

ORDINANCE NO. 74

ARTICLE I General Provisions

SECTION 1. TITLE

This Ordinance shall be referred to as the "*Sign Ordinance of Benner Township.*"

SECTION 2. GENERAL

2.1 Intent and purpose

This Ordinance's intent and purpose is to regulate and control signs within the Township for the safety, convenience and welfare of the residents; to avoid signs individually or collectively which are confusing, distracting or impair visibility along streets or other traffic areas; to protect and enhance the visual environment of the Township; to prevent and minimize damage to the environment; and to protect publicly traveled ways, parks, reservations and viewing areas from unnecessary signage.

This Ordinance intends to establish regulations governing the display of signs which:

- A. Promote and protect the public health, safety, comfort, and convenience of residents;
- B. Enhance the economy, business and industry of the area by promoting reasonable, orderly, and effective sign displays encouraging increased communications with the public;
- C. Restrict signs and lights overloading the public's capacity to receive information or increases the probability of traffic congestion and accidents by distracting attention or obstructing vision;
- D. Reduce conflict among signs and light, and between public and private environmental information systems;
- E. Promote signs compatible with their surroundings, appropriate to their type of activity, and expressive to the identity of proprietors and other persons displaying the signs; and
- F. Preserve the Township's rural character stated in the Township's Comprehensive Plan.

2.2 Interpretation

Interpretation and application of the provisions of this Ordinance shall be held to be the minimum requirements necessary for the promotion and protection of the public health, safety, comfort, and convenience.

2.3 Conflicting requirements

If any provision or requirement of this Ordinance conflicts with other provisions or requirements of this Ordinance or of any other governmental law, ordinance resolution, rule or other regulation establishing more restrictive rule or higher standards shall govern.

ARTICLE II
Definitions

SECTION 1. DEFINITIONS

For the purpose of this Ordinance, the following definitions shall be observed and applied except where clearly indicated otherwise:

- A. Words used in the present tense include the future tense; the singular number includes the plural and the plural number includes the singular; words of masculine gender include feminine gender and words of feminine gender include masculine gender.
- B. The words “shall” and “must” are mandatory; the words “may” and “should” are permissive.
- C. The word “building” shall have the same meaning as the word “structure” and shall include all improvements of every kind, regardless of similarity to buildings.
- D. The words “used or occupied” include the words “intended, designed, maintained, or arranged to be used or occupied.”
- E. The word “person,” “applicant,” “developer,” and “owner” shall include an individual firm, association, organization, partnership, trust, company, public or private corporation for profit or not-for-profit, political subdivision, agency or instrumentality of the Commonwealth, bureau or agency of the United States, or any other similar entity.
- F. The word “municipal” shall mean Benner Township.
- G. The word “municipality” shall mean Benner Township.
- H. The word “planning agency” and “planning commission” shall mean the Benner Township Planning Commission.
- I. The word “Supervisors” shall mean the Benner Township Board of Supervisors.
- J. Words and terms shall have the meaning set forth, except where otherwise specifically indicated. Words and terms not defined herein shall be defined as in Webster's New Collegiate Dictionary.

AWNING (Back-lit) — Any awning, fixed or retractable, incorporating transparent or translucent materials in its covering and is illuminated by light sources behind the covering.

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AWNING (Fixed) — Fixed structure supported by frames or bracketing extending outward from a wall of a building not retracted or rolled up and constructed to provide shade or shelter.

AWNING (Retractable) — Structure fastened to a wall of a building when closed or rolled up does not extend 8 inches beyond the face of the building and, when extended, is constructed to provide shade or shelter.

BANNER — Hung either with or without a frame possessing characters, letters, illustrations, or ornamentations applied to paper, plastic, or fabric excluding flags, emblems, and insignia or political, professional, religious, education, or corporate organizations providing such flags, emblems, and insignia are displayed for non-commercial purposes.

BUILDING MARKER SIGN — Indicates the name of a building, date and other information about its construction. Sign may be cut into masonry surfaces, made of bronze, or other permanent material.

BUSINESS SIGN — Directs attention to a business, profession, activity, commodity, service, product price, or entertainment conducted, sold, or offered on a premises on which it is displayed.

CANOPY — Permanent or temporary structure, other than an awning or marquee, attached to a building over an entrance and carried by a frame supported by the ground or sidewalk, extending from the entrance to or over a sidewalk providing shade or shelter to pedestrians walking from the sidewalk to the building's entrance. Marquee is not a canopy.

CHANGEABLE COPY SIGN — Sign with characters, letters, or illustrations capable of changing or rearrangement without alteration of the face or surface of the sign. Sign with messages changing more than 8 times per day shall be considered an animated or moving sign, and not a changeable copy sign. Sign changing by electronic or mechanical indication of only time or temperature shall be considered a “time and temperature” sign and not a changeable copy sign.

CLEAR SIGHT TRIANGLE – An area at a street intersection in which only certain specified signs are permitted.

CODE ENFORCEMENT OFFICER — Agent, as authorized by the Benner Township Board of Supervisors, to enforce the provisions of this Ordinance.

COMMERCIAL MESSAGE — Any sign wording, logo, or representation, directly or indirectly, names, or advertises a business, product, service or other commercial activity.

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CONSTRUCTION SIGN — Identifies individuals or companies involved in design, construction, wrecking, financing, or development of a premises under construction only for the duration of the work.

CURB LEVEL — Level of established curb in front of a building or other structure measured at the center of the building front. Where no curb elevation is established, mean elevation of the center line of the street fronting the building or structure shall be considered the curb level.

CURB LINE — Vertical plane projected upward from the face of the curb along a street.

DIRECTIONAL SIGN — Contains no advertising providing direction or instruction to guide persons to facilities serving the public, including, but not limited to, signs identifying rest rooms, public telephones and walkways, parking areas, and other similar facilities. *Same as an Informational Sign.*

DIRECTORY SIGN — Contains name and/or address of occupant, address of premises, and/or identification of any legal business conducted at a premises.

FLASHING SIGN — Illuminated sign where artificial light sources are not stationary or constant in intensity and color when illuminated. For the purpose of this Ordinance, any moving illuminated sign affected by intermittent lighting shall be considered a flashing sign.

FREE-STANDING SIGN — Independent from any building or structure, supported permanently on the ground by poles, pedestals, or braces. Such signs include pole and monolith signs.

GOVERNMENTAL SIGNS — Erected by a governmental body bearing no commercial advertising, including such signs as traffic, railroad crossing, safety, and identification of public schools and playgrounds, etc.

GRADE LEVEL — Average level of the finished ground surface adjacent to a sign, or the exterior wall of a building where a sign is affixed.

GROUND SIGN — Supported by one or more uprights, poles, or braces placed in or on the ground. Such signs include monolith and pole signs.

HEIGHT OF SIGN — Vertical distance measured from the average ground level immediately below a sign to the highest point of the sign and its supporting structure.

HOME OCCUPATION SIGNS — Located in residential districts for home occupations containing no commercial message except advertisement of goods or services legally offered on the premises.

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ILLUMINATED SIGN — Provides artificial light directly through any transparent or translucent material from a light source connected with the sign, or a sign illuminated by a light focused directly at the sign surface.

INFORMATIONAL SIGN — Contains no advertising, provides direction or instruction to guide persons to facilities serving, including, but not limited to, those signs identifying rest rooms, public telephones, public walkways, parking areas, and other similar facilities. *Same as Directional Sign.*

INTERIOR SIGN — Located in the interior of a building or affixed to the inside of a window. *Same as a Window Sign.*

LOT — Designated parcel, tract, or area of land established by plot, subdivision, or otherwise permitted by law to be used, developed, or built upon under single ownership or control.

MARQUEE — Permanent structure fastened entirely to a building and projecting from the wall above an entrance designed and constructed to provide protection from the weather.

MARQUEE SIGNS — Attached to, in any manner, or made part of a marquee.

MONOLITH SIGN — Self-supporting sign with 50% or more of its horizontal dimension resting on the ground.

MOVING SIGN — Revolves, rotates, swings, undulates, or attracts attention through movement of its parts or through the impression of movement, including automatic, electrically controlled copy changes, but not including flags, banners, or pennants.

NONCONFORMING SIGN — Sign not conforming to the requirements of this Ordinance.

OFF-PREMISES SIGN — Contains a message unrelated to a business or profession conducted on the premises where the commodity, service or entertainment sold or offered is located.

PENNANT — Any lightweight plastic, fabric, or other material, whether or not containing a message, suspended by a rope, wire, or string, usually in series, designed to move in the wind.

PERMANENT SIGN — Sign that is not temporary.

POLE SIGN — Affixed to a single upright pole without guys, braces or other supporting framework.

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PORTABLE SIGN — Any sign designed to be moved easily and not permanently affixed to the ground or to a structure or building.

PREMISES — Area occupied by a business or other public enterprise. When more than one business occupies a single building on ground floor, each business area is considered a separate premises. Businesses or other public enterprises occupying other floors shall be considered separate premises.

PROJECTING SIGN — Affixed to a building or wall where leading edge extends more than 6 inches beyond the surface of the building or wall.

REAL ESTATE SIGN — Used to offer for sale, lease, or rent the premises or property where the sign is located.

ROOF SIGN — Erected and constructed completely on and over a roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.

ROOF SIGN (INTEGRAL) — Erected or constructed as an integral or basically integral part of a normal roof structure. No part of the sign shall extend vertically above the highest portion of the roof, or separated from the rest of the roof by a space of more than 6 inches.

SHOPPING CENTER — Group of continuous retail stores planned and developed as a single unit having a total ground floor building area of not less than 60,000 sq. ft.

SIGN — Any identification, description, illustration, advertisement, or device, illuminated or non-illuminated, visible to the public directing attention to a product, service, place, activity, person, institution, business or solicitation, including permanently installed merchandise; or any emblem, painting, flag, banner, pennant, or poster designed to advertise, identify, or convey information.

SIGN AREA — Smallest triangle, rectangle or circle completely enclosing the surface area of a sign. All visible faces of a multi-faced sign shall be counted separately and totaled in calculating sign area. Three dimensional signs shall be treated as double-faced signs. The total area shall be twice the area of the smallest triangle, rectangle or circle totally circumscribing the sign in the plane of its largest dimension.

SIGN REVIEW BOARD - Body empowered by the Benner Township Supervisors to hear all cases involving variances to the sign ordinance, prior to submission to the Zoning Hearing Board. For the purposes of this Ordinance, the Benner Township Planning Commission shall be appointed by the Benner Township Supervisors as the Sign Review Board.

STREET — Public or dedicated right-of-way 33 ft. or more in width or a private right-of-way or easement or a proposed right-of-way widening or extension of an existing street or public way on any approved plan, street, avenue, boulevard, road, highway, freeway, park

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way, lane, alley, viaduct, and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private.

STREET FRONTAGE — Distance a lot line or lot adjoining a street, from one lot line intersecting the street to the furthest distant a lot line interceding the same street.

SUSPENDED SIGN — Suspended from the underside of a sign.

TEMPORARY SIGN — Constructed of cloth, canvas, fabric, wood or other similar material, with or without a structural frame, and intended for a limited period of display.

VEHICLE SIGN – A sign which is affixed to a vehicle in such a manner that the carrying of such sign or signs is no longer incidental to the vehicle’s primary purpose but becomes a primary purpose in itself.

WALL SIGN — Attached parallel to, but within 12 inches of, a wall, painted on the wall surface, or erected and confined within the limits of any outside building wall where supported and displays only one sign surface.

WARNING SIGN — Warns the public of danger, and contains no advertising material. Warning signs may be of any type, number, area, height, location, or illumination needed to warn the public of danger.

WINDOW SIGN — Attached to, placed or painted on the interior of a window or door of a building viewed from the exterior of the building. *Same as an Interior Sign.*

ZONING HEARING BOARD — Zoning Hearing Board of Benner Township.

ZONING ORDINANCE — Zoning Ordinance of Benner Township.

**ARTICLE III
Signs in General**

SECTION 1. GENERAL PROVISIONS

1.1 How signs are regulated

Sign displays in the Township are regulated as follows:

- A. Use;
- B. Sign design features:
 - (1) Area
 - (2) Height
 - (3) Location
 - (4) Type

1.2 Number per premises

No more than 5 signs may be erected or maintained on any one premises at any one time, unless otherwise regulated in this Ordinance; except if a premises is located on a corner lot and has entrances on two (2) or more streets, or if a building has both a front and rear entrance, one additional sign may be erected. In calculating the total number of signs on a premises, permanent signs shall be counted.

1.3 Sign face

Double-faced signs shall count as a single sign.

1.4 Sign area

Sign area shall not exceed 2 sq. ft. per linear front foot or 100 sq. ft. of the main building on the premises unless otherwise regulated in this Ordinance. In no case shall the total sign area of all permanent signs on one premises exceed a total of 200 sq. ft., except for shopping centers in Commercial Districts where one additional shopping center identification sign may be located along each street frontage used as an entrance. Total sign area for a basement premises shall not exceed 20 sq. ft.

1.5 Height

No sign, or any part, including braces, supports or lights shall exceed a height of 18 ft., except as permitted in this Ordinance.

1.6 Safety and maintenance

- A. Every sign and its parts, including framework, supports, background, anchors and wiring systems shall be constructed and maintained in compliance with

Building, Electrical, and Fire Prevention Codes, as applicable. In the absence of an electrical code, the current version of the National Electrical Code shall be used as the standard for all wiring systems.

- B. All signs and its parts shall be kept in a good condition. Peeling paint shall be removed and replaced, broken letters or other parts shall be repaired or replaced, broken lights shall be replaced, and similar maintenance tasks shall be performed when necessary.

1.7 **Obsolete signs**

Any sign, whether existing or erected after the effective date of this Ordinance, no longer used shall be removed within 30 days by the owner or occupier of the building or premises upon termination of the advertised activity.

If such sign is not removed within the specified time, written notice shall be sent. The notice shall state that the sign shall be removed within 10 days upon receipt of the notice. If the sign is not removed, the Code Enforcement Officer may cause the immediate removal of the sign with all costs borne by the owner or occupier of the premises or building.

1.8 **Signs**

If the Code Enforcement Officer finds any sign unsafe or insecure, or a menace to the public, written notice shall be given to the owner or occupier of the building to have such correction occur within 10 days after upon receipt of notice. If the condition is not corrected within 10 days, the Code Enforcement Officer is authorized to cause the immediate removal of the sign with all costs borne by the owner or occupier of the premises or building.

1.9 **Street intersections**

At all intersections, no signs except traffic control signs, school warning signs, and similar signs as provided for by other portions of this Ordinance shall be permitted within a clear sight triangle established for a distance of 75 ft. from the point of intersection of the center lines of the intersecting streets.

SECTION 2. SIGNS PERMITTED IN ALL DISTRICTS

The following signs are permitted in all zoning districts of the Township, unless otherwise regulated in this Ordinance. These signs shall not require sign permits, and shall not be calculated when counting the number of signs on a premises, and shall conform with the regulations below:

- A. *Awning, canopy and marquee signs*--shall not exceed 4 sq. ft. in total sign area.

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- B. *Building marker signs*--shall not exceed 4 sq. ft. in total sign area.
- C. *Civic, religious, historical, plaque signs*--shall not exceed 4 sq. ft. in total sign area.
- D. *Directional, instruction or informational signs*--shall not exceed 4 sq. ft. in total sign area.
- E. *Flags, pennants, banners, holiday decorations and insignia* – see *Article IV, Section 2.2.1*
- F. *Governmental signs*
- G. *Interior and window signs*.
- H. *Political signs*--see *Article IV, Section 2.2.4*.
- I. *Property use signs*-- see *Article IV, Section 2.2.5*.
- J. *Roadside stand signs*-- see *Article IV, Section 2.2.7*. Signs shall not exceed 6 sq. ft. in total sign area.
- K. *Special event signs* -- see *Article IV, Section 2.2.8*.
- L. *Sport sponsorship signs*-- see *Article IV, Section 2.2.9*.
- M. *Warning signs*

SECTION 3. PROHIBITED SIGNS

The following signs shall not be permitted, constructed or maintained in any zoning district.

- A. *Moving signs* -- incorporate flashing or illumination, moving or varying intensity of color, moving or revolving parts, mechanical movement of any description, or other movement achieved by electrical pulsation or by actions of normal wind currents. Hanging signs swinging in the wind, clock signs, time and temperature signs and barber poles are exempted provided all provisions of this Ordinance comply.
- B. *Signs producing glare* -- Light sources casting light on signs shall be shielded by opaque material so bulbs, floodlights or tubes are not visible off the property.
- C. *Hazardous signs* -- Any sign or sign structure constituting a hazard to public safety or health.

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- D. Obstructing signs -- Signs by reason of size, location, content, coloring or manner of illumination obstructing vision of drivers, either on a street or driveway or upon entering a street from another street obstructing or detracting visibility or effectiveness of any traffic sign or control device on streets.
- E. Signs obstructing exit ways -- Any sign obstructing free ingress to or egress from fire escapes, windows or exit ways.
- F. Misleading confusing signs -- Signs using the words “stop”, “look”, “one-way”, “danger,” “yield,” or other similar words, phrases, symbols, lights or characters interfering, misleading or confusing traffic.
- G. Signs in Street Right-of-Ways -- Signs in street rights-of-way, unless erected by a governmental body, or required by order of a governmental body. Signs located within street rights-of-way shall not bear any commercial advertising or announcement.
- H. Signs on trees/utility poles -- Signs painted on, attached to or supported by a tree, stone, utility pole, cliff or other natural object within a public right-of-way.

SECTION 4. ILLUMINATION

All signs permitted by this Ordinance may be illuminated, as follows:

4.1 Glare

Signs shall be designed, located, shielded, and directed to prevent the casting of glare or direct light from artificial illumination upon streets and surrounding property.

SECTION 5. CONSTRUCTION SPECIFICATIONS

All permanent signs permitted by this Ordinance shall be constructed as follows:

5.1 Information affixed

All signs erected, after the effective date of this Ordinance, shall have affixed to the sign, the following information:

- A. date of placement;
- B. sign permit number; and
- C. voltage of electrical apparatus used in connection.

5.2 Other specifications

All signs permitted by this Ordinance shall be installed in accordance with the following provisions:

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- A. **Obstruction to exit.**
No sign shall be placed, constructed, or maintained that obstructs any fire escape, exits, windows, door openings, or wall openings used as ingress or egress.
- B. **Obstruction to ventilation.**
No sign shall be placed, constructed, or maintained that interferes with any openings for ventilation.
- C. **Clearance from electrical power and communication lines.**
All signs shall maintain horizontal and vertical clearance from all electrical power and communication lines in accordance with the applicable provisions of the current version of the National Electrical Code.
- D. **Clearance from surface and underground facilities.**
All signs and supporting structures shall maintain clearance with all surface and underground facilities and conduits for water, sewage, gas, electricity, or communications equipment or lines. Additionally, the placement of all signs and their supporting structures shall not interfere with natural or artificial drainage or surface or underground water. If determined by the Code Enforcement Officer, sign placement may be required to be reviewed by public utilities for acceptable clearances from their lines and equipment.

ARTICLE IV Sign Types

SECTION 1. PERMANENT SIGNS

1.1 Awning, canopy and overhangs

For the purpose of determining sign area and allowable signage, awnings, canopies, or overhangs containing signage shall be considered a part of the building to which attached, and lettering, logos or emblems appearing on such structures shall be considered a wall sign and subject to the regulations governing wall signs.

Sign area for awnings, canopies and overhangs shall be determined by the sign face including lettering, logos or emblems on the structure as described in the definition of *Sign Area*.

- A. Awnings, canopies, and/or overhangs shall not be used for advertising, except for the name of the owner and business or industry conducted at the premises.
- B. Awnings, canopies, or overhangs shall not extend over any rights-of-way.
- C. ***Illumination.*** Backlit illumination on awnings and canopies containing signage shall not be permitted beyond the size specified for wall signs.
- D. ***No Sign Permit needed:*** for signs of less than 4 sq. ft. of total sign area, containing only the name/description of the activity conducted at the premises. Advertising material is prohibited on signs affixed to awnings and canopies.

1.1.1 Awnings (Fixed)

In addition to the general regulations, fixed awnings shall not extend more than 5 ft. over front or rear yard setbacks.

1.1.2 Awnings (Retractable)

In addition to the general regulations, retractable awnings may be erected within the setback area over windows and doors, and may extend over a front yard setback. Retractable awnings may not be closer than 2 ft. to the curb line. Retractable awnings, including any skirt, shall be not less than 8 ft. above the sidewalk.

1.1.3 Canopies

In addition to the general regulations, canopies shall comply with the following regulations for construction and maintenance:

- A. Canopies are permitted for any retail, office or other commercial use, or for multi-family use or church use.
- B. Canopies shall not extend into the front yard setback and shall not be less than 8 ft. above the sidewalk.
- C. Canopies may not be closer than 2 ft to the curb line. Canopies may extend across front yard setbacks to the doorway of a building.

1.1.4 Overhangs

In addition to the general regulations of this Ordinance, overhangs containing signage shall comply with the following:

- A. Overhangs, when an integral part of a building or structure shall not extend into the front or rear yard setback more than 5 ft.
- B. Overhangs shall be not less than 8 ft. above a sidewalk.

1.2 Building marker signs

In addition to the general provisions of this Ordinance, the following regulations shall apply to all building marker signs. Name and address signs for buildings containing 6 or more residential units containing only the name of the building, name of the development where located, management, and/or address of the premises shall be subject to the following:

- A. **Area:** shall not exceed 4 sq. ft. for each face, or total sign area of 8 sq. ft.
- B. **Height:** shall be no higher than 7 ft., as measured from base of sign or grade of the nearest adjacent street, whichever is higher.
- C. **Location:** shall be no closer than 1/2 minimum required setback for the zoning district where located or within 15 ft. of any vehicular access point from a lot to a street.
- D. **Number.** There shall be no more than one building marker sign for each building except when a building abutting two (2) or more streets, additional signs, one oriented to each abutting street, shall be permitted.
- E. **Type:** may be either wall or ground signs.
- F. **No Sign Permit needed:** for signs not exceeding 2 sq. ft. of sign area for each face, or total sign area of 4 sq. ft., containing name of occupant, address of premises, and business operating at premises.

1.3 Civic, religious, historical, and plaque signs

In addition to the general provisions of this Ordinance, the following regulations shall apply to all civic, religious and historical, and plaque signs.

- A. Civic and religious organization signs containing the organization insignia, meeting place, and time; plaques, nameplates, memorial signs, grave markers, statutory, or other remembrances of persons or events affixed to structures; shall not exceed 2 sq. ft. for each face or 4 sq. ft. of total sign area. Religious symbols, commemorative plaques for recognized historical agencies, or identification emblems of religious orders or historical agencies shall not exceed 2 sq. ft. for each face or 4 sq. ft. in total sign area.

1.4 Directional signs

In addition to the general provisions of this Ordinance, the following regulations shall apply to all *Directional* signs.

- A. **No Sign Permit needed:** for signs not exceeding 4 sq. ft. in total sign area, providing direction or instruction to guide persons to facilities serving the public. Signs shall contain no advertising, and shall include those identifying restrooms, public telephones and walkways, affiliation with motor clubs, credit cards, and other similar signs providing direction or instruction to persons using the facility, but not including signs accessory to parking areas.

1.4.1 Parking lot directional or instructional signs

A. **Directional signs**

Signs designating parking areas are limited to one sign for each entrance and/or exit not exceeding 4 sq. ft. for each face, or a total of 8 sq. ft. of sign area. Parking lot directional signs shall be no higher than 5 ft. in height.

B. **Instructional signs**

Signs designating use or identification of parking areas shall not exceed 8 sq. ft. for each face, or total sign area of 16 sq. ft. Such signs shall be no higher than 10 ft. in height for wall signs, and 7 ft. for freestanding or pole signs.

1.4.2 Off-site directional signs

In addition to the general provisions of this Ordinance, the following regulations shall apply to all Off-site Directional signs.

- A. Signs may be placed along major streets to direct vehicles or pedestrians for premises locations far removed or not easily seen from major streets.
- B. Signs shall not extend into any street right-of-way, and may be permitted between the property line and building setback line.

- C. Signs shall be pole signs with a maximum sign area of 12 sq. ft. for each face, or total of 24 sq. ft. of a sign area.
- D. Sign content shall be limited to: name of establishment, direction and distance information.
- E. Signs shall not be located more than 500 ft. from business entrance or other street leading to the business, and shall be located on the same road side as the business entrance.
- F. No more than two (2) individual signs shall be erected within the 500 ft. area listed above in (E), and these signs shall all be attached to a single ground support structure. When more than two (2) off-site directional signs are requested at a single location, all information shall be combined into one sign not exceeding an sign area of 25 sq. ft. for each face, or 50 sq. ft. of total sign area.

1.5 Freestanding / pole signs

In addition to the general provisions of this Ordinance, the following regulations shall apply to freestanding or pole signs.

- A. Signs and all its parts, braces and supports shall not extend into any street right-of-way. Signs shall be located at least 10 ft. from the edge of the right-of-way, and shall not obstruct motorists.
- B. Signs shall not exceed 32 sq. ft. for each face, or 64 sq. ft. in total sign area. Sign face shall not exceed 10 ft. in any dimension.
- C. Each property may erect and maintain one projecting sign or one freestanding pole sign, but not both. No individual business or other enterprise within a shopping center may erect a ground or pole sign.
- D. No more than one sign shall be mounted to the supporting structure of any freestanding or pole sign, except for directional signs permitted by this Ordinance.
- E. Unless otherwise regulated in this Ordinance, any property located on a corner lot or having entrances onto two (2) or more street, one freestanding or pole sign may be erected toward each street.

1.6 Ground / monolith signs

In addition to the general regulations, the following regulations shall apply to all ground and monolith signs.

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- A. Signs and all its parts, braces and supports shall not extend into any street right-of-way. Signs shall be located at least 10 ft. from the edge of the right-of-way, and shall not obstruct motorists.
- B. Signs shall not exceed 32 sq. ft. for each face or 64 sq. ft. in total sign area. Sign face shall not exceed 10 ft. in any dimension.
- C. Each property may erect and maintain one monolith sign or one freestanding pole sign, but not both. No individual business or other enterprise within a shopping center may erect a ground or pole sign.
- D. No more than one sign shall be mounted to the supporting structure of any ground or monolith sign, except for *directional signs* permitted in this Ordinance.
- E. Unless otherwise regulated by this Ordinance, any property located on a corner lot or having entrances to two (2) or more streets, one ground or monolith sign may be erected toward each street.

1.7 Marquees / marquee signs

In addition to the general regulations, marquees that are placed over entrances to hotels, theaters, and public assembly buildings for curb loading and unloading spaces for vehicle passengers shall meet the following regulations:

- A. All marquees, including anchors, bolts, supporting rods and braces, shall be constructed of non-combustible materials and shall be designed by a structural engineer and approved by the Township before issuance of a Sign Permit.
- B. No portion of a marquee shall be less than 10 ft. above the sidewalk.
- C. No marquee shall be closer than 3 ft. to a curb line.
- D. No marquee shall be wider than the entrance of a building plus 2 ft. on each side. Where an entrance consists of multiple adjacent doors, multiple doors shall be treated as one single entrance.
- E. Marquees shall be supported by the building to which attached and no columns or posts used as supports shall be located in the front yard setback.
- F. ***Illumination.*** No backlit illumination on marquees containing signage shall be permitted beyond the size specified for wall signs.
- G. ***No Sign Permit needed.*** Signs not exceeding total of 4 sq. ft. of sign area containing the name of the business, activity and/or a brief description of the business. Advertising material is prohibited on signs affixed to marquees.

1.8 Home occupation signs

In addition to the general provisions of this Ordinance, the following regulations shall apply to all home occupation signs in residential zoning districts.

- A. Sign area shall not exceed 2 sq. ft. for each face or total area of 4 sq. ft.
- B. Sign Permit is required.

1.9 Projecting signs

In addition to the general provisions of this Ordinance, the following regulations shall apply to all projecting signs.

- A. Signs shall not extend more than 5 ft. into the front yard setback, nor shall any portion of any projecting sign be closer than 2 ft. to the curb line.
- B. Signs shall not exceed a height of 10 ft. above grade level.
- C. Single face shall not exceed 15 sq. ft. in sign area.
- D. Signs shall not have a vertical dimension greater than 6 ft.
- E. There shall be no more than one (1) projecting sign for any premises unless located on a corner lot having entrances on two (2) or more streets, then one (1) projecting sign may be erected toward each street.

1.10 Real estate development signs

In addition to the general provisions of this Ordinance, the following regulations shall apply to all real estate development signs.

- A. Signs shall be limited to developers or owners selling lots in a subdivision.
- B. Signs shall be located on the property where lots are for sale. Signs shall not advertise lots elsewhere, or the realtor's, developer's and/or landowner's business. Sign content shall be limited to the name of the development, map layout of the development, developer's name and telephone number of developer or their sales agents.
- C. There shall be no more than one (1) real estate development sign for any subdivision, unless such sign is located on a corner lot having entrances on two (2) or more streets in which case one (1) real estate development sign may be erected toward each street.
- D. Signs shall not exceed 32 sq. ft. for each face, or 64 sq. ft. of total sign area. No part of the sign shall be more than 10 ft. above grade or exceed 8 ft. in any dimension.

- E. Signs shall be removed when 75% of the lots in the subdivision are sold or leased.
- F. Artificial illumination of signs is prohibited.

1.11 Roof signs

In addition to the general provisions of this Ordinance, the following regulations shall apply to all roof signs.

- A. When viewed from a distance of 50 ft. directly in front of the sign face, and at a point 5 ft. above ground level, a roof sign shall show a background containing nothing other than a portion of the building supporting the sign.
- B. Only one (1) roof sign may be erected or maintained on a single property.

1.12 Wall signs

In addition to the general provisions of this Ordinance, the following regulations shall apply to all wall signs.

- A. Signs shall not extend above the top of the wall on which it is placed.
- B. Signs and any of its parts, shall not extend more than 12 inches beyond the wall on which mounted.
- C. Signs shall not extend beyond the left or right extremities of the wall to which attached.

1.13 Window and door signs

No Sign Permit is needed for signs fully located within the interior of any building, or within an enclosed lobby or court of any building, and signs located within the inner or outer lobby court or entrance of any theater.

SECTION 2. TEMPORARY SIGNS

2.1 General conditions

- A. **Permit required**
No person shall erect, construct, repair, alter, or relocate any temporary sign, within the Township, without first obtaining a Sign Permit from the Code Enforcement Officer as provided for in *Article VIII, Section 1.1* of this Ordinance.

B. No permit needed

Sign Permits are not required for temporary construction signs, temporary roadside stand signs, and all other signs described in *Article III, Section 2* of this Ordinance.

C. Illumination

Temporary signs may be illuminated, subject to *Article III, Section 4* of this Ordinance.

D. New businesses

New businesses awaiting installation of permanent signs may utilize portable signs for a period of not more than 60 days or until installation of permanent signs, whichever occurs first. Portable signs shall meet all the requirements of this Ordinance. Sign Permits are required for portable signs. Upon completion and installation of permanent signs, fees paid for the portable sign shall be applied to the fees for the permanent sign.

2.2 Temporary sign types

Temporary signs shall be limited to non-projecting wall, ground, freestanding or pole signs, or portable and wheeled signs as outlined below:

2.2.1 Banner, flags, pennants, holiday decorations and insignia

In addition to the general provisions of this Ordinance, the following regulations shall apply to all flags, pennants, holiday decorations and insignia signs.

- A. Flags, emblems, and insignia of political, professional, religious, educational, or fraternal organizations are permitted providing such items are displayed for non-commercial purposes.
- B. Holiday decorations, signs or other materials temporarily displayed on traditionally accepted civic, patriotic, or religious holidays related to observance of such holiday are permitted.
- C. **No Sign Permit Needed.** Sign Permits are not needed for the above-described items.

2.2.2 Business signs

Temporary business signs identifying special, unique, or limited activity, service, product, or sale limited duration shall be subject to the following:

- A. **Area.**
 - (1) **Residential areas.** Temporary home occupation signs shall not exceed 2 sq. ft for each face, or 4 sq ft. of total sign area.

SIGN REGULATIONS

- (2) **Non-residential areas.** Temporary business signs shall not exceed 32 sq. ft. for each face, or 64 sq. ft. total sign area.
- B. **Height.**
 - (1) **Residential areas.** Temporary home occupation signs shall be no higher than 7 ft., as measured from base of sign.
 - (2) **Non-residential areas.** Temporary business signs shall be no higher than 15 ft., as measured from base of sign.
- C. **Location.** Signs shall be located on the premises or lot where special, unique, or limited activity, service product, or sale is occurring. Signs may be located in yard setback areas, but shall not extend over any lot line or within 15 ft. of any vehicular access point to a street.
- D. **Number.** Two (2) temporary business signs may be placed on a premises at one time. Each sign may be placed and maintained for a period of 30 days, and shall be removed within 3 days upon termination of the activity, service, project, or sale.
- E. **Permit Required.** Sign Permits are required.

2.2.3 Construction signs

Temporary construction signs during construction are shall be subject to the following:

- A. **Area.**
 - (1) **Residential areas.** Signs shall not exceed 6 sq. ft. for each face, or 12 sq. ft. of total sign area.
 - (2) **Non-residential areas.** Signs shall not exceed 32 sq. ft. for each face, or 64 sq. ft. of total sign area.
- B. **Height.** In residential areas, signs shall not exceed 7 ft. in height. In non-residential areas, signs shall not exceed 15 ft. in height. Measurement shall be taken from base of sign.
- C. **Location.** Signs shall be located on the premises where construction is occurring. Signs may be located in any yard setback, but shall not extend over any lot line or within 15 ft. of any vehicular access point to a street.
- D. **Number.** One sign shall be permitted for each project or development.
- E. **Special conditions.** Signs may be placed and maintained for a 60 period prior to construction and shall be removed upon issuance of an Occupancy Permit or upon project completion.

2.2.4 Political signs

In addition to the general provisions of this Ordinance, the following regulations shall apply to all political signs.

- A. Signs shall be removed within 2 days after an election or referendum, and shall not be attached to trees, utility poles or other natural objects, or within street right-of-ways. Signs shall not obstruct motorists.
- B. No Sign Permit is required for the installation and maintenance of political signs.

2.2.5 Property use signs

In addition to the general provisions of this Ordinance, the following regulations shall apply to all property use signs.

- A. No trespassing, no hunting, no fishing, no dumping, no parking, towing and other similar signs (as set forth in Title 75 of the Pennsylvania Vehicle Code and its regulations and as set forth in Title 18 of the Pennsylvania Crimes Code and its regulations) not exceeding 2 sq. ft. for each face, or a total sign area of 4 sq. ft. are permitted.
- B. No Sign Permit is required for the installation and maintenance of property use signs.

2.2.6 Real estate signs

In addition to the general provisions of this Ordinance, temporary real estate signs advertising the sale, lease, or rent of a premises shall be subject to the following:

- A. **Area.**
 - (1) **Residential areas** Signs shall not exceed 6 sq. ft. for each face, or a total sign area of 12 sq. ft.
 - (2) **Non-residential areas.** Signs shall not exceed 32 sq. ft. for each face, or a total sign area of 64 sq. ft.
- B. **Height.** In residential areas, signs shall not exceed 7 ft. in height. In non-residential areas, signs shall not exceed 15 ft. in height. Measurement shall be taken from base of sign.
- C. **Location.** Signs shall be located on the premises for sale, lease, or rent, and may be located in any yard setback, but shall not extend over any lot line or within 15 ft. of any vehicular access point to a street.

- D. **Number.** No more than one sign for each lot except where a lot abuts two (2) or more streets, additional signs, one oriented to each abutting street, shall be permitted.
- E. **Special conditions.** Signs shall be removed within 7 days of the sale or lease of the premises.

2.2.7 Roadside stand signs

In addition to the general provisions of this Ordinance, the following regulations shall apply to all roadside stand signs.

- A. Signs shall be no larger than 6 sq. ft. in total sign area advertising roadside goods produced on the premises. Each premise or property is limited to two (2) signs. Both signs shall be displayed on the premises or property, and are not permitted within the street.
- B. No Sign Permit is required for installation and maintenance of roadside stand signs. When products no longer offered for sale, such signs shall be removed.

2.2.8 Special events

In addition to the general provisions of this Ordinance, the following regulations shall apply to all special event sign.

- A. Signs shall be no larger than 32 sq. ft. of total sign area advertising auctions and special events, charitable, community activities or service groups. Signs shall be removed within 2 days after the event, and placed no sooner than 4 weeks before the event.
- B. No Sign Permit is required for installation and maintenance of special event signs. Signs shall be removed at the end of the special event.

2.2.9 Sport sponsorship signs

In addition to the general provisions of this Ordinance, the following regulations shall apply to all sport sponsorship signs.

- A. Signs placed on the perimeter of an organizational sponsored youth athletic field for the sole purpose of sponsoring or contributing to the organized youth athletic sport.

SIGN REGULATIONS

- B. No Sign Permit is required for installation and maintenance of sport sponsorship signs. Sign shall be removed at the end of the sporting event.

ARTICLE V Sign Uses

SECTION 1. RESIDENTIAL SIGN USES

1.1 Signs in residential districts

1.1.1 AR-1 & R-2 districts

- A. All signs are prohibited in the Agricultural-Rural Residential (AR-1) and the Low-Density (R-2) Residential zoning districts except signs outlined in *Article III, Section 2, "Signs Permitted in All Districts"*.
- B. Illuminated signs are prohibited except for street address signs, doctor or dentist signs, and church or other places of worship signs.
- C. Regardless of any other provision this Ordinance, no sign may be constructed or maintained in any AR-1 and R-2 zoning districts exceeding 25 sq. ft. for each face, or 50 sq. ft of total sign area.

1.1.2 R-3 district

- A. All signs are prohibited in Medium-Density Residential zoning districts (R-3) except those outlined below:
 - 1. Any signs permitted in AR-1 and R-2 zoning districts, as outlined above.
 - 2. Wall signs denoting the name of an apartment building, fraternity or sorority house, boarding or rooming house, tourist home, nonprofit club, community or municipal center, funeral home or any other similar enterprises are permitted.
- B. Illuminated signs are prohibited in R-3 zoning districts, except for street address signs, doctor or dentist signs, churches or other places of worship.
- C. Regardless of any other provision in this Ordinance, no sign shall be constructed or maintained in R-3 zoning districts exceeding 25 sq. ft. for each face, or 50 sq. ft of total sign area.

SECTION 2. COMMERCIAL SIGN USES

For all commercial uses, only the following signs are permitted and only if accessory and incidental to a permitted or special use. All signs are subject to special conditions in later parts of this Section, and shall be subject to the following:

2.1 Airport

Airport signs shall be subject to the following; except those signs specifically regulated by the Federal Aviation Administration or the Pennsylvania Department of Transportation, Bureau of Aviation.

2.1.1 Directory signs

Directory signs containing the name of the occupants at the airport, containing no advertisement, shall be subject to the following:

- A. **Area.** Directory signs shall not exceed 32 sq. ft. for each face, or a total sign area of 64 sq. ft. for occupants located in building or hangers at the airport.
- B. **Height.** Signs shall be no higher than 10 ft., as measured from base of sign or building where affixed, or the grade of the nearest adjacent street, whichever is higher.
- C. **Location.** Signs may be located in any setback area, and shall not extend over any lot line or within 15 ft. of any vehicular access point from any lot to a street.
- D. **Number.** Only one directory sign for each office, industrial, and institutional building or complex under unified control consisting of two (2) or more occupants. Directory signs shall not be permitted for single occupant office, industrial, and institutional buildings or complexes.
- E. **Type.** Signs may either be wall, ground or pole signs.

2.1.2 Wall signs

- (1) **Area.** Signs shall not exceed 10% of the user's proportionate share of a building wall where affixed or 64 sq. ft., whichever is smaller,
 - (a) if the wall sign consists of individual, outlined, alphabetic, numeric, and/or symbolic characters without background except as provided by the building surface where affixed; and if illuminated, it shall be shielded silhouette lighting, or spot lighting, but visibly exposed on the face or sides of the characters; or
 - (b) wall signs located at airports are encouraged to utilize lettering and background similar in style and coloring.
- (2) **Height.** Signs shall be no higher than the wall where affixed, or 20 ft. as measured from the base of the building wall where affixed, whichever is lower.
- (3) **Location.** Signs may be located on the outermost wall of any principal building.

- (4) **Number.** There shall be no more than one wall sign for each principal tenant or use contained at the airport, except where a tenant or use abuts two (2) or more streets, additional signs, one oriented to each abutting street, shall be permitted.

2.1.3 Ground and pole signs

- (1) **Area.** Each airport may have one ground or pole sign containing the name of the airport. Sign area shall not exceed 50 sq. ft. for each face, not to exceed a total sign area of 100 sq. ft.
- (2) **Height.** Signs shall be no higher than 18 ft., as measured from base of sign.
- (3) **Location.** Signs may be located in any yard setback, but shall not extend over any lot line or within 15 ft. of any vehicular access point to a street.
- (5) **Number.** There shall not be more than one ground or pole sign for each airport.
- (6) **Required by FAA or Pennsylvania Bureau of Aviation.** Signs required by the Federal Aviation Administration and/or the Pennsylvania Department of Transportation, Bureau of Aviation for navigational safety are exempted from the applicable regulations of this Ordinance. Written proof of such requirements shall be presented to the Township for exemptions to be granted by the Township.

2.2 Shopping center

Shopping Center signs shall be subject to the following:

2.2.1 Directory signs

Directory signs containing the name of the occupants at the shopping center, containing no advertisement, shall be subject to the following:

- A. **Area.** Directory signs shall not exceed 32 sq. ft. for each face, or a total sign area of 64 sq. ft. for occupants located at the shopping center.
- B. **Height.** Signs shall be no higher than 10 ft., as measured from base of sign or building where affixed, or the grade of the nearest adjacent street, whichever is higher.
- C. **Location.** Signs may be located in any setback area, and shall not extend over any lot line or within 15 ft. of any vehicular access point from any lot to a street.
- D. **Number.** Only one directory sign for each office, industrial, and institutional building or complex under unified control consisting of

two (2) or more occupants. Directory signs shall not be permitted for single occupant office, industrial, and institutional buildings or complexes.

E **Type.** Signs may either be wall, ground or pole signs.

2.2.3 Ground and pole

- (1) **Area.** Signs shall not exceed a maximum of 1 sq. ft. of total sign area for each 1 1/2 lineal ft. of front footage of the lot not to exceed 200 sq. ft. of total sign area.
- (2) **Directory sign.** Each shopping center may have one ground or pole directory sign containing the names of the tenants at the shopping center. Sign area shall not exceed 32 sq. ft. for each face, or 64 sq. ft. of total sign area.
- (3) **Height.** Signs shall be no higher than 18 ft., as measured from base of sign or grade of the nearest adjacent street, whichever is lower.
- (4) **Location.** Signs may be located in any setback area, but shall not extend over any lot line or within 15 ft. of any vehicular access point to a street.
- (5) **Number.** There shall not be more than one ground or pole sign for each shopping center corner lot or other entrances

2.2.4 Wall signs

- (1) **Area.** Signs shall not exceed 10% of the user's proportionate share of the building wall where affixed or 64 sq. ft., whichever is smaller,
 - (a) if the wall sign consists only of individual, outlined, alphabetic, numeric, and/or symbolic characters without background except as provided by the building surface where affixed; and if illuminated, it shall be shielded silhouette lighting or spot lighting, but not visibly exposed on the face or sides of the characters; or
 - (b) all wall signs located at shopping center are encouraged to utilize lettering and background similar in style and coloring.
- (2) **Height.** Signs shall be no higher than the wall where affixed, or 20 ft., as measured from the base of the building wall where affixed, whichever is lower.
- (3) **Location.** Signs may be located on the outermost wall of any principal building.
- (4) **Number.** There shall not be more than one wall sign for each principal tenant or use contained at the shopping center except where a tenant or use abuts two (2) or more streets, additional signs, one oriented to each abutting street, shall be permitted.

SECTION 3. OFFICE PARK, INDUSTRIAL AND INSTITUTIONAL SIGNS

For all office, industrial and institutional signs, only are permitted if accessory and incidental to a permitted or special use:

3.1 Office park, industrial and institutional signs

Office park, industrial and institutional signs shall be subject to the following:

3.1.1 Wall signs

- (1) **Area.** Signs shall not exceed 10% of the area of the building wall where affixed, or 64 sq. ft., whichever is smaller. Sign area may be increased by 20%, except the sign area shall not exceed 64 sq. ft., if such wall sign:
 - (a) consists only of individual, outlined, alphabetic, numeric, and/or symbolic characters without background except provided by the building surface where the sign is affixed; and
 - (b) if illuminated, such shall be shielded silhouette lighting or spot lighting, but not visibly exposed on the face or sides of the characters.
- (2) **Height.** Signs shall be no higher than the wall where affixed or 20 ft., as measured from the base of the building wall where affixed, whichever is lower.
- (3) **Location.** Signs may be located on the outermost wall of any principal building, and shall not extend more than 16 inches from the wall.
- (4) **Number.** There shall not be more than one wall sign for each principal building except where the building abuts two (2) or more streets, additional signs, one oriented to each abutting street, shall be permitted.
- (5) **Special conditions.** When a principal building has two (2) or more permitted uses, the operator of each premises may install a wall sign upon their proportionate share of the building wall. Maximum sign area of each wall sign shall be determined by calculating the proportionate share of the building wall, including doors and windows and apply that proportion to the total permitted wall sign area of the building.

3.1.2 Ground and pole signs

- (1) **Area.** Signs shall not exceed 32 sq. ft. for each face, or a total sign area of 64 sq. ft.

- (2) **Height.** Signs shall be no higher than 25 ft., as measured from base of sign or grade of the nearest adjacent street, whichever is lower.
- (4) **Location.** Signs may be located in any setback area, but shall not extend over any lot line or within 15 ft. of any vehicular access point to a street.
- (5) **Number.** Only one ground or pole sign for each principal building.

3.1.3 Awning, canopy, or marquee signs

- (1) **Area.** Awning, canopy, or marquee signs shall not exceed 24 sq. ft., or not more than 50% of the sign area of the smallest face of the awning, canopy, or marquee where affixed.
- (2) **Height.** Signs shall be no higher than the top of the awning, canopy, or marquee where affixed.
- (3) **Location.** Signs may be affixed or located on any awning, canopy, or marquee.
- (4) **Number.** There shall be only one awning, canopy, or marquee sign exceeding a total sign area of 4 sq. ft. for each principal building. Awning, canopy, and marquee signs 4 sq. ft. or less in total sign area are exempt from the provisions of this Ordinance as specified in *Article III, Section 2.*

3.2 Office and industrial park signs

Office and industrial park signs containing the name of the park, the management or the developer, and/or the address or location of the park shall be subject to the following:

- A. **Area.** Signs shall not exceed 32 sq. ft. for each face, or a total sign area of 64 sq. ft.
- B. **Height.** Signs shall be no higher than 7 ft., as measured from base of or grade of the nearest adjacent street, whichever is higher.
- C. **Location.** Signs shall be located in the office or industrial park.
- D. **Number.** Only one office or industrial park sign for each vehicular access point to the park.
- E. **Type.** Signs shall be ground or pole signs.

3.3 Directory signs

Directory signs, additional to primary ground or wall signs, containing the name of the occupants of the premises where the sign is located, and containing no advertisement, shall be subject to the following:

SIGN REGULATIONS

- A. **Area.** Signs shall not exceed 5 sq. ft. for each occupant located in the building or complex.
- B. **Height.** Signs shall be no higher than 10 ft., as measured from base of sign or building where affixed, or the grade of the nearest adjacent street, whichever is higher.
- C. **Location.** Signs may be located in any setback area, and shall not extend over any lot line or within 15 ft. of any vehicular access point from any lot to a street.
- D. **Number.** Only one directory sign for each office, industrial, and institutional building or complex under unified control consisting of two (2) or more occupants. Directory signs shall not be permitted for single occupant office, industrial, and institutional buildings or complexes.
- E. **Type.** Signs may either be wall, ground or pole signs.

**ARTICLE VI
Nonconforming Signs**

SECTION 1. NONCONFORMING SIGNS

After the effective date of this Ordinance, there exist or will exist signs which do not conform to the requirements of this Ordinance, which, if lawful before this Ordinance became effective, may be continued subject to certain limitations, even though such nonconforming signs would be prohibited, regulated, or restricted under the terms of this Ordinance.

- 1.1** Nonconforming signs are subject to the following regulations:
- a. Nonconforming signs, once removed from their location after the effective date of this Ordinance, shall be replaced only with conforming signs.
 - b. Nonconforming signs destroyed by any means to 50% or more of replacement value immediately prior to destruction, shall be removed and shall be replaced only with a sign which complies with all the requirements of this Ordinance.
 - c. Nonconforming signs destroyed by any means to less than 50% of replacement value immediately prior to destruction may be repaired, but no repairs shall make the sign more nonconforming than the sign was at the time of destruction.
 - d. Nonconforming signs may be repainted, repaired, and similarly maintained, but no repair or maintenance shall make a sign more nonconforming than the sign was prior to the painting, repair or maintenance.
 - e. No nonconforming sign may be relocated unless to comply with all the requirements of this Ordinance.
 - f. No nonconforming sign shall be modified in any way which will further violate any regulation imposed by this Ordinance.
 - g. Nonconforming signs shall not be expanded.
 - h. Nonconforming signs (e.g., flashing, intermittent, etc.) that are inoperative for one (1) year or more shall not be re-activated.

ARTICLE VII
Administration and Enforcement

SECTION 1. ADMINISTRATION

1.1 Permit required

No person, may construct, alter, or relocate any sign within the Township without first obtaining a “Sign Permit” from the Code Enforcement Officer, except as follows:

- A. No Sign Permit is needed for exempted signs as specified in *Article III, Section 2* of this Ordinance.
- B. No Sign Permit is needed for routine maintenance or changes of parts or copy, providing such changes do not alter the sign area, height, or otherwise render the sign nonconforming.

1.2 Application

Applications for Sign Permits shall be submitted to the Code Enforcement Officer, and shall contain the following information:

- A. Name, address and phone number of applicant and/or property owner.
- B. Detailed drawing of the sign.
- C. Written consent or copy of contract between property owner and applicant for placement of sign, if applicant is not the owner.
- D. Location of the building, structure and/or land where sign now exists or is to be placed.
- E. Plan showing sign description, area, structural supports, and sign placement including the following:
 - (1) Location on premises, relating to existing buildings, structures, property lines, streets, driveways, parking lots and any other existing or proposed signage, including distances.
 - (2) Method of illumination and light positioning.
 - (3) Graphic design, including symbols, letters, materials and colors.
 - (4) Visual messages, copy, text or content of sign.

1.3 Issuance

Upon filing of a “Sign Application,” the Code Enforcement Officer shall examine the plans, specifications, and supplemental documentation. If the proposed sign complies

with the requirements of this Ordinance and all other applicable regulations, and all fees are paid, the Code Enforcement Officer shall issue a Sign Permit.

1.4 Time Extension

If work issued under a Sign Permit is not completed within one (1) year after the date of permit issuance, it shall become null and void, unless extended by the Code Enforcement Officer for an additional 6-month period. Time extension requests shall be in writing from the applicant.

1.5 Fees

Fees for all Sign Permits shall be established by “Resolution” by the Supervisors of Benner Township.

SECTION 2. SIGN REVIEW BOARD

Where authorized by this Ordinance, the Sign Review Board shall review applications, when necessary. The Planning Commission of Benner Township shall be appointed by the Supervisors as the Sign Review Board of Benner Township.

- A. Requests to the Planning Commission shall be made in writing. Meetings shall be scheduled not less than 7 days nor more than 20 days after a written request is received. Meetings shall be public.

- E. The Planning Commission shall have the power to provide recommends in all cases involving Variances from the terms of this Ordinance, prior to submission to the Zoning Hearing Board. The Planning Commission shall also review final plans for roadside turnoffs and pedestrian display areas, and shall approve applications for directional signs prior to issuance of a Sign Permit by the Code Enforcement Officer. In arriving at its decision, the Commission shall consider the statement of intent in Article I of this Ordinance its basic guide. The Commission may request sketches, drawings or photographs showing the entire property and the proposed sign or signs, and applicant shall explain briefly in a written request where sign(s) vary from the provisions of this Ordinance and why an exception for the proposed sign(s) is necessary.

- F. After the meeting and discussing an application, the Planning Commission shall decide upon the application and make its determination to applicant within 30 days of having received such application. Subsequent to review of any application for a variance from the terms of this Ordinance, the Commission shall also make its determination known to the Zoning Hearing Board within 30 days of having received such application. This action will constitute a formal application to the Zoning Hearing Board, provided that upon receipt of notice from the Commission, the applicant submits such forms and fees as required by the Zoning Hearing Board.

- G. In considering an application, the Planning Commission may not consider reasons of economic hardship.

SECTION 3. ENFORCEMENT

3.1 Enforcement officer

The Code Enforcement Officer for this Ordinance shall:

- A. Review of all applications for Sign Permits for compliance with the provisions of this Ordinance, and issuance of permits in compliance;
- B. Receive, investigate, and process all complaints and notify persons of any violations of the provisions of this Ordinance as described in *Pennsylvania Municipalities Planning Code, (MPC)* as amended;
- C. Cause the removal of signs found in violation with the provisions of this Ordinance;
- D. Render, when necessary, administrative interpretations regarding the provisions of this Ordinance, and the effects on the sign display in the Township, when needed;
- E. Maintain records for administration, and enforcement of this Ordinance, including applications for variances and appeals.

SECTION 4. VIOLATIONS AND PENALTIES

Failure to comply with any provision of this Ordinance shall be a violation.

4.1 Complaints

Whenever a violation of this Ordinance occurs, or is alleged to have occurred, any person may file a complaint to the Code Enforcement Officer. The Code Enforcement Officer shall record such complaints, investigate, and take action, as necessary, as provided by this Ordinance.

4.2 Notice of violation

If the Code Enforcement Officer finds any provision of this Ordinance violated, enforcement proceedings shall be initiated through a violation notice as provided for in the *MPC*, as amended.

4.3 Penalties

Penalties and remedies for violations of this Ordinance are stipulated in the *MPC*, as amended.

SECTION 5. APPEALS

Any appeal from a decision or action of the Township Supervisors, Code Enforcement Officer, or any other officer or agency of the Township pertaining to this Ordinance shall be made in accordance with the *MPC*, as amended.

SECTION 6. ZONING HEARING BOARD

The Zoning Hearing Board is vested with jurisdiction and authority to hold hearings and perform functions authorized by *Article IX of the MPC*, pertaining to provisions of this Ordinance.

6.1 Variance criteria

- A. A literal application of the code would not allow the property to be used at its highest and best used as zoned.
- B. The granting of the requested variance would not be materially detrimental to the property owners in the vicinity.
- C. Hardship caused the sign user under a literal interpretation of the code is due to conditions unique to that property and does not apply generally to the Township.
- D. The granting of the variance would not be contrary to the general objectives of this code and the land use plan.

SECTION 7. AMENDMENTS

Regulations and restrictions set forth in this Ordinance may, from time to time, be amended through action of the Township Supervisors as provided by the *MPC*, as amended.

ARTICLE VIII

Enactment

SECTION 1. REPEALER

All ordinances or parts of ordinances inconsistent herewith are hereby repealed. The following ordinances or parts thereof are specifically repealed: *Ordinance No. 38*.

SECTION 2. SEVERABILITY

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the Supervisors of Benner Township, that this Ordinance would have been adopted had such constitutional, illegal or invalid sentence, clause, section or part thereof not been included therein.

SECTION 3. EFFECTIVE DATE

This ordinance shall become effective on _____, 2000 A.D.

BENNER TOWNSHIP BOARD OF SUPERVISORS

By:

Michael R. Kelleher, Chairman

Richard C. Lahr, Vice Chairman

David C. Breon, Supervisor

ATTESTED

By: _____
Sharon Royer, Secretary/Treasurer
(seal)

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