

Town of Provincetown
Public Notice
Amendments to the Provincetown Zoning By-Laws
May 1, 2021 Annual Town Meeting

Notice is hereby given that the following amendments to the Provincetown Zoning Bylaws, as voted by the May 1, 2021 Annual Town Meeting, were approved by the Massachusetts Attorney General on August 18, 2021. This notice is published pursuant to Massachusetts General Law C.40§32. Any claims that a zoning by-law is invalid because of a defect in the procedure by which the by-law was adopted or amended may only be made within ninety (90) days of this posting. Copies of the zoning by-laws may be examined and obtained from the Town of Provincetown, Office of the Town Clerk, 260 Commercial St., Provincetown, MA 02657. By-laws are also available for viewing at the Town web site www.provincetown-ma.gov.

Article 29. Zoning Bylaw Amendment – Floodplain District Boundaries and Base Flood Elevation

Data. To amend the Provincetown Zoning Bylaws, Article 2 Districts and District Regulations, Section 2330 Floodplain District Boundaries and Base Flood Elevation Data as follows:

2330 Floodplain District Boundaries and Base Flood Elevation Data

2331 Purpose. The purpose of the Floodplain District Boundaries is to:

1. Ensure public safety through reducing the threats to life and personal injury;
2. Eliminate new hazards to emergency response officials;
3. Prevent the occurrence of public emergencies resulting from water quality, contamination, and pollution due to flooding;
4. Avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding;
5. Eliminate costs associated with the response and cleanup of flooding conditions; and
6. Reduce damage to public and private property resulting from flooding waters.

2332 The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas within the Town of Provincetown designated as Zone A, AE, AO, AH, or VE on the Barnstable County Flood Insurance Rate Map (FIRM) dated July 6, 2021 issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The exact boundaries of the District shall be defined by the 1%-chance base flood elevations shown on the FIRM and further defined by the Barnstable County Flood Insurance Study (FIS) report dated July 6, 2021. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Official, Conservation Commission and [other].

2333 Designation of community Floodplain Administrator. The position of Building Commissioner is hereby designated to be the official floodplain administrator for Provincetown.

2334 Permits are required for all proposed development in the Floodplain Overlay District. The Town requires a permit for all proposed construction or other development in the floodplain overlay district, including new construction or changes to existing buildings, placement of manufactured homes, placement of agricultural facilities, fences, sheds, storage facilities or drilling, mining, paving and any other development that might increase flooding or adversely impact flood risks to other properties.

2335 Assure that all necessary permits are obtained. Provincetown's permit review process includes the use of a checklist of all local, state and federal permits that will be necessary in order to carry out the proposed development in the floodplain overlay district. The proponent must acquire all necessary permits, and must submit the completed checklist demonstrating that all necessary permits have been acquired.

2336 Code References. Any new construction or substantial improvements to be undertaken within said district shall be in accordance with the Massachusetts Uniform Building Code.

2337 Use of Available Flood Data. In A Zones, in the absence of FEMA BFE data and floodway data, the building department will obtain, review and reasonably utilize base flood elevation and floodway data available from a Federal, State, or other source as criteria for requiring new construction, substantial improvements, or other development in Zone A as the basis for elevating residential structures to or above base flood level, for floodproofing or elevating nonresidential structures to or above base flood level, and for prohibiting encroachments in floodways.

2338 Floodway encroachment. In Zones A, A1-30, and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

2339 Any man-made alteration of sand dunes within designated V Zones which might increase the potential for flood damage shall be prohibited.

2340 Other Use Regulations

1. Within Zone AO or AH on the FIRM, adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from proposed structures.
2. All subdivision proposals shall be designed, based upon pre-construction and post-construction drainage calculations provided by a professional engineer, to assure that:
 - a. Such proposals minimize flood damage;
 - b. All public utilities and facilities shall be located and constructed to minimize or eliminate flood damage; and
 - c. Adequate drainage shall be provided to reduce exposure to flood hazards.
3. When proposing subdivisions or other developments greater than 50 lots or 5 acres (whichever is less), the proponent must provide technical data to determine base flood elevations for each developable parcel shown on the design plans.
4. Recreational vehicles
In all A or V zones, all recreational vehicles to be placed on a site must be elevated and anchored in accordance with the zone's regulations for foundation and elevation requirements or be on the site for less than 180 consecutive days or be fully licensed and highway ready.

2341 Variances.

Any variance from the requirements of this section shall be considered a use variance and no use variance shall be issued from this section by the Zoning Board of Appeals. Only the Massachusetts State Building Code Commission may grant a variance from the building code requirements in the floodplain. In such case:

1. The Town will request from the State Building Code Appeals Board a written and/or audible copy of the portion of the hearing related to the variance, and will maintain this record in the community's files.
2. The Town shall also issue a letter to the property owner regarding potential impacts to the annual premiums for the flood insurance policy covering that property, in writing over the signature of a community official that (i) the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction below the base flood level increases risks to life and property.
3. Such notification shall be maintained with the record of all variance actions for the referenced development in the floodplain overlay district.

2342 Variances to local Zoning Bylaws related to community compliance with the National Flood Insurance Program. A variance from these floodplain bylaws must meet the requirements set out by State law, and may only be granted if: 1) Good and sufficient cause and exceptional non-financial hardship exist; 2) the variance will not result in additional threats to public safety, extraordinary public expense, or fraud or victimization of the public; and 3) the variance is the minimum action necessary to afford relief.

2343 Other Laws. Where these flood area provisions impose greater or lesser restrictions or requirements than those of other applicable by-laws or regulations, the more restrictive provisions shall apply.

1. Disclaimer of liability
The degree of flood protection required by this bylaw is considered reasonable but does not imply total flood protection.
2. Severability section
If any section, provision or portion of this bylaw is deemed to be unconstitutional or invalid by a court, the remainder of the ordinance shall be effective.

2344 Notification of Watercourse Alteration. In a riverine situation, the Zoning Enforcement Officer shall notify the following of any alteration or relocation of a watercourse:

- Adjacent Communities
- NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
251 Causeway Street, Suite 600-700
Boston, MA 02114-2104
- NFIP Program Specialist
Federal Emergency Management Agency, Region I
99 High Street, 6th Floor
Boston, MA 02110

2345 Requirement to submit new technical data. If the Town acquires data that changes the base flood elevation in the FEMA mapped Special Flood Hazard Areas, the Town will, within 6 months, notify FEMA of these changes by submitting the technical or scientific data that supports the change(s.) Notification shall be submitted to:

- FEMA Region I Risk Analysis Branch Chief
99 High St., 6th floor, Boston, MA 02110

And copy of notification to:

- Massachusetts NFIP State Coordinator
MA Dept. of Conservation & Recreation,
251 Causeway Street, Boston, MA 02114

2346 Definitions

DEVELOPMENT means any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. [US Code of Federal Regulations, Title 44, Part 59]

FLOODWAY The channel of the river, creek or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. [Base Code, Chapter 2, Section 202]

FUNCTIONALLY DEPENDENT USE means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities. [US Code of Federal Regulations, Title 44, Part 59] Also [Referenced Standard ASCE 24-14]

HIGHEST ADJACENT GRADE means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. [US Code of Federal Regulations, Title 44, Part 59]

HISTORIC STRUCTURE means any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (1) By an approved state program as determined by the Secretary of the Interior or
 - (2) Directly by the Secretary of the Interior in states without approved programs.

[US Code of Federal Regulations, Title 44, Part 59]

NEW CONSTRUCTION. Structures for which the start of construction commenced on or after the effective date of the first floodplain management code, regulation, ordinance, or standard adopted by the authority having jurisdiction, including any subsequent improvements to such structures. New construction includes work determined to be substantial improvement. [Referenced Standard ASCE 24-14]

RECREATIONAL VEHICLE means a vehicle which is:

- (a) Built on a single chassis;
- (b) 400 square feet or less when measured at the largest horizontal projection;
- (c) Designed to be self-propelled or permanently towable by a light duty truck; and
- (d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

[US Code of Federal Regulations, Title 44, Part 59]

SPECIAL FLOOD HAZARD AREA. The land area subject to flood hazards and shown on a Flood Insurance Rate Map or other flood hazard map as Zone A, AE, A1-30, A99, AR, AO, AH, V, VO, VE or V1-30. [Base Code, Chapter 2, Section 202]

START OF CONSTRUCTION. The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement is within 180 days after the date of issuance. The actual start of construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns. Permanent construction does not include land preparation (such as clearing, excavation, grading or filling), the installation of streets or walkways, excavation for a basement, footings, piers or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual “start of construction” means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Base Code, Chapter 2, Section 202]

STRUCTURE means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. [US Code of Federal Regulations, Title 44, Part 59]

SUBSTANTIAL REPAIR OF A FOUNDATION. When work to repair or replace a foundation results in the repair or replacement of a portion of the foundation with a perimeter along the base of the foundation that equals or exceeds 50% of the perimeter of the base of the foundation measured in linear feet, or repair or replacement of 50% of the piles, columns or piers of a pile, column or pier supported foundation, the building official shall determine it to be substantial repair of a foundation. Applications determined by the building official to constitute substantial repair of a foundation shall require all existing portions of the entire building or structure to meet the requirements of 780 CMR. [As amended by MA in 9th Edition BC]

VARIANCE means a grant of relief by a community from the terms of a flood plain management regulation. [US Code of Federal Regulations, Title 44, Part 59]

VIOLATION means the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in §60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided. [US Code of Federal Regulations, Title 44, Part 59]

Article 30. Zoning Bylaw Amendment: Permitted Principal Uses. To amend the Provincetown Zoning Bylaws, Article 2, Section 2440 Permitted Principal Uses as follows:

		Residential			Commercial		Sea-shore	Public Use
		Res1	Res2	Res3 ResB	TCC	GC	S	M
A.	Residential							
A1a	Single Family Dwelling							
	1. one per lot	YES	YES	YES	YES	YES	NO	NO
	2. two per lot (each separate structure)	NO	PB	YES	YES	YES	NO	NO
	3. three per lot	NO	NO	PB	PB	PB	NO	NO
	4. four or more per lot	NO	NO	PB	PB	PB	NO	NO

		Residential			Commercial		Sea-shore	Public Use
		Res1	Res2	Res3 ResB	TCC	GC	S	M
A1b	Two Family Dwelling							
	1. one per lot	NO	PB	YES	YES	YES	NO	NO
	2. two per lot	NO	NO	PB	PB	PB	NO	NO
	3. three per lot	NO	NO	PB	PB	PB	NO	NO
	4. four or more per lot	NO	NO	PB	PB	PB	NO	NO

Article 31. Zoning Byaw Amendment: Dimensional Schedule & Green Area. To amend the Provincetown Zoning Bylaws, Article 2, Section 2560 Dimensional Schedule as follows: 2560 Dimensional Schedule (See Section 4100 for additional multi-family and commercial accommodation requirements)

Requirements	Residential			Commercial		Seashore	Public Use
	Res1	Res2	Res3 ResB	TCC	GC ³	S	M
Min. Lot Area (square feet)	16,000 ⁷	5,000	5,000	5,000	7,000	120,000	--
Min. Lot Frontage (linear feet)	100 ⁷	50	50	50	70	--	--
Min. Front Yard (feet)	30	20 ¹	20 ¹	10 ¹	10	50	--
Min. Side Yard (feet)	15	6	6	5 ²	10	25	--
Min. Rear Yard (feet)	20	15 ¹	10 ¹	10 ¹	25	25	--
Max. Lot Coverage (%)	40	40	40	60 ⁸	40	--	--
Min. Green Area (%) ⁸	30	30	30	10	30	--	--
Max. Number of Stories ⁴ (Refer to Story in Definitions)	2 ½	2 ½	2 ½	2 ½	2 ½	2 ½	2 ½
Max. Building Heights ⁵							
Hip, gable and Shed_roofs (feet) ⁶	33	33	33	33	33	33	33
Mansard, gambrel, arch, or dome roofs (feet)	28	28	28	28	28	28	28
Flat roof defined as less than 3/12 pitch (feet)	23	23	23	23	23	23	23

Footnotes: 8. May be altered or waived by Special Permit from the Planning Board.

And to delete Article 4, Section 4150 Green Area in its entirety as follows:

4150 Green Area A minimum of 30% of every lot, regardless of size, shall be reserved for green areas. This requirement may be altered or waived by Special Permit from the Planning Board.

Article 32. Zoning Bylaw Amendment: Residential Design Standards. To amend the Provincetown Zoning Bylaws, Article 4 Section 4180 Residential Design Standards as follows:
4163 Residential Design Standards.

2. Driveway curb radii at street intersections shall not be less than five feet

Article 33. Zoning Bylaw Amendment: High Elevation Protection District. To amend the Provincetown Zoning Bylaws, Article 2 Districts and District Regulations, Section 2320 High Elevation Protection District as follows:
2320 High Elevation Protection District

A. Purpose. To preserve high elevation dunes which are of natural scenic beauty, important to the tourist economic base of the Town, and which present serious concerns regarding the consequences of erosion.

B. District Delineation. All elevations above the 40' contour line shall be delineated as HEP District A; all elevations above the 60' contour line shall be delineated as HEP District B.

C. Special Regulations for HEP Districts A and B. All new construction or additions and expansions, including but not limited to decks greater than 1' above the natural grade and other non-enclosed structures, even if the overall footprint is not being enlarged or any excavation, land removal or earth moving of more than 2500 cubic feet that will alter the topography from natural grade, whether or not subject to a building permit shall be subject to High Elevation Site Plan Review subject to the procedure specified in Section 4020 and the following requirements:

1. To facilitate siting and design related to the special considerations of the setting, the High Elevation Site Plan shall conform to the requirements of Section 4025 through 4028 and the following additional information shall accompany the site plan:
 - a. Placement, height, physical characteristics of all existing and proposed building and structures;
 - b. Proposed landscape features including location and description of screening, fencing and planting;
 - c. Viewpoints (photographs of site from points along harbor front, streets, highways and town entry vistas;
 - d. Measures to be undertaken during and after construction to prevent erosion;
2. In its High Elevation Site Plan Review, the Planning Board shall apply the following standards:
 - a. Placement of buildings, structures, or signs shall not detract from the site's scenic qualities and shall blend with the natural landscape.
 - b. Building sites shall be directed away from the crest of hills in order to preserve the visual and physical integrity of the dune unless such siting shall be more detrimental to the physical integrity of the dune.
 - c. Developments for more than one structure shall incorporate variable setback and multiple orientation.
 - d. Foundations shall be constructed to reflect natural slope of the terrain; excessive support members or mechanical systems shall be covered and screened.
 - e. Landscaping shall consist primarily of native trees and plants.

- f. Retaining walls shall be screened with appropriate materials.
- g. Any grading or earth-moving shall be planned and executed in such a manner that final contours are consistent with existing terrain both on and adjacent to the site.
- h. Utilities shall be constructed and routed to minimize detrimental effects on the visual setting.
- i. Storage of petroleum products shall be placed on a diked impermeable surface.
- j. All run-off from impervious surfaces shall be recharged on site by being diverted to storm water infiltration basins designed to handle a 25-year storm and covered with natural vegetation.
- k. No area totaling 2000 square feet or more on any parcel or contiguous parcels in the same ownership shall have existing vegetation clear-stripped or be filled 6 inches or more so as to destroy existing vegetation unless special controls are approved to control run-off, avoid erosion, and either a constructed surface or cover vegetation provided and mulched by end of August. No such areas shall remain through the winter without plant material cover.
- l. During construction runoff shall be trapped on site and all exposed or disturbed areas shall be permanently stabilized within six months of (permanent or final) the end of work.
- m. That the plan shall conform to the Illumination Standards of Section 3430 Illumination.

Article 34. Zoning Bylaw Amendment: Site Plan Requirements. To amend the Provincetown Zoning Bylaws, Article 4 Special Regulations, Section 4025 and 4027 Required Contents of Site Plan as follows:

4025. Required Contents of Site Plan.

4027. All site plans shall be on standard 18" x 24" or 24" x 36" sheets, or otherwise as deemed appropriate by the review authority, and shall be prepared at a standard engineering scale appropriate to the size of the site, and the level of detail required. At least one set of drawings shall be provided at 11" x 17". All drawings at this size shall also include a graphic scale. Plans in an acceptable electronic format shall also be provided. Separate plans shall be provided for following:

- a. Existing condition including contours, utilities and vegetation
- b. Proposed Grading (2' contours, max.) Layout (fully dimensioned),
- c. Proposed Utilities
- d. Proposed Landscaping
- e. Proposed Lighting Plan consistent with Section 3430 including manufacturer's specification sheet

Article 35. Zoning Bylaw Amendment: Commercial Design Standards. To amend the Provincetown Zoning Bylaws, Article 4 Special Regulations, Section 4053 Commercial Design Standards as follows:
4053 Commercial Design Standards.

3. Appearance/Architectural Design: Architectural design shall be compatible with other buildings in the neighborhood through use of appropriate building materials, screening, breaks in roof and wall lines and other architectural design elements. Variation in detail, form and siting shall be used.

Article 36. Zoning Bylaw Amendment: Outdoor Display. To delete Provincetown Zoning Bylaws, Article 3 Section 3420 Outdoor Display in its entirety.

Article 37. Zoning Bylaw Amendment: Restaurants/Bars/Entertainment. To amend the Provincetown Zoning Bylaws, Article 2 Section 2440 Permitted Principal Uses as follows:

		Residential			Commercial		Sea-shore	Public Use
		Res1	Res2	Res3 ResB	TCC	GC	S	M
B. Business								
B5	Restaurants, Bars, Entertainment	NO ^{2,6}	NO	BA ^{2, 6, 18}	YES ⁶	YES ⁶	NO	NO

Footnotes

2. Food service, retail and other ancillary services commonly associated with a hotel, motel or inn use may be permitted by BA within an establishment
6. No sale of food, drink, or other products to persons standing in the street, sidewalk, or parking areas at or about such establishment. Other outdoor service, outdoor dining or outdoor entertainment may be allowed only with a Special Permit from the Board of Appeals. Outdoor service, outdoor dining or outdoor entertainment shall mean service that is provided outside the building envelope, whether on a patio, deck, lawn, parking area, or other outdoor space, and may be provided under awnings, table umbrellas or other coverings from the elements, provided, however, that at least 50 percent of the perimeter of any covered space must remain open and unobstructed by any form of building wall, siding or barriers and that a screen shall not be considered a barrier. Any permit application under this section shall specify the area in which it is proposed that entertainment be offered, food or alcoholic beverages be served, and is to be accompanied by a plan showing the specific area of the proposed usage. An existing licensed use covered by this Section which does not have a Special Permit may continue (i.e. its license may be renewed or transferred) as non-conforming until a change, addition, or alteration (other than the name of the establishment) is made.
18. If existing as of October 1, 2006.

AND further to delete Section 2460.

Article 38. Zoning Bylaw Amendment: Illumination Standards. To amend the Provincetown Zoning Bylaws, Article 3 General Requirements, Section 3430 Illumination as follows:

3430 Illumination

3431 Applicability

All exterior lighting installed in Provincetown after the effective date of this Section shall conform with the requirements of this Bylaw. This includes, but is not limited to, new lighting, replacement lighting, or any other lighting whether attached to structures, poles, the earth, or any other location. All exterior lighting fixtures that were lawfully installed prior to the effective date of this Section, but that do not comply with the requirements of this Section, are declared to be legal non-conforming light fixtures. All legal non-conforming lighting may continue to be used and maintained after the adoption of this Section, but shall be subject to the Light Trespass (3433 b.) provisions of this Section, and shall be brought into compliance when replacement with new lighting equipment is proposed, except a replacement of only lamps or bulbs.

3432 Lighting Plans

All site plan applications that include exterior lighting shall include a lighting plan and lighting fixture specification sheets that show the type, lumen output, Correlated Color Temperature (CCT), shielding description, location, and height, of all proposed lighting fixtures. The applicant shall provide sufficient information to verify that lighting conforms to the requirements of this Section. Projects that include Parking Lots with greater than ten (10) parking spaces, service station projects, or

developments of similar large areas of lighting shall submit a photometric site plan that demonstrates compliance with the requirements of this Section.

3433 Requirements

a. Shielding

All exterior light fixtures and/or lamps with initial lumens exceeding 800 lumens shall be fully shielded. Fully shielded means that an outdoor light fixture is constructed so that, in its installed position, all of the light emitted by the light fixture is projected below the horizontal plane that passes through the lowest light-emitting part of the light fixture.

1. Exception:

Lighting of building facades, landscape features, monuments, flagpoles and similar objects, if the lighting fixtures are shielded, focused directly at the object being illuminated, and emit the minimum light output that is necessary, in order to reduce light pollution to the greatest extent possible.

b. Light Trespass and Glare

No exterior light fixture shall create a lighting nuisance in the form of light trespass or glare. Light Trespass and Glare are lighting nuisances when they cause significant discomfort to occupants of adjacent properties, or create a hazard to public safety along a public way. This determination will be made by the Building Commissioner or Building Commissioner's designee through a site visit and a visual inspection and/or night-time photograph.

c. Light Color Temperature

The correlated color temperature (CCT), measured in Kelvin (K), of all light sources shall be 3,000K or lower ("warmer") with the exception of lighting within the Town Center Commercial or General Commercial zones that is for decorative effect to enhance nightlife or the appearance of buildings.

d. Lighting Fixture Height

No lighting fixture, whether mounted on a building, pole, or otherwise, shall be located more than 15-feet above grade, except where required by the Building Code.

e. Externally Illuminated Signs

Externally illuminated signs shall employ only fully shielded lights fixed within three feet of the surface they illuminate.

3434 Exemptions

The following are exempt from compliance with the provisions of this Section:

a. Holiday, string, festoon, and similar decorative lighting.

b. Emergency lighting, only for as long as emergency conditions so identified by public safety personnel continue to exist. This includes the activities of law enforcement, fire and other emergency services.

c. Lighting employed during repairs of roads, utilities and similar infrastructure, including unshielded lighting, provided that such lighting is deployed, positioned and aimed such that the resulting glare is not directed toward any roadway.

d. Any form of lighting whose use is mandated or otherwise governed by any legal jurisdiction superior to that of the Town of Provincetown.

e. Temporary lighting required to save life, limb or property from imminent peril, provided that use persists only during the hours of the peril.

f. Temporary lighting for events sponsored by the Town or for which a Town license or other approval has been issued, such as concerts, fairs, festivals, and theatrical or video production.

g. Structures exceeding 60 ft. in height, including the Pilgrim Monument, water towers, and radio communication towers.

- h. Municipal sports field or athletic facility lighting.
- i. Municipal street lighting.

Emmett Catanese
Provincetown Town Clerk

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