

CHAPTER 19

SIGNS

PART 1

SIGNS

- §19-101. Permits-General Requirements**
- §19-102. Definitions**
- §19-103. Permit Applications**
- §19-104. Fees**
- §19-105. Maintenance**
- §19-106. Measurement of Signs**
- §19-107. Illumination of Signs**
- §19-108. Prohibited Signs**
- §19-109. Temporary Signs**
- §19-110. Abandoned Signs**
- §19-111. Structural Requirements**
- §19-112. RR-1 Restricted Residential Zoning District**
- §19-113. RR-2 Restricted Residential Development and VMU-1 and VMU-2, MFR Residential Zoning Districts**
- §19-114. O limited Residential District**
- §19-115. GQ Commercial District and WF Commercial District**
- §19-116. Reserved**
- §19-117. Political Signs**
- §19-118. Penalties for Violations**

PART 1

SIGNS

§19-101. Permits-General Requirements.

No sign in the Borough of Wormleysburg shall be erected, enlarged or relocated until an application has been filed and a permit has been issued by the Zoning Officer. No permit shall be required for political signs and real estate signs, provided the use of such signs is in accordance with the other provisions of this chapter.

§19-102. Definitions.

In the construction of this Part, and any subsequent Amendment, the rules and definitions contained in this Section shall be observed and applied except when the context clearly indicated otherwise:

ADVERTISING SIGN – a sign intended for the posting or otherwise displaying of information inviting attention to any product, business, service or cause located on or off the lot or premises on which the sign is situated.

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 intended for the posting or otherwise displaying of information inviting attention to any product, business, service or cause located on the lot or premises on which the sign is situated.

CHURCH BULLETIN BOARD SIGN – a sign which indicates the name and/or address of a church occupying the premises upon which the sign is located, the address of the

premises, and/or identification of any legal business or activities which may exist or are scheduled at the premises upon which the sign is located.

DIRECTIONAL SIGN – a sign containing no advertising which provides direction or instructions 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.

ELECTRONIC MESSAGE CENTERS – a variable –message sign with a fixed or changing message displayed through electronic means. These signs include incandescent lamp displays, LED (light-emitting diode) or LCD (liquid crystal display). “Electronic message centers” must be programmed in a manner which requires a message to remain stationary for a time period of at least five seconds. This does include the movement of the light to form words or sentences of the message. An “electronic message center” shall not be of such brightness that it constitutes a nuisance to adjoining properties or poses a safety issue by distracting or interfering with the traveling public.

HOME OCCUPATION SIGN – a sign which identifies a home occupation being conducted upon the premises upon which it is located and which is a permitted use at those premises.

IDENTIFICATION SIGN – a sign or name plate, indicating the name of a commercial or noncommercial building, or the occupants thereof, or describing the use of such building, or describing a product sold therein, and located only on the same premises being identified, or when displayed at a residence, indicating a home occupation legally existing thereat.

OFFICE BUILDING SIGN – a sign for an office building for the purpose of identifying the occupants thereof.

POLITICAL SIGN – a temporary sign endorsing a candidate or candidates for a political office or endorsing a political party.

PROFESSIONAL OFFICE SIGN – a sign which is identification sign for a professional office which is a permitted use for the premises upon which it is located.

REAL ESTATE SIGN – a sign which is used to offer for sale, lease, or rent real estate located on or off the premises or lot 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 SIGN – a sign which is incidental to a use lawfully occupying the property upon which the sign is located and in which the sign is necessary to provide information to the public, such as directions to a parking lot, location of rest rooms or other such pertinent information.

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 banner, pennant, or placard designed to advertise, identify, or convey information. A sign shall not include any flag, badge or insignia of any government or governmental agency.

TEMPORARY SIGN – a nonpermanent sign erected, affixed, or maintained on a premises for a period of time not to exceed 30 days.

WALL SIGN – a sign directly attached to an exterior wall of a building or dependent upon a building or structure 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.

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.

Prior to the issuance of any sign permit, an application for such a permit shall be made on the form provided by the Code Enforcement officer and shall contain or have attached thereto the following information:

- A. Name address and telephone number of applicant.**
- B. A site plan drawn to scale showing location of the building structure or lot to which the sign is to be attached or erected and showing the position of the sign in relation to nearby buildings and thoroughfares. The location of the street(s) right-of-way line shall also be included.**
- C. A plan drawn to scale showing the design of the sign, materials to be used, colors, lighting, lettering, method of construction, and means of attachment to the building or ground.**
- D. Name of person, firm, corporation or association erecting, altering or moving said sign.**
- E. Name and address of the owner of the land on which the sign is to be erected, altered or relocated, together with the owner's written consent. In the event that the sign is considered abandoned or must be removed for any reasons it will be the responsibility of the owner or the land to do so.**
- F. Any other information as the Code Enforcement Officer shall require in order to show full compliance with this and all other applicable ordinances of the Borough.**
- G. After the sign permit has been issued, the owner of the sign shall promptly notify the Code Enforcement Officer when the sign has been erected, enlarged, or relocated, and the Code Enforcement shall inspect the sign. If the sign is finished in accordance with the issued permit, the permit shall be validated by signature of the Code Enforcement Officer.**

§19-104. Fees.

Each applicant for a sign permit shall be accompanied by a payment or a nonrefundable fee as set forth by resolution of Borough Council for all signs, including temporary signs.

§19-105. Maintenance.

Every sign shall be kept in a state of good repair from the standpoint of safety, fire prevention and appearance. The Code Enforcement Officer may require such maintenance and in event of failure of a sign owner to correct unsafe conditions or dilapidated appearance within a specified time, the Code Enforcement Officer may order removal of the sign by the Borough at the owner's expense. All signs not owned by the person, firm or organization advertising thereon shall carry a clearly legible imprint showing the sign owner's name and address. Signs with no such imprint will be presumed to be owned by the advertiser thereon.

§19-106. Measurement of signs.

The area of any sign shall be determined from its outside measurements excluding as a part thereof, the height and overall width of supports and supporting structure and any other portion or portions thereof beneath the normal area upon which an advertisement is posted or intended to be posted.

§19-107. Illumination of Signs.

Construction and wiring of all electric signs requiring transformers or ballasts shall comply with the requirements of the ICC Electrical Code (and as the same may subsequently be amended) and operating permits will not be so illuminated as to constitute a nuisance by spilling or spreading light into or upon any adjacent residential property.

§19-109. Temporary Signs

Temporary signs shall only be permitted if in conformance with the following terms and conditions:

A. A Business or Organization shall be limited to one temporary sign at any one time. Borough Council may limit the number of temporary signs on one property where there are two or more businesses or organizations located on that property.

B. A temporary sign shall have no more than two advertising sides or faces.

C. Total advertising of a temporary sign shall not exceed 12 square feet in area, except where such signs are further restricted by other parts of this Chapter 19.

D. Temporary signs shall not be displayed without first making an application to and receiving a permit from the Code Enforcement Officer.

E. Temporary signs shall be removed immediately upon conclusion of an event which is advertised. All temporary signs may be erected for no more than 30 days. Time extensions may only be granted by the Wormleysburg Borough Council. Temporary signs shall also include any wall sign or window sign such as a sign painted on the interior of a window, or constructed of paper, cloth or other like material and attached to the interior side of the window or displayed on the exterior of a building wall in order to direct attention to persons outside the building for any purpose. Temporary signs shall be included in the total square footage of sign allowed per property.

§19-110. Abandoned Signs.

- 1. A sign which has remained without bona fide advertising for a period of 6 months and/or which requires maintenance or repair in excess of 25% of the replacement cost of the sign as determined by the Code Enforcement Officer after consultation with the sign owner is considered to be abandoned.**
- 2. Removal of Abandoned Signs. Signs, including all supporting structures and components, that are abandoned shall be removed by the person(s) responsible for the erection and/or maintenance thereof within 30 days after notice of the abandonment to such persons by the Code Enforcement Officer. If such person(s) fail or refuse to remove such abandoned signs after notice, the Code Enforcement Officer may remove the sign(s) at the expense of the person(s) responsible for the erection or maintenance thereof.**

§19-111. Structural Requirements.

All signs erected under this Chapter shall be constructed and erected in accordance with the American Standard Building Requirements for Signs and Outdoor Display Structures (*A60-1-1949), Sections 3 through 10 inclusive, published by the American Standards Associations, or in accordance with other suitable proof to the Building Inspector that the sign is of good quality and safe construction.

§19-112. RR-1 Restricted Residential Zoning District.

Only real estate signs shall be permitted in the RR-1 Zoning District. No lot may contain more than one real estate sign, which cannot exceed more than 6 square feet in area on any street front. Such sign must also be erected and maintained in accordance with all other provisions of this Part. No other signs or any advertising designed to attract attention shall be permitted.

§19-113. RR-2 Restricted Residential Development and VMU-1, VMU-2 and MFR Zoning Districts.

All signs in the RR-2, VMU-1, VMU-2 and MFR Zoning Districts must be erected and maintained in accordance with the provisions of this Part, and only the following signs are permitted in these Zoning Districts.

A. Real Estate Sign. No more than one sign per lot with such sign not to exceed 6 square feet in area on any street front.

B. Home Occupation Sign. No more than one such sign per lot and the sign shall not exceed 2 square feet in area.

C. Church Bulletin Board Sign. One Church bulletin board sign per lot and the sign shall not exceed 20 square feet in area.

D. Professional Office Sign. Professional office signs are not permitted in the RR-2 and MFR Zoning Districts. In the VMU-1 Residential District and the VMU-2 Residential District, two professional office signs per lot or premises may be erected. Such sign may be a wall sign; however, no portion of any wall sign may project above the roof line or be

silhouetted against the skyline. Such signs shall be located no closer to the curb than $\frac{1}{2}$ the distance from the curb to the building setback line and no closer than 5 feet to either side property line. The total sign area permitted for any lot containing a professional office use, whether wall or ground sign, or both, shall not exceed in square feet, a number equal to $\frac{1}{4}$ of the lineal front footage of the lot, and in no case shall the total sign area on one lot exceed 25 square feet. No sign for a professional office shall exceed 3 feet in height unless the lineal front footage of the lot containing the professional office use shall be in excess of 100 feet.

E. Lighting. Lighting illumination, if any, is permitted provided it shall be in such a manner that the light source is shielded from direct view.

§19-114. O Office.

All signs in the O Office Zoning District must be erected and maintained in accordance with the provisions of this Part, and only the following signs are permitted in this Zoning District:

A. Home Occupation. For a home occupation, only one identification sign not to exceed 2 square feet in area for a permitted home occupation provided it is placed parallel with the first floor front/face of the building in which the home occupation is located.

B. Real Estate Sign. No more than one real estate sign, not exceeding 6 square feet in area on each street front.

C. Church Bulletin Board Sign. One church bulletin board sign per lot and the sign shall not exceed 20 square feet in area.

D. Business and Identification Signs. All business and Identification signs, for uses permitted under Chapter 27, §27-502 shall be permitted subject to the conditions set forth herein. Such signs may be wall or ground signs. No portion of any sign may project above the roofline or be silhouetted against the skyline. Permitted business and identification signs shall be located no closer to the curb than $\frac{1}{2}$ the distance from the curb to the building setback line and no closer than 5 feet from either side property line. The total

sign area permitted for any lot containing a permitted use, whether wall or ground signs, or both, shall not exceed in square feet, a number equal to $\frac{1}{4}$ of the lineal footage of the lot, and in no case shall be total sign area on the lot exceed 25 square feet. No business identification sign shall exceed 3 feet in height unless the lineal front footage for the lot containing the permitted use shall be in excess of 100 feet. In no event, however, shall a business identification sign exceed 5 feet in height. Each application for a business or identification sign shall be subject to review and recommendation by the Planning Commission and approval by the Borough Council before the issuance of a sign permit.

E. Directional Sign. Directional sign not exceeding 4 square feet and not over 3 feet in height is permitted provided it is centrally located between the side yard lines and the front face of the building and sidewalk.

F. Office Building Sign. Office Buildings, in excess of 10,000 square feet in area, shall be permitted to have signage not exceeding 100 square feet for the double face sign, or 50 square feet for a single faced sign. The total sign area for all office building signs shall not exceed 100 square feet. Each application by the Planning Commission and approval by Borough Council before the issuance of a sign permit.

G. Other Signs. Prohibited. No other signs or any advertisement use to attract attention shall be permitted.

H. Illumination. Illumination, if any, shall be provided in such a manner that the light source is shielded from direct view and in compliance with this Part 1.

§19-115. GC General Commercial District and WF Waterfront District.

All signs in the GC General Commercial Zoning District and WF Waterfront Zoning District must be erected and maintained in accordance with the provisions of this Part, and only the following signs are permitted in these Zoning Districts.

A. Permitted Signs. All signs that are permitted in the RR-1 Restricted Residential Zoning District; RR-2 Restricted

Residential Zoning District; VMU-1 Residential Zoning District; VMU-2 Residential Zoning District; and O Limited Residential Zoning District, are also permitted in a CG Commercial and O Zoning District and WF Commercial Zoning District.

B. Identification Sign. An identification sign shall be permitted. Such sign may be a wall, ground or pylon sign. No portion of any wall, ground, or pylon sign may project above the skyline, or be silhouetted against the skyline without obtaining the recommendation of the Planning Commission and Borough Council. The Planning Commission and Borough Council may grant an exception where a maximum of two letters of a trademark or distinctive name or word normally projects above the roof line. The maximum exception allowed in permitting a trademark or distinctive name to project above the roof line, shall be 10% of the building height measured from the curb line to the roof line of the building.

C. Office Building Sign. An office building sign shall be permitted as regulated in this Part 1, §19-114 (F)

D. Location. No permitted sign can be located in the area $\frac{1}{2}$ the distance from the curb to the building setback line, and no closer than 5 feet to the side property lines.

E. Size. The total size of permitted signs on one property shall not exceed 120 square feet in area. For the total square footage of office building signs, see §19-114 (F).

F. Measurement of Sign Area. When a sign is framed or placed on a solid background of different material than the structure of the building on which it is placed, and is attached to the building as a unit, the area of the sign shall be measured as set forth in the section of this Part 1 on measurement, §19-106.

G. Letters. Letters (cut out, cast, molded or preformed with the exception of neon tubing) may be attached to any office building, commercial business or professional service being conducted therein, and shall be considered as an office building sign or business identification sign.

- (1) Such letter shall not be either luminous or reflective in nature**
- (2) Such letters may either be lighted or flood lighted.**
- (3) Such letters when considered as signs shall not cover an area of more than 10% of the surface area of the entire wall, including windows and door to which they are attached facing the pedestrian or automotive traffic. Those letters shall be included in calculating the total footage of sign allowed per property.**
- (4) Signs which are composed primarily of cut out letters shall be measured by measuring the total height and width or length of the cut out letters.**

H. Shopping Center. Signs in inner courts or on walls of shopping centers, not directly fronting on a street, shall not be regulated as above, except any and all portion(s) of a sign shall be visible to a street, or silhouetted against the skyline.

I. Projecting Signs. No sign shall project over public property. A projecting sign may extend into area, which is not over a public street, sidewalk or alley, and such a sign may project 48 inches providing the lowest part of the projection is at least 89 feet above the ground level.

J. Marquee Sign. Marquee or marquee signs may not project into any side, rear or front yards provided they meet the building set back requirements.

K. Real Estate Sign. A real estate sign not exceeding 16 square feet in total area per property is permitted. Only one sign per property shall be permitted.

L. Roof Sign. No roof sign is permitted, except as provided in subsection (B) above.

M. Illumination. Illumination for signs shall only be as specified in this Part 1, §19-107.

N. Directional Sign and Service Sign. No more than one such sign, not to exceed 6 square feet in total size per property is permitted. Illumination or light source shall be shielded from direct view. The overall height for said

directional or service sign shall be 3 feet, set back from curb 10 feet and no closer than 5 feet to side property lines.

O. Height of Sign. Height is defined as measuring a distance from the top of the adjacent curb or center line of the nearest road whichever is the highest, to the highest part of the sign or sign support structure.

- (1) Pylon Sign. Pylon sign shall not exceed 35 feet in height. Such sign can be located in the area $\frac{1}{2}$ the distance from the curb to the building setback line, and no closer than 5 feet to the side property lines.**
- (2) Wall signs are regulated under Subsection Q – Advertising Sign of this Section.**
- (3) Ground Sign. Ground sign may be equal to $\frac{1}{2}$ of the height of the tallest building on the property, but not to exceed 14 feet. These signs shall be erected in such a manner so as to not obstruct the vision of a pedestrian or motorist.**

P. Electronic Message Centers. Electronic message centers are permitted in the commercial districts.
WF

Q. Advertising sign. Advertising signs are not permitted in the WF Zoning District. In the GC Zoning District, advertising signs located on or off premises are permitted providing the sign meets the following conditions:

- 1) Such signs are not permitted as roof signs.**
- 2) A sign may not be in excess of thirty-five (35) feet in height, as defined in Section 19-106.**
- 3) The total area of the sign shall not exceed 120 square feet. The area of the sign shall be measured as set forth in Subsection O of this Section.**
- 4) The minimum distance between off premises advertising signs shall be 200 feet.**
- 5) The minimum setback from the street right-of-way shall be twenty (20) feet. Said measurement**

shall be from the nearest street toward the sign faces.

§19-116. (Left Blank)

§19-117. Political Signs.

Political signs may be erected without obtaining a permit, provided all such signs are in accordance with other provisions of this chapter, including those pertaining to temporary signs found in §19-109, except that more than one such sign per lot is permitted. All political signs shall be removed within 10 days after the political election for which the advertised candidate or candidates are on the ballot. All political signs not removed within the time provided herein shall be deemed abandoned, and the Borough may remove the signs at the expense of the person or entity that erected the sign or allowed it to remain on their property.

§19-118. Penalties for Violations.

It shall be unlawful to erect, construct or reconstruct, alter, maintain or use any sign in violation of any provision of this Part, or amendments thereto. Any and all persons including any partnership, corporation, limited liability company, limited liability partnership, unincorporated association or political action committee, who shall violate any of the provisions of this Part or fail to comply therewith shall severely, for each and every violation and noncompliance respectively, upon conviction thereof in a summary proceeding, be sentenced to pay a fine of not more than \$600 and/or to a term of imprisonment not to exceed 90 days. Each day that a violation is continued shall constitute a separate offense. Any sign erected, constructed, reconstructed, altered, converted, maintained or used in violation of this Part, the Borough Council, Borough Manager or the Code Enforcement Officer, may institute in the name of the Borough any appropriate legal action or proceeding to prevent, restrain, correct or abate such sign in or about such premises, or any act, conduct, business or use constituting any violation of this Part, in addition to any other remedy permitted by law.