

**BOROUGH OF CLARKS SUMMIT**  
LACKAWANNA COUNTY, PENNSYLVANIA

**ORDINANCE NO. 2007-03**

AN ORDINANCE OF THE BOROUGH OF CLARKS SUMMIT TO AMEND THE SIGN STANDARDS IN §505 OF THE BOROUGH OF CLARK SUMMIT ZONING ORDINANCE OF JANUARY 30, 2002 (ORDINANCE 2002-01).

BE IT HEREBY ORDAINED AND ENACTED by the Borough Council of the Borough of Clarks Summit, Lackawanna County, Pennsylvania, by the authority of and pursuant to the provisions of Act of July 31, 1968, P.L. 805, No. 247 of the General Assembly of the Commonwealth of Pennsylvania, as reenacted and amended, known and cited as the *Pennsylvania Municipalities Planning Code*; that the Borough of Clark Summit Zoning Ordinance of January 30, 2002 (Ordinance 2002-01), as amended, is hereby amended as follows:

**AMEND §505 TO READ AS FOLLOWS:**

**505 Signs**

**505.1 Intent and Purpose**

Regulation of the location, size, placement, and certain features of signs is necessary to enable the public to locate goods, services, and facilities in the Borough area without difficulty and confusion, to encourage the general attractiveness of the community and to protect property values therein. Accordingly, it is the intent of this Ordinance to establish regulations governing the display of signs which will:

- A. Promote and protect the public health, safety, comfort, morals, and convenience.
- B. Enhance the economy and the business and industry of the area by promoting the reasonable, orderly, and effective display of signs, and thereby encourage increased communication with the public.
- C. Restrict signs and lights which overload the public's capacity to receive information or which increase the probability of traffic congestion and accidents by distracting attention or obstructing vision.
- D. Reduce conflict among signs and sign lighting and between public and private signs, and;
- E. Promote signs which are compatible with their surroundings, are appropriate to the type of activity to which they pertain, and are expressive of the identity of proprietors and other persons displaying signs.

**505.2 Definitions**

The definitions in this §505.2 shall supplement the definitions in Article III of this Ordinance as applicable to the regulation of signs.

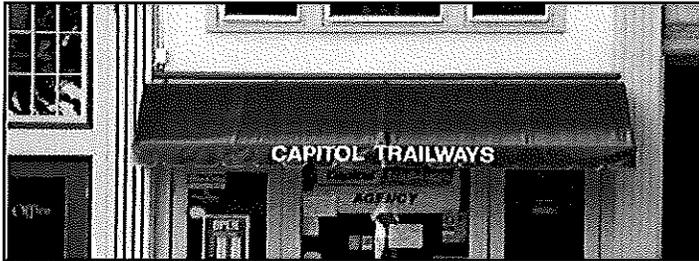
**A-FRAME OR SANDWICH BOARD SIGN** - A movable sign consisting of two (2) faces, connected and hinged at the top.



A-Frame / Sandwich Board

ATTRACTION BOARD - A permanent sign on which the information is changed periodically and identifies special, unique, limited activities, services, products, or sale of limited duration.

AWNING - A structure made of cloth, metal, or other material affixed to a building in such a manner that the structure may be raised or retracted to a position against the building.

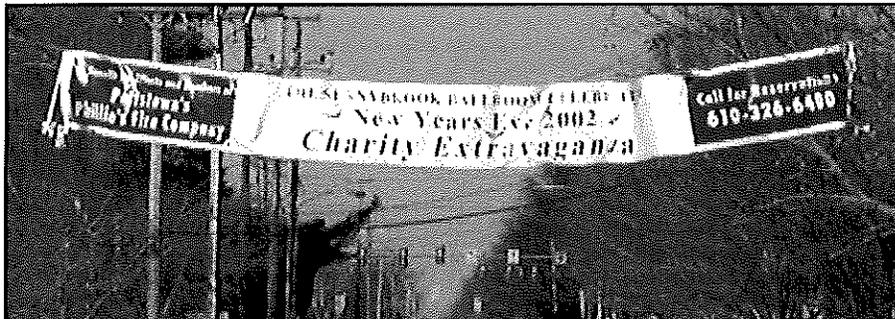


Awning Sign



Attraction Board

BANNER - A sign intended to be hung either with or without a frame possessing characters, letters, illustrations, or ornamentations applied to paper, plastic, or fabric of any kind excluding flags, emblems, and insignia or political, professional, religious, education, or corporate organizations providing that such flags, emblems, and insignia are displayed for noncommercial purposes.



Civic Event Banner



Banner Sign

BILLBOARDS AND OFF-PREMISES SIGNS - A sign which directs attention to a business, commodity, service, entertainment or attraction sold, offered, or existing elsewhere than upon the same lot where such sign is displayed. The term off-premises sign shall include an outdoor advertising sign (billboard) on which space is leased or rented by the owner thereof to others for the purpose of conveying a commercial or noncommercial message.

BUSINESS SIGN - A sign which directs attention to a business, profession, activity, commodity, service, product price, or entertainment conducted, sold, or offered upon the premises where such sign is located, or within the building to which such sign is affixed.

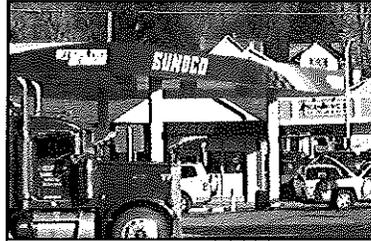


Billboard/Off Premises Sign

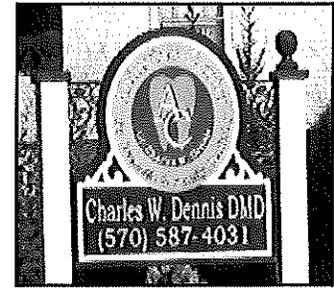
CANOPY - A rigid structure other than an awing made of cloth, metal, or other materials with frame affixed to a building and carried by a frame, which is generally supported by the ground.



Canopy Sign

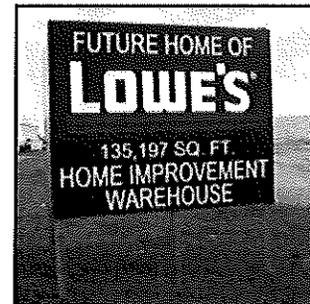


Canopy Sign



Business Sign

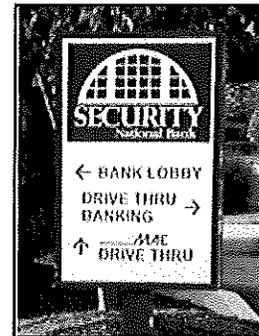
CONSTRUCTION SIGN - A sign identifying individuals or companies involved in design, construction, wrecking, financing, or development when placed upon the premises where work is under construction, but only for the duration of construction or wrecking.



Construction Sign

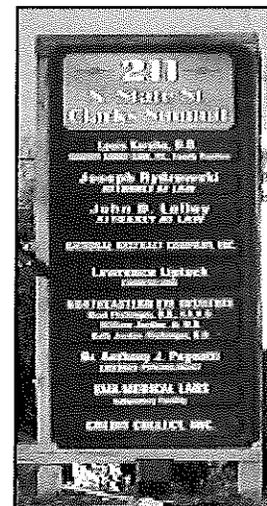
CURB LEVEL - the level of the established curb in the front of a building or other structure measured at the center of such front. Where no curb elevation has been established, the mean elevation of the center line of the street fronting and building structure shall be considered curb level.

DIRECTIONAL SIGN - A sign, providing no advertising of any kind, which provides direction or instruction to guide persons to facilities intended to serve the public, including, but not specifically limited to, those signs identifying rest rooms, public telephones, public walkways, parking areas, and other similar facilities.



Directional Sign

DIRECTORY SIGN - A sign which indicates the name and/or address of the occupant, the address of the premises, and/or identification of any legal business or occupation which may exist at the premises.



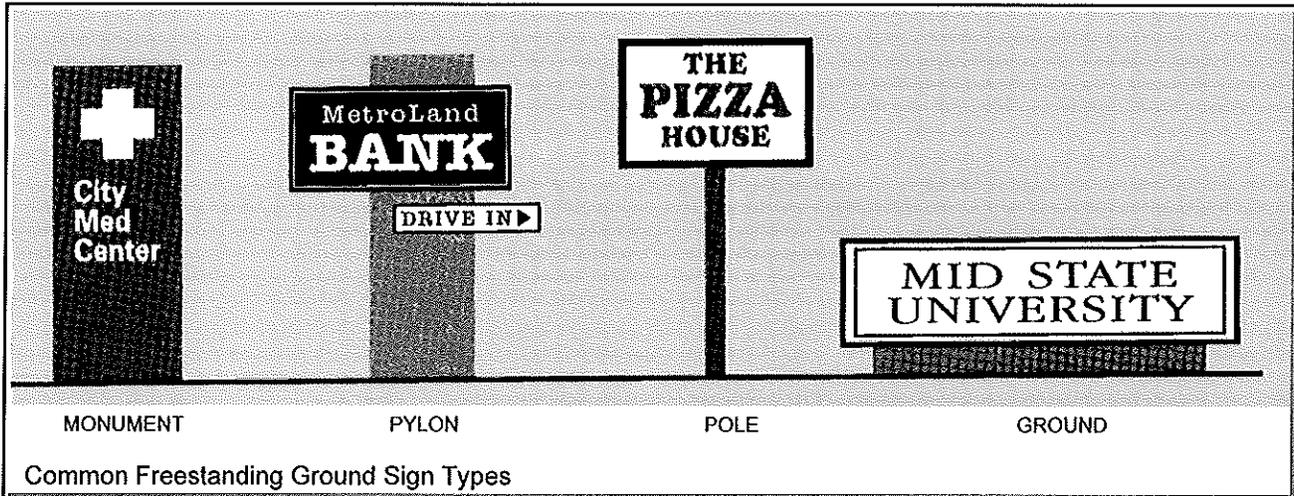
Directory Sign

ELECTRONIC TEXT MESSAGE SIGN - An electrically activated sign that displays only text messages and that can be electronically changed or programmed such as light emitting diode signs and digital signs, but not including animated signs such as video displays, plasma display panels, liquid crystal displays, computer monitors, and televisions.

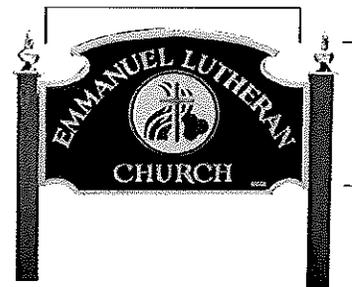
EXTERNAL ILLUMINATION - Illumination of a sign which is affected by an artificial source of light which is not contained within the sign itself.

FLASHING SIGN - An illuminated sign on which the artificial source of light is not maintained stationary or constant in intensity and color at all times when such sign is illuminated. For the purpose of this Ordinance, any moving illuminated sign affected by intermittent lighting shall be deemed to be a flashing sign. This shall not include permitted electronic text message signs.

GRADE - The average level of the finished surface of the ground adjacent to a sign or the exterior wall of the building to which a sign is affixed.



**GROSS SURFACE AREA** - The entire area within a single continuous perimeter composed of a single face enclosing the extreme limits of characters, lettering, illustrations, ornamentalions, or other figures, together with a material, or color forming an integral part of the display or to differentiate the sign from the background to which it is placed. Structural supports bearing no sign copy shall be included in gross surface area; however, if any portion of the required structural supports become enclosed for decorative or architectural purposes, that portion will be included in the total gross surface area of the sign.



Gross Surface Area

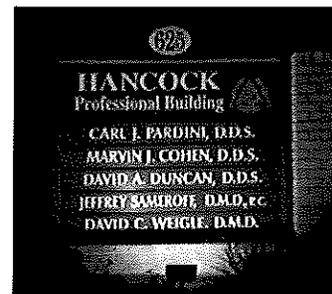
**GROUND SIGN** - A sign supported by structures or supports or upon the ground and not attached or dependent for support from any building.

**ILLUMINATED SIGN** - A sign in which an artificial source of light is used in connection with the display of such sign.



**INSTRUCTIONAL SIGN** - A sign, providing no advertising of any kind, which provides direction or instruction to guide persons to facilities intended to serve the public, including, but not specifically limited to, those signs identifying rest rooms, public telephones, public walkway, parking areas, and other similar facilities.

**INTERNAL ILLUMINATION** - Illumination of a sign which is affected by an artificial source of light, which is contained within the sign itself.

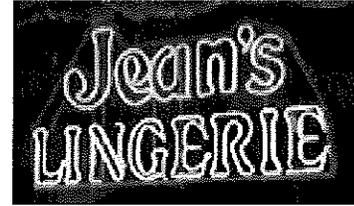


Internal and External Illumination

**ITEM OF INFORMATION** - A word, an abbreviation, a number, a symbol, or a geometric shape contained in a sign. A sign which combines several different geometric shapes of unusual configuration, is assessed one (1) item of information for each non-continuous plane.



Marquee Sign



Neon Sign

**MARQUEE** - A permanent roof-like structure extending from part of the wall of a building, but not supported by the ground, and constructed of durable material such as metal or glass.

**MOVING SIGN** - A sign which, in whole or in part, revolves, rotates, swings, undulates, or otherwise attracts attention through the movement of parts or through the impression of movement, including automatic, electrically controlled copy changes, but not including flags, banners, or pennants.

**NEON OR OTHER GAS TUBE ILLUMINATION** - Illumination affected by a light source consisting of a neon or other gas tube which is bent to form letters, symbols, or other shapes.

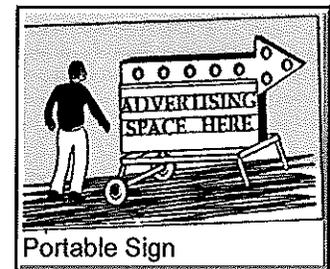
**NON-CONFORMING SIGN** - A sign which does not adhere to one (1) or more of the provisions contained in this Ordinance.

**OPEN SIGN** - A sign in which the area exposed to wind is less than fifty (50%) percent of such sign's aggregate gross surface area.

**PERMANENT SIGN** - A permanent sign displayed in the Borough on and after the effective date of this Ordinance.

**POLITICAL SIGN** - A temporary sign identifying a political candidate, issues, or party.

**PORTABLE SIGN** - A sign not permanently affixed to the ground, a building, or other structure, which may be moved from place to place.



Portable Sign

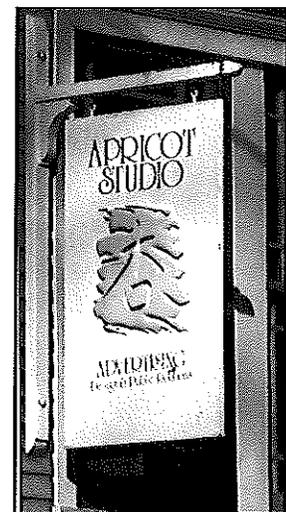
**PROJECTING SIGN** - A sign which is affixed to a building or wall and extends beyond the line of such building or wall or beyond the surface of that portion of the building or wall to which it is affixed by more than fifteen (15) inches.

**REAL ESTATE SIGN** - A sign which is used to offer for sale, lease, or rent that premises upon which such sign is placed.

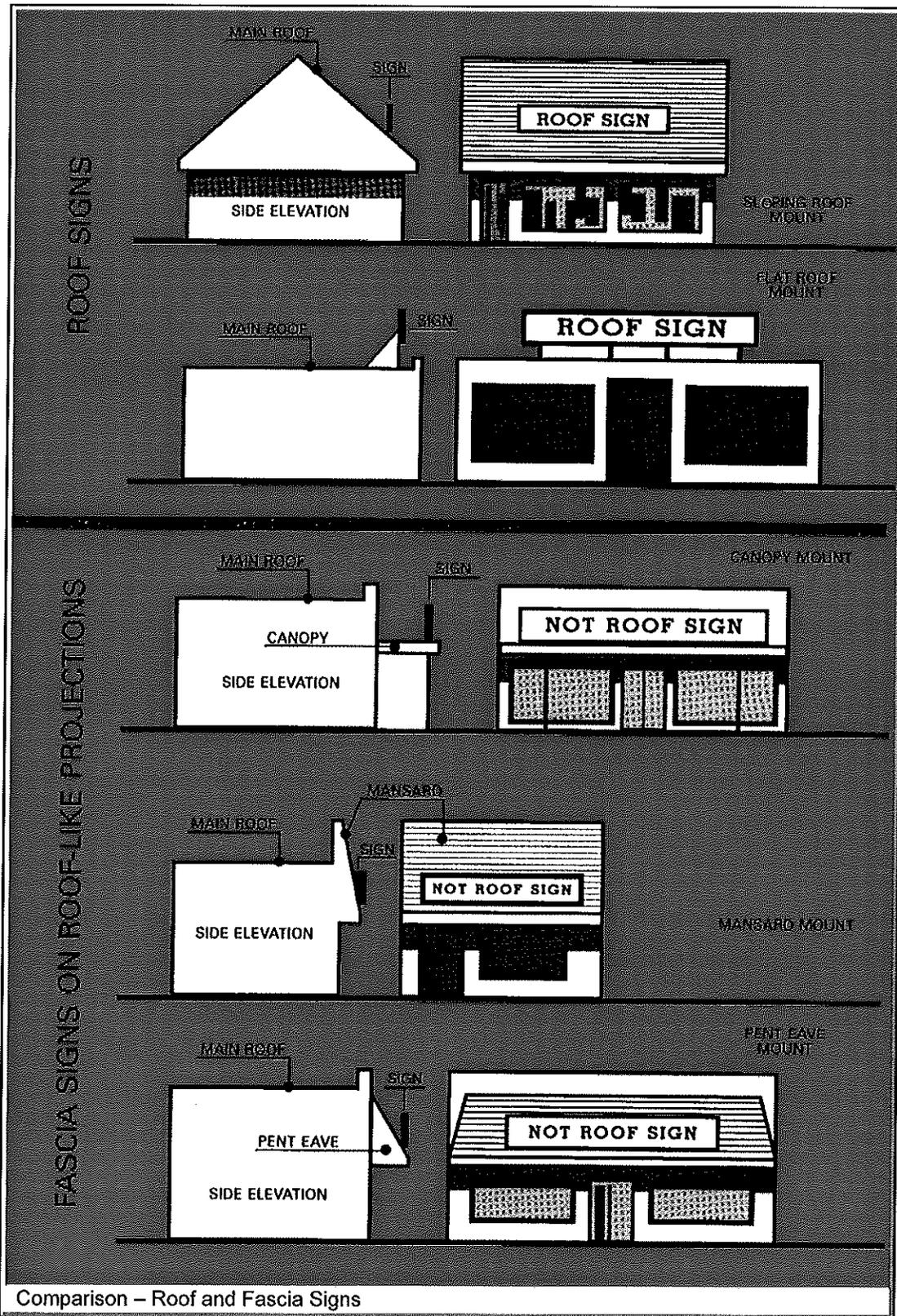
**ROOF SIGN** - A sign erected or maintained in whole or in part upon, against, or directly above the parapet line or roof of the building.

**SERVICE ISLAND** - A set of one or more fuel dispensing pumps arranged in proximity to each other as a raised, concrete island surrounded by paving.

**SIGN** - Any identification, description, illustration, advertisement, or device illuminated or non-illuminated which is visible to the general public and directs attention to a product, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise; or any emblem, painting, flag, banner, pennant, or placard designed to advertise, identify, or convey information.



Projecting Sign



TEMPORARY SIGN - A non-permanent sign erected, affixed, or maintained on a premises for a short, usually fixed, period of time.

WALL SIGN - A sign attached directly to an exterior wall of a building or dependent upon a building for support with the exposed face of the sign located in a place substantially parallel to such exterior building wall to which the sign is attached or supported.



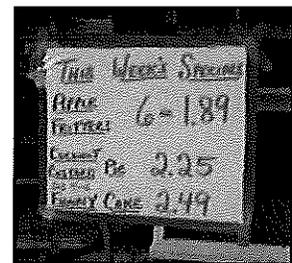
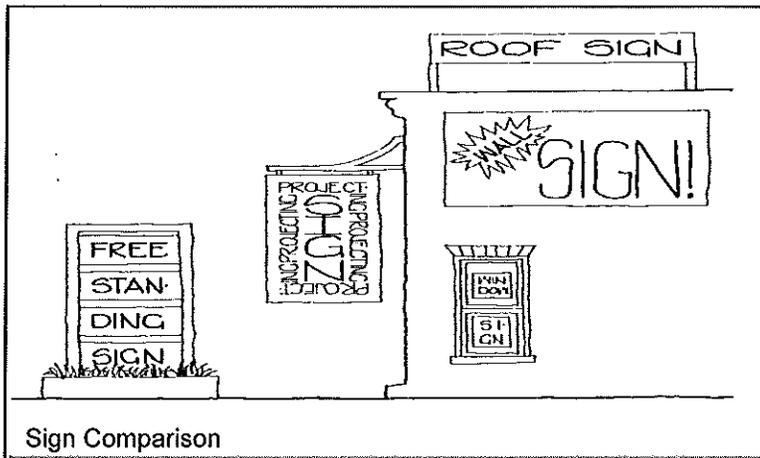
Wall Sign

WARNING SIGN - A sign containing no advertising material, warning the public of the existence of danger.

WINDOW SIGN - A sign attached to, placed upon, or painted on the interior of a window or door of a building which is intended for viewing from the exterior of such building.



Window Signs



505.3 General Provisions

A. Basis of Which Signs are Regulated - The display of signs in the Borough is hereby regulated on the basis of the following factors:

1. The type of activity displaying the sign; and
2. The following four (4) design features:
  - a. the type of sign
  - b. the area of the sign
  - c. the height of the sign
  - d. the location of the sign

In addition, certain signs and certain activities are regulated on the basis of additional factors, as set forth in this Ordinance.

B. Items of Information Allowed

1. General Rules - Subject to the requirements of all other provisions of this Ordinance, each exposed face of a sign shall contain no more than eight (8) items of information. However, if

the name of the occupant of the premises on which the sign is to be affixed contains more than eight (8) items of information, the name may be displayed on each exposed face of a sign, provided no other information is displayed on such sign.

2. Certain Information Not Counted - In calculating items of information, the following shall be excluded;
  - a. Letters nineteen (19) inches or less in height which are carved into, or securely attached to a building in such a way that they are an architectural detail of the building; provided that the letters are not illuminated apart from the building, are not made of a reflective material, do not contrast sharply in color with the building, and do not exceed a thickness of one (1) inch; or
  - b. That information pertaining to the date of erection, the sign permit number, the sign permit expiration date, and the voltage of any electrical apparatus to be used in connection with the sign on which it is to be displayed as specified herein.

#### 505.4 Illumination

All signs permitted by this Ordinance may be illuminated, provided that the provisions of this Section are strictly complied with.

- A. Electrical Permit - In addition to complying with the provisions of this Ordinance, all signs in which electrical wiring and connections are to be used shall be subject to the applicable provisions of the National Electrical Code.
- B. Illumination of Buildings, Structures, and Areas
  1. The use of unshielded lighting, including incandescent light bulbs hung or strung on poles, wires, or any other type of support, to illuminate buildings, structures, outdoor sales areas, or outdoor storage area is prohibited except;
    - a. during the month of December for areas in which Christmas trees are offered for sale;
    - b. on a temporary basis for areas in which carnivals, fairs, or other similar activities are held;
  2. A building or other structure may be illuminated, but all lighting used for this purpose must be designated, located, shielded, and directed in such a manner that the light source is fixed and not directly visible from any adjacent publicly dedicated roadway and surrounding property.
- C. Glare; Intensity - All signs shall be so designed located, shielded, and directed so as to prevent the casting of glare or direct light from artificial illumination upon adjacent publicly dedicated roadways and surrounding property. No lighting from any sign shall be of such intensity to cause the distraction of drivers, create a nuisance on surrounding properties, or otherwise create a safety hazard.

#### 505.5 Construction Specifications

All permanent signs permitted by this Ordinance shall be constructed in accordance with the provisions of this Section.

- A. Compliance with Applicable Codes - In addition to complying with the provisions of this Ordinance, all signs shall be constructed in accordance with the applicable provisions of the Uniform Construction Code.
- B. Information to be Affixed on Signs - All signs erected after the effective date of this Ordinance shall

have affixed in a conspicuous place thereon, the following information:

1. the date of erection
2. the sign permit number
3. the sign permit expiration date; and
4. the voltage of any electrical apparatus used in connection therewith.

C. Auxiliary Specifications - All signs permitted by this Ordinance shall be constructed in accordance with the following provisions:

1. Obstruction to Exit - No sign shall be erected, constructed, or maintained so as to obstruct any fire escape, required exit, window, door opening, or wall opening intended as a means of ingress or egress.
2. Obstruction to Ventilation - No sign shall be erected, constructed, or maintained so as to interfere with any opening required for ventilation.
3. Clearance from Electrical Power Lines and Communication Lines - All signs shall be located in such a way that they maintain horizontal and vertical clearance of all electrical power lines and communication lines in accordance with the applicable provisions of the National Electrical Code. However, in no instance shall a sign be erected or constructed within eight (8) feet of any electrical power line, conductor, or service drop, or any communication line, conductor, or service drop.
4. Clearance from Surface and Underground Facilities - All signs and supporting structures shall maintain clearance and non-interference with all surface and underground facilities and conduits for water, sewage, gas, electricity, or communications equipment or lines. In addition, the placement of all signs and their supporting structures shall not interfere with natural or artificial drainage or surface or underground water.
5. No Obstruction to Any Existing Warning or Instructional Sign - No sign shall be erected, constructed, or maintained so as to interfere with any existing warning or instructional sign.
6. Intersections - No sign shall be erected which creates a traffic hazard at any street intersection and all signs shall comply with §502.3 - Clear View At Street Intersections.

D. Wind Loads - All signs, except those attached flat against the wall of a building shall be constructed to withstand minimum wind loads as set forth in the Uniform Construction Code.

#### 505.6 Prohibited Signs

The following signs are hereby expressly prohibited for erection, construction, repair, alteration, or relocation within the Borough except as otherwise permitted in this Ordinance.

- A. "A" Frame or Sandwich Board Signs - "A" frame or sandwich board and sidewalk, or curb signs, except as a temporary sign as provided for in §505.8 and §505.10,F of this Ordinance.
- B. Banners and Pennants - Banners, pennants, streamers, balloons, and other gas-filled figures, except as a temporary sign, are provided for in §505.8 of this Ordinance.
- C. Moving and Flashing Signs - Signs which flash, revolve, rotate, swing, undulate, or move by any

means, or otherwise attract attention through the movement or flashing of parts or animation or video display, including automatic, electronically controlled copy changes, or through the impression of movement or flashing. This shall not include time and temperature indicators whose movement is either digital or analogue, or electronic text message signs or flags otherwise permitted by this Ordinance.

- D. Portable and Wheeled Signs - Portable and Wheeled signs, except as a temporary sign, as provided for in §505.8 of this Ordinance.
- E. Projecting Signs - Signs which are attached or otherwise affixed to a building and project more than fifteen (15) inches beyond the wall surface of such building to which the sign is attached or otherwise affixed thereto.
- F. Signs and Parked Vehicle, Trailers and/or Containers - Signs placed on or affixed to vehicles, trailers and/or containers which are parked on a public right-of-way, public property or private property, so as to be visible from a public right-of-way where the apparent purpose is to advertise a product or direct people to a business or activity located on the same or nearby.
- G. Signs on Trees - Signs which are attached or otherwise affixed to trees or other living vegetation.
- H. Signs Which Imitate Traffic Control Devices - Signs which imitate, interfere with, obstruct the view of, or can be confused with any authorized traffic control sign, signal, or other device.

#### 505.7 Exempt Signs

The following signs are hereby exempt from the provisions of this Ordinance, excepting for such instances where any sign listed herein is found to be unsafe or unlawful as provided for in other Sections of this Ordinance.

- A. Awning, Canopy, and Marquee Signs - Signs, not exceeding an aggregate gross surface area of four (4) square feet, indicating only the name of the activity conducted on the premises on which the sign is to be located and/or a brief generic description of the business being conducted by the activity. Advertising material of any kind is strictly prohibited on signs affixed to awnings, canopies, and marquees.
- B. Civic and Religious - Civic and religious organization signs indicating only the organization insignia, name, meeting place, and time. Such signs shall not exceed two (2) square feet for each exposed surface and four (4) square feet aggregate gross surface area.
- C. Directional or Instructional Signs - Signs, not exceeding four (4) feet in aggregate gross surface area, which provide direction or instruction to guide persons to facilities intended to serve the public, providing that such signs contain no advertising of any kind. Such signs include those identifying rest rooms, public telephones, public walkways, affiliation with motor clubs, acceptance of designated credit cards, and other similar signs providing direction or instruction to persons using a facility, but not including those signs accessory to parking areas. Advertising material of any kind is strictly prohibited on directional and instructional signs.
- D. Non-Commercial Signs - Flags, emblems, and insignia of political, professional, religious, educational, or fraternal organizations providing that such flags, emblems, and insignia are displayed for non-commercial purpose.
- E. Governmental Signs - Governmental signs for control of traffic and other regulatory purposes, street signs, warning signs, railroad crossing signs, and signs of public service companies indicating danger, and aids to services or safety which are erected by, or at the order of a public officer or

employee in the performance of the officer's or employee's duties.

- F. Holiday Decorations - Signs or other materials temporarily displayed on traditionally accepted civic, patriotic, or religious holidays related to observance of the civic, patriotic, or religious holiday.
- G. Interior Signs - Signs not visible from the exterior of the structure which are fully located within the interior of any building or stadium, or within an enclosed lobby or court of any building, and signs located within the inner or outer lobby court or entrance of any theater.
- H. Memorial Signs - Memorial plaques or tablets, grave markers, statutory, or other remembrances of persons or events that are non-commercial in nature.
- I. Name and Address Plates - Signs, not exceeding two (2) square feet in gross surface area for each exposed face nor exceeding an aggregate gross surface area of four (4) square feet, indicating the name of the occupant, the address of the premises, and identification of any legal business or operation which may exist at the premises.
- J. No Trespassing, No Hunting, No Fishing, No Dumping, No Parking, No Towing, and Other Similar Signs - No trespassing, no hunting, no fishing, no dumping, no parking, towing and other similar signs (as set forth in Title 75 of the Pennsylvania Vehicle Code and its regulations and as set forth in Title 18 of the Pennsylvania Crimes Code and its regulations) not exceeding two (2) square feet in gross surface area for each exposed face nor exceeding an aggregate gross surface area of four (4) square feet.
- K. Parking Lot Directional and Instructional Signs
  - 1. Directional Signs - Signs designating parking area entrances and exits limited to one (1) sign for each entrance and/or exit and not exceeding four (4) square feet in gross surface area for each exposed face. Parking lot directional signs shall not project higher than five (5) feet in height, as measured from the established grade of the parking area to which such signs are accessory.
  - 2. Instructional Signs - Signs designating the conditions of use or identity of parking areas and not exceeding eight (8) square feet in gross surface area for each exposed face nor exceeding an aggregate gross surface area of sixteen (16) square feet. Parking lot instructional signs shall not project higher than ten (10) feet for wall signs and seven (7) feet for ground signs, as measured from the established grade of the parking area(s) to which such signs are accessory.
- L. Patron Advertising Signs - Signs erected on the perimeter of an organizational sponsored youth athletic field for the sole purpose of sponsoring or contributing to the organized youth athletic sport. Signs erected for this purpose shall be one sided with a maximum of thirty-two (32) square feet of gross aggregate surface area. Sponsors advertising on score boards may not exceed twenty-five percent (25%) of the surface area of the score board.
- M. Plaques - Plaques, nameplates, or memorial signs, directly attached or affixed to the exterior walls of a building, not exceeding four (4) square feet in aggregate gross surface area.
- N. Public Notices - Official notices posted by public officers or employees in the performance of the officer's or employee's duties.

- O. Public Signs - Signs required by governmental bodies or specifically authorized for a public purpose by any law, statute, or ordinance. Such public signs may be on any type, number, area, height, location, or illumination as required by law, statute, or ordinance, and Borough owned and maintained community information signs including electronic message displays.
- P. Signs on Vehicles - Signs placed on or affixed to vehicles and/or trailers where the sign is incidental to the primary use of the vehicle or trailer. However, this is not in any way intended to permit signs placed on or affixed to vehicles and/or trailers, which are parked on a public right-of-way, public property, or private property so as to be visible from a public right-of-way where the apparent purpose is to advertise a product or direct people to a business or activity located on the same or other property.



Public Sign

- Q. Symbols or Insignia - Religious symbols, commemorative plaques of recognized historical agencies, or identification emblems of religious orders or historical agencies not exceeding two (2) square feet in gross surface area for each exposed face not exceeding four (4) square feet in aggregate gross surface area.
- R. Vending Machine Signs - Permanent, non-flashing signs on vending machines, gasoline pumps, ice or milk containers, or other similar machines indicating only the contents of such devices, the pricing of the contents contained within, directional or instructional information as to use, and other similar information as to the use, and other similar information not exceeding four (4) square feet in gross surface area for each exposed face not exceeding an aggregate gross surface area of eight (8) square feet on each machine.
- S. Warning Signs - Signs warning the public of the existence of danger, but containing no advertising material; to be removed within three (3) days upon the subsidence of danger. Such warning signs may be of any type, number, area, height, location, or illumination as deemed necessary to warn the public of the existence of danger.

505.8 Temporary Signs

Temporary signs may be erected and maintained in accordance with the provisions contained in this §505.8.

A. General Conditions

- 1. Permit Required - No person shall erect, construct, repair, alter, or relocate within the Borough any temporary sign, except real estate and temporary construction signs, without first obtaining a permit from the Zoning Officer.
- 2. Materials and Methods - The Zoning Officer shall impose as a condition of the issuance of a permit for temporary signs such requirements as to the material, manner of construction, and method of erection of a sign as are reasonably necessary to assure the health, safety, welfare, and convenience of the public.
- 3. Illumination - Temporary signs may be illuminated, subject to §505.4.
- 4. Sign Types - Temporary signs shall be limited to non-projecting wall signs, attached ground signs, or portable and wheeled signs as defined herein.

B. Temporary Business Signs - Temporary business signs identifying a special, unique, or limited activity, service, product, or sale of limited duration shall be subject to the following:

1. Number - There shall not be more than two (2) permits for temporary business signs issued for the same premises within one (1) calendar year. Each temporary business sign permit may be erected and maintained for a period not to exceed thirty (30) days and shall be removed within three (3) days of the termination of the activity, service, project, or sale. Or, alternatively, a temporary business sign permit may be applied for a maximum of five (5) times during one (1) calendar year for the same premises; each permit shall be issued for a maximum of seven (7) days. It is expressly stated that temporary business sign permits shall be issued under one method or the alternative and that the methods may not be used jointly or in combination during any one (1) calendar year.

2. Area

a. Residential Areas - In residential areas, temporary business signs shall not exceed two (2) square feet in gross surface area for each exposed face not to exceed an aggregate gross surface area of four (4) square feet.

b. Non-Residential Areas - In non-residential areas, temporary business signs shall not exceed thirty-two (32) square feet in gross surface area for each exposed face nor exceed an aggregate gross surface area of sixty-four (64) square feet.

3. Location - Temporary business signs shall be located only upon the zoning lot upon which the special, unique, or limited activity, service product, or sale is to occur. Such signs may be located in any required yard setback, but shall not extend over any lot line or within fifteen (15) feet of any point of vehicular access from a zoning lot to a public roadway.

4. Height

a. Residential Areas - In residential areas, temporary business signs shall not project higher than seven (7) feet, as measured from base of sign or grade of the nearest adjacent roadway, whichever is higher.

b. Non-Residential Areas - In non-residential areas, temporary business signs shall not project higher than fifteen (15) feet, as measured from base of sign or grade of the nearest adjacent roadway, whichever is higher.

C. Temporary Construction Signs - Temporary construction signs identifying the parties involved in the construction to occur or occurring on the premises on which the sign is placed shall be subject to the following:

1. Number - There shall not be more than one (1) temporary, construction sign for each project or development, except that where a project or development abuts two (2) or more streets, additional such signs, one (1) oriented to each abutting street, shall be permitted.

2. Area

a. Residential Areas - In residential areas, temporary construction signs shall not exceed sixteen (16) square feet in gross surface area for each exposed face, not exceeding an aggregate gross area of thirty-two (32) square feet.

b. Non-Residential Areas - In non-residential areas, temporary construction signs shall not

exceed thirty-two (32) square feet in gross surface area for each exposed face, not exceeding an aggregate gross surface of sixty-four (64) square feet.

3. Location - Temporary construction signs shall be located only upon the premises upon which construction either is about to occur, or is occurring. Such signs may be located in any required yard setback, but shall not extend over any lot line or within fifteen (15) feet of any point of vehicular access from a zoning lot to a public roadway.
  4. Height - Temporary construction signs shall not project higher than fifteen (15) feet, as measured from base of sign or grade of the nearest adjacent roadway, whichever is higher.
  5. Special Conditions - Temporary construction signs shall be permitted only as accessory to an approved building permit for a project or development. Temporary construction signs may be erected and maintained for a period not earlier than sixty (60) days prior to the commencement of construction of the project or development and must be removed prior to an occupancy permit being issued or if no occupancy permit is required, the sign shall be removed upon project completion.
- D. Temporary Event Signs (including Banners) - Temporary event signs announcing a campaign, drive, activity, or event of a civic, philanthropic, educational, or religious organization for non-commercial purposes shall be subject to the following:
1. Number, Area, Height, and Location - The permitted number, area, height, location, and construction of temporary event signs shall be determined by the Zoning Officer with consideration given to the public intended purpose. In any event, no sign may exceed thirty-two (32) square feet for each exposed surface or sixty-four (64) square feet in gross surface area. Any temporary event sign shall not be permitted to extend over or onto a public right-of-way.
  2. Timing - Temporary event signs may be erected and maintained for a period not to exceed thirty (30) days prior to the date of which the campaign, drive, activity, or event advertised is scheduled to occur and shall be removed within three (3) days of the termination of such campaign, drive, activity, or event.
  3. Limit on Number of Permits - No more than six (6) permits for temporary event signs shall be issued for the same premises within one (1) calendar year.
- E. Temporary Political Signs - Temporary political signs announcing political candidates seeking office, political parties, and/or political and public issues contained on a ballot shall be subject to the following:
1. Location; Separate Sign
    - a. Temporary political signs shall not be placed on public property or within any public street right-of-way. This shall not apply to such signs placed on the polling place premises in accord with election laws. On private property, temporary political signs may be located in any required yard.
    - b. Temporary political signs shall be posted as separate signs and shall not be placed on nor be incorporated into any other sign which is permitted by this Ordinance.
  2. Height - Temporary political signs shall not project higher than fifteen (15) feet, as measured from base of sign or grade of the nearest adjacent roadway, whichever is higher.

3. Timing - Temporary political signs may be erected or maintained for a period not to exceed sixty (60) days prior to the date of the election to which such signs are applicable and shall be removed within seven (7) days following such election. The candidate is responsible for all political signs.
  4. Removal - Prior to the erection of any political signs, the political candidate or the candidate's representative shall obtain from the Zoning Officer a permit for the general erection of said signs in the Borough. The applicant shall also provide, along with the permit application fee, a refundable bond, letter of credit or other financial guarantee to provide for the removal of the signs following the subject election. Said fee and guarantee amounts and terms shall be as established by resolution of the Borough Council.
- F. Temporary Real Estate Signs - Temporary real estate signs advertising the sale, lease, or rent of the premises upon which such sign is located shall be subject to the following:
1. Number - There shall be not more than one (1) temporary real estate sign for each zoning lot except that where a lot abuts two (2) or more streets, additional signs, one (1) oriented to each abutting street, shall be permitted.
  2. Area
    - a. Residential Areas - In all residential areas, temporary real estate signs shall not exceed six (6) square feet in gross surface area of twelve (12) square feet.
    - b. Non-Residential Areas - In non-residential areas, temporary real estate signs shall not exceed sixteen (16) square feet in gross surface area for each exposed face, nor exceed an aggregate gross surface area of thirty-two (32) square feet.
  3. Location - Temporary real estate signs shall be located only upon the premises for sale, lease, or rent. Such signs may be located in any required yard, but shall not extend over any lot line or within fifteen (15) feet of any point of vehicular access from a zoning lot to a public roadway.
  4. Height - Temporary real estate signs shall not project higher than fifteen (15) feet, as measured from base of sign or grade of the nearest adjacent roadway, whichever is higher.
  5. Special Conditions - Temporary real estate signs shall be removed within seven (7) days of the sale or lease of the premises upon which the sign is located.
- G. Temporary Yard or Garage Sale, Open House, or Auction Signs - Temporary yard sale or garage sale, open house, or auction signs advertising the sale of items and the sales location shall be subject to the following:
1. Area - In all zoning districts no temporary yard or garage sale signs shall exceed four (4) square feet in size.
  2. Location - Temporary yard and garage sale signs may not be located within the street or road right-of-way. Any temporary yard or garage sale sign shall not create a public hazard.
  3. Height - Temporary yard or garage sale signs shall not exceed thirty (30) inches in height.
  4. Timing - Temporary yard or garage sale signs may be erected no sooner than seven (7) days before the sale and must be removed no later than three (3) days after the sale. No temporary yard or garage sale signs shall remain erected for a period longer than ten (10) days.

**505.9 Residential Use**

For all residential uses, only the following signs are hereby permitted and then only if accessory and incidental to a permitted use.

- A. **Building Name and Address Signs** - Name and address signs of buildings containing six (6) or more residential units indicating only the name of the building, the name of the development in which it is located, the management thereof, and/or address of the premises shall be subject to the following:
  1. **Type** - Building name and address signs may be either wall signs or ground signs.
  2. **Number** - There shall not be more than one (1) name and address sign for each building except that where a building abuts two (2) or more streets, additional such signs, one (1) oriented to each abutting street, shall be permitted.
  3. **Area** - Building name and address signs shall not exceed four (4) square feet in gross surface area for exposed face, nor exceed an aggregate gross surface area of eight (8) feet.
  4. **Location** - Building name and address signs shall not be located closer than one-half the minimum setback required for the zoning district in which the sign is to be erected or within fifteen (15) feet of any point of vehicular access from a zoning lot to a public roadway. The location and arrangement of all building name and address signs shall be subject to the review and approval of the Zoning Officer.
  5. **Height** - Building name and address signs shall not project higher than fifteen (15) feet for wall signs and seven (7) feet for ground signs, as measured from base of sign or building to which the sign is to be affixed or grade of the nearest adjacent roadway whichever is higher.
- B. **Residential Development Signs** - Residential development signs indicating only the name of the development, the management or developer thereof, and/or the address or location of the development shall be subject to the following:
  1. **Type** - The residential development signs shall be ground signs.
  2. **Number** - There shall not be more than two (2) residential development signs for each point of vehicular access to a development.
  3. **Area** - Residential development signs shall not exceed twenty (20) square feet in gross surface area.
  4. **Location** - Residential development signs may be located in any required yard, but shall not extend over any lot line or within fifteen (15) feet of any point of vehicular access from a zoning lot to a public roadway. The location and arrangement of all residential development signs shall be subject to the review and approval of the Zoning Officer.
  5. **Height** - Residential development signs shall not project higher than seven (7) feet, as measured from base of sign or grade of the nearest adjacent roadway, whichever is higher.
- C. **Exempt Signs** - Exempt signs as specified in §505.7 of this Ordinance.
- D. **Temporary Signs** - Temporary signs as specified in §505.8 of this Ordinance.

**505.10 Commercial and Manufacturing Uses**

For all commercial and manufacturing uses, the signs included in this 505.10 shall be permitted in accord with the applicable requirements and then only if accessory and incidental to a permitted use. All signs governed by this §505.10 (except for billboards and off-premises signs) shall not be used for any message which is displayed in trade for any form of compensation unless the displayed product or service is offered upon the premises where the sign is located, and any sign which does not conform to this shall be considered a billboard subject to §505.10,A,6.

A. **Commercial and Manufacturing Use Signs** - Commercial and manufacturing use signs, other than those subject to special conditions in later parts of this section, shall be subject to the following:

**1. Wall Signs**

- a. **Number** - There shall be not more than one (1) wall sign for each principal building except that where the building abuts two (2) or more streets, additional such signs, one (1) oriented to each abutting street, shall be permitted.
- b. **Area** - The gross surface area of a wall sign shall not exceed ten (10%) percent of the area of the building wall, including doors and windows, to which the sign is to be affixed or sixty-four (64) square feet, whichever is smaller. The gross surface area of a wall sign may be increased by twenty (20%) percent, except that the gross surface of the sign shall not exceed sixty-four (64) square feet, if such wall sign;
  - (1) consists only of individual, outlined alphabetic, numeric, and/or symbolic characters without background, except that provided by the building surface to which the sign is to be affixed; and
  - (2) if illuminated, such illumination is achieved through shielded spot lighting, but not any lighting where the light source is visible or exposed on the face or sides of the characters.
- c. **Location** - A wall sign may be located on the outermost wall of any principal building, but shall not project more than twelve (12) inches from the wall to which the sign is to be affixed. The location and arrangement of all wall signs shall be subject to the review and approval of the Zoning Officer.
- d. **Height** - A wall sign shall not project higher than the parapet line of the wall to which the sign is to be affixed or twenty (20) feet, as measured from the base of the building wall to which the sign is to be affixed, whichever is lower.
- e. **Special Conditions** - Where a principal building is devoted to two (2) or more permitted uses, the operator of each such use may install a wall sign upon his/her proportionate share of the building wall to which the sign is to be affixed. The maximum gross surface area of each such sign shall be determined by calculating the proportionate share of the area of the building wall, including doors and windows, to which the sign is to be affixed and applying such proportion to the total permitted wall sign aggregate gross surface area for the building.

**2. Ground Signs**

- a. **Number** - There shall not be more than one (1) ground sign for each lot except that where a roof sign is located on the premise, no ground pole sign may be permitted.

- b. Area - The gross surface area of a ground sign shall not exceed thirty-two (32) square feet for each exposed face, nor exceed an aggregate gross surface area of sixty-four (64) square feet.
  - c. Location - A ground sign may be located in any required yard, but shall not extend over any lot line or within fifteen (15) feet of any point of vehicular access from a zoning lot to a public roadway.
  - d. Height - A ground sign shall not project higher than twenty-five (25) feet, as measured from base of sign or grade of the nearest adjacent roadway, whichever is lower.
3. Awning, Canopy, and Marquee Signs (See §505.10,C for fuel service island canopies.)
- a. Area - The aggregate gross surface area of all awning, canopy, or marquee signs shall not exceed twenty-four (24) square feet for each principal building and no individual awning, canopy, or marquee sign shall exceed four (4) square feet in gross surface area.
  - b. Coverage - An awning, canopy, or marquee sign shall not project beyond the edges of the awning, canopy, or marquee to which such sign is affixed.
4. Roof Signs
- Roof signs shall not be permitted.
5. Attraction Boards
- a. Type - Attraction Boards shall be attached to the same pole/frame as the ground sign for the lot.
  - b. Number - Each retail/service/wholesale commercial premise may erect a single attraction board identifying special, unique, limited activities, services, products, or sale of limited duration occurring on the retail/service/wholesale commercial premises on which the attraction board is to be located.
  - c. Area - The gross surface area of a retail/service/wholesale commercial premises attraction board shall not exceed:
    - (1) In the CC District - ten (10) square feet in gross surface area for each exposed face, nor exceed twenty (20) square feet in aggregate gross surface area.
    - (2) In the HC, HC1 and MI Districts - twenty-four (24) square feet in gross surface area for each exposed face, nor exceed forty-eight (48) square feet in aggregate gross surface area.
  - d. Location - A retail/service/wholesale commercial premise attraction board may be located in any required yard, but shall not extend over any lot line or within fifteen (15) feet of any point of vehicular access from any zoning lot to a public roadway.
  - e. Height - If the attraction board is separate from the main ground pole sign, the attraction board may not project higher than fifteen (15) feet, as measured from the base of the sign or grade of the nearest adjacent roadway, whichever is higher. The attraction board shall be separated by a minimum of twelve (12) inches from the main ground pole sign.

- f. Items of Information - The information displayed by an attraction board, which is in compliance with the foregoing requirements, shall not be treated as items of information as otherwise specified in §505.3.

6. Billboards and Off-Premises Signs

- a. Number - One (1) billboard or off-premises sign may be erected, constructed, or maintained on any premises in a HC Zoning District only in accord with the following criteria:
- b. Area - An off-premises sign or billboard shall not exceed one hundred fifty (150) square feet in surface area, and each such sign shall have only one (1) exposed face.
- c. Spacing - An off-premises sign or billboard shall not be closer than five hundred (500) feet to another off-premises sign or billboard along the same side of any street or highway.
- d. Spacing at Intersections - An off-premises sign or billboard shall not be located within fifty (50) feet of any street intersection.
- e. Location - An off-premises sign or billboard shall only be permitted in the HC Zoning District. The sign shall be located in accordance with the yard setbacks for structures located in the HC Zoning District.
- f. Height - An off-premises sign or billboard shall not project higher than twenty-two (22) feet, as measured from the base of the sign or grade of the nearest adjacent roadway, whichever is lower.
- g. Site Plan - An application for an off-premises sign or billboard shall be accompanied by a site plan and contain all of the applicable requirements as required by this Ordinance.
- h. Engineering Certification - Any applications for an off-premise sign or billboard shall be accompanied by certification under seal by a Professional Engineer that the existence of the off-premises sign or billboard, as proposed, shall not present a safety hazard.

B. Multi-Use Signs - Multi-use project signs shall be subject to the following:

1. Wall Signs

- a. Number - There shall not be more than one (1) wall sign for each principal tenant or use contained in a multi-use project except that where a tenant or use abuts two (2) or more streets, additional such signs, one (1) oriented to each abutting street, shall be permitted.
  - (1) consists only of individual, outlined, alphabetic, numeric, and/or symbolic characters without background except that provided by the building surface to which the sign is to be affixed; and
  - (2) if illuminated, such illumination is achieved through shielded illumination, shielded silhouette lighting, or shielded spot lighting, but not any lighting where the light source is visible or exposed on the face or sides of the characters; or
- b. Area - The gross surface area of a wall sign shall not exceed ten (10%) percent of the tenant's or user's proportionate share of the building wall to which the sign is to be affixed or sixty-four (64) square feet, whichever is smaller,

- (1) if such wall sign consists only of individual, outlined, alphabetic, numeric, and/or symbolic characters without background except that provided by the building surface to which the sign is to be affixed; and if illuminated, such illumination is achieved through shielded illumination, shielded silhouette lighting, or shielded spot lighting, but not any lighting where the light source is visible or exposed on the face or sides of the characters; or
  - (2) when all wall signs located in the multi-use project utilize lettering and background uniform in style and coloring.
- c. Location - A wall sign may be located on the outermost wall of any principal building, but shall not project more than twelve (12) inches from the wall to which the sign is to be affixed. The location and arrangement of all wall signs shall be subject to the review and approval of the Zoning Officer.
  - d. Height - A wall sign shall not project higher than the parapet line of the wall to which the sign is to be affixed or twenty (20) feet, as measured from the base of the building wall to which the sign is to be affixed, whichever is lower.
2. Ground Signs
- a. Number - There shall not be more than one (1) ground sign for each multi-use project.
  - b. Area - The gross surface area of a ground sign shall not exceed a maximum of one (1) square foot of gross aggregate surface area for each one and one-half (1) lineal feet of front footage of the lot not to exceed one hundred (100) square feet of gross aggregate surface area.
  - c. Location - A ground sign may be located in any required yard, but shall not extend over any lot line or within fifteen (15) feet of any point of vehicular access from a zoning lot to a public roadway.
  - d. Height - A ground sign shall not project higher than twenty-five (25) feet, as measured from base of sign or grade of the nearest adjacent roadway, whichever is lower.
  - e. Directory Signs - Each multi-use project ground sign may include affixed directly to it a directory indicating only the names of the tenants of the multi-use project in which the sign is to be located. The gross surface area of a directory sign shall not exceed ten (10) square feet for each exposed face, nor exceed an aggregate gross surface area of twenty (20) square feet for each tenant located in the multi-use project in which the sign is to be located. The information displayed by a multi-use project directory sign, which is in compliance with the foregoing requirements, shall not be treated as items of information as otherwise specified in §505.3, B.
3. Awning, Canopy, and Marquee Signs (See §505.10,C for fuel service island canopies.)
- a. Area - The aggregate gross surface area of all awning, canopy, or marquee signs shall not exceed twenty-four (24) square feet for each principal building and no individual awning, canopy, or marquee sign shall exceed four (4) square feet in gross surface area.
  - b. Coverage - An awning, canopy, or marquee sign shall not project beyond the edges of the awning, canopy, or marquee to which such sign is affixed.

#### 4. Attraction Board

- a. Type - Multi-use project attraction Boards shall be attached to the same pole/frame as the ground sign for the lot.
- b. Number - Each multi-use project may erect a single attraction board identifying special, unique, limited activities, services, products, or sale of limited duration occurring within the multi-use project in which the attraction board is to be located.
- c. Area - The gross surface area of a multi-use project attraction board shall not exceed fifty (50) square feet in gross surface area for each exposed face, nor exceed an aggregate gross surface area of one hundred (100) square feet.
- d. Location - A multi-use project attraction board may be located in any required yard, but shall not extend over any lot line or within fifteen (15) feet of any point of vehicular access from any zoning lot to a public roadway.
- e. Height - If the sign is separate from the main ground pole sign, a multi-use project attraction board shall not project higher than fifteen (15) feet, as measured from the base of sign or grade of the nearest adjacent roadway, whichever is higher. If the attraction board is part of and mounted on the main ground pole sign, the attraction sign shall be separated by a minimum of twelve (12) inches from the main multi-use project sign.
- f. Items of Information - This information displayed by a multi-use project attraction board, which is in compliance with the foregoing requirements, shall not be treated as items of information as otherwise specified in §505.3, B.

#### C. Fuel Service Islands

1. Identification Signs - Service island identification signs at fuel service islands indicating the type of service offered, the price of fuel and other relevant information or direction to persons using the facility, but containing no advertising material of any kind, shall be subject to the following:
  - a. Type - Service island identification signs may be either wall signs or ground signs.
  - b. Number - There shall not be more than one (1) service island or identification sign for each service or pump island located on the premises.
  - c. Location - Service island identification signs may be located on the outermost wall of any principal building, on the pumps, or within the area of a service island.
  - d. Area - The gross surface of a service island identification sign shall not exceed six (6) square feet for each exposed face, nor exceed an aggregate gross surface of twelve (12) square feet.
  - e. Height - A service island identification sign shall not project higher than fifteen (15) feet, as measured from the base of sign or building to which the sign is to be affixed or the grade of the nearest adjacent roadway, whichever is lower.
  - f. Special Conditions - The information displayed by a service island identification sign which is in compliance with the foregoing requirements shall not be treated as items of information as specified in §505.3.

2. Canopy Signs - Service island canopy signs over fuel service islands indicating the brand, manufacturer and/or logo, shall be subject to the following:
  - a. Location - Service island canopy signs shall be attached to the face of the canopy and shall not extend beyond the edges of the canopy.
  - b. Number - There shall not be more than one (1) service island canopy sign on each face of the canopy.
  - c. Area - The gross surface of a service island canopy sign shall not exceed fifty (50) percent of the surface area of the canopy face to which it is attached.
  
- D. Window Signs - Interior and exterior window signs shall be permitted for retail/service/wholesale commercial premises subject to the following:
  1. Area - The total surface area of all window signs shall not exceed twenty-five (25) percent of the area of the window to which the signs are attached.
  2. Location - Window signs shall be permitted only in windows facing the front yard of the building.
  
- E. Wood Relief Sign Area Bonus - Ground signs permitted under §505.10,A,2 (Commercial and Manufacturing Uses) and §505.10,B,2 ( Multi-Use Project) shall be eligible for an increase in size of fifty (50) percent provided:
  1. Signs shall be wood or simulated wood relief only with external illumination.
  2. Signs shall be designed as an integral architectural element of the building and component of the site.
  3. Sign colors, materials, and lighting shall be restrained and compatible with the building and site.
  4. Signs shall not exceed a height of fifteen (15) feet.
  
- F. A-Frame or Sandwich Board Signs - A-frame or sandwich board signs shall be permitted as a temporary sign for retail/service/wholesale commercial establishments subject to the following:
  1. Each business establishment shall be limited to one (1) A-frame or sandwich board sign.
  2. The sign shall be comprised of two (2) boards of durable material with no attachments.
  3. The sign shall not exceed eight (8) square feet for each exposed face and shall not exceed thirty (30) inches in width.
  4. The sign shall not be illuminated.
  5. The sign shall be displayed only during the hours when the establishment is open for business and shall include advertising pertaining only to the establishment of location.
  6. The sign shall not be placed in such manner as to impede pedestrian or vehicle traffic or the opening of vehicle doors.
  7. The sign shall be sufficiently secured or weighted to resist overturing.

8. The placement of the sign shall comply with PennDOT and Americans With Disabilities Act requirements.
9. The sign shall not be displayed at any time when snow has accumulated on or has not been completely removed from the sidewalk in front of the premises where the sign is permitted.

G. Electronic Text Message Signs - Electronic text message signs shall be permitted only in accord with the following:

1. Location - Electronic text message signs shall be permitted only in association with an approved use on parcels which front on Route 6/Route 11 north of Highland Avenue and south of Grove Street.
2. Use - An approved use shall be limited to one (1) electronic text message sign which may be used in place of any of the signs permitted by §505.10 except awning signs, canopy signs, window signs, and A-frame or sandwich board signs.
3. Area - The gross surface area of an electronic text message sign shall not exceed thirty-two (32) square feet for each exposed face, nor exceed an aggregate gross surface area of sixty-four (64) square feet.
4. Manufacturers Standards - Except as may be otherwise restricted by this Ordinance, electronic text message signs shall be installed, operated and maintained in conformance with the manufacturer's specifications.
5. Minimum Message Exposure Time - The minimum amount of time that a message must be shown shall be not less than five (5) seconds.
6. Maximum Transition Time - The maximum amount of time for one message to change to the next displayed message shall not exceed three (3) seconds.

505.11 Permits

- A. Permit Required - Except for the following, no person may erect, alter, or relocate within the Borough any sign without first obtaining a sign permit from the Zoning Officer and paying the required fee:
  1. Exempt signs as specified in §505.7.
  2. Real estate and temporary construction signs.
  3. Routine maintenance or changing of the parts or copy of a sign, provided that the maintenance or change of parts or copy does not alter the surface area, height, or otherwise render the sign non-conforming.
- B. Permit Application - Applications for sign permits shall be submitted to the Zoning Officer and shall contain or have attached thereto the following information:
  1. The names, addresses, and telephone numbers of the applicant, the owner of the property on which the sign is to be erected or affixed, the owner of the sign, and the person to be erecting or affixing the sign.
  2. The location of the building, structure, or zoning lot on which the sign is to be erected or affixed.

3. A sketch plan of the property involved, showing accurate placement thereon of the proposed sign.
  4. Two (2) blueprints or ink drawings of the plans and specifications of the sign to be erected or affixed and method of construction and attachment to the building or in the ground. Such plans and specifications shall include details of dimensions, color, materials, and weight.
  5. If required by the Zoning Officer, a copy of stress sheets and calculations prepared by or approved by a registered structural engineer, licensed by the State of Pennsylvania, showing that the sign is designed for dead load and wind pressure in any direction in the amount required by this and all other applicable ordinances of the Borough.
  6. The written consent of the owner of the building, structure, or property on which the sign is to be erected or affixed.
  7. Such other information as the Zoning Officer may require to determine full compliance with this and other applicable ordinances of the Borough.
- C. Issuance of Permits - Upon the filing of an application for a sign permit, the Zoning Officer shall examine the plans, specifications, and other submitted data, and the premises upon which the sign is proposed to be erected or affixed. If it appears that the proposed sign is in compliance with all the requirements of this Ordinance and other applicable ordinances of the Borough and if the appropriate permit fee has been paid, the Zoning Officer shall issue a permit for the proposed sign. If the work authorized under a sign permit has not been completed within ninety (90) days after the date of issuance, the permit shall become null and void, unless otherwise extended by the Zoning Officer for a single additional ninety (90) day period.
- D. Permit Fees - Each sign required by this Ordinance requiring a sign permit shall pay a fee as established pursuant to a Resolution by the Borough Council.
- E. Revocation of Permit - All rights and privileges acquired under the provisions of this Ordinance are mere licenses and, as such, are at any time revocable for just cause by the Borough. All permits issued pursuant to this Section are hereby subject to this provision.

505.12 Review of Existing Permanent Signs

- A. Requests for Inspection - Any person may file a written request with the Zoning Officer requesting an inspection of one (1) or more existing permanent signs as identified in the request. In each such instance, the Zoning Officer shall promptly inspect such signs(s) to determine compliance with the provisions of this Ordinance. However, no existing permanent sign need be inspected more than two (2) times annually. The Zoning Officer shall make a written report indicating the findings of the inspection to both the owner of the inspected sign and to the person filing the request for inspection.
- B. Notices of Violation - The Zoning Officer shall notify, in writing, each owner of an existing permanent sign found to be in violation of any provision of this Ordinance. The notice shall specifically refer to each section of this Ordinance under which a violation has been found to exist and thereupon describe the features of the inspected sign found to be deficient and the corrections which are required.

505.13 Non-Conforming Signs

- A. Legal, Non-Conforming Signs - Any sign lawfully existing or under construction on the effective date of this Ordinance, which does not conform to one (1) or more of the provisions of this Ordinance,

may be continued in operation and maintained indefinitely as a legal non-conforming sign subject to compliance with the requirements of §505.13,B.

- B. Maintenance and Repair of Legal Non-Conforming Signs - Normal maintenance of legal non-conforming signs, including changing of copy, necessary repairs, and incidental alterations which do not extend or intensify the non-conforming features of the sign, shall be permitted. However, no alteration, enlargement, or extension shall be made to a legal non-conforming sign unless the alteration, enlargement, or extension will result in the elimination of the non-conforming features of the sign. If a legal non-conforming sign is damaged or destroyed by any means to the extent of fifty (50%) percent or more of its replacement value at the time, the sign may not be rebuilt to its original condition and may not continue to be displayed.

505.14 Removal of Certain Signs

- A. Non-Conforming Signs - If the Zoning Officer shall find that any non-conforming sign, except for those legal non-conforming signs as specified in §505.13 is displayed, he shall give written notice to the owners, agent, or person having the beneficial interest in the building or the premises on which such sign is located. Removal of the sign shall be effected within ten (10) days after receipt of the notice from the Zoning Officer. If such sign is not removed after the conclusion of such ten (10) day period, the Zoning Officer is hereby authorized to cause the sign to be removed forthwith at the expense of the owner, agent, or person having the beneficial interest in the building or premises on which such sign is located.
- B. Obsolete Signs - Any sign, whether existing on or erected after the effective date of this Ordinance, which advertises a business no longer being conducted or a product no longer being offered for sale in or from the premises on which the sign is located, shall be removed within ninety (90) days upon the cessation of such business or sale of such product by the owner, agent, or person having the beneficial interest in the building or premises on which such sign is located.

If the Zoning Officer shall find that any such sign advertising a business no longer being conducted or a product no longer being offered for sale in or from the premises on which the sign is located has not been removed within ninety (90) days upon the cessation of such business or sale of such product, he shall give written notices to the owner, agent, or person having the beneficial interest in the building or the premises on which such sign is located. Removal of the sign shall be effected within ten (10) days after receipt of the notice from the Zoning Officer. If such sign is not removed after the conclusion of such ten (10) day period, the Zoning Officer is hereby authorized to cause the sign to be removed forthwith at the expense of the owner, agent, or person having the beneficial interest in the building or premises on which such sign is located.

- C. Unsafe Signs - If the Zoning Officer shall find that any sign is unsafe or insecure, or is a menace to the public, he shall give written notice to the owner, agent, or person having the beneficial interest in the building or the premises on which such sign is located. Correction to the condition which caused the Zoning Officer to give such notice shall be effected within ten (10) days after receipt of the notice. If such condition is not corrected after the conclusion of such ten (10) day period, the Zoning Officer is hereby authorized to cause the sign to be removed forthwith at the expense of the owner, agent, or person having the beneficial interest in the building or premises on which such sign is located. Notwithstanding, the foregoing provisions, the Zoning Officer is authorized to cause any sign to be removed summarily and without notice, at the expense of the owner, agent, or person having the beneficial interest in the building or premises on which such sign is located, whenever the Zoning Officer determines that such sign is an immediate peril to persons or property.

**SEVERABILITY**

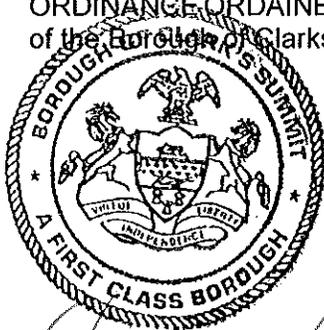
Should any section, subsection, clause, provision or other portion of this Ordinance be declared invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance; the Board of Supervisors having adopted this Ordinance as if such invalid portions had not been included therein.

**EFFECTIVE DATE**

This Ordinance shall become effective immediately upon adoption.

**ADOPTION**

ORDINANCE ORDAINED AND ENACTED this 3<sup>RD</sup> day of OCTOBER, 2007, by the Borough Council of the Borough of Clarks Summit, Lackawanna County, Pennsylvania, to be effective immediately.



BOROUGH OF CLARKS SUMMIT

By: Donald H. Meyer  
Council President

ATTEST:

Stephen Lyone  
Borough Secretary

APPROVED this 3<sup>RD</sup> day of OCTOBER, 2007

By: Harry Kelly  
Mayor