

## **ARTICLE 2300. Signs.**

### **§ 212-2301. Signs to conform.**

- A. No sign hereafter shall be constructed, erected, moved, enlarged, illuminated or substantially altered except in accordance with the provisions of this Chapter and any other Borough ordinances or regulations.
- B. A "sign" is hereby defined as any signboard, ground sign, wall sign, illuminated sign, projecting sign, temporary sign, pylon or pole sign, marquee, awning, canopy or street clock or temperature display and shall include any announcement, declaration, demonstration, display illustration or insignia used to advertise or promote the interests of any person when the same is oriented toward the public right-of-way and the view of the general public.
- C. General repair and maintenance of any sign shall not, in and of itself, be considered a substantial alteration.

### **§ 212-2302. Signs Exempt from Regulations.**

- A. Any public notice or warning required by a valid and applicable Federal, State or local law, regulation or ordinance
- B. Any sign inside a structure and not attached to a window or door that is not legible from a distance of more than three (3) feet beyond the lot line of the lot or site on which such sign is located.
- C. Works of art that do not include a commercial message.
- D. Holiday lights and decorations with no commercial message, but only between November and January.
- E. Memorial signs or tablets denoting the date of erection of a building.
- F. Auctions, garage or yard sales signs provided that they do not exceed five (5) square feet and are removed as soon as the event or activity has occurred, and provided that they shall not be permitted to be erected more than seven (7) days prior to the event and only permitted at the site where the event will take place.
- G. Signs and banners erected by a governmental body or under the direction of such body.
- H. Temporary event signs and banners announcing a non-profit event of a civic organization for non-commercial purposes, where such sign does not exceed thirty-two (32) square feet in area and for a period not to exceed thirty (30) days prior to the start of the event and removed within three (3) days after the conclusion of the event.
- I. Political signs announcing candidates for public office.

### **§ 212-2303. Prohibited Signs.**

- A. All signs not expressly authorized under this Chapter or exempt from regulations hereunder in accordance with previous sections are prohibited in the Borough, Prohibited signs shall include, but are not limited to:
  - (1) Beacons
  - (2) Animated or Flashing Signs
  - (3) Portable Signs
  - (4) Marquee Signs
  - (5) Roof Signs
  - (6) Pennants
  - (7) Strings of light, except those exempt under previous sections.

- (8) Inflatable signs and tethered balloons.
- (9) Temporary signs, except those otherwise permitted under provisions of this Chapter.
- (10) Projecting signs.
- (11) Any sign or sign structure which constitutes a hazard to public safety or health.
- (12) Signs which by reason of size, location, coloring, or manner of illumination obstruct the vision of drivers, either when leaving a roadway or driveway, or obstruct or detract from the visibility or effectiveness of any traffic sign or control device on public streets.
- (13) Signs which make use of words such as "Stop," "Look," "One-Way," "Danger," "Yield," or similar words, phrases, symbols, lights, or characters in such a manner as to interfere with, mislead, or confuse traffic flow.
- (14) Any obsolete sign which no longer identifies a bonafide business
- (15) Signs painted on or attached to, or supported by a tree, utility pole, stone cliff, or other natural object.
- (16) Banner, except as provided for in 212-2302(G)
- (17) Vehicular signs.
- (18) Festoon lighting is not permitted.
- (19) Flashing signs.
- (20) Any sign placed in a yard and/or parking lot area of a business establishment other than those specifically permitted under the provisions of this Chapter.

**§ 212-2304. Determination of area.**

- A. The area of a sign shall be construed to include all lettering, wording and accompanying designs and symbols, together with the background, whether open or enclosed, on which they are displayed, but not including any supporting framework and bracing which are incidental to the display itself.
- B. The area of a sign painted upon or applied to a building shall be considered to include all lettering, wording and accompanying designs or symbols, together with any backing associated with the sign.
- C. Where the sign consists of individual letters or symbols attached to or painted on a surface, building, wall or window, the area shall be considered to be that of the smallest rectangle or other regular geometric shape that can enclose such letters or symbols.
- D. In computing square foot area of a double-faced sign, only one (1) side shall be considered, provided that both faces are identical. If the interior angle formed by the two (2) faces of the double-faced sign is greater than forty-five degrees (45°), then both sides of such sign shall be considered in calculating the sign area.

**§ 212-2305. Location.**

- A. Off-premises signs are not permitted except as noted in § 212-2307(B).
- B. Advertising signs known as "billboards" shall be permitted, provided that they meet the following requirements:
  - (1) No billboard sign shall exceed two hundred fifty (250) square feet.
  - (2) All illuminated billboard signs shall be indirectly illuminated.
  - (3) Billboard signs are permitted in the M3 Mixed Use District only.
  - (4) No billboard sign shall be erected or maintained on a zoning lot abutting or on a zoning lot opposite a frontage in an R1, R2, R3 or R4 District.
  - (5) No billboard sign shall be more than twenty-five (25) feet average to the bottom of the sign above the ground level immediately below and shall not in any way interfere with normal pedestrian or vehicular traffic.

- (6) All billboard signs shall be approved by the Zoning Officer in compliance with the provisions of this Article.
- (7) No billboard face shall be located closer than five (5) feet from a street or property line.
- (8) No billboard shall be erected within five hundred (500) feet of an existing billboard along the same direction of travel.

**§ 212-2306. Types of signs.**

- A. The height of freestanding signs shall be measured from the average grade at the sign to the top of the sign. Freestanding signs shall not overhang sidewalks.
- B. Parallel signs shall not extend beyond the edge of any wall or other surface to which they are mounted or shall not project more than six (6) inches from its surface.
- C. Projecting signs shall not project more than two (2) feet from the wall or surface to which they are mounted, shall not extend beyond the edge of any wall or other surface to which they are mounted, shall be at least eight (8) feet to the bottom of the sign above the ground level immediately below and shall not in any way interfere with normal pedestrian or vehicular traffic.

**§ 212-2307. Signs permitted in residential districts.**

The following types of signs and no other shall be permitted in residential districts:

- A. On-premises signs.
  - (1) Nonilluminated signs displayed strictly for the direction, safety or convenience of the public, including signs which identify rest rooms, telephone booths, parking area entrances or exits, freight entrances or the like, provided that the area of any one (1) side of any such sign shall not exceed two (2) square feet.
  - (2) Flags representing governmental, educational or religious organizations.
  - (3) One (1) nonilluminated sign posted in conjunction with doorbells or mailboxes, provided that the area on any one (1) side of any such sign shall not exceed thirty-six (36) square inches.
  - (4) One (1) sign for home occupation or accessory office indicating only names of persons and their occupations, provided that the area of any such sign shall not exceed two hundred (200) square inches. Provisions of § 212-2313 are not applicable to signs permitted by this subsection.
  - (5) One (1) nonilluminated or indirectly illuminated bulletin or announcement board or identification sign for a permitted institutional use, provided that the area on any one (1) side of any such sign shall not exceed twenty (20) square feet.
  - (6) One (1) nonilluminated or indirectly illuminated sign in connection with a lawfully maintained nonconforming use, provided that the area on any one (1) side of any such sign shall not exceed twelve (12) square feet.
  - (7) One (1) nonilluminated sign advertising the sale or rental of the premises upon which said sign has been erected, provided that the area of any such sign shall not exceed six (6) square feet and such sign shall be removed upon settlement or rental of the property.
  - (8) One (1) temporary nonilluminated sign erected in connection with the development or proposed development of the premises by a builder, contractor, developer or other persons interested in such sale or development, provided that the erection of any such sign shall not exceed twenty (20) days after the last structure has been initially occupied or within six (6) months after the final inspection by the Zoning Officer, whichever occurs first.

- (9) Temporary nonilluminated signs of mechanics or artisans shall be erected and maintained during the period such persons are performing work on the premises. Such signs shall be removed upon completion of work by the mechanic or artisan, and the total area of all such signs shall not exceed six (6) square feet.
  - (10) Signs announcing no trespassing; signs indicating the private nature of the road, driveway or premises; and signs controlling the fishing or hunting on the premises, provided that the area of any one (1) side of any such sign shall not exceed two hundred (200) square inches.
  - (11) Nonilluminated or indirectly illuminated memorial signs or historical signs or tablets.
  - (12) Development signs and island development signs. Development signs shall be permitted at the main entrances of a residential development.
    - (a) A development sign shall be limited in height to not more than six (6) feet above the natural grade and shall be limited to thirty-two (32) square feet in area. Development signs shall be located a minimum of ten (10) feet from any existing or proposed public street right of way, and shall not be illuminated. All development signs shall be free standing and composed of durable materials and shall be complementary in design to the development or the surrounding area. Development signs shall be subject to the criteria and standards of this Chapter and additional standards of the governing body. The development sign shall be removed when ninety percent (90%) of the lots within that development have been sold.
    - (b) An island development sign shall be located within the street right-of-way as a divider or landscaped island upon approval by the governing body. Island development signs shall be placed within an easement shown on the approved plan and shall not be constructed on a collector or higher classification street. Island signs shall be subject to the criteria and standards of this Chapter and additional standards of the governing body.
    - (c) Lighting of a development sign or island development sign shall be indirectly illuminated or by the general lighting of the area. The area around the development sign or island development sign shall be landscaped and maintained by the developer or the homeowner's association as part of the common open space in accordance with the standards of this Chapter.
  - (13) Pre-occupancy signs for non-residential uses.
    - (a) Pre-occupancy signs are intended for use as a coming soon or now hiring advertisement for non-residential uses. Signs may only advertise the soon to come business or their intent to hire.
    - (b) Pre-Occupancy sign banners may only be used if attached in a secure manner to a rigid backing, fabricated structure, or structure such as an existing sign, on site-construction hiring office, or building. Banner may not be permitted to span two fixed points and may not be attached to natural features such as trees, rocks, utility poles, and the like. Pre-occupancy signs shall be removed within thirty (30) days of the granting of an occupancy permit for the use.
- B. Off-premises signs. Off-premises signs are not permitted except as follows. Signs permitted within this section shall also be on premises.
- (1) Signs necessary for the direction, regulation and control of traffic, street name signs, legal notices, warnings at railroad crossings and other official signs which are similarly authorized or erected by a duly constituted governmental body.
  - (2) Temporary nonilluminated signs directing persons to temporary exhibits, shows or events and sponsored by a nonprofit organization shall be erected subject to the following requirements:
    - a. Permission is granted by a property owner, in writing, that a sign shall be erected.

- b. Signs shall not exceed twenty (20) square feet in area.
  - c. Signs shall not be posted earlier than four (4) weeks before the occurrence of the exhibit, show or event and shall be removed within one (1) week after the termination of the exhibit, show or event.
- (3) Temporary real estate signs for the purpose of advertising open houses located off-site or lot shall not be permitted except on Tuesdays from 8:00am to 7:00pm and weekends beginning 8:00am Saturday morning and ending 7:00pm Sunday evening.
- C. General regulations in residential districts.
- (1) Freestanding roof signs are prohibited. Freestanding ground signs shall not exceed six (6) feet to the top of the sign.
  - (2) Projecting signs or portions of such signs shall not be located less than eight (8) feet to the bottom of the sign nor more than twelve (12) feet above the ground level immediately below such sign.
  - (3) Parallel signs or portions of such signs shall not be located more than twelve (12) feet above the ground level immediately below such sign.
  - (4) No sign shall violate the corner visibility restrictions in § 212-36.

**§ 212-2308. Signs in mixed use districts.**

- A. All signs permitted in § 212-2307(A) shall follow the standards prescribed therein except as otherwise provided in this section.
- B. All signs in M-1, M-2 and M-3 Mixed Use Districts shall be reviewed and approved by the Building Inspector/Zoning Officer based upon the following criteria:
  - (1) For all businesses, except multiple business complexes listed in Subsection B(4) shall be permitted parallel and projecting signs, provided that:
    - a. Only one(1) sign per building shall be permitted except for buildings on corner lots;
    - b. The total area of the parallel and projecting signs for each establishment shall not exceed one (1) square foot for each foot of length of the front building wall or length of that portion of such wall which is devoted to such establishment. Corner buildings shall be divided by the total square feet of the signage permitted by the two (2) sides. The total area of the sign, however, shall not in any case exceed sixty (60) square feet;
    - c. If such an establishment does not occupy any floor area on the ground level of the building other than the entranceway, the maximum area per foot length of the front building wall or portion shall only be one half (1/2) square foot;
    - d. Interior window signs shall be considered parallel signs and included in the above computations.
  - (2) Freestanding business signs, provided that:
    - a. Only one (1) sign be permitted on each property;
    - b. In the case of a lot occupied or intended to be occupied by multiple business enterprises (e.g., a neighborhood or community shopping center or plaza), shall be permitted by conditional use one (1) freestanding sign indicating the name of the shopping center or plaza. The sign permits shall be issued in the name of the lot owner or his agent rather than the name of the individual business enterprise requesting a particular sign. The area of any sign shall not exceed thirty-two (32) square feet. Such a sign shall be double-faced and monument style;
    - c. Freestanding signs mounted or otherwise affixed to the roof of the building are not permitted.

- d. The maximum height of freestanding business signs shall not exceed eleven (11) feet from the curb level to the top of the sign;
  - e. Gasoline service stations. Such stations shall be permitted by conditional use one (1) freestanding brand name sign not to exceed twenty (20) square feet in area and not be higher than seven (7) feet to the bottom of the sign monument style.
- (3) All off-premises signs permitted in § 212-2307B at the same standards prescribed herein shall be permitted in the M-1, M-2 and M-3 Mixed Use Districts.
- (4) Signs for multi-business shopping centers located within five hundred (500) feet of an interstate interchange shall be permitted subject to the following conditions:
- a. One (1) monument style site identification sign not to exceed eight (8) feet in height from the top of the sign to the curb;
  - b. Gas stations are permitted one (1) monument style sign at a height not to exceed fifteen (15) feet from the top of the sign to the curb.
  - c. Each interior business shall be permitted one (1) illuminated wall sign, the total area of which shall not exceed one and six tenths (1.6) square foot per one (1) foot of length of the front building wall or length of the portion of such wall which is devoted to such establishment. Corner buildings shall be divided by the total square feet of the signage permitted by the two (2) sides. The total surface area of said signs shall not, however, exceed sixty (60) square feet.
  - d. One (1) site identification wall sign for the overall development is permitted, provided that it shall not exceed twenty-five (25) square feet in surface space.
- (5) Municipal signs are permitted in M-1, M-2 and M-3 Mixed Use Zoning Districts subject to the following criteria:
- a. The surface of the signs may not exceed two hundred (200) square feet;
  - b. Signs may contain commercial advertisements;
  - c. Signs may contain electronic images which shall not exceed one hundred fifty (150) square feet in the surface area; and
  - d. Signs must be monument style and not exceed thirty (30) feet in height.

**§ 212-2309. Manner of construction; maintenance.**

All signs except temporary signs shall be constructed of durable material and kept in good condition and repair.

**§ 212-2310. Nonconforming signs.**

Signs existing at the time of passage of this Chapter and which do not conform to the requirements of the Chapter shall be considered nonconforming signs and once removed shall be replaced only with conforming signs; however, nonconforming signs shall be repainted or repaired or poster panels may be changed, provided that such repainted or repaired sign does not exceed the dimensions of the existing sign.

**§ 212-2311. Establishments fronting two (2) or more streets.**

If an establishment has walls fronting on two (2) or more streets, the sign area for each street shall not be computed separately.

**§ 212-2312. Signs within right-of-way.**

- A. No signs, except those of a duly constituted governmental body, including traffic signs and similar regulatory notices, shall be allowed within street lines.
- B. No portion of any freestanding or projecting sign shall be located over the public right-of-way. If this requirement cannot be met, then freestanding or projecting signs shall be prohibited on such properties.

**§ 212-2313. Zoning permit for large signs.**

All signs over six (6) square feet in overall area, as defined in § 212-2304, shall require the issuance of a zoning permit before erection or replacement.