

Sec. 185-27.1 Displays
[Amended 7-10-2010 by Ord. No. 681]

Formatted: Left: 1", Right: 1"

A. Purpose. The purpose of this section is to establish reasonable regulations of size and placement of the outdoor displays of temporary signs, banners, flags, products, goods, wares and merchandise in conjunction with legally operating businesses.

B. Outdoor displays of merchandise. Outdoor display of merchandise shall only be permitted in conjunction with an existing permitted use that occupies the subject property. Display items shall be limited to merchandise sold by the business or decorative items which relate to or complement the business. Outdoor displays shall not be included in the calculations of permitted signage. Outdoor display of merchandise shall not be permitted on public property.

C. Height and area for displays.

(1) Outdoor display of merchandise shall only be permitted on the private property of ~~the a~~ business holding an ~~outside-outdoor~~ display permit for such outdoor display(s). No outdoor display ~~may shall~~ encroach or trespass any public right-of-way or sidewalk or block any ~~patron~~ access ~~way-door, fire exit,~~ or parking area ~~directly accessible from to~~ the business.

(2) No outside display or any part thereof shall be ~~displayed maintained, placed, hung or affixed,~~ at a height higher than 12 feet from grade.

(3) ~~The totality of maximum permissible area for the staging of an outdoor display shall be determined by the Building Official, using a formula and calculations and based upon review of the information provided in the outdoor permit application and/or upon physical inspection of the business location and Town maps. The formula and measurements used to calculate the maximum sum of usable square footage for the staging of an outdoor display in the formula shall be:~~

~~(a)(a) The maximum permissible area for the staging of an outdoor display shall be determined by The relevant measurements include measuring the linear footage width of the business's property which abuts a street or streets reduced by the linear footage directly accessing any parking area or lot ("length") fronting Coastal Highway times and the average width of that portion of the business's open private property area, which extends from the right-of-way or inside edge of a the public sidewalk to the business's building façade ("width"). line of the business. No consideration shall be granted for additional frontage for a business located on a corner, wrapping around and having a side on a second roadway. For a business fronting a roadway other than Coastal Highway, no consideration shall be granted for additional frontage for a business located on a corner, wrapping around and having a side on Coastal Highway. All frontage calculation shall deduct from the measurement any accessways and fire exits in addition to any parking areas directly assessing the business. The maximum yard area usable for outdoor displays shall not exceed From the determined calculation, 30% of the area calculated by multiplying the abovementioned "length" by "width". All properties must have one unblocked handicap ramp. Display items may not block any fire exits or entrances to the business. shall be deemed the portion of the private property usable for an outside display.~~

(b) Notwithstanding the amount of ~~a business private~~ property's yard determined usable for an out~~doorside~~ display, the maximum ~~lot area for the staging limit~~ of an outdoor display of merchandise for any business shall be 500 square feet.

~~(c) The appeal from a decision of the Building Official shall go to the Board of Adjustment, being filed within five days at Town Hall, with the status quo remaining until the Board of Adjustment's decision.~~

D. Coordinated events. Sidewalk sales may be coordinated by the Chamber of Commerce or community groups involving individual retail establishments on a maximum of three separate occasions per calendar year, with each separate occasion extending for a period not to exceed four consecutive days, provided that no sidewalk sales may occur between the Friday of Memorial Day weekend through Labor Day. A sidewalk sale shall only be conducted by the retail establishment located on the property and shall only include merchandise that is regularly offered for sale inside that retail establishment.

E. Sales benefiting nonprofit organizations. Outdoor sales by local resident nonprofit organizations are permitted, provided that written documentation of charitable status and written permission from the property owner are provided to the Building Official prior to the outdoor sale.

F. Unimpeded public access. All portions of the public sidewalk shall continuously provide for unimpeded pedestrian access, and shall not be blocked at any time without Town approval.