

BoS
Extra Info #5
11-13-06

John Murray

Subject: FW: Banners and the Sign By-law

From: John Murray
Sent: Friday, November 10, 2006 10:15 AM
To: Board of Selectmen
Subject: Banners and the Sign By-law

I have spoken with Selectman Ashton concerning the subject matter and would like to take this opportunity to provide the Board with some background information.

One of the issues with the use of light pole banners is they may violate the provisions of the sign by-law. In fact it **does not violate** the sign by-law because the Town is not subject to the by-law. Was the Town's exclusion from the requirements of the sign by-law intentional or an oversight? I do not know the answer. In addition, I understand some may feel that holding private entities to a higher standard than the Town is inappropriate. We do not and have not held a single private entity to a standard that is not specifically enumerated in the Town's by-laws. Therefore an argument of equal treatment between the Town and regulated entities is one of "Is the glass half full or half empty?". I would respectfully ask the Board to re-phrase the question as follows: Should the Town hold itself to the requirements of the sign by-law?

Historically, the Town has not held itself to such a standard. Some examples of such non-compliant signs are, polling locations signage, Tree City USA signage, school event signage, Veteran's Field advertising signage, transfer station signage and taxes due signage. In addition, I am not aware if signage for conservation areas, fields and playgrounds, the Arboretum and NARA are in compliance with the sign by-law. If the Board wishes to have a specific list of non-compliant signs, staff will generate such a list. If the Board chooses to act without a complete list, I would ask the Board to be specific in its definition of being complaint with the sign by-law, in order to avoid any unintended consequences.

Banner Facts

- Previous Boards specifically approved the use of cross street banners in the Center, South Acton, West Acton and the Transfer Station.
- The design of lighting for the commuter lot inclusive of light pole banner arms was vetted through a sub-committee of the BoS and the HDC. A previous Board approved the project including the banner arms. In addition, banners at this location have been used to publicize events at NARA in the past. Unlike cross-street banners, light pole banners at the commuter lot and the cross street banner at the Transfer Station have not allowed non-governmental usage.
- Banners locations at the Town Hall/Memorial Library were **not established by any previous Board.**

An Argument in favor of the Use of Street Pole Banners at Town Hall/Memorial Library In Regards to the Election Last Week

Notwithstanding the issue of whether polling locations should or should not have been combined at the Blanchard Auditorium, everyone agrees the foundation of our democracy is having the opportunity to vote via a secret ballot. Staff understands and accepts responsibility of making sure each voter is so informed and used a wide selections of forums and media to do notify voters of the change in polling locations. Staff hears citizens complain they were not informed as to an issue being discussed or not knowing a the location of a public discussion. The complaints are of such quantity and repetition that Staff knows the old paradigm of providing information is broken. Board members have recently received such a complaint in regards to the Route 27 Corridor study, which was derived by grass roots input. The facts {(1) most citizens do not come to Town Hall to read the "Public Notice" bulletin board, (2) some citizens do not read the newspaper, especially the legal notices, (3) we are all inundated with junk mail and spam, (4) personal schedules do allow for participation in all public discussions and (5) road signs blur into the

background, as we hurry across town} led to the decision of placing banners at Town Hall and Memorial Library. This location was chosen because (1) its off street location, (2) the volume of citizen usage at Memorial Library, (3) the usage of the park facilities and (4) the coincidence of the timing between the November tax payment and the election. A fact the Board may not be aware of, is the volume of use of cross street banners by non-governmental entities has negatively affected the ability of the Town to use that media. We seek input from Board members, if you believe we were effective in communicating the change in location of the polling locations and if you have received any complaints that voters were not made aware of the change in location of the polls? We are also aware that whenever staff makes a change in a communication vehicle, some disagree with the change. Staff has received complaints concerning the its use of telephone and web page broadcasts and yet we believe it is a valuable tool. Again while some may disagree, we suggest banners at Town Hall and Memorial Library are also a valuable tool in communicating needed information to the citizens of Acton.

In closing, whether the use of banners at Town Hall/Memorial Library was needed or appropriate is clearly a judgment for the Board to render, and staff will implement the will of the Board.