

ARTICLE VII
Signs

§ 124-701. Intent.

In addition to serving the overall purposes of this chapter, this article is intended:

- A. To provide for signs as a means of effective visual communication.
- B. To promote adopted comprehensive planning and zoning objectives.

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- C. To assure compatibility of signs with land uses and buildings in the vicinity of the signs and in the community as a whole.
- D. To improve the safety of pedestrians, vehicular traffic and property.
- E. To enhance the economic value of the community.
- F. To enhance the aesthetic environment.
- G. To minimize adverse effects of signs on nearby property.
- H. To otherwise promote the public health, safety, morals and general welfare of the community.
- I. To regulate the use of signs through a sign permitting process.
- J. To enable the fair and consistent enforcement of these sign regulations.

§ 124-702. Definitions.

The following definitions of "sign" and kinds of signs shall apply to those terms whenever they appear in this article:

BILLBOARD — An off-premises sign that has a sign area greater than six square feet.

BUILDING SIGN — A sign attached to or painted on a building or attached to an awning that is attached to a building. This term includes wall signs and roof signs. A window sign shall also be regulated as a building sign, except as provided in the definition of "window sign" below.

BUSINESS SIGN — A sign that directs attention to any business, professional, commercial or industrial activity occurring on the premises on which the sign is located, but not including a home occupation sign. (Also see "center sign.")

CENTER SIGN — A business sign that provides identification at the entrance to a center, such as a shopping center, office complex or industrial park.

CONTRACTOR SIGN — A temporary sign that carries the name and information about a contractor who is involved in construction work occurring on the premises on which the sign is located.

DEVELOPMENT SIGN (RESIDENTIAL) — An identification sign at the entrance to a residential development.

ELECTION SIGN — A type of "issue sign" that directs attention to a candidate or candidates for public office, a political party or a ballot issue.

FREESTANDING SIGN — A sign not attached to or painted on a building, or a sign attached to or painted on a building that has no use in addition to supporting the sign.

GARAGE/YARD SALE SIGN — A temporary sign that directs attention to the sale of personal goods on the premises on which the sign is located.

GOVERNMENT SIGN — An off-premises sign placed by a governmental unit, such as a traffic, directional, informational or street name sign, or an historical marker.

HOME OCCUPATION SIGN — A sign providing information about a business activity conducted within a dwelling unit on the premises on which the sign is located.

IDENTIFICATION SIGN — A sign used to identify the name and display information about the individual, organization, agency, institution, facility or development located on the premises on which the sign is located, but not including a business sign. (Also see "development sign" and "public use sign.")

INCIDENTAL SIGN — An informational sign, no more than two square feet in size, that carries a message such as "enter," "open," "telephone," "rest rooms," "no parking," "no trespassing," "warning," a listing of hours when open, an on-site direction, or anything similar. Incidental signs may not include any commercial message or logo, except that one "enter" sign per entrance may include a logo or business name, as long as the entrance is exclusively for that business and the logo or business name is subordinate to the word "Enter."

ISSUE SIGN — A temporary sign that directs attention to a candidate(s) for elective office or to an opinion of a public or private nature, such as but not limited to a community, social, religious, judicial, political or ballot issue. A sign including commercial advertising shall not be considered an issue sign. If such type of sign exceeds the maximum size for an issue sign, then it shall be regulated as a billboard.

LOT — When used in this Article VII, the word "lot" shall mean a designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit, such as the area used by a dwelling unit in a townhouse structure or a tenant space in a multiple-tenant building.

NONPROFIT ORGANIZATION SIGN — An off-premises sign displaying information about a church, service club or other organization that does not operate for the purpose of making a profit.

OFF-PREMISES SIGN — A sign that advertises a service, product, business or activity that is not offered or located on the lot upon which the sign is located. A political, election or issue-oriented sign that exceeds the size limits for an issue sign shall also be regulated as an off-premises sign. See also "billboard," which is a type of off-premises sign.

ON-PREMISES SIGN — A sign that applies to the property on which it is displayed.

OPEN HOUSE SIGN — A temporary sign that provides information about a real estate open house, including the words "open house," the day and time of the open house, and the name of the realtor.

OVERHEAD SIGN — A sign located such that pedestrian or vehicular traffic might pass beneath any part of it.

PERMANENT SIGN — A sign intended to be displayed for an unlimited period of time.

PUBLIC USE SIGN — An identification sign used to identify the name and display information about a public use, such as a government building, school, park, firehouse or church.

PUBLIC UTILITY SIGN — Signs that are necessary for a sewage service, water supply, land-line telephone or electricity provider to post in the performance of their responsibilities, such as warning signs and utility pole identification numbers.

REAL ESTATE SIGN — A temporary sign that provides information about a real estate activity on the premises on which the sign is located, such as a sign advertising a sale, rental or property available for or in the process of development, but not including an open house sign.

ROOF SIGN — A sign attached to or painted on a roof.

SIDEWALK SIGN — A temporary sign placed on the sidewalk adjacent to the commercial activity it advertises, but not including a contractor sign, a garage/yard sale sign, a home occupation sign, an open house sign, a real estate sign or a special event sign.

SIGN — A device for visual communication that is used to bring the subject to the attention of the public.

- A. Signs do include lettering, logos, trademarks or other symbols that are an integral part of the architectural design of a building, that are applied to a building or that are located elsewhere on the premises; signs affixed to windows or glass doors or otherwise internally mounted such that they are obviously intended to be seen and understood by vehicular or pedestrian traffic outside the building; flags and insignia of civic, charitable, religious, fraternal, patriotic or similar organizations; insignia of governments or government agencies; banners, streamers, pennants, spinners, reflectors, ribbons, tinsel and similar materials; and inflatable objects.
- B. Signs do not include the following: architectural features that may be identified with a particular business; backlit awnings that include no lettering, logos or other symbols; signs within a building that are not readable from outside of the building; flags of governments or government agencies; decorative seasonal and holiday banners on residential properties; and displays of merchandise either behind store windows or outdoors. See also § 124-704A(36).

SPECIAL EVENT SIGN — A temporary sign that carries information about a special event, such as an auction, flea market, festival, carnival, meal or fund-raising event that benefits a charity, place of worship, school, fire company or similar nonprofit organization. This term shall not include any business sign, such as a "sale" sign at a store.

TEMPORARY SIGN — A sign that is displayed for no more than three months in any year, including consecutively from year to year, unless stated otherwise in this chapter.

WALL SIGN — A sign attached to or painted on the wall of a building.

WINDOW DISPLAY — An exhibit behind a window that is intended to draw attention to a product, service, business or cause.

WINDOW SIGN — A sign of more than one square foot that is attached to a window or visible through a window. A temporary window sign made of paper on a commercial building is not regulated by this chapter. Any other window sign shall be regulated as a building sign.

§ 124-703. Sign area and height.

- A. Sign area. The area of a sign shall be the area of the smallest rectangle, triangle or circle that will encompass all elements of the sign, such as letters, figures, symbols, designs or other display.
- (1) When the sign is a separate unit, the area shall include any borders, framing, trim, decorative attachments, background and space between elements; it shall not include any supporting structure unless that structure is illuminated, is in the form of a symbol, or contains advertising elements.
 - (2) When the sign is applied to a wall, an awning or otherwise has no definable edges, the area shall include all color, artwork or other means used to differentiate the sign from the surface upon which it is placed.
 - (3) When a single sign structure has more than one face with the same message and no two sign faces are more than three feet apart at any point, the area shall be computed by determining the greatest total area of all sign faces visible from any single location.
- B. Sign height. The height of a sign shall be measured from the average ground level beneath the sign to the highest point of the sign. The ground level shall be the lower of the ground level existing at the time of construction or the ground level existing prior to construction and prior to any earth disturbance at the site. This prior ground level may be established by any reliable source, including, without limitation, existing topographic maps, aerial photographs, photographs of the site or affidavits of people who are personally familiar with the site. No person(s) shall artificially increase the maximum height of a sign by altering the grade at the base of the sign by any means.
- (1) In no case shall a sign be higher than the height limitation of the district in which it is located.
 - (2) The height of freestanding signs shall be controlled by the regulations in Sign Tables 1 and 2.
 - (3) Wall signs may be at any height on the wall to which they are attached, except that they may not extend higher than the top of the wall.
 - (4) Roof signs may extend no more than five feet above the lowest point where they are attached to the building and may not extend above the highest point of the roof.

§ 124-704. General sign regulations.

A. The following regulations shall apply to all signs, in addition to the specific regulations contained in the following provisions of this article. Where the general regulations are contradicted by a specific regulation, the specific regulation shall control.

- (1) All signs shall reflect the general character of the neighborhood.
- (2) All signs shall be constructed of durable materials, maintained in good condition, and secured in a safe manner.
- (3) When a sign becomes unsafe, the Zoning Officer shall give written notice to the owner of the premises on which the sign is located that the sign must be made safe or removed immediately.
- (4) The areas surrounding all signs shall be maintained in a neat, clean and attractive condition.
- (5) All signs shall be removed within three months if the purpose for which they were erected no longer exists.
- (6) Each property that displays one or more permanent freestanding signs and that is in an area where street addresses have been assigned must prominently display the address on one permanent freestanding sign visible from the street. The address must include the street number; the street name is optional. The address must be of a size and design that is easily identifiable and legible from moving traffic in the street at a distance of 100 feet (such as three-inches-high lettering/numerals with a three-fourth-inch stroke). The area taken up by the address does not count as part of the sign area. Center signs are exempt from this requirement.
- (7) No temporary signs shall be permitted except as authorized elsewhere in this article.
- (8) No sign shall be located within a street right-of-way, except a government sign, a public utility sign or an allowed sidewalk sign.
- (9) No sign within the clear sight triangle should obstruct vision between the heights of three feet and 10 feet above the elevation of the center line of the street.
- (10) No signs shall be painted, pasted, nailed, stapled or otherwise attached to utility poles, trees or fire hydrants, except for government signs, and except that public utility signs may be attached to utility poles, and except that "no trespassing" and "no hunting" signs may be attached to trees in a manner that does not harm the tree.
- (11) Any freestanding sign within a one-hundred-year floodplain shall be designed with a single post and an elevated sign face so as not to inhibit floodwaters or catch debris in floodwaters.
- (12) No sign shall be placed so as to obstruct any door, stairway, window, fire escape, sidewalk or other means of egress or ingress.

- (13) No sign shall be placed so as to obstruct ventilation or light from a building.
- (14) No overhead sign shall have a clearance of less than eight feet between any pedestrian walk and the lowest part of the sign and less than 17.5 feet between any roadway/accessway and the lowest part of the sign.
- (15) No sign that is parallel to and attached to the face of a building shall project more than 18 inches over a public sidewalk.
- (16) No sign that is perpendicular to and attached to the face of a building shall project more than 48 inches from the building.
- (17) No sign shall have lights or other illuminating devices that constitute a public safety or traffic hazard.
- (18) No sign shall be permitted that imitates or that might be confused with an official traffic sign or signal, such as by containing the words "stop" or "danger" or by including red, green or yellow lights.
- (19) No sign or window display shall include a revolving beam or beacon of light resembling an emergency vehicle or facility.
- (20) No sign shall advertise activities or products that are illegal under federal, state, or Borough laws or regulations.
- (21) No sign shall include statements, words or pictures that are vulgar, obscene or pornographic.
- (22) No streamers, pennants, spinners, reflectors, ribbons, tinsel, balloons of greater than 50 cubic feet, or similar materials shall be displayed outside a building. (See "special event sign" in Sign Table 2 for regulations that apply to banners used as special events signs.)
- (23) Flags. In addition to any other allowed signage, each commercial or industrial property may display one flag not to exceed 35 square feet with a company or corporate identification logo for a business on the premises or that announces that a business is "open." See also the definition of "sign," which exempts certain types of flags.
- (24) No animated, mechanically or electronically moving, sequential, intermittent, flashing, rotating, or oscillating signs shall be permitted except for time and temperature signs. Signs may change their message from time to time, provided that each message is visible for a minimum of 10 seconds, except as follows: a) time and temperature signs may change more frequently, and b) a sign with a sign area greater than 50 square feet shall not change its message more frequently than once every 30 seconds.
 - (a) In addition, flashing lights visible from a street shall not be used to attract attention to a business. This restriction specifically includes window signs but does not prohibit routine Christmas lighting.
- (25) No sign shall emit smoke, visible vapors, particles, sound or odor.

- (26) No sign of more than 20 square feet shall be placed on a motor vehicle or trailer if the vehicle/trailer is being used primarily for displaying such sign and the vehicle or trailer remains parked in the same spot for more than seven consecutive days.
- (27) No inflatable signs shall be permitted.
- (28) No open flames shall be permitted as part of a sign or in any other way to attract attention.
- (29) Advertising painted upon or displayed upon a barn or other structure shall be considered a sign and shall comply with the regulations of this article.
- (30) Any sign that has been authenticated as historically significant and accurate for its specific location, whether original or a replica, may be exempted from the regulations of this article as a special exception.
- (31) Signs may be interior lighted with nonglaring lights; signs may be externally lighted by lights that are shielded so there is no direct light transmitted to other properties or public rights-of-way.
- (32) The light from any illuminated sign shall not adversely affect a) safe vision of operators of vehicles moving on public or private streets or parking areas; b) any residential district; or c) any part of a building or property used for residential purposes. Lighting of signs shall also meet the light and glare control requirements of Article V.
- (33) No lighting shall be permitted to outline buildings or structures or parts thereof through the use of neon lighting, strings of lights, or other means with the exception of customary holiday decorations, which may be installed between October 30 and January 10.
- (34) Business signs that are not within commercial and industrial districts shall not be illuminated when the business is closed.
- (35) All electrically illuminated signs shall comply with the electrical code that is currently in effect in the Borough.
- (36) Signs that are not readable from any street and from any lot line are not regulated by this chapter in number or in sign area, provided that such signs meet the following requirements: they have a maximum height of eight feet for a freestanding sign; they are not taller than the attached building for a building sign; and they have a maximum sign area of 20 square feet, except a maximum of 40 square feet shall be allowed for an outdoor menu board for a drive-through of a restaurant. This exemption shall not apply to signs in a shopping center, other than a menu board for a drive-through restaurant.
- (37) A sign shall not be placed on private property without permission of the property owner, except for official signs within a street right-of-way.

§ 124-705. Regulations for specific types of signs.

Sign Tables 1 and 2 provide regulations for specific kinds of signs in each zoning district.⁷² Sign Table 1 provides regulations for permanent signs; Sign Table 2 provides regulations for temporary signs. Types of signs that are not provided for in Sign Table 1 or 2 or anywhere else in this article shall not be allowed.

§ 124-706. Sign permit procedures and fees.

Permits for the placement of signs are required as indicated in Sign Tables 1 and 2. Sign permit application requirements, such as forms, plans and fees, shall be established by the Borough Council.

§ 124-707. Nonconforming signs.

Nonconforming signs may continue to be displayed, as long as there is compliance with the following limitations and conditions:

- A. There may be no expansion or increase in the nonconformity in any way. This provision includes, but is not limited to, billboards.
- B. Maintenance and repair of the sign are permitted; if necessary, up to 50% of the entire area of a sign and its supporting structure may be replaced in the event of damage; any such replacement must be completed within six months of the damage occurring.
- C. The sign must be brought into conformity if, for a period of at least three months, the message has no longer applied to an activity on the premises (this does not apply to billboards that are actively offered for rent). However, if a vacant business space is actively being offered for sale or lease and the sign is intended to be reused by the future business, then the sign may continue in place, provided that the sign is changed to a blank sign face within 60 days.