

ORDINANCE NO. 98-4

AN ORDINANCE OF HILLTOWN TOWNSHIP AMENDING THE HILLTOWN TOWNSHIP ZONING ORDINANCE OF 1995, AS AMENDED, REGULATING SIGNS WITHIN THE TOWNSHIP OF HILLTOWN

ARTICLE VII - SIGNS

700. Scope and Applicability

1. Within all zoning districts of Hilltown Township, signs may be erected, altered, maintained, used, removed, or moved only when in compliance with the provisions of this Article and any and all other ordinances and regulations of the Township of Hilltown relating to the erection, alteration, maintenance, use, removal, or moving of the signs or similar devices.

701. Conformance

1. Signs existing at the time of passage of this Ordinance, which were legally erected, and which do not conform with the requirements of the Ordinance shall be considered nonconforming signs, and if more than sixty percent (60%) has been destroyed or removed, it shall be replaced only with a conforming sign. A nonconforming sign may be repainted or repaired (including lighting), provided such repainted or repaired sign does not exceed the size or dimensions of the existing sign.

702. Purpose

1. The objective of this Article is to establish requirements for placing, installing and maintaining signs in order to preserve and protect the health, safety, welfare and general well-being of the community's citizens. Just as regulations for the placement, construction and maintenance of buildings through zoning is a valid use of law, so are regulations for the placement, installation and maintenance of signs a valid use of the law because signs, in the literal sense, must be considered structures and, in a practical sense, are capable of producing many of the same nuisances that buildings produce.

2. Sign regulations are further justified by the primary purpose of a sign: to draw attention to its content. Moreover, since signs can distract drivers or obstruct views, the very nature of a sign can be a potential hazard to the safety of motorists. Therefore, an objective of this Article is to regulate the location

of signs in such a way that they fulfill their purpose without causing unsafe conditions for motorists.

3. It is also an objective of this Article to protect and preserve the visual character of the community by regulating the placement, installation, and maintenance of signs. Because signs are intended to command visual contact, that gives signs an important role in the overall visual character of the community. This visual impact affects the value and enjoyment of property; therefore, the regulation of signs can work to enhance the value of property, encourage appropriate land use throughout a municipality and minimize clutter in the community.

### 703. Definitions

1. **Sign:** Any device used to identify or call attention to a business, residence, location, event, organization or notice.

- a. **Billboard:** A type of freestanding sign, with an area in excess of one hundred (100) square feet but not in excess of three hundred (300) square feet. For purposes of this Article, freestanding signs mounted on roof-tops are not considered billboards.
- b. **Double-Faced Sign:** Any sign which contains two (2) separate and distinct message display areas facing different directions.
- c. **Freestanding Sign:** A sign supported by means of poles or stands either on the ground or on the roof of a building. The height of a freestanding sign shall be measured from the finished grade. For purposes of this Article, all references to freestanding signs shall not include billboards unless expressly stated otherwise.
- d. **On-premises Sign:** A sign which directs attention to a person, business, profession, home occupation, or activity conducted on the same lot.
- e. **Off-premises Sign:** A sign which directs attention to a person, business, profession, product, home occupation, or activity not conducted on the same lot.
- f. **Parallel sign:** A sign mounted parallel to a wall or other vertical building surface.
- g. **Projecting Sign:** A sign mounted to a wall or other vertical building surface other than a parallel sign.

- h. **Temporary Sign:** A non-permanent sign to be erected, affixed, or maintained on a premises for a short, usually fixed, period of time.
- i. **Window Sign:** A temporary or permanent sign which is oriented to the public right-of-way, is legible to persons in vehicles, and is located on the outside or inside of a window to direct attention to an activity conducted on the same lot.

#### 704. Signs Prohibited in All Districts

1. Signs are prohibited which in any way simulate official, functional, directional, or warning signs maintained by the United States government, the Commonwealth of Pennsylvania or any county or municipality thereof, or by any railroad or public utility or similar agency concerned with the protection of public health or safety.

2. Permanent banners, spinners, flags, pennants, or any moving objects for commercial advertising purposes, whether containing a message or not, are prohibited.

3. Flashing, blinking, twinkling, animated, twirling or moving signs of any type, except those portions of signs which indicate time and temperature changes, are prohibited.

4. No sign shall be erected on which information is stated or implied that a referenced property, be it the property on which the sign is located or another, may be used for any purpose not permitted within the zoning district in which the referenced property is located.

5. On-premises signs advertising a use no longer in existence or a product no longer available shall be removed or changed to advertise the new use of the product immediately after cessation of the original use. Signs, once removed, shall be replaced only by signs in conformance with this Ordinance.

6. No signs shall be allowed within street lines unless specifically authorized by ordinance or regulation of Hilltown Township, in compliance with the regulations of the Commonwealth of Pennsylvania.

7. Any vehicle to which a sign is affixed in such a manner that the carrying of such sign or signs is no longer incidental to the vehicle's primary purpose, but becomes a primary purpose in itself, is prohibited.

## 705 Exempt Signs

1. Interior property parking and traffic control signs not visible from the public right-of-way and not exceeding four (4) square feet.

2. Special information signs including "men," "women," "rest rooms," "credit cards accepted," and "hours of operation" signs if such signs do not exceed two (2) square feet.

3. A sign with an area not exceeding one (1) square foot bearing only property number, street address, post box numbers or the names of the occupants in residence.

4. A sign which is a permanent architectural feature of a building or structure such as a cornerstone.

5. Traditional barber poles, defined as poles not exceeding three (3) feet in height and located on the same premises as the barber shop advertised.

6. The legal display of the flag of the United States of America, the flag of the Commonwealth of Pennsylvania, or the flag of any recognized governmental authority.

7. A governmental insignia, public monument, historic identification sign or plaque, and state or municipal highway safety signs and identification signs.

8. Holiday decorations.

9. Legal notices.

## 706. Relief from Sign Regulations

In the event that a proposed building or use is located in a manner that would obscure visibility of the signs allowed, a variance from the setback or height requirements may be granted by the Zoning Hearing Board.

## 707. Area of Signs

1. The size of any sign shall be computed by multiplying its greatest height by its greatest length, exclusive of supporting structures, unless the supporting structure is illuminated or is in the form of a symbol or contains advertising copy. In the case of signs that have no definable edges, such as raised letters attached to a building facade, the sign shall be that area within a single

continuous perimeter enclosing the extreme limits of the actual message or copy area.

2. The area of the sign shall be constructed to include all lettering, wording, and accompanying designs and symbols, together with a background, whether open or enclosed, on which they are displayed, but not including any supporting framework and bracing which are incidental to the display itself.

3. Where the sign consists of individual letters or symbols attached to or painted on a surface, building, wall, or window, the area shall be considered to be that of the smallest rectangular or other shape which encompasses all the letters and symbols.

4. In computing square foot area of a double-faced sign, only one (1) side shall be considered, provided both faces are identical. If of unequal size, the size of the larger side shall be the measured size for purposes of this Ordinance. If the signs form an interior angle greater than forty-five (45) degrees, both sides of such sign shall be considered in calculating the sign area, and it shall be considered as a parallel sign.

#### 708. General Sign Regulations

1. No sign shall be erected at a distance from a side property line less than the sign's total height from the finished grade and there shall be a minimum distance of twenty (20) feet between any side property line and any sign erected under the provisions of the Ordinance.

2. No sign shall be placed in a position which will cause danger to traffic on a street by obscuring the view. No sign other than one identifying a profession, home occupation, or name of resident or occupant shall be located within fifteen (15) feet of the edge of an improved cartway. No sign shall be erected or maintained within a distance of fifty (50) feet from the intersection of any street lines or the intersection of a street line and a private accessway unless the location of this sign is situated at least eight (8) feet above the level of the street center line. In no case shall any sign other than official highway or traffic signs be erected within the official right-of-way of any street. No red, green or yellow illuminated sign shall be permitted within three hundred (300) feet of a traffic light.

3. All signs over two (2) square feet in size, other than those permitted within the street right-of-way, shall be considered structures and shall be in conformance with all other provisions of the Hilltown Township Zoning Ordinance.

4. All signs except temporary signs shall be constructed of durable material and kept in good condition and repair. Electrical signs shall be subject to the performance criteria of the Underwriter's Laboratory, Inc. or to applicable Township Codes, whichever is more stringent. Upon the determination of the Zoning Officer that a sign has become dilapidated, then the owner of the property upon which the sign is located shall be notified by the Zoning Officer to restore said sign, or have said sign restored, to good and proper condition within thirty (30) days. Any sign which is allowed to remain dilapidated shall be removed by the Township at the expense of the owner or lessee of the property on which it is located.

5. Signs which face a residential district, or which face any occupied residential dwelling, may not have an exposed source of illumination if the sign is located within two hundred (200) feet of such district or dwelling. Illuminated signs shall not shine in the normal line of vision for traffic on a public street. Illuminated signs with any form of exposed bulbs are not permitted.

#### 709 Temporary Signs

1. Temporary signs advertising the prospective or completed sale or rental of the premises upon which the sign is located are permitted within the property lines of the premises, provided that:

- a. Such signs shall be maintained in good condition and repair and removed within twenty (20) days after execution of lease or agreement of sale;
- b. Such sign shall be erected only on the premises to which they relate;
- c. The area on one (1) side of any such sign shall not exceed sixteen (16) square feet; and
- d. No more than one (1) sign shall be placed on any property held in single and separate ownership.

2. Temporary signs advertising the sale or development of the premises, when erected in connection with the development or proposed development of the premises by a builder, developer or contractor are permitted, provided that:

- a. The area on one (1) side of any such sign shall not exceed sixteen (16) square feet;
- b. Not more than one (1) such sign shall be placed upon any property held in single and separate ownership unless

such property fronts upon more than one public street, in which event one (1) sign may be erected on each street frontage;

- d. Such signs shall be removed within twenty (20) days after the last dwelling has been initially occupied; and
- c. Such signs shall be erected only on the premises to which they relate.

3. Temporary signs indicating the names of contractors, consultants, and artisans performing services on construction sites are permitted provided that:

- a. Such signs are removed within seven (7) days following completion of the construction work;
- b. Not more than one (1) such sign shall be placed on each street frontage of the construction site, regardless of the number of contractors, consultants, and/or artisans performing services on the site; and
- c. The area on one (1) side of any such sign shall not exceed sixteen (16) square feet.

4. Temporary signs announcing a campaign, drive, or event of a civic, philanthropic, political, educational, or religious organization, as well as signs advertising political parties or candidates for elections, may be erected provided that:

- a. The erector of such signs, or those responsible for or benefitting from display of the signs, shall remove such signs within ten (10) days after the event referred to on the sign or the date of the election to which the signs relate;
- b. Such signs shall not be illuminated; and
- c. The area on one (1) side of any such sign shall not exceed sixteen (16) square feet.

5. Temporary signs directing persons to temporary exhibits, shows, events or sales shall be permitted, provided that:

- a. The area on one side of any such sign shall not exceed sixteen (16) square feet;
- b. Not more than one such sign shall be placed upon any property held in single and separate ownership unless

such property fronts upon more than one public street, in which event one (1) sign may be erected on each street frontage;

- c. Signs for any one (1) exhibit, show, event, sale or use shall be limited to two (2) events per year; each event no more than thirty (30) days in duration; and
- d. The erector of such signs, or those responsible for or benefitting from display of the signs, shall first apply for and obtain a permit from the Township Zoning Officer and deposit at the time of their application the sum of one hundred dollars (\$100) as a guarantee that said signs shall be removed promptly within seven (7) days of the expiration of the temporary permit. If such signs are not removed within the above time period, the signs shall be considered in violation of this Ordinance and the deposit deemed non-refundable. Upon satisfactory removal of the temporary signs within the above time period, the deposit money shall be returned within twenty (20) days from the expiration date of the permit.

6. Temporary banners, spinners, flags, pennants, floodlights or other promotional alternatives to traditional signs erected for commercial advertising purposes, are permitted in non-residential districts provided that:

- a. Such promotional devices are not erected or posted more than ten (10) days before the event or activity promoted and removed within three (3) days following the event or activity promoted;
- b. The area on one side of any such banner, spinner, flag or pennant shall not exceed sixteen (16) square feet;
- c. In no event shall such promotion persist for more than thirty (30) days, nor shall any commercial enterprise be allowed such promotion in excess of two (2) events per calendar year; and
- d. Such promotion shall only be permitted by issuance of a temporary permit in accordance with this Ordinance.

#### 710. Signs Permitted in CR1, CR2, RR and MHP Districts

1. Temporary signs pursuant to the Sections 709.1, 709.2 and 709.4 of this Article. Temporary signs as described in Sections 709.3, 709.5 and 709.6 are not permitted in the CR1, CR2, RR and MHP Districts.



2. Official highway route number signs, street name signs, and other official traffic signs may be erected and maintained in the interest of public safety or for the regulation of traffic.

3. Trespassing signs or signs indicating the private nature of a road, driveway, or premises, and signs prohibiting or otherwise controlling the fishing and hunting upon a particular premises, may be erected and maintained, provided that the size of any such sign does not exceed two (2) square feet.

4. Professional, home occupation, or name signs indicating the profession and/or activity and/or the name of the occupant of the dwelling may be erected and maintained, provided that:

- a. The size of such sign shall not exceed four (4) square feet;
- b. Not more than one (1) sign shall be erected for each permitted use or dwelling unit; and
- c. Any such sign shall be erected only on the premises wherein the professional use or home occupation is located.

5. Identification signs for schools, churches and other religious institutions, hospitals and health facilities, clubs, lodges, farms and estates are permitted, provided that:

- a. The size of any such sign shall not exceed twenty (20) square feet;
- b. Not more than one (1) such sign is placed on any premises held in single and separate ownership unless the property fronts upon more than one street, in which event one (1) sign may be erected on each frontage; and
- c. Such signs shall be located only on the premises they identify.

6. Signs advertising the sale of farm products, when otherwise permitted by the Hilltown Township Zoning Ordinance, are permitted provided that:

- a. The size of any such sign shall not exceed six (6) square feet;
- b. Not more than two (2) signs are used;

- c. Such signs shall be displayed only when such products are on sale; and
- d. The signs shall not be illuminated.

**711. Signs permitted in the PC1, PC2, VC, Q, LI and HI Districts**

1. All signs permitted under Section 710 may be erected and maintained in accordance with said provisions.

2. All temporary signs permitted under Section 709 may be erected and maintained in accordance with said provisions.

3. Freestanding signs which advertise a business, industry, or other permitted use not referenced in Sections 711.4 through 711.6, whether located on-premises or off-premises, may be erected and maintained, provided that:

- a. Not more than one (1) such sign shall be erected on any one premises under single and separate ownership, or on premises leased or utilized by any one business establishment except for an establishment which fronts two (2) or more streets, in which case a sign may be erected in each yard fronting on a street;
- b. Unless otherwise stated herein, the area of such freestanding signs shall not exceed thirty-two (32) square feet per side, with the maximum height to top of a sign not to exceed twenty (20) feet from the finished grade; and
- c. No sign shall be located beyond the rear wall of the main building when the rear property line upon which it is situated abuts a residential district, except signs that convey information such as parking entrances and traffic flow directions. The area on one side of any such sign shall not exceed eight (8) square feet. The name of the business located on the premises may appear on such signs.

4. Freestanding signs which advertise a shopping center as defined under Section 201.200, including the name of the center and the uses therein, may be erected in each yard fronting on a street. No portion of a shopping center freestanding sign shall be less than eight (8) feet or more than thirty-two (32) feet above the ground. The area of any one side of such sign shall not exceed one hundred (100) square feet.

5. Freestanding signs which advertise a group of businesses or industrial uses other than a shopping center on a lot held in single and separate ownership, may be erected in each yard fronting a street and such freestanding signs may contain a collection of signs identifying the different interests and uses on the premises, provided that the total area of one side of the freestanding sign does not exceed one hundred (100) square feet and that each individual sign does not exceed four (4) square feet.

6. Freestanding signs which advertise gasoline service stations, may be erected provided that each station shall be permitted two (2) freestanding, brand name signs, each not to exceed six (6) square feet in area and not to be higher than seven (7) feet above the finished grade.

7. Parallel and projecting signs may be erected and maintained, provided that:

- a. Projecting signs attached to a main wall of a principal building shall not project more than fourteen (14) inches therefrom, and no portion shall be less than ten (10) feet above the finished grade and no more than sixteen (16) feet above the finished grade;
- b. Projecting signs shall not in any way interfere with normal pedestrian or vehicular traffic;
- c. The combined area of all parallel, projecting, and permanent window signs facing the street shall not exceed twenty-five percent (25%) of the area of the building face facing the street. The combined area of all parallel and projecting signs shall not exceed fifteen percent (15%) of any building face to which such signs are attached. Permanent window signs shall not exceed thirty percent (30%) of the total window area facing the street; and
- d. In the case of a shopping center or group of stores or other business uses on a lot held in single and separate ownership, the provisions of this section relating to the total area of signs permitted on a premises shall apply with respect to each building, separate store, or similar use.

## 712. Billboards

1. It is recognized that billboards, also known within the industry as outdoor advertising signs, are freestanding signs of comparatively great size which are designed specifically to attract

the attention of the motoring public. Because billboards differ in these aspects from other freestanding signs, and because it is the expressed objective of this Article to limit nuisance and insure the safety of motorists and pedestrians, the following regulations have been adopted.

2. Billboards shall be permitted by special exception only, in the PC1, PC2, Q, HI and LI Districts, subject to the following criteria:

- a. Not more than one (1) such sign shall be erected on any one premises under single and separate ownership;
- b. No such sign shall be permitted within one hundred (100) feet of any residential use, no matter in what district the use is located;
- c. Such signs shall not be permitted closer than one hundred (100) feet from the ultimate right-of-way;
- d. The area of such signs shall not exceed two hundred fifty (250) square feet per side if located less than two hundred (200) feet from the ultimate right-of-way and the area of such signs shall not exceed three hundred fifty (350) square feet per side if located two hundred (200) or more feet from the ultimate right-of-way, with the maximum height to top of a sign not to exceed thirty-five (35) feet from the finished grade;
- e. No such sign shall be located closer than two thousand (2000) feet from any other such sign;
- f. Such signs shall not be illuminated between the hours of 11:00 PM and 6:00 AM;
- g. All such signs must be constructed of durable materials and every billboard shall be firmly and solidly constructed so as to be able to bear a wind pressure of at least thirty (30) pounds per square foot; and
- h. All billboards shall conform to State and Federal regulations.

3. Billboards must be kept and maintained in good repair, subject to the following conditions:

- a. Weeds shall be kept out of in front of, underneath and around the base of such signs, and

b. No rubbish or debris shall be permitted under or near such signs where such rubbish or debris could constitute a fire or health hazard.

4. Owners of the property upon which such a sign is located shall be required to pay a tax for such signs located on their property. The annual tax shall be calculated at two dollars (\$2.00) per square foot size of the sign.

### 713. Permit Requirements for Signs

1. A permit is required for permanent or temporary signs permitted within the CR1, CR2, RR, or MHP Districts. All permanent and temporary freestanding, parallel, and projecting signs, and temporary signs permitted in accordance with Section 709.5, shall require the issuance of a zoning permit before erection or replacement. All signs must comply with the regulations contained herein.

2. In the case of a shopping center, or group of stores or other business uses on a lot held in single and separate ownership, a separate sign permit shall be required of each separate store, business, or similar use erecting and maintaining a sign in conformance with this Ordinance.

3. For the purposes of obtaining a sign permit, the applicant shall make application to the Zoning Officer and shall present a plot plan, sketch of design and lettering, and construction plans indicating on said plot plan all existing structures, including signs, and setting forth in the application all necessary facts with respect to existing signs in order to ascertain whether the proposed erection or alteration of the proposed sign complies with the provisions of this Ordinance.

4. Permanent sign permits shall be issued for each separate property, residence, store, business, or use erecting and maintaining a permanent sign(s). Any addition, revision, reduction, or alteration shall require the issuance of a new permit. Permit fees are established by separate resolution.

5. All permanent sign permits shall have an annual renewal fee established by separate resolution. Nonpayment of the annual renewal fee invalidates the sign permit and all signs permitted by said expired permit shall be deemed in violation of this Ordinance.

### 714. Severability

If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid,

such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part thereof not been included herein.

715. Repealer

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed. The following Article of the Hilltown Township Zoning Ordinance of 1995 is hereby specifically repealed:

Article VII. Signs

716. Effective Date

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

SO ENACTED AND ORDAINED this 9<sup>th</sup> day of FEBRUARY, A. D., 199 .

HILLTOWN TOWNSHIP  
BOARD OF SUPERVISORS

