

**WEST PENN TOWNSHIP
SCHUYLKILL COUNTY, PENNSYLVANIA**

ORDINANCE NO. 1 of 2016

AN ORDINANCE OF WEST PENN TOWNSHIP AMENDING ARTICLE 6, SIGNS, OF THE WEST PENN TOWNSHIP ZONING ORDINANCE, REGARDING PERMITS REQUIRED, CONSTRUCTION REQUIREMENTS, TEMPORARY SIGNS, DIGITAL AND ELECTRONIC DISPLAY SIGNS, SIGN AREA, ROOF MOUNTED SIGNS, AND SAFETY PROVISIONS AND PROVIDING FOR REPEALER AND VALIDITY PROVISIONS.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of West Penn, Schuylkill County, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by authority of same as follows:

After consideration of the comments of the West Penn Township Planning Commission, the Schuylkill County Planning Commission and after a duly advertised hearing thereon, pursuant to Section 609 of the Pennsylvania Municipalities Planning Code, Article 6 of the West Penn Township Zoning Ordinance, relating to signs, is amended as follows:

601. SCOPE AND APPLICABILITY.

A. Purpose. The purposes of the regulations contained in this Article are to

1. Promote and maintain overall community beautification,
2. Promote traffic safety, and
3. Promote the most appropriate uses of the land.

B. Permit Required.

1. A Sign Permit is required for any permanent sign exceeding two (2) square feet in area not excepted by Section 601.B.2.
2. A Sign Permit is not required for
 - a. any temporary sign, except as otherwise provided herein
 - b. a mere change of copy on an existing sign,
 - c. official highway route number signs, memorial signs, historical signs or tablets, street name signs and directional or other traffic signs

- d. signs displaying the name and occupancy of a residential premises and not more than one (1) such sign shall be erected for each premises, unless such property fronts on more than one street, in which case one such sign may be erected on each street frontage
 - e. no trespassing signs, signs indicating the prohibition or control of fishing, or hunting, or private road signs
3. Each sign shall comply with the standards of this Ordinance, whether or not a Sign Permit is required.

C. Nonconforming Signs.

- 1. Signs existing at the date of enactment of this Ordinance and which do not conform to the requirements of the Ordinance shall be considered nonconforming signs.
- 2. Once a nonconforming sign is removed, it may be replaced only with a conforming sign.
- 3. Nonconforming signs (including existing lighting) may be repainted or repaired provided such repainted or repaired sign does not exceed the dimensions of the existing sign; wording may also be changed.

602. CONSTRUCTION.

- A. Every sign shall be constructed of durable materials and shall be kept in good condition and repair.
- B. Any sign which is allowed to become dilapidated may, after notification, be removed by the Township at the expense of the owner or lessee of the property on which it is located.
- C. No sign shall be placed or erected on or within, nor project over, a public sidewalk or any street right-of-way, except for official signs.
- D. A sign which is One Hundred (100) square feet or greater shall be engineer sealed by a licensed engineer for safety and stability.
- E. A sign which is Thirty (30) feet or higher shall be engineer sealed by a licensed engineer for safety and stability.

603. LOCATION.

- A. Lot Within Street Lines. No sign shall be allowed on Township property or within

street right-of-way lines (except those of the government body which owns such right-of-way), unless specifically authorized by another Township Ordinance or resolution or Commonwealth of Pennsylvania law or regulation.

B. No Traffic Interference.

1. No sign shall be so located or arranged that it interferes with traffic through glare, through blocking of reasonable sight lines for streets, sidewalks, or driveways, through confusion with a traffic control device (by reason of color, location, shape, or other characteristic), or through any other means.
2. All signs shall comply with the provisions of Zoning Ordinance Section 404 C which regulate site distance. No sign shall obstruct views of oncoming traffic from a public road or private driveway.

- C. No sign shall be placed on any property or pole without first receiving permission from the owner of the property or the owner of the pole.

604. HEIGHT. No freestanding sign structure shall exceed thirty (30') feet in height above the average ground level at the base of such sign.

605. NUMBER OF SIGNS PERMITTED.

A. On-Premises Signs.

1. In General.

- a. Each use shall be limited to two (2) signs along each street on which the use is located.
- b. Such signs shall be limited to two of the following types:
 - (i) One (1) wall sign,
 - (ii) One (1) window sign, or
 - (iii) One (1) freestanding sign.

2. Planned Developments.

- a. Planned Commercial, Office, or Industrial Developments. In addition to the signs permitted for individual uses, one (1) freestanding, on-premises sign indicating the name of the development may be erected along each road fronting such development, with a maximum sign area of thirty-two (32) square feet.
- b. Residential Developments. One (1) freestanding sign indicating the name of a subdivision of more than eight (8) lots or single family cluster development with a maximum sign area of thirty-two (32) square feet may be erected along each road fronting such development.

3. Temporary Signs.

- a. Real Estate. A temporary sign may be permitted within the property lines, advertising the prospective or completed sale or rental of the premises upon which it is located, provided that such sign shall be maintained and removed within seven (7) days after consummation of the lease or sale transaction.
 - b. Construction Sites. A nonilluminated temporary sign (developer/contractor sign or mechanic/subcontractor/other artisan sign) may be permitted on-premises, provided such sign shall be removed within seven (7) days after completion of the construction work and not more than one (1) sign per developer, contractor, mechanic, subcontractor, or artisan shall be placed on each street frontage of the construction site.
 - c. Public Events. A temporary, on-premises sign may be permitted announcing an event for a total period not to exceed thirty (30) days in any calendar year, provided it is removed within seven (7) days after the conclusion of the event.
 - d. Banners, spinners, pennants, or any moving object used for commercial advertising purposes (whether containing a message or not), are prohibited in all zoning districts except for use during not more than four (4) special occasions in one (1) calendar year by a use located in any Zoning District for a period of not more than a total of twenty (20) days per calendar year.
4. Signs on Mobile Stands. Intent: these standards recognize signs on mobile stands as a particular type of sign that has the characteristics of a temporary sign, but that is inappropriately used as a permanent sign.
- a. Signs on mobile stands shall be permitted only in the H-C District.
 - b. Signs on mobile stands shall have a maximum sign area of forty (40) square feet.
 - c. Only one mobile sign shall be permitted per use or per lot whichever is lesser.
 - d. Permit - The display of signs on mobile stands shall require a special permit to ensure their use only as a temporary sign. The cost of this permit shall be as established by resolution of West Penn Township.
 - e. Time limit - A permit for a sign on a mobile stand shall be limited to (30) days and be issued only once per use or lot, whichever is lesser, within a calendar year.
 - f. Deposit - To ensure that a sign on a portable stand is removed within thirty days, the applicant shall be required to pay a deposit to the Township, as established by Township resolution. This deposit shall be refunded only if the sign is removed within the thirty days of the issuance of the permit. Refusal to remove the sign after the thirty days shall constitute a zoning violation, within the procedures of the Ordinance.
 - g. No sign on a mobile stand shall be placed so that it causes a hazard to traffic, nor shall it be placed within the existing road right-of-way.

- h. No sign on a mobile stand shall include a flashing or blinking light although the sign may be internally illuminated in accordance with Section 612 hereof.

B. Directional Signs.

1. No more than four (4) directional signs shall be permitted in the Township for any use, object, product, service, place, activity, person, institution, organization, or business.
2. Temporary direction signs, intended solely to direct motorists towards uses, shall include no advertising other than the name of the use. These signs shall have a maximum sign area of six (6) square feet. The signs must be removed within seven (7) days of the end of the use.
3. Permanent directional signs shall not exceed twelve (12) square feet. Permanent directional signs shall be allowed for government uses.

606. ILLUMINATED SIGNS.

- A. Signs may be illuminated by direct lighting, provided such lighting shall be shielded so no direct light will shine on abutting properties or in the normal line of vision of the public using the streets.

607. REMOVAL.

- A. On-premises signs advertising a use no longer in existence or a product no longer available shall be removed or changed to advertise a new use or product within ninety (90) days after cessation of the original use or availability of the original product.
- B. Signs once removed shall be replaced only by signs in conformance with this Ordinance.

608. VEHICLES OR STRUCTURES USED AS SIGNS.

- A. Any vehicle or structure to which a sign is affixed in such a manner that the carrying of such sign or signs no longer is incidental to the primary purpose of the vehicle or structure but becomes a primary purpose in itself, shall be considered a freestanding sign and as such be subject to the provisions regarding freestanding signs in the district in which such vehicle or structure is located.
- B. All sign provisions of this Ordinance shall apply to the use of silos, smokestacks, water towers, and other similar structures as signs.

609. SIGNS PROHIBITED IN ALL DISTRICTS. The following signs are prohibited in all zoning districts:

- A. Flashing, blinking, twinkling, animated, or mechanically moving signs of any type, except those portions of signs which indicate time and temperature changes and those which are permitted in Section 612 hereof. This provision shall not prohibit signs with electronically changing messages that do not flash, blink, twinkle, animate or mechanically move.
- B. Signs placed, inscribed or supported upon the roof or upon any structure which extends above the eave of the roof of any building.
- C. Signs which emit smoke, visible vapors or particles, sound or odor.
- D. Signs that appear to direct the movement of traffic, or which interfere with or resemble any official traffic sign, signal or device, shall not be permitted, erected or maintained.
- E. Signs which prevent the driver of a vehicle from having a clear and unobstructed view of official signs and/or approaching or merging traffic.

610. SIGN AREA REGULATIONS. No sign shall exceed the maximum sign area established for that sign in Table 6.1.

611. OFF-PREMISE SIGNS (Including Billboards).

A. Billboards.

1. Size and Location. Billboards:

- a. Shall be no more than three hundred (300) square feet in size.
- b. Shall be located only within five hundred (500') feet of Route 309 and only in the Planned Highway Commercial District.

2. Setbacks and Spacing. Billboards shall be:

- a. Meet the required front yard setback requirements for a structure.
- b. Spaced no closer than five hundred (500') feet from another billboard, as measured along the same side of the street, or meet spacing requirements of the Pennsylvania Highway Beautification Act, whichever is more strict.
- c. Located no closer than one hundred (100') feet from an RR, SR, VC or CN District as measured along same side of a street, nor within these Districts.

- d. Located no closer than two hundred (200') feet from any dwelling.
- 3. Building Requirements. All billboard signs must meet the BOCA Code as to structural and electrical standards.
- B. No off-premise signs shall be allowed in the Township other than billboards complying with this section, directional signs (see Section 605 B), official signs (see Section 601 (B)(2)(c)) or any other off-premise sign specifically allowed by this Ordinance.

612. Digital and Electronic Display Signs

- A. Digital and/or electronic display signs are a type of sign which may create a safety hazard if inappropriately used. Digital and/or electronic signs shall be located only along State Roads and within Fifty feet (50') of the right-of-way line of any State Road within West Penn Township. The digital and/or electronic display signs shall comply with the following standards:
 - 1. All messages, images or displays on a digital sign or electronically changing message sign shall remain unchanged for a minimum of ten (10) seconds.
 - 2. The time interval used to change from one complete message, image or display to the next complete message, image or display shall be a maximum on one (1) second.
 - 3. There shall be no appearance of a visual dissolve or fading, in which any part of one message, image or display appears simultaneously with any part of a second message, image or display.
 - 4. There shall be no appearance of flashing or sudden bursts of light, and no appearance of video motion, animation, movement, or flow of the message, image or display.
 - 5. The intensity and contrast of light levels shall remain constant throughout the sign face.
 - 6. Each digital sign or electronically changing display sign shall be equipped with automatic day/night dimming software, to reduce the illumination intensity of the sign from one hour after sunset to one hour prior to sunrise.
 - 7. The sign shall be constructed so that no beams or rays of light are directed at the traveled portion of the roadway.
 - 8. During evening hours, when illumination is reduced via software, the message shall be fixed from dusk to dawn.

9. The use of red, green or amber lights on any sign within two hundred (200) feet of the right-of-way lines of a signalized street intersection shall be prohibited. The use of other combinations of lights shall be prohibited if the illumination or fixtures create, or may create, a traffic hazard.

613. ROOF MOUNTED SIGNS

- A. Roof Mounted Signs are prohibited in all districts.

614. REPEALER AND VALIDITY

- A. All Ordinances or Resolutions, or parts of Ordinances or Resolutions, insofar as they are inconsistent herewith, are hereby repealed.
- B. If any section or part of a section of this Ordinance shall be declared invalid, such invalidity shall not affect the remaining parts or sections of this Ordinance. It is hereby declared to be the legislative intent that this Ordinance would have been enacted as if such invalid section or portion thereof had not been included therein.

This Ordinance shall become effective five (5) days after enactment.

DULY ENACTED AND ORDAINED, this 13th day of September, 2016, by the Board of Supervisors of West Penn Township, Schuylkill County, Pennsylvania, in lawful session duly assembled.

WEST PENN TOWNSHIP BOARD
OF SUPERVISORS


James G. Dean, Chairman


Theodore Bogosh III


Anthony J. Prudenti

ATTEST:

By:


Secretary

TABLE 6.1 SIGN AREA REGULATIONS

Location of Sign	Type of Sign Structure	Maximum Area of Sign (Sq. Ft.) *					HC, GI, EI and L/B
		Maximum Area of Sign (Sq. Ft.) in District					
		CN	AG	SR and RR	VC		
ON PREMISES **	FREE STANDING SIGN	24	24	16	48	64	
	WALL SIGN	24	24	16	Not Exceeding 20% of Building Face Area on that Street	Not Exceeding 30% of Building Face Area on that Street	
	WINDOW SIGN	16	16	16	Not Exceeding 20% of Building Face Area on that Street	Not Exceeding 30% of Building Face Area on that Street	
OFF PREMISES ***	See Section 605.B (Directional Signs and Section 611 (Billboards)).						

Area of Signs:

1. 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 racing which are incidental to the display itself.
2. 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 that of the smallest rectangle or other simple shape, including the sign background, which encompasses all of the letters and symbols.
3. In computing square foot area of a double-face sign, only one side shall be considered, provided both faces are identical. If the interior angle formed by the two faces of the double-faced sign is greater than forty-five (45°) degrees, then both sides of such sign shall be considered in calculating the sign area.

* See Section 605 A for permitted number of signs.

** See Section 605 B for permitted number of signs.