

ORDINANCE NO. 611

AN ORDINANCE OF THE TOWNSHIP OF PENN, YORK COUNTY, PENNSYLVANIA PROVIDING FOR THE CONSTRUCTION AND REGULATION OF SIGNS AND FIXING PENALTIES FOR VIOLATIONS THEREOF.

BE IT ENACTED AND ORDAINED, by the Penn Township Board of Commissioners, York County, Pennsylvania, and it is hereby ordained by the authority of the same as follows:

SECTION 1	GENERAL PROVISIONS	1
	Applicability	1
	Purpose	1
	Definitions –See Ordinance of Definitions	1
SECTION 2	GENERAL SIGN REGULATIONS	1
	Maximum Sign Area	1
	Sign Location	2
	Sign Illumination	2
	Construction and Maintenance	2
	Calculating Sign Area	3
	Sign Height	3
	Off-Premises Billboards	3
	Vehicular Signs	4
SECTION 3	REGULATIONS FOR SPECIFIC SIGN TYPES BY ZONES	5
	Location of Permanent Signs	5
	Permanent Signs in Residential Zones	6
	Permanent Signs in A/O, H/B, S/C and Industrial Zones	6
	Location of Temporary Signs	8
	Exempt Signs	9
	Prohibited Signs	11
	Nonconforming Signs	11
SECTION 4	REMOVAL OF UNSAFE, UNLAWFUL, OR ABANDONDED SIGNS	12
	Unsafe or Unlawful Signs	12
	Abandoned Signs	12
SECTION 5	PERMITS AND APPLICATIONS	12
	Sign Permits	12
	Application Information	13
	Processing and Approval of Permit	13
SECTION 6	REPEALER	13
SECTION 7	SEVERABILITY	13

SECTION 8 AMENDMENT TO TOWNSHIP CODE 14

SECTION 9 EFFECTIVE DATE 14

1. The type of sign used identifies the maximum sign area. This information may be found in Article 3 Regulations for Specific Sign Types.
2. When a lot fronts on more than two streets, a secondary sign may be placed in the rear, side or service area of the structure provided the following conditions are met:
  - The sign area may not exceed 60 percent of the size of the primary (front) sign.
  - The sign must be of the same materials, background, color scheme and lettering as the primary sign(s) on the site.
3. A 10 percent sign area bonus will be available for the pole sign or ground mounted sign that identifies a Shopping Center, Plaza or Business Park provided that **all** exterior wall signs, within the complex, have uniform use of background and lettering.

### **Sign Location**

- A. No sign shall be erected or maintained so as to prevent free ingress or egress from any door, window or fire escape. No sign shall be attached to a standpipe or fire escape.
- B. No sign shall be erected at the intersection of streets so as to obstruct free and clear vision.
- C. Unless specifically authorized by other ordinances and regulations of the Township of Penn, no sign shall be erected within the legal right-of-way of any street or sidewalk, or shall be closer to a street line than ten (10) feet. Single family dwelling real estate signs may be set closer than ten (10) feet from the street line for proper view, but in no case shall be located within the legal right-of-way.

### **Sign Illumination**

Except as otherwise provided in this Ordinance, any permitted sign, building, or structure in any district may be illuminated, provided that there shall be no illumination of a flashing, intermittent or moving type, and further provided that floodlighting shall be so shielded and aimed that the source of light shall not be visible from any point off the lot on which the sign, building or structure being illuminated is erected, and so that only the sign, building or structure is directly illuminated thereby. All proposed lighting shall comply with the Outdoor Lighting Ordinance.

### **Construction and Maintenance**

- A. All signs permitted by this Ordinance shall be constructed of durable materials and kept in good condition and repair.
- B. All signs requiring the use of electricity shall be manufactured in accordance with Underwriter Laboratories specifications and the National Electric Code.
- C. Floodlighting used to illuminate signs shall be aimed as required to ensure light does not spill off sign.

### **Calculating Sign Area**

For the purposes of this Ordinance, the area of a sign shall be calculated as follows:

- A. The area of the sign shall include the entire area within a single continuous perimeter enclosing the outer limits of such sign. The sign area shall not include any structural elements lying outside the limits of such sign and not forming an integral part of the display.
- B. In the case of an open sign made up of individual letters, attached to or painted on a building, wall, window, canopy, or awning, the sign area shall be that of the smallest rectangle or other geometric shape which encompasses all of the letters and symbols.
- C. In computing the area of a double-faced sign, only one (1) face shall be considered, provided that both faces are identical in area. In "V" type structures, if the interior angle of the sign faces exceeds eighteen (18) inches, both faces shall be considered in computing the sign area.

### **Sign Height**

The height of a sign shall be measured from the existing ground elevation at the base of the sign to the highest point of the sign structure.

### **Off-Premises Billboards**

Any off-site billboard erected after the effective date of this ordinance shall comply with the following standards:

- A. No billboard shall be located in such a position that it obstructs or obscures the view of vehicular or pedestrian traffic in such a manner as to endanger the safe movement thereof.
- B. No billboard shall be located within 1,000 feet of any interchange, within 1,000 feet of any right-of-way of any underpass, overpass, bridge or tunnel, or within 1,000 feet of any street intersection.
- C. All billboards shall be erected in conformity with the front, side and rear yard requirements of the district in which they are located, and shall be located at least 25 feet from any road or street right-of-way line measured from the closest part of the billboard.
- D. No billboard shall be erected within 1,000 feet circumference of the nearest property line of any of the following: historic site, school, church, hospital, retirement or nursing home, cemetery, governmental building, public park, playground, recreation area, convention center or any area in which billboards are prohibited.
- E. No billboard shall be permitted whenever property zoned residential would be between the sign and the roadway toward which it is oriented.
- F. No part, foundation or support of any billboard shall be placed on, in or over any private property without the written consent of the property owner.

- G. No part, foundation, or support of any billboard shall be placed on, in, or over any public property, including public rights-of-way, or any utility or drainage easement, or upon telephone or utility poles, or natural features such as trees and rocks.
- H. No billboard shall be erected or maintained upon or above the roof of any building or structure.
- I. No billboard shall be constructed on a lot where it obscures or shades the windows or doorways of adjacent building.
- J. Spacing: No two billboards located upon, or oriented towards traffic traveling upon, the same side of a public street or road with four or more lanes shall be spaced less than 2,000 feet apart; on the same side of public streets or roads with less than four lanes, the spacing shall be no less than 1,000 feet apart. This distance shall be measured along a straight line between the two nearest points of the signs. The minimum spacing requirement shall not apply to two panels viewed from different direction that share a common support structure, nor shall any billboard be located within a 1,000 foot radius of any other billboard even though the two billboards are on different streets.
- K. Size and Shape: No billboard shall exceed 300 square feet in total surface display area. *Rotating message panels shall not have a viewable display area that exceeds 300 square feet.*
- L. "V" shaped billboards will be permitted, provided that their separation is no greater than 18" on the open end.
- M. Billboards may be single-faced or double-faced but no billboard shall contain more than one face on each side of the display and the surface area shall not exceed a total area of 300 square feet per face.
- N. No billboard shall be permitted which, because of its size, shape, or location, may obscure or obstruct the view of vehicular or pedestrian traffic or be confused with any authorized traffic control sign, signal, or device.
- O. No billboard shall be permitted which, because of its size, shape, or location, may impair any scenic vista from the highway or a building adjacent to the highway or to the billboard.
- P. Height: No billboard shall exceed 25 feet in height. This distance shall be measured from the ground level at the base of the billboard's support system to the highest point of the billboard.
- Q. All billboards adjacent to state or federal highway shall conform to the "Outdoor Advertising Control Act of 1971," as amended.

### **Vehicular Signs**

A sign on a vehicle denoting a business-related activity shall be considered a business sign and shall be subject to the following regulations:

- A. Vehicles containing a business sign and parked in a residential district shall be concealed (garaged) from public view or in a parking space screened from view from the street unless such vehicle is moved on a regular basis, at least three (3) times per week, or except wherein the vehicle owner or repairman is actually engaged in authorized repairs or construction at that location.

- B. Vehicles shall not be parked in public view in any district when the purpose is to serve as a sign or advertisement. (Also see prohibited signs)

### Article 3. Regulations for Specific Sign Types by Zone

#### Location of Permanent Signs

<u>Type of Sign</u>	<u>Where Permitted</u>	<u>Maximum Size Total All Signs</u>	<u>Maximum Height for Freestanding Signs</u>
Traffic	Any Zone	Per PennDOT Specs	N/A.
Home Occupation	Any Zone	2 Sq. Ft.	6 Ft.
Trespassing	Any Zone	2 Sq. Ft.	6 Ft.
Utility	Any Zone	2 Sq. Ft.	N/A
Commercial For sale, For rent, Sold and Rented	Where Use Is Permitted	16 Sq. Ft.	10 Ft.
Residential For sale, For rent, Sold and Rented	R-8, R-15 R-22, R-40, and R-C Zones	6 Sq. Ft.	6 Ft.
Business (Except for Agricultural and Horticultural Products)	A/O, S/C, H/B And I Zones	100 Sq. Ft.	20 Ft.
Business (Except for Agriculture and Horticultural Products)	R-8, R-15, R-22, R-40, and R-C Zones	16 Sq. Ft.	6 Ft.
Advertising (Billboards)	A/O, S/C, H/B, And I Zones	300 Sq. Ft.	25 Ft.
Temporary for Sale of Agricultural and Horticultural Products	H/B, S/C, R-40, I, and R-C Zones	8 Sq. Ft.	6 Ft.
Model Home	R-8, R-15, R-22, R-40, R-C, and	16 Sq. Ft. (1) Per Lot	6 Ft.

A/O Zones

Identification And Information of Churches, Schools, & Other Nonprofit Institutions	Any Zone	16 Sq. Ft.	6 Ft.
Permanent Identification Sign For An Apartment, Residential Subdivision or	Where Use Is Permitted	16 Sq. Ft. (1) Per Entrance	6 Ft.

**Permanent Signs in Residential Zones**

In addition to the Exempt Signs and the applicable Temporary signs, the following signs may be erected in the R-8, R-15, R-22, R-40 and R-C zones, subject to the following conditions:

Business – One (1) business identification sign not exceeding 16 square feet is permitted per parcel, such sign shall not exceed six (6) feet in height.

Model Home – One (1) model home sign not exceeding 16 square feet is permitted per parcel, such sign shall not exceed six (6) feet in height.

Identification and Information: Churches, Schools, and other Nonprofit Institutions – One (1) 16 square foot Identification and Information sign is permitted on each parcel, the sign shall not exceed 6 feet in height.

Permanent Identification: Apartment, Residential Subdivision, or Multi-Family Development - One (1) such sign is permitted per entrance where the use is allowed. The sign shall not exceed 16 square feet in size and six (6) feet in height.

Sale of Agricultural Products – One (1) sign not exceeding 8 square feet is permitted per parcel in the R-40 and R-C zone. Such sign shall not exceed six (6) feet in height.

Home Occupation – One (1) home occupation sign not exceeding two (2) square feet is permitted per parcel, such sign shall not exceed six (6) feet in height.

Trespassing – One (1) sign shall be permitted for every 100 feet of property line, each sign shall not exceed two (2) square feet in size.

**Permanent Signs in A/O, S/C, H/B and Industrial Zones**

In addition to the Exempt Signs and the applicable temporary signs, the following signs may be erected in the A/O, S/C, H/B and I districts, subject to the following conditions:

Residential Uses – Any sign permitted in residential districts for the applicable uses, as set forth in Article 3, Locations of Permanent Signs and Permanent Signs in Residential Zones.

Non-Residential Uses - For all non-residential uses, a sign or signs may be erected in accordance with the following provisions:

Business – One (1) business identification sign not exceeding 100 square feet is permitted per parcel, such sign shall not exceed twenty (20) feet in height.

Advertising (Billboard) – One (1) billboard not exceeding 300 square feet is permitted in the Industrial district, following the standards set forth in Article. Such sign shall not exceed 25 feet in height.

Model Home – One (1) model home sign not exceeding 16 square feet is permitted per parcel in the A/O zone, such sign shall not exceed six (6) feet in height.

Identification and Information: Churches, Schools, and other Nonprofit Institutions – One (1) 16 square foot Identification and Information sign is permitted on each parcel, the sign shall not exceed 6 feet in height.

Permanent Identification: Apartment, Residential Subdivision, or Multi-Family Development - One (1) such sign is permitted per entrance where the use is allowed. The sign shall not exceed 16 square feet in size and six (6) feet in height.

Work Signs: Builders, Painters, and Other Artisans – One (1) work sign not exceeding 8 square feet is permitted per parcel, such sign shall not exceed six (6) feet in height.

Sale of Agricultural Products – One (1) sign not exceeding 8 square feet is permitted per parcel in the S/C, H/B, and I zones such sign shall not exceed six (6) feet in height.

Home Occupation – One (1) home occupation sign not exceeding two (2) square feet is permitted per parcel, such sign shall not exceed six (6) feet in height.

Trespassing – One (1) sign shall be permitted for every 100 feet of property line, each sign shall not exceed two (2) square feet in size.

The following additional provisions shall apply to specific sign types in the A/O, H/B, S/C and Industrial Zones:

1. Drive-in Business: For a drive-in business, business signs are permitted as long as their number does not exceed two (2) per street frontage and their combined area does not exceed thirty-two (32) sq. ft. per street frontage.
2. Other Uses: For other uses, one (1) sign is permitted on each street frontage of a lot for each occupancy or purpose and an additional sign is permitted for each occupancy or purpose having 200 feet of street frontage or a major fraction thereof.

3. All Uses: For all uses, an advertising and a business sign must be at least sixty (60) feet apart, and no sign exceeding thirty (30) square feet in area may be located in a residential zone or within seventy-five (75) feet of a residential zone. All free standing signs must be at least sixty (60) feet apart.

Location of Temporary

<u>Type of Sign</u>	<u>Where Permitted</u>	<u>Maximum Size Total All Signs</u>	<u>Maximum Height for Freestanding Signs</u>
Commercial For sale, For rent, Sold and Rented	Where Use Is Permitted	16 Sq. Ft.	10 Ft.
Residential For sale, For rent, Sold and Rented	Any Zone	6 Sq. Ft.	6 Ft.
Work Sign of Builders, Painters and Other Artisans While Performing Work on The Premises	Any Zone	8 Sq. Ft.	6 Ft.
* Sign For Announcing Proposed Residential Development	Where Use Is Permitted	20 Sq. Ft.	6 Ft.
* Construction Projects	HB, I, A/O and S/C Zones	20 Sq. Ft.	6 Ft.
** Industrial Park, Shopping Center, Tourist Home	Where Use Is Permitted	150 Sq. Ft.	20 Ft.
* Political	Any Zone	16 Sq. Ft.	6 Ft.
* Sign For Announcing Proposed Industrial/Commercial Development	Where Use Is Permitted	32 Sq. Ft.	6 Ft.
* Directional	Any Zone	6 Sq. Ft.	6 Ft.

\* WITH PERMISSION OF LAND OWNER ON WHO'S LAND SIGN IS PLACED - NOT ALLOWED ON TOWNSHIP ROAD SIGNS OR UTILITY POLES OR IN PUBLIC RIGHT-OF-WAYS.

\*\* INDIVIDUAL STORES ARE PROHIBITED FROM INDIVIDUAL FREE-STANDING SIGNS.

Temporary signs may be erected in addition to the permanent signs permitted by this Ordinance, subject to the following requirements:

1. The regulations regarding the type, location and size of a temporary sign shall be the same as those applied to a permanent sign contained in Article 3 Permanent Signs in Residential Zones, A/O, S/C, H/B, and Industrial zones of this Ordinance.
2. One temporary sign is permitted on each street frontage of a lot for every two hundred (200) feet of street frontage regardless of the number of occupancies. The total area of such signs shall not exceed the maximum permitted under (1) above.
3. Work Signs: Builders, Painters, and Other Artisans – One (1) work sign not exceeding 8 square feet is permitted per parcel, such sign shall not exceed six (6) feet in height.
4. Signs announcing proposed housing developments shall be removed upon seventy-five percent (75%) completion of development or within eighteen (18) months of placement, whichever comes first. Sign announcing proposed commercial, industrial or other non-residential development to be removed within one (1) year of placement.
5. A temporary sign may be erected for not longer than thirty (30) days and must be removed within ten (10) beyond the conclusion of the event.
6. Temporary signs may not be erected on any property more frequently than four (4) times per calendar year. No temporary sign may be placed on any property unless at least thirty (30) consecutive days have passed since a temporary sign was last erected on the property.
7. Lights for temporary signs which are located in any residential zone or within seventy-five (75) feet of a residential zone shall be extinguished between the hours of 9:00 o'clock p.m. and 7:00 o'clock a.m.
8. No temporary sign shall be erected unless the property owner or lessor has registered it with the Township and received the appropriate permit.

### **Exempt Signs**

No permit need be obtained before erecting any of the following signs in any district. Exempt signs shall, however, conform to all other applicable regulations:

- A. Official highway route number signs, street name signs, directional, or other official government (federal, state, county, or township) signs.
- B. Directional information or public service signs, such as those advertising availability of restrooms, telephone or similar public conveniences, and signs advertising meeting times and places of nonprofit service or charitable clubs convenience, and signs advertising meeting times and places of nonprofit service or charitable clubs or organizations, may be erected and maintained, provided that such signs do not significantly advertise any commercial establishment, activity, organization, product, goods, or services except those of public utilities. Directional and information signs provided for the safety and/or convenience of the public within commercial establishments may be erected. Signs erected under this provision shall not exceed four (4) square feet in area.
- C. Public interest signs or signs indicating the private nature of a road, driveway or premises, signs prohibiting or otherwise controlling hunting or fishing upon particular premises, and signs indicating ownership of a property, provided sign area does not exceed one (1) square feet.
- D. Signs displaying name and address of the occupant of the premises, provided that the area of any such sign shall not exceed one (1) square foot and not more than one (1) such sign shall be erected for each property held in single and separate ownership, unless such property fronts on more than one (1) street, in which case one (1) sign may be erected on each street frontage.
- E. Government flags or insignias not exceeding eighty (80) square feet.
- F. Government Signs
- G. Window signs indicating the store hours or names of credit institutions, provided that the total area of such sign or signs does not exceed two (2) square feet.
- H. Vending machine signs bearing the brand name of the product being sold or the price of such product.
- I. Memorial signs or historical tablets, provided that such sign or tablet does not exceed four (4) square feet.
- J. Signs which are a permanent architectural feature of a building or structure, such as a cornerstone, or identifying letters carved into or embossed on a building, provided that the letters are not made of a reflective material nor contrast in color with the building.
- K. Revolving barbershop pole sign, provided that it does not exceed thirty-six (36) inches in height.

- L. Signs advertising the variety of crop growing in a field. Such signs shall be removed after the growing season.

### **Prohibited Signs**

The following signs are unlawful and prohibited:

- A. A sign that is mounted on a roof of a building or structure.
- B. A flashing, rotating, or revolving sign, with the exception of barbershop poles, rotating billboard message panels, and video billboards.
- C. A sign suspended between poles and lighted by a series of lights.
- D. A sign suspended between poles consisting of either pennants or spinners.
- E. Any sign erected, painted, or drawn on a tree or rock or other natural feature.
- F. Signs attached to utility poles.
- G. Any banner sign or sign of any other type across a public street.
- H. Any sign containing information, which states or implies that a property may be used for any purpose not permitted under the provisions of the Township of Penn Zoning Ordinance.
- I. Any sign which uses the words "stop", "look", "danger", or any other word or character which attempts or appears to attempt to direct the movement of traffic or which interferes with or resembles any official traffic sign, signal, or device within seventy-five (75) feet of a public right-of-way or within two hundred (200) feet of a traffic control device, whichever is greater.
- J. Red or green lights, except for traffic control signals, within seventy-five (75) feet of a public right-of-way or within two hundred (200) feet of a traffic control device, whichever is greater.
- K. A truck or other vehicle not used for normal day-to-day operations of a business or not regularly moved for business related purposes being prohibited used as a sign. (Also see Vehicular Signs)
- L. Off premises signs, except billboards and directory signs.

### **Nonconforming Signs**

1. Nonconforming signs shall be treated as nonconforming structures per Section 407 of the Penn Township Zoning Ordinance.
2. A nonconforming sign shall be removed within thirty (30) days if the structure, business, building, or use which it advertises is abandoned, destroyed, demolished or remodeled to an extent exceeding fifty (50) percent of the appraised value of the principal structure. If a business changes but does not require remodeling in excess of the fifty (50) percent threshold, the new business will be allowed to change existing nonconforming sign faces.
3. The Township may waive the required permit fee for the voluntary replacement of nonconforming signs.

## **Article 4. Removal of Unsafe, Unlawful, or Abandoned Signs**

### **Unsafe or Unlawful Signs**

- A. Upon written notice by the Township, the owner, person, or firm maintaining a sign must remove said sign when it:
- 1) Becomes unsafe, is in danger of falling, or it becomes so deteriorated that it no longer serves a useful purpose of communication;
  - 2) Is determined by the Township to be a nuisance;
  - 3) Is unlawfully erected in violation of any of the provisions of this Article.
- B. The Township may remove or cause to be removed said sign at the expense of the owner or lessee in the event the owner or the person or firm maintaining said sign has not complied with the terms of said notice within fourteen (14) days of the date of the notice.

However, in the event of immediate danger, the Township may remove said sign immediately upon the issuance of said notice to the owner, person, or firm maintaining said sign.

### **Abandoned Signs**

1. Abandoned signs, as defined by this Ordinance, shall be removed by the landowner or person controlling the property within ten (10) days of abandonment.
2. The Township may remove or cause to be removed said sign at the expense of the owner or lessee in the event the owner or the person or firm maintaining said sign has not complied with the terms of said notice within thirty (30) days of the notice.

## **Article 5. Permits and Applications**

### **Sign Permits**

- A. A permit must be obtained from the Township before the erection of any sign, unless specifically exempted in this Article.
- B. Exceptions for the necessity of securing a permit shall not be construed to relieve the owner of the exempted sign from responsibility for its construction and installation in a safe manner and in accordance with the provisions of this Ordinance.
- C. The following changes to a sign shall not require a permit:
- 1) Changing of a video or reader board;
  - 2) Regular maintenance of the sign, including electrical, repainting,

- cleaning of a sign;
- 3) The repair of an existing, lawful sign.

### **Application Information**

Before a sign permit is granted, a sign permit application with the following information shall be submitted:

- A. Dimensions of the lot (including any right-of-way lines) and/or building upon which the sign is proposed to be erected.
- B. The proposed sign location with respect to the property lines and building.
- C. A description of the size, shape, color, material, supports, anchoring, weight and height of the sign, as well as intensity of illumination.
- D. Sketch elevation, drawn to scale, of the sign, indicating the proposed size, dimensions, shape, materials, supports, anchoring, and height of the sign.
- E. Any other lawful information which may be required of the applicant by the Zoning Officer.
- F. The application shall be accompanied by the written consent of the owner or lessee of the premises upon which the sign is to be erected granting Township officials permission to enter said premises to inspect the sign.
- G. All sign permit applications shall be accompanied by the required fee as set forth in the fee schedule for signs established by the Township.

### **Processing and Approval of Permit**

- A. The Zoning Officer shall process applications for sign approval permits within ten (10) business days from the date of the filing of the complete permit application.
- B. In determining the appropriateness of the proposed sign, the Zoning Officer shall determine the following:
  - 1) That the sign meets all restrictions, standards, and sign area requirements of this Ordinance.
  - 2) That the sign has a reasonable location, scale, and proportion in relation to buildings, doors, windows, and pedestrian and vehicular access.
- C. The Township shall inspect and approve the installation of the sign and shall make periodic inspections to determine conformity of signs to these regulations.

### **Repealer**

That any ordinance, or part of any ordinance, conflicting with this ordinance be and same is hereby repealed insofar as the same affects this ordinance.

### **Severability**

The provisions of this Ordinance are severable. If any provision of this Ordinance or its application to any person or circumstance is held invalid, said invalidity shall not affect any other provision or application of this Ordinance which can be given effect without the invalid provision of applications of this Ordinance.

**Amendment to Township Code**

The Article hereby adopted shall be deemed to be incorporated into the Penn Township Code so that reference to the Code shall be understood and intended to include such changes.

**Effective Date**

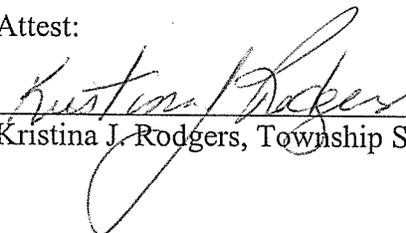
This Ordinance shall become effective immediately.

ENACTED AND ORDAINED this 19th day of April 2004

Board of Commissioners of Penn Township

By:   
Michael T. Rishel, President

Attest:

  
Kristina J. Rodgers, Township Secretary