

SHIREMANSTOWN BOROUGH SIGN ORDINANCE

(REVISED JUNE 2018)

14-9.01 PURPOSES AND INTENT OF SIGN REGULATIONS

The Borough of Shiremanstown acknowledges a necessity to display information on signs in a manner protecting the public, health, safety and welfare. The Borough of Shiremanstown recognizes that safety issues and conflicts can arise when the placement of a sign or signage is not adequately controlled, regulated and enforced. Appropriate placement, design and maintenance of signage compliments visual appeal in the Borough thereby protecting property values, lessening the congestion of air and space, avoiding undue sign concentrations and supporting public safety by aiding traffic control, traffic flow on public streets and highways throughout the Borough. The Borough of Shiremanstown further recognizes that technology can assist with display of public and private information in a simple, energy efficient and practical manner.

The intent of the Borough by enacting these Sign Regulations is to achieve balance between establishing reasonable community standards for municipal, religious, commercial, office, business and other advertising signage while preserving historical streetscapes, structures of buildings and community objectives to maintain a healthy, clean and desirable Borough, with substantial recognition towards preserving the wholesome, unique and attractive character of the Borough.

14-9.02. DEFINITIONS.

ANIMATED SIGN. Any sign using actual motion or the illusion of motion, whether activated by electrical, mechanical, environmental or other means. Examples include rotating and flashing signs. Flashing will not be deemed to occur if the interval between on and off cycles of the display phase exceeds ten seconds.

BANNER. Any sign of lightweight fabric or similar material that is usually mounted to a pole or building at one or more edges, upon which copy or graphics are displayed, with a minimum dimension of 3 square feet per face; but not including any solid colored, multicolored, or seasonal decoration containing no commercial message. National, State or municipal flags, or the

official flag of any institution or business shall not be considered banners.

BED AND BREAKFAST. An establishment providing for compensation, sleeping accommodations and breakfast for transient guests.

BILLBOARD. A sign displaying changeable advertising copy which pertains to a business, organization, event, person, place, service or product not principally located or sold on the premises upon which said sign is located, and shall include public service messages, political campaign advertisements and other noncommercial speech.

BUSINESS OFFICE BUILDING. A building used as offices and occupied by personnel to perform business, professional, administrative or clerical functions.

BUSINESS OFFICE COMPLEX. A group of business office buildings or condominium units located on a single tract of land.

CHANGEABLE MESSAGE SIGN. A permanent sign, including bulletin or activity announcement board, that changes appearance or light intensity to convey messages or copy by electronic or mechanical means, regardless of the technology used.

CHURCH. A building or structure, or groups of buildings and structures, that by design and construction are primarily intended for conducting organized religious services and associated accessory activities.

CIVIC ORGANIZATION. A local service club, veterans post, fraternal society or association, volunteer or rescue groups, or local civic league or association of 10 or more persons not organized for profit but operated exclusively for educational or charitable purposes as defined herein, including the promotion of community welfare, and the net earnings of which are devoted exclusively to charitable, educational, recreational or social welfare purposes.

DIRECTLY ILLUMINATED SIGN. A sign designed to give forth artificial light directly (or through transparent or translucent material) from a source of light within such sign, including, but not limited to, neon and exposed lamp signs. No directly illuminated sign shall violate the provisions of Section 14-8-04.

FESTOON LIGHTING. A directly illuminated sign comprised of a group of incandescent bulbs hung or strung overhead or used to outline a structure or any part thereof.

FLAG. A fabric, piece of cloth or similar flexible material, usually rectangular in shape, of distinctive design, that is

used as the symbol of government, political subdivision or other entity. Such a flag, that is raised and lowered on a flagpole, shall not be considered a sign.

FOOT CANDLE. A unit of light density incident on a plane (assumed to be horizontal unless otherwise specified), and measurable with a luminance meter, a.k.a. light meter.

FREE-STANDING SIGN. A temporary, self-supporting sign resting on the ground or supported by means of poles or standards in the ground. The height of free-standing signs shall be measured from the street centerline.

FULL CUTOFF. The attribute of a lighting fixture from which no light is emitted at or above a horizontal plane drawn through the bottom of the fixture and no more than ten percent (10%) of the lamp's intensity is emitted at or above an angle of ten (10) degrees below that horizontal plane, at all lateral angles around the fixture.

FULLY SHIELDED. Attribute of a lighting fixture provided with internal and/or external shields and louvers to prevent brightness from lamps, reflectors, refractors and lenses from causing glare at normal viewing angles.

GLARE. Excessive brightness in the field of view that is sufficiently greater than the brightness to which the eyes are adapted, to cause annoyance or loss in visual performance and visibility, so as to jeopardize health, safety and welfare.

GROUND POLE SIGN. A sign supported vertically by one or more uprights, poles or braces placed in or upon the ground.

HOME OCCUPATION SIGN. A sign approved as part of an authorized home occupation provided the area of the sign does not exceed seventy-two (72) square inches.

INDIRECTLY ILLUMINATED SIGN. A sign illuminated with a light so shielded that no rays therefrom are visible elsewhere on the lot where said illumination occurs. If such shielding device is defective, such shall be deemed to be a directly illuminated signs.

ILLUMINANCE. Quality of light, measured in foot-candles.

ILLUMINATED SIGN. A permanent sign that provides artificial light directly or through any transparent or translucent material from a source of light connected with such sign, or a sign illuminated by a light focused upon or directed at the surface of the sign.

LIGHT TRESPASS. Light emitted by a lighting fixture or installation, which is cast beyond the boundaries of the property on which the lighting installation is sited.

LUMEN. As used in the context of this Article, the light-output rating of a lamp (light bulb).

LUMINAIRE. A complete electric light unit, including necessary parts and wiring.

MEMORIAL SIGN. A permanent sign that commemorates a person, a place, a building or an event of historical or cultural significance, including the date and construction or dedication of a building or structure.

NONILLUMINATED SIGN. A sign which is not illuminated either directly or indirectly.

OFF-PREMISES ADVERTISING SIGN. A permanent sign or billboard which contains a message unrelated to a business or profession conducted upon the zone lot where such sign is located, or which is unrelated to a commodity, service or entertainment sold or offered upon the zone lot where such sign is located.

ON-PREMISES ADVERTISING SIGN. A permanent sign which contains a message related to a business or profession conducted upon the zone lot where such sign is located and which is related to a commodity, service or entertainment that is sold or offered upon the zone lot where the sign is located.

PARALLEL (WALL) SIGN. A permanent sign attached directly to, painted or otherwise mounted parallel to a wall or other vertical building surface. Parallel signs shall not extend horizontally more than eighteen (18) inches from the surface of a wall nor extend above the roof line or extend beyond the edge of the building. Any sign that is affixed to the building marquee, building awning or a building canopy shall be considered a wall sign. Signs painted or displayed upon any structure shall be considered a wall sign. For interpretational purposes, the definition of a parallel sign and wall sign shall be used interchangeably.

PENNANT. Any lightweight fabric, plastic or other material, usually triangular in shape, suspended from, or attached to, a rope, wire, string or pole, whether grouped in series or not, and normally designed to move in the wind.

PERMANENT RESIDENTIAL DEVELOPMENT SIGN. A sign at major entrances designed to identify an existing or planned residential subdivision, containing no commercial advertising.

PERMANENT SIGN. Any sign which is intended to be displayed for a length of time in excess of thirty (30) days.

POLITICAL, ELECTION AND FREE EXPRESSION. Any sign which expresses an opinion or promotes a candidate for public office or related to an election, including a sign recognizing an issue presented on a public election ballot, but does not advertise a product, service or event, or commodity and includes temporary signs.

PORTABLE FREE-STANDING SIGN. A free-standing sign not exceeding eighteen (18) square feet that is readily portable and has no means of attachment to a structure or the ground, but which is held in place solely by gravity.

PREMISES. The area occupied by a business or other commercial, professional or industrial enterprise.

PROJECTING SIGN. A permanent sign mounted to a building wall other than a parallel sign. A projection shall not interfere with normal pedestrian or vehicular traffic and shall not extend beyond the edge of any wall or other surface to which they are mounted.

REGISTERED DESIGN PROFESSIONAL. Any person licensed by the Pennsylvania Department of State or other applicable state, federal or local agency to perform the specific work required.

REGULATORY NOTICE SIGN. A sign placed on-premises communicating information warning the public about hazards or dangers on the property, including but not limited to any public notice mandated by federal, state, local ordinance or any court order.

ROOF SIGN. A sign erected on or above the roof or parapet of a building and supported by the roof structure.

SCROLLING SIGN. A sign that contains text that changes location on the sign in a progressive pattern.

SEARCHLIGHT. Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same zone lot as the light source; also, any light with one or more beams that rotate or move.

SIGN. Any structure, device, light or object, including the ground itself or any part thereof, or any device attached thereto, or painted or represented thereon, which shall be used to identify, advertise or attract attention to any object, product, place, activity, person, institution, organization, firm, group, commodity, profession, enterprise, industry or business, or which shall display or include any letter, word, model, balloon, searchlight, number, flag, pennant, insignia,

device or representation used as a visual communication, an announcement, direction, advertisement and which is intended to be seen from off the premises or from a parking lot, designed to attract the eye or bring the subject to the attention of the public, and shall be deemed to include window signs

SIGN AREA. The area enclosed by one continuous line, connecting the extreme points or edges of a sign. The area shall be determined using the largest sign area or silhouette visible at any one time from any one point. This area does not include the main sign support structure, but all other ornamental attachments, inner connecting links, trim, etc. which are not part of the main supports of the sign are to be included in determining sign area. When attached to or painted on a surface, a building, canopy, awning, wall or window, the area is that of the smallest polygon that encompasses all of the letters and/or symbols. All visible faces of a multi-faced sign shall be counted separately and then totaled in calculating sign area.

SIGN COPY. Numerals, figures, logos, letters and graphic elements comprising the content or message of a sign.

STOREFRONT. The front of a business or business building facing a street, driveway, or parking area.

STREAMER. A long, narrow, ribbon like strip of cloth or fabric, colored paper, etc., hanging loose at one end, suspended from, or attached to, a rope, wire, string or pole, grouped in series, and normally designed to move in the wind or by mechanical means, including wind generated by a fan or electrical blower.

TEMPORARY SIGN. A sign including, but not limited to, banners, which is to be displayed out of doors and intended to be displayed for a period of time not to exceed ten (10) days.

A TOURIST-ORIENTED DESTINATION (TOD) SIGN. A permanent sign or logo located in a public right of way to direct the viewer to a point or destination of historical, cultural or educational significance.

WINDOW SIGN. A permanent sign, picture, symbol or combination thereof designed to communicate information about an activity, business, commodity, event, sale or service that is placed inside a window or on the inside or outside surface of a window, and is intended to be a permanent sign.

UNIFORM CONSTRUCTION CODE. The statewide building code adopted by the Pennsylvania General Assembly by Act 45 of 1999, as amended, applicable to new construction and the regulations to enforce such as adopted by Pennsylvania Department of Labor and

Industry from time to time. Applicable to residential and commercial construction by the current editions of the International Residential Code and International Building Code as adopted by reference in said act and regulations.

VEHICULAR SIGN. Any vehicle to which a sign is affixed in such a manner that the carrying of such sign becomes the primary purpose in and of itself, provided that that a vehicular sign shall not include a vehicle which is actually and primarily used for the transport of people or things.

ZONE LOT a parcel of land in single ownership that is of sufficient size to meet minimum zoning requirements, or duly authorized relief therefrom, for area, coverage and use, and that can provide such yards and other open spaces as required by this Ordinance.

14-9.03. REQUIREMENTS FOR A SIGN PERMIT.

- A. No sign shall be placed, erected, altered, enlarged or relocated until a sign permit for doing so has been issued by the Borough Zoning Officer, unless such sign is exempted herein. All signs must comply with all regulations contained herein, regardless of whether a permit is required, and no permit shall be granted except in conformity with this Ordinance, except upon variance granted by the Shiremanstown Zoning Hearing Board or court of competent jurisdiction.
- B. A building or construction permit shall also be required unless the sign proposal satisfies exemption criteria.
- C. Any change in advertising or informative content shall require a new sign permit.

14-9.04. APPLICATION FOR A SIGN PERMIT.

A. Applications shall be submitted on forms provided by the Borough of Shiremanstown, shall indicate consent of the owner of the premises upon which the sign is to be located and shall be accompanied by supporting information that is sufficient to determine compliance with this article and any other relevant ordinances. Information shall include the names and addresses of the sign owner, the land owner and sufficient supporting data for the Borough zoning officer to review the size, location, proposed source of light, brightness of light and sign manufacturer. Examples of supporting data that may be required include a scale drawing with relevant dimensions noted to illustrate the proposed height, area, size and sign copy; a plot plan of the property on which the sign will be located to

illustrate the position of proposed signs relative to buildings, structures, lot lines and rights-of-way; illumination method and materials; and support systems, structural loads, stresses and anchoring details. Compliance with performance criteria may require certification by a registered design professional.

B. Prior to the issuance of any permit in any zoning district for a changeable message sign containing an announcement or bulletin board, the zoning officer shall submit the application and accompanying material to the Shiremanstown Borough Planning Commission for consideration of the proposed changeable message sign with attached announcement or bulletin board. The recommendations of the Planning Commission should be considered, but are not binding on any decision of the zoning officer or the zoning hearing board, as applicable. The recommendations of the Planning Commission shall be submitted in to the Zoning Hearing Board in the course of a special exception request.

C. Unauthorized, Unsafe and Unlawful Signs. If the Zoning Officer finds that any sign regulated herein is unauthorized, unsafe or insecure or is a menace to the public, the zoning officer shall issue an enforcement notice in accordance with the terms and requirements of the Pennsylvania Municipalities Planning Code notice to the permittee thereof. The Zoning Officer may cause any sign or other advertising structure which is in immediate peril to persons or property to be removed summarily and without notice.

D. Expiration. Any permit issued by the Zoning Officer for erection, alteration, replacement or relocation of a sign shall expire automatically within six (6) months of the date of issuance if work authorized by the permit has not been initiated and diligently pursued.

E. The Zoning Officer shall issue or deny the required permits within thirty (30) days after submission of a completed sign permit application that complies with all applicable provisions of this Chapter and payment of all required fees, and UCC compliance, as applicable. Requests for variance and/or special exceptions to the terms of the Zoning Ordinance shall extend the time frames for issuance of a zoning permit for a period of forty-five days after delivery of a written decision of the Zoning Hearing Board.

F. Fees. Fees for zoning permits for signs shall be required and payable in such sums as the Borough Council may from time to time establish by resolution.

14-9.05. REVOCATION OF PERMITS

- A. All sign permits shall be subject to revocation upon fifteen (15) days written notice for violation of any provision and failure to correct such violation within fifteen (15) days of the date of the above-written notice or upon a material change in circumstances or information provided in the approved application.
- B. Revocation of a sign permit shall not be the cause for the refund of the permit fee.

14-9.06. EXEMPTIONS TO PERMIT REQUIREMENTS/ SIGNS PERMITTED IN ANY ZONING DISTRICT.

The following signs are permitted in any zoning district and are exempt from zoning permit requirements, but must conform to all other requirements of this article, and when applicable, secure all necessary building permits. Construction permits may be necessary.

- A. **Federal, State and Local, including governmental agencies.** Signs erected by the Federal, State or local municipalities or agencies thereof, including the Borough of Shiremanstown and Lower Allen Township Authority, including any agencies thereof, bearing no commercial advertising, including but not limited to street signs, traffic signs, railroad crossing signs, safety signs, signs identifying public schools and playgrounds, highway markers, crosswalks, parking restrictions, speed limits and other similar types of signs establishing safety and emergency regulations.
- B. **Flags.** Flags of any political or noncommercial entity, provided that the flag, pennant or insignia of any governmental, or of any religious, charitable or fraternal organization, which shall be limited to a maximum area of 32 square feet per face with a maximum of two faces and to a height not to exceed the maximum building height in the appropriate zoning district.
- C. **Real Estate Marketing Signs.** Signs which advertise the sale, rental, or lease of the land or structure(s) upon which they are located, and shall include construction signs which give the name or names of the principal contractors, architects, and lending institutions responsible for construction on the site. Such signs shall not exceed 6 square feet per face in area, with no more than 2 faces, in residential districts and shall not exceed 32 square feet in area per face in all other zoning districts. One real estate marketing sign may be placed on a

given zone lot for every street right of-way which abuts that zone lot. If a given street adjacent to a zone lot abuts that lot for a continuous distance of 500 feet or more, one additional real estate marketing sign may be displayed along that street right of way.

D. Regulatory Notice Signs.

E. Illuminated and Non-illuminated Manual Bulletin Boards. An illuminated or non-illuminated manual bulletin or announcement board or similar sign not exceeding twenty-five (25) square feet per sign face, with a limit of two sign faces, in direct association with a land use by a municipal, educational or religious institutional, including church, neighborhood or civic association, museum, library or similar public or semipublic nature, provided that the top of the primary land use sign shall be not more than six (6) feet above ground level, and provided that it complies with all other provisions of this article.

F. Political, Election and Free Expression. Political, election and free expression signs in accordance with the general sign limitations, provided that the size of such sign shall not exceed sixteen (16) square feet. Political and election signs may be placed on Borough public property within 200 feet of a voting location provided they are placed no earlier than 5:00 p.m. the day preceding an election and removed no later than 10:00 a.m. the day following an election.

G. Residential House Numbers. Signs and numbers depicting the name and address of a resident, a building or street address, excluding business or commercial advertising, not exceeding two (2) square feet in sign area in residential zoning districts and four (4) square feet in non-residential zoning districts.

H. No Trespassing Signs. Non-illuminated, no trespassing signs or other such signs regulating the use of a property, such as "No Trespassing", "Private Road or "Private Property" etc., of not more than 2 square feet in sign area in any residential zones, and five (5) square feet in non-residential zoning districts.

I. Municipal, educational and charitable special events. Special event signs, banners or portable freestanding signs of the Borough of Shiremanstown, its commissions, an agency, school, religious and other public service group shall be limited to a maximum size of sixteen (16) square feet in area per face with a maximum of two faces and shall be removed within seventy two (72) hours after the event advertised has occurred and shall not

be permitted to exist more than thirty (30) days prior to such event or activity.

J. Auctions, Garage or Yard Sales. Non-illuminated signs indicating a public or private auction, garage, yard or private sale shall be limited to a maximum size of five (5) square feet in area and shall be removed as soon as the event or activity advertised thereby has ended, and shall not be permitted to exist more than ten (10) days prior to such event or activity, excepting an auction sign placed by a licensed auctioneer.

K. Holiday/Community decorations/Tourist oriented design sign/Memorial. Holiday and community decorations, tourist oriented design, memorial signs, along with municipal flags and signs displayed for recognized Federal or State, except as they may interfere with glare, traffic safety or in any other way become a public safety hazard.

L. Off-premises signs located at athletic facilities. Incidental signs typically utilized for fund-raising purposes that are attached to fences, scoreboards and other structures, provided that they are primarily oriented for viewing by participants and spectators, provided advanced approval is obtain from the Borough of Shiremanstown.

M. Barber pole or sign indicating that barbering services are performed.

N. On-premises event sign. An identification or marketing sign that is not primarily intended for viewing from a public street, or adjacent property, and the copy of which is not readily discernible from an adjacent property or the public street that abuts the property on which the sign is located.

O. In/Out signs. On-premises directional signs regulating traffic, parking, public services that are placed at driveways solely to indicate the location of ingress and egress at public streets. Such signs may not exceed four square feet per face or extend higher than 3.5 feet above ground level. Such signs shall not contain any advertising, but up to 25% of the sign area may contain the business name and/or logo.

P. Decals. Commercial decals affixed to windows or door glass panes are signs. Such decal signs shall not exceed 1,500 square inches in the aggregate per zone lot, and shall be affixed to such pane to a height not to exceed 4 feet as measured from the threshold of the principal public entrance.

Q. **Temporary sign.** Temporary signs in the RST and RMT zoning districts are limited to a sign intended for use with garage sales, yard sales, public or private auctions and similar events. Unless posted by a professional auctioneer, temporary signs may be displayed not more than ten (10) days before the event and must be removed not more than one day after the event. Temporary signs in the AO and CN zoning district are intended to provide an opportunity for businesses to replace or supplement permanent signs on a short-term basis as well as providing an opportunity for businesses to display public information regarding special events, new products and services, changes in ownership or management, employment opportunities and similar messages. No more than two (2) temporary signs shall be installed on a zoned lot at a time and such signs shall be limited to a maximum size of five (5) square feet.

R. **Developer/Contractor Signs.** One temporary, non-illuminated sign erected in connection with a construction development or by a contractor, mechanic, painter or artisan during such period of work on the premises, provided such sign shall be removed within thirty (30) days after completion of a development or work by a contractor, mechanic, painter or artisan. Any developer or contractor signs shall not exceed twelve (12) square feet, and no more than one such sign for each contractor shall be erected on any Lot.

S. **Bed and Breakfast Sign.**

T. **Any other sign authorized by State or Federal law.**

14-9.07. PROHIBITED SIGNS IN ALL ZONING DISTRICTS

A. **Dangerous or Hazardous Signs.** Any sign which constitutes a hazard to public safety or health, including signs placed in such a position to obscure the view of traffic within the clear-sight triangle of any street intersection, including sign structures. Dangerous or hazardous signs shall include any sign which by reason of size, location, content, 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 and roads, or signs which prevent free ingress and egress from any window, door or fire escape. Any non-municipal sign which makes use of words such as "stop", "look", "one-way", "danger", "yield", "go", "slow", "caution" or similar words, phrases, symbols, lights or characters in such a manner to interfere with, mislead or confuse traffic or which

imitate an official traffic sign or signal shall be considered dangerous signs.

B. Street Banners. Street banners, except in the case of municipal, civic or charitable nonprofit organizations, are prohibited. When permitted, such banners shall only be placed across the Borough street right of way by action of Council, and across any State highway by lawful permit approved by the Pennsylvania Department of Transportation.

C. Flashing/Rotating Signs/Animated Signs. Any Sign which presents or depicts a flash, revolves, moves, visually dissolves copy, scrolls copy, animates copy or vapor produce, emits smoke, steam, open flames or odors including any sign that moves in whole or in part. Clocks, hanging signs which move by action of normal wind currents, time and temperature signs are excepted, provided that they otherwise comply with all provisions of this regulation.

D. String Lights. String lights used for illumination, other than temporary holiday uses, which are not shielded from off the property on which they are located.

E. Search Lights, temporary pennants, temporary advertising banners or dancing streamers. Any searchlights, temporary pennants, temporary advertising banner and/or streamers, except for grand openings, not exceeding ten (10) days upon approval by the Zoning Officer.

F. Changeable message sign. Unless approved by the Zoning Hearing Board as a special exception approved as part of a municipal, educational or religious use and used in association with a primary identification sign, changeable message signs are prohibited in all zoning districts.

F. Homemade Sign. Homemade or handcrafted signs painted on, attached to, or supported by a telephone pole, utility pole tree, wall, stone, berm or other natural object, with the exception of "no trespassing signs" which may be attached to a tree on private property by the owner.

G. Obsolete Sign. A sign advertising a use of real estate which no longer exists, including signs misrepresenting a service or product which is no longer provided on the use of land.

H. Signs placed on Public Property or rights-of-way. Unless approved by the Borough Council of Shiremanstown, no sign shall be placed or located on Borough property or within any public street right of way, excluding a sign erected by Borough Council or agency of the of the Borough Council.

I. **Roof signs.** No sign may be mounted on a roof, with the exception that signs may be mounted on roof-like architectural projections of walls, such as pent eaves and mansards, provided that the sign does not project above the highest part of the wall.

K. **Obstructive signs.** Any sign obstructing light or air, or interferes with proper functioning of a building, including a sign which obstructs unimpeded access and exit from a mandated door, window or fire escape.

L. **Festoon sign lighting.**

M. **Any sign containing a wireless communication device or facility.**

N. **Vehicular sign.**

P. **Elevated, Suspended Signs.** Hot air balloons, signs suspended by a balloon, operated by a fan or wind creation device and inflated signs or other elevation device not affixed to a structure used only for special events, unless approved in advance by the Zoning Officer.

14-9.08. CONSTRUCTION, CONDITION, REPAIR AND REMOVAL OF SIGNS.

(1) Any sign shall be constructed of durable material and maintained in good condition.

(2) All electrical components of any sign shall comply with the electrical code referenced in the Pennsylvania Uniform Construction Code and subject to review and approval of the duly appointed Shiremanstown Building Code official or agency.

(3) No sign shall be maintained within the Borough in such a state of disrepair as to have the appearance of neglect, including conditions of rot, damage, disrepair, illegible copy, loose parts, peeling paint, or separated from the original fastenings.

(4) Whenever a sign becomes structurally unsafe or endangers the safety of the building or premises, or endangers the public safety, the Zoning Officer shall issue written notice of the unsafe condition to the owner of the property upon which the sign is located. Written notice shall direct that the unsafe or dangerous sign be made safe, corrected to comply with this

Ordinance and provide a time period of thirty (30) days to complete necessary repairs. In the event unsafe or dangerous conditions exist after thirty (30) days of written notice to a property owner, the Zoning Officer may initiate civil enforcement proceedings, including the issuance of a civil enforcement notice in accordance with the provisions of the Pennsylvania Municipalities Planning Code.

(5) Signs and sign components may be removed for repair and maintenance, provided that the sign or sign component is restored to the same height, width and shape, area, volume and location authorized by the permit. Repair and maintenance activities that do not affect the height, width, shape, volume or location of a sign do not require a zoning permit, however, if these activities affect structural or electrical components of the sign, a building permit shall be required to the extent required by provision of the Building Code enforced by the Shiremanstown Building Code official.

(6) Any sign referencing a land use which no longer exists, has been abandoned, ends or no longer in service shall be removed within a period of thirty (30) days after the circumstances leading to its placement no longer apply, including when an advertised use ends or goes out of business through involuntary or voluntary action.

14-9.09. CHANGEABLE MESSAGE SIGN (BULLETIN OR ANNOUNCEMENT BOARD) PERMITTED BY SPECIAL EXCEPTION

A. A changeable message sign used and constructed as a bulletin or announcement board shall be permitted on land owned or used by a municipal, educational or religious institution in any zoning district by permit issued by the Zoning Officer and by Special Exception approved by the Zoning Hearing Board of the Borough of Shiremanstown establishing the following criteria and conditions of approval:

i. The changeable message sign used and constructed as a bulletin or announcement board shall be secondary, attached to and used in association with a principal land use sign supported by a ground pole(s) or permanent structure identifying the primary land use located on a property owned by the municipal, educational or religious institutional use; and

ii. The changeable message sign may be on the same lot of the principal sign identifying the municipal, educational or religious institutional land use, or alternatively, or it may be

erected on a different lot owned by the municipal, educational or religious institutional land use located within 500 lineal feet of the property line of the lot containing the municipal, educational or religious institutional land use; and

iii. The principal sign identifying any municipal, educational or religious institutional land use may contain a changeable message announcement or bulletin board sign on each face; and

iv. The changeable message bulletin or announcement board shall have a fixed copy for a minimum of one (1) hour after 6:00 a.m. and before 9:00 p.m., operate in stationary/fixed mode only on black background with white copy before 6:00 a.m. and after 9:00 p.m., and display messages usually and customarily associated with a bulletin or announcement board recognizing events, schedules and activities planned by the municipal, educational or religious institutional land use; and

v. Any message displayed on a changeable message bulletin or announcement board shall change instantaneously and not depict dissolution, hatching or fading when a message changes; and

vi. A message displayed on a changeable message bulletin or announcement board shall not travel, scroll in any direction, animate, flash, include movement or action, or include sudden bursts of light. Copy shall be of sufficient size and font to depict a clear and concise message to pedestrian and vehicular traffic.

vii. Brightness levels of any message displayed on any changeable message bulletin or announcement board shall have a constant illumination intensity, shall be automatically adjusted to ambient light levels and shall not exceed 0.20 foot candles above ambient light levels as measured at five (5) feet above grade, using all-white setting, at any time of day or night; and

viii. Any message displayed on a changeable message bulletin or announcement board shall be subject to the brightness limitations contained above. No message displayed on an electronic, changeable message bulletin or announcement board shall be brighter than the light emitted by the principal use identification sign after dusk and before sunrise; and

ix. A municipal, educational or religious institutional land use owner shall permit message access for local, regional, state and national emergency services during emergency situations. Emergency messages are not required to conform to message standards listed herein; and

x. The announcement or bulletin board constituting a changeable message sign shall not exceed the size of the principal use identification sign; and

xi. The supporting structure or ground pole of any sign containing a changeable message sign with a bulletin or announcement board shall be landscaped to buffer the supporting structure or ground pole from view, provided that no buffering plant, tree or shrubbery shall interfere with the view of the sign, including the changeable message sign bulletin board and the municipal, educational or religious institutional land principal use identification sign. For each visible sign face, the landowner and/or developer shall provide landscaping equivalent to 1 1/2 square feet for each square foot of sign area (both faces). Landscaping shall consist of a combination of deciduous and evergreen trees, ornamental grasses, groundcover and/or small shrubs. Turf grass shall not be considered as landscaping for ground signs. The height of any decorative base or architectural or landscape feature erected to support or ornament the sign shall be measured at average grade level of the ground to the top of the sign structure, provided the grade level is not deliberately elevated to increase the height of the sign; and

xii. The changeable message sign shall not display any copy or image which may be confused with warning signals, emergency signals or traffic signals or traffic control devices.

B. Changeable message signs shall not be permitted on any property or land use in any zoning district, excepting municipal, educational or religious institutional land uses as provided for herein.

**14-9.10. SIGNS PERMITTED IN THE APARTMENT OFFICE (AO)
ZONING DISTRICT**

A. In order to maintain the historical nature and character of existing structures in the Apartment Office Zoning District, and allow for signs for permitted non-residential uses in a manner compatible with predominant residential uses, the following signs shall be permitted as of right, provided dimensional and all other requirements of this Chapter are met.

(i) **MEMORIAL SIGN.** One freestanding, indirectly illuminated or non-illuminated memorial signs are limited to eight (8) square feet per face, with a maximum of two faces. When affixed to the surface of a building, they shall either be cut into exterior masonry facing, or constructed of durable, noncombustible material and fastened to the exterior surface of the building. Memorial signs affixed to building surfaces are

limited to six (6) square feet and one (1) such sign per street frontage.

(ii) **PERMANENT, ON-PREMISES ADVERTISING SIGN.** One indirectly illuminated or non-illuminated permanent on-premises sign, not exceeding twenty (20) square feet. No portion of any permanent advertising sign shall be located closer to any lot line than one-half (1/2) the required yard for the district in which it is located. If this requirement cannot be met, then free-standing signs shall be prohibited on such properties. When a temporary freestanding sign is used as a short-term substitute for a permanent freestanding sign that is removed for replacement or repair, the temporary freestanding sign area may exceed the zoning district area limitation, provided that the temporary sign area is not greater than the area of the permanent free standing sign.

(iii) **GROUND POLE SIGN.** In addition to the general provisions of this regulation, the following specific regulations shall apply to all ground pole signs:

(a) One (1) ground pole sign and all parts, braces and supports thereof shall be located entirely within the property lines of the premises and shall not project over public rights of way or other adjoining lands. Ground pole signs are permitted between the property line and the building setback lines, except where otherwise prohibited.

(b) One (1) ground pole sign shall have no more than two faces or advertising sides which may be indirectly illuminated or non-illuminated.

(c) No single face or advertising side of a ground pole sign shall have an area which exceeds the square footage calculated by multiplying one (1) square foot times 1/2 the number of lineal front feet which the subject zone lot has adjoining on a public street, road or highway measured at the right- of way line, but in no event shall any such face or side exceed twenty (20) square feet.

(d) No ground pole sign face or advertising side shall have any dimension (length, width, diameter, etc.) in excess of ten (10) lineal feet.

(e) All ground pole signs hereafter erected shall be located within a planted green area at least equal to the allowable area of a single face or advertising side for the subject sign, which area shall also include ornamental evergreen shrubbery to minimize the visibility of poles, supports and braces of such sign.

(iv) **A TOURIST-ORIENTED DESTINATION (TOD) SIGN.** A Tourist-Oriented Destination (TOD) erected in public rights-of-way by the authorities having jurisdiction over them are exempt from these regulations. A Tourist-Oriented Destination (TOD) erected on private property with the consent of the property owner shall not exceed eight (8) square feet per face, with a maximum of two faces. When affixed to the surface of a building, they shall either be cut into exterior masonry facing, or constructed of durable, noncombustible material and fastened to the exterior surface of the building, not exceeding six (6) square feet.

(v) **PERMANENT PARALLEL SIGN.** Illuminated or non-illuminated permanent parallel sign, provided that the sign shall not extend beyond the edge of any wall or other surface to which it is mounted, shall not project more than eighteen (18) inches from the surface of a wall, extend above the roof line and extend beyond the edge of the building. A permanent parallel sign shall not exceed nine (9) square feet. There shall be not more than one (1) signs per wall on any building or structure.

(vi) **FLAGS,** including Flags containing the words or phrase "Open".

(vii) **ONE PORTABLE FREE-STANDING SIGN,** provided it allows for at least four (4) feet of width on any adjacent sidewalk for pedestrian traffic and is placed in daylight hours within ten (10) feet of the principal use on the zone lot and removed daily.

(viii) **TEMPORARY SIGNS,** as provided for above.

14-9.11. SIGNS PERMITTED IN THE COMMERCIAL NEIGHBORHOOD (CN) ZONING DISTRICT

In order to maintain the existing mixed-use nature and character of existing structures and uses, while allowing signs for permitted non-residential uses in a manner compatible with a substantial amount of residential uses in the Commercial Neighborhood Zoning District, the following signs shall be permitted as of right, provided dimensional and all other requirements of this Chapter are met.

A. MEMORIAL SIGN. Freestanding, illuminated or non-illuminated memorial signs are limited to eight (8) square feet per face, with a maximum of two faces. When affixed to the surface of a building, they shall either be cut into exterior masonry facing, or constructed of durable, noncombustible

material and fastened to the exterior surface of the building. Memorial signs affixed to building surfaces are limited to 6 square feet and one such sign per street frontage.

B. **PERMANENT, ON-PREMISES ADVERTISING SIGN.** An illuminated or non-illuminated on-premises permanent sign, not exceeding twenty (20) square feet. No portion of any permanent advertising sign shall be located closer to any lot line than one-half (1/2) the required yard for the district in which it is located. If this requirement cannot be met, then free-standing signs shall be prohibited on such properties. When a temporary freestanding sign is used as a short-term substitute for a permanent freestanding sign that is removed for replacement or repair, the temporary freestanding sign area may exceed the zoning district area limitation, provided that the temporary sign area is not greater than the area of the permanent free standing sign.

C. **GROUND POLE SIGN.** In addition to the general provisions of this regulation, the following specific regulations shall apply to all ground pole signs:

(a) One (1) ground pole sign and all parts, braces and supports thereof shall be located entirely within the property lines of the premises and shall not project over public rights of way or other adjoining lands. Ground pole signs are permitted between the property line and the building setback lines, except where otherwise prohibited.

(b) One (1) ground pole sign shall have no more than two faces or advertising sides which may be indirectly illuminated or non-illuminated.

(c) No single face or advertising side of a ground pole sign shall have an area which exceeds the square footage calculated by multiplying one (1) square foot times one-half (1/2) the number of lineal front feet which the subject zone lot has adjoining on a public street, road or highway measured at the right-of way line, but in no event shall any such face or side exceed twenty (20) square feet.

(d) No ground pole sign face or advertising side shall have any dimension (length, width, diameter, etc.) in excess of ten (10) lineal feet.

(e) All ground pole signs hereafter erected shall be located within a planted green area at least equal to the allowable area of a single face or advertising side for the subject sign, which area shall also include ornamental evergreen

shrubbery to minimize the visibility of poles, supports and braces of such sign.

D. A TOURIST-ORIENTED DESTINATION (TOD) SIGN. A Tourist-Oriented Destination (TOD) erected in public rights-of-way by the authorities having jurisdiction over them are exempt from these regulations. A Tourist-Oriented Destination (TOD) erected on private property with the consent of the property owner shall not exceed eight (8) square feet per face, with a maximum of two (2) faces. When affixed to the surface of a building, they shall either be cut into exterior masonry facing, or constructed of durable, noncombustible material and fastened to the exterior surface of the building, not exceeding six (6) square feet.

E. PERMANENT PARALLEL SIGN. Illuminated or non-illuminated permanent parallel sign, provided that the sign shall not extend beyond the edge of any wall or other surface to which it is mounted, shall not project more than eighteen (18) inches from the surface of a wall, extend above the roof line and extend beyond the edge of the building. A permanent parallel sign shall not exceed nine (9) square feet. There shall be not more than one (1) signs per wall on any building or structure.

F. PERMITTED SIGNS AS OF RIGHT.

G. FLAGS, including Flags containing the words or phrase "Open".

H. ONE PORTABLE FREE-STANDING SIGN, provided it allows for at least four (4) feet of width on any adjacent sidewalk for pedestrian traffic and is placed in daylight hours within ten (10) feet of the principal use on the zone lot and removed daily.

I. TEMPORARY SIGNS, as provided for above.

J. PERMANENT PROJECTING SIGN. Illuminated and non-illuminated permanent projecting signs are permitted, provided that no projecting sign shall extend more than two (2) feet from the wall to which they are mounted nor in any way interfere with normal pedestrian traffic. In addition, the following specific regulations shall apply to all projecting signs:

(1) No projecting sign shall be closer than two (2) feet to the face of the street, curb or curb line.

(2) No projecting portion of any sign shall be less than eight and one-half (8.5) feet above ground level or in manner interfere with pedestrian or vehicular traffic.

(3) No projecting single face of a sign shall exceed fifteen (15) square feet in sign area.

(4) No projecting sign shall have a vertical dimension greater than six (6) feet.

(5) There shall be no more than one projecting sign on any building unless the building is located on a corner lot or has public entrances on two or more public ways, in which case one projecting sign may be erected for and toward each public way.

K. WINDOW SIGN. Indirectly illuminated or non-illuminated window signs shall be designed so they can be legibly viewed from an adjacent property or public street right-of-way and the area of these window signs shall be included in the total window sign area permitted on the property. No more than thirty percent (30%) of the area of a window may be covered with window signs.

L. OFF PREMISES ADVERTISING SIGNS AND BILLBOARDS BY SPECIAL EXCEPTION. Off-premises advertising signs shall be permitted as a special exception in this zoning district, provided all of the following criteria are established by the zoning hearing board of the Borough of Shiremanstown:

(1) All off-premises advertising and/or billboards shall be located on a zoned lot between East Front Street and the railroad right-of-way; and

(2) All off-premises advertising and/or billboards shall be located at least two hundred (200) feet from any other billboard and at least five (5) feet from any property or street right-of-way line; and

(3) All off-premises advertising and/or billboards shall be limited to two (2) faces; and

(4) All off-premises advertising and/or billboards shall be limited to minimum height of twenty-five (25) feet a maximum of thirty-five (35) feet in height.

(5) The maximum sign area for any one (1) sign facing shall be three (300) square feet (inclusive of any border or trim), but excluding the base or apron supports and other structural members. All off-premises advertising signs shall be set back from any adjacent building or structure a distance equal to the overall height of the sign.

(6) All such signs shall be attached to the ground by a single vertical metal or concrete post, pillar, pole or column.

(7) Signs may be illuminated, but no direct ray of light shall extend beyond the face of the sign.

(8) The construction of all signs shall comply with all building and construction code regulations required by the Borough of Shiremanstown.

(9) Every sign shall be identified on the structure with the name of the owner.

(10) All applications for off premises advertising signs shall include a written agreement of contract signed by the owner of the parcel or zone lot on which the off premises sign will be located which allows for the placement of such signs on the property.

14-9.12. SIGNS PERMITTED IN THE RMT ZONING DISTRICT

A. PERMANENT RESIDENTIAL DEVELOPMENT SIGN. A Permanent Residential Development Sign shall identify a residential community, provided that the height limitation for such signs is six (6) feet when located in any residential district, external illuminated is the only type of illumination permitted in a residential district and the area of such signs is limited to forty (40) square feet per face, with a maximum of two faces per sign.

B. PERMITTED SIGNS AS OF RIGHT.

C. A TOURIST-ORIENTED DESTINATION (TOD) SIGN. A non-illuminated tourist-oriented destination (TOD) erected in public rights-of-way by the authorities having jurisdiction over them are exempt from these regulations. A non-illuminated tourist-oriented destination (TOD) erected on private property with the consent of the property owner and shall not exceed six (6) square feet per face, with a maximum of two faces. When affixed to the surface of a building, they shall either be cut into exterior masonry facing, or constructed of durable, noncombustible material and fastened to the exterior surface of the building, not exceeding six (6) square feet.

D. A MEMORIAL SIGN. Freestanding non-illuminated memorial signs are limited to six (6) square feet per face, with a maximum of two faces. When affixed to the surface of a building, they shall either be cut into exterior masonry facing, or constructed of durable, noncombustible material and fastened to the exterior surface of the building. Memorial signs affixed to building surfaces are limited to six (6) square feet and one such sign per street frontage.

E. **OFF-PREMISES SIGNS LOCATED AT ATHLETIC FACILITIES** on Borough property, provided thirty (30) days advanced approval from Borough Council is received prior to sign installation.

F. **TEMPORARY SIGNS**, as provided for above.

G. **NON-ILLUMINATED DIRECTIONAL SIGNS.** Non-illuminated directional signs directing patrons, members or an audience to service clubs, churches or other non-charitable organizations, provided signs shall indicate only the name of the facility and the direction to the facility and shall not exceed four (4) square feet in area per side.

14-9.13. SIGNS PERMITTED IN THE RST ZONING DISTRICT

A. **PERMANENT RESIDENTIAL DEVELOPMENT SIGN.** A Permanent Residential Development Sign shall identify a residential community, provided that the height limitation for such signs is six (6) feet when located in any residential district, external illuminated is the only type of illumination permitted in a residential district and the area of such signs is limited to thirty (30) square feet per face, with a maximum of two faces per sign.

B. **A TOURIST-ORIENTED DESTINATION (TOD) SIGN.** A non-illuminated tourist-oriented destination (TOD) erected in public rights-of-way by the authorities having jurisdiction over them are exempt from these regulations. A non-illuminated tourist-oriented destination (TOD) erected on private property with the consent of the property owner and shall not exceed six (6) square feet per face, with a maximum of two faces. When affixed to the surface of a building, they shall either be cut into exterior masonry facing, or constructed of durable, noncombustible material and fastened to the exterior surface of the building, not exceeding six (6) square feet.

C. **A MEMORIAL SIGN.** Freestanding non-illuminated memorial signs are limited to six (6) square feet per face, with a maximum of two faces. When affixed to the surface of a building, they shall either be cut into exterior masonry facing, or constructed of durable, noncombustible material and fastened to the exterior surface of the building. Memorial signs affixed to building surfaces are limited to six (6) square feet and one such sign per street frontage.

D. **OFF-PREMISES SIGNS LOCATED AT ATHLETIC FACILITIES** on Borough property, provided thirty (30) days advanced approval from Borough Council is received prior to sign installation.

E. **TEMPORARY SIGNS**, as provided for above.

F. **NON-ILLUMINATED DIRECTIONAL SIGNS**. Non-illuminated directional signs directing patrons, members or an audience to service clubs, churches or other non-charitable organizations, provided signs shall indicate only the name of the facility and the direction to the facility and shall not exceed four (4) square feet in area per side.

14-9.14. GENERAL SIGN REQUIREMENTS FOR ALL ZONING DISTRICTS

A. General Illumination Requirements

(1) In the RST zoning district, any sign producing outdoor lighting and/or intense glare shall be so conducted that direct and indirect illumination from the source of light shall not cause illumination in excess of .05 foot candles when measured at any residential zoning district boundary line or any residentially developed property.

(2) Directly illuminated signs, designed to emit artificial light directly or through transparent or translucent material from a source of light within such wall, projection or other sign, including but not limited to neon, are permitted provided that the light being emitted from the sign shall not cause any glare or emit light onto other properties or public rights of way.

(3) No sign shall be illuminated by light emitting diode (LED) or digital form of light shall be permitted in any zoning district, excepting a changeable message announcement or bulletin board sign permitted as a special exception as provided for in Section 14-9.09 of this Article.

(4) Sign lighting shall be low-intensity and generated from a concealed source and shall not spill over into adjoining properties or roadways or in any way interfere with the vision of oncoming motorists. Spotlights used to illuminate signs, or each side of a two-faced sign, shall be restricted to not more than one two-hundred-watt light per sign for up to forty (40) square feet and no more than three-hundred-watt lights per sign for over forty (40) square feet. The sign base or landscaping around the sign shall be designated to shield the light from oncoming motorists to conceal the light source and light fixtures.

(5) Any floodlighting of any sign in any zoning district shall be shielded that the source of light shall not be directly visible without adequate diffusion from any point off the lot on which the sign, building or structure being illuminated is erected and so that only the sign is directly illuminated.

(6) String bulbs are not permitted except as part of a holiday celebration.

B. Size.

(1) The size of a sign shall refer to the area of the sign facing, including any border framing, bracing or decorative attachments.

(2) Where the sign consists of individual letters or symbols attached to a building wall, or window, the area shall be considered to be that of the smallest rectangle or other regular geometric shape which encompasses all of the letters and symbols.

(3) When a sign has two or more faces, the area of all faces shall be included in determining the area of the sign, except where the two faces are faced back to back and at no point more than three (3) inches away from each other in which case the areas of the sign shall include:

(a) the area of one face when the sign has two faces of equal size; or

(b) the area of the larger face when the two faces are of unequal size; or

(c) the area of both faces when the sign faces are back to back and on angle to each other with one end of the two faces connected to each other and the two faces forming a V-shape.

C. HEIGHT OF LUMINAIRE. The height of a luminaire shall be limited as follows:

(a) In any residential zoning district, the maximum height permitted shall be 20 feet, excluding light poles and municipal property where the maximum height shall be 40 feet.

(b) In the Apartment Office zoning District, the maximum height permitted shall be 25 feet, excluding light poles and municipal property where the maximum height shall be 40 feet.

(c) In any Commercial Neighborhood zoning district, the

maximum height shall be 30 feet, excluding light poles and municipal property where the maximum height shall be 40 feet.

(d) The Borough Council may further limit the height of luminaires when it is determined that proposed lighting may have a detrimental impact upon nearby properties.

D. **MEASURING.** All measurement for height limitations shall be measured from the street centerline adjacent to the premises directly below the height of the sign (exclusive of any mounds or other additions to the grade level) to the highest part of the sign. Any lot elevation increase achieved by mounding below the proposed sign location shall be subtracted from the maximum allowable sign height.