Yes \_\_\_\_\_ No \_\_\_\_\_

QUESTION 1: Shall the Town of Halifax accept Massachusetts General Laws, Chapter 40, Section 6C which allows the Town to appropriate money for the removal of snow and ice from private ways within its limits and open to the public use as may be designated by the Board of Selectmen?

Yes \_\_\_\_\_ No \_\_\_\_\_