

MARION TOWNSHIP ORDINANCE NO. 2001- 43

AN ORDINANCE OF THE TOWNSHIP OF MARION, CENTRE COUNTY, PENNSYLVANIA, REGULATING THE USE AND CONSTRUCTION OF SIGNS

PURPOSE

The purpose of this article is to provide an environment for the safe, orderly and efficient means for the display of signs and other informational advertisements within Marion Township. This article is intended to regulate the form and manner of display and is not meant to restrict the content of such signs.

SCOPE

Signs may be erected and maintained only when in compliance with the provisions of this article and any and all other ordinances and regulations relating to the erection, alteration or maintenance of signs and any devices used as signs. Signs erected by a governmental body, or under the direction of such body, bearing no commercial advertisement such as traffic signs, safety signs, signs identifying public schools, playgrounds and parks, zoning requests, emergency signs, etc., are not subject to the regulations of this article.

DEFINITIONS

SIGN - Any permanent structure, device, light, or natural object, including the ground itself, or any part thereof or any device attached thereto or painted or represented thereon, which shall be used to identify, advertise or attract attention to any object, product, place, activity, persons, institution, organization, firm, group, commodity, profession, enterprise, industry or business, or which shall display or include any letter, word, model, number, banner, flag, pennant, insignia, device or representation used as an announcement, direction or advertisement, and which is intended to be seen from off the premises, property or from a parking lot. No indoor sign shall be deemed a sign for the purposes of this article.

COMMERCIAL SIGN - A sign bearing the name of any business or professional establishment conducting business, information concerning direction to the premises or property of the establishment, and possibly containing information or advertisement about the uses conducted on or to the material or products manufactured on, or the material, products or services sold or displayed on the premises or property.

OFF-PREMISES SIGN - A sign erected on a property other than that to which the information or advertisement directly refers.

TEMPORARY SIGN - A sign advertising a specific event or activity and intended for a limited period of display no greater than 60 days.

SIGN AREA - The surface area of the face of a sign. Sign area is calculated as the area of the smallest triangle, rectangle or circle which can wholly enclose the surface area of the sign.

SIGN OWNER - The person, or the commercial or industrial establishment, to which the sign refers, except in the situation where (1) the structure of the sign is legally owned by an establishment for whom the sign structure is a source of income, in which event the sign owner is the legal owner of the sign structure or (2) the sign supports political candidacy or political activities, or states the opinions or beliefs of a person, organization or institution, in which event the sign owner is the owner of the property on which the sign is erected.

SIGN MAINTENANCE - Normal maintenance of signs applies to signs in good overall structural condition. Maintenance includes repair of individual structural members on a sign that is otherwise in good condition. For purposes of this ordinance, maintenance also includes major structural repair or replacement of a sign to previous condition in those situations where a sign is damaged or destroyed by a specific incident of storm, traffic accident, vandalism, or other cause outside the control of the Sign Owner.

OVERHEAD SIGN - A sign located in a place such that pedestrian traffic will normally walk below the sign, such as signs overhanging sidewalks, entrances or paths.

IV. **SIGNS PERMITTED IN ALL ZONING DISTRICTS**

The following types of signs shall be permitted in all Zoning Districts. All signs shall be subject to all regulations in section VII titled General Regulations for all signs.

Signs bearing the name and address of the owner and/or the occupant of the premises may be erected and maintained provided (1) at least one such sign is in compliance with all applicable regulations concerning visibility for emergency response services (911 emergency services); (2) not more than 2 signs are placed upon any property in single and separate ownership, unless such property fronts upon more than one street in which event 2 such signs may be erected on each frontage.

Signs of schools, colleges, churches, hospitals, sanitariums, or other institutions of a similar nature may be erected and maintained provided: (1) the sign area is not in excess of 40 square feet; (2) not more than two (2) signs are placed upon any property in single and separate ownership, unless such property fronts upon more than one street, in which event two (2) such signs may be erected on each frontage.

Signs of residential developments may be erected and maintained provided (1) the sign area is not in excess of 32 square feet; and (2) not more than 2 signs are placed upon any property in single and separate ownership, unless such property fronts upon more than one street, in which event 2 such signs may be erected on each frontage.

Signs advertising home occupations, including the name, occupation, and logotype or trademark of the practitioner, if appropriate, may be erected and maintained provided: (1) the sign area is not in excess of six (6) square feet; and (2) such signs are not illuminated.

Off-premises signs advertising home occupations, including the name, occupation, and logotype or trademark of the practitioner, if appropriate, may be erected and maintained provided: (1) the sign area is not in excess of six (6) square feet; and (2) not more than two (2) such signs are erected.

Signs regulating on-premises traffic, parking, services and utilities such as lavatory facilities, telephone and functional subdivisions of a property or establishment such as offices, garages and maintenance facilities may be erected and maintained provided the sign area is not in excess of six (6) square feet.

Signs advertising the sale of farm products may be erected and maintained provided: (1) the sign area is not in excess of 16 square feet; (2) not more than two (2) such signs are erected; and (3) the signs shall be displayed only when such products are on sale.

Temporary signs advertising special events, charitable activities, yard sales, etc., may be erected provided: (1) the sign area is not in excess of 16 square feet; (2) such signs are erected for no longer than 60 days; and (3) such signs are removed promptly when the circumstances leading to its erection no longer apply.

Signs supporting political candidacy or political activities, or stating the opinions or beliefs of a person, organization or institution may be erected and maintained provided: (1) the sign area is not in excess of 16 square feet; and (2) such signs are removed promptly when the circumstances leading to its erection no longer apply.

V. **SIGNS PERMITTED IN RESIDENTIAL DISTRICTS**

The following types of signs shall be permitted in the Residential Districts. All signs shall be subject to all regulations in section VII titled General Regulations for all signs.

Signs advertising the sale or rental, or of the completion of a sale or rental, of property or premises upon which they are erected, when erected by the owner or broker or any other person interested in the sale or rental of such premises, may be erected and maintained provided; (1) the sign area is not in excess of 6 square feet; and (2) not more

than 2 signs are placed upon any property in single and separate ownership, unless such property fronts upon more than one street, in which event 2 such signs may be erected on each frontage.

Signs indicating the location and direction of premises available for or in process of development, but not erected upon such premises and having inscribed thereon the name of the owner, developer builder or agent may be erected and maintained, provided: (1) the sign area is not in excess of six (6) square feet; and (2) not more than two (2) such signs are erected on each street frontage. Such signs shall be removed immediately upon completion of the development.

Signs regulating the use of property, such as "no trespassing", "no hunting", "no fishing", etc., may be erected and maintained provided the sign area is not in excess of two (2) square feet.

Signs advertising home builders, carpenters, electricians, mechanics, painters and other artisans and businesses may be erected and maintained on the premises on which their work and services are being performed during such time as their work and services are being performed, provided: (1) the sign area is not in excess of six (6) square feet; and (2) such signs are removed immediately upon completion of the work.

SIGNS PERMITTED IN COMMERCIAL AND INDUSTRIAL DISTRICTS

The following types of signs shall be permitted in the Industrial and Commercial Districts. All signs shall be subject to all regulations in section VII titled General Regulations for all signs.

Commercial Signs may be erected and maintained on the premises or property for which they relate or directly refer to the use conducted on such premises or property, or to the material or products manufactured on such premises or property, provided: (1) the sign is not in excess of 32 square feet for one-sided signs (64 total square feet or 32 square feet per side for two faced signs and the maximum single dimension of 12 feet); (2) not more than one (1) sign placed upon such property, unless such property fronts upon more than one street, in which event one (1) such sign may be erected on each frontage.

Commercial Signs may be erected and maintained on premises or property other than that to which they relate or directly refer, provided: (1) the sign area is not in excess of 16 square feet; (2) not more than two (2) such signs are erected along any length of road frontage of 1000 feet; (3) a business, commercial establishment, or industrial facility, has no more than two (2) such off premises signs.

Signs advertising the sale or rental, or of the completion of a sale or rental, of property or premises upon which they are erected, when erected by the owner or broker or

any other person interested in the sale or rental of such premises, may be erected and maintained provided: (1) the sign area is not in excess of 64 square feet (32 square feet per side for two faced signs and the maximum single dimension of 12 feet); and (2) not more than one (1) sign is placed upon any property in single and separate ownership, unless such property fronts upon more than one street, in which event one (1) such sign may be erected on each frontage.

Signs indicating the location and direction of premises available for or in process of development, but not erected upon such premises and having inscribed thereon the name of the owner, developer builder or agent may be erected and maintained, provided: (1) the sign area is not in excess of 16 square feet; and (2) not more than two (2) such signs are erected on each 1000 feet of street frontage. Such signs shall be removed immediately upon completion of the development.

Signs regulating the use of property, such as "no trespassing", "no hunting", "no fishing", etc., may be erected and maintained provided the sign area is not in excess of six (6) square feet.

Signs advertising home builders, carpenters, electricians, mechanics, painters and other artisans and businesses may be erected and maintained on the premises on which their work and services are being performed during such time as their work and services are being performed, provided: (1) the sign area is not in excess of 16 square feet; and (2) such signs are removed immediately upon completion of the work.

GENERAL REGULATIONS FOR ALL SIGNS

The following regulations shall apply to all permitted sign uses.

Signs shall be constructed of durable material, maintained in good condition and not allowed to become dilapidated.

No sign shall be placed in such a position that it will cause danger to traffic on a street by obscuring the view.

No sign shall project over a public sidewalk area more than eighteen (18) inches.

Overhead signs shall be at least nine feet high, measured from the ground or pavement to the bottom-most part of the sign.

No permit shall be required for erection, alteration, or maintenance of any signs as permitted in Section IV, Signs Permitted in All Districts, and in Section V, Signs Permitted in Residential Districts.

A permit shall be required for the erection or alteration of Commercial Signs.

Each sign shall be removed when the circumstances leading to its erection no longer apply.

Signs may be illuminated by backlighting, shielded floodlights or spotlights provided no direct light is transmitted to other properties, public right-of-way or roadways. No animated, sequential, flashing or oscillating signs shall be permitted in any District. Any sign by reason of its intensity, color, location, or movement that may interfere with traffic lights, signals or other controls, or abrogate public safety not be permitted in any District.

ENFORCEMENT AND PERMITS

A permit shall be required of the Sign Owner for the erection and replacement of all Commercial signs. Normal Sign Maintenance shall not require a permit. Application for a permit shall be made to the Zoning Enforcement Officer designated by the governing body. A permit for a sign will be issued if, following an inspection by the Zoning Enforcement Officer, the sign is found to be in compliance with all applicable provisions of this article.

Fees shall be paid as follows (fees may be changed by resolution):

A. Permit Fees for new permanent signs - Ten and 00/100 (\$10.00) Dollars per sign. There is no permit fee for temporary and non-conforming signs. There is no fee required for the licensing renewal of existing signs.

B. License Fees - Permanent signs:

1) Wall Signs - license valid for three (3) years after which the license may be renewed upon payment of fee. License Fee is per sign.

<u>Size of Wall Signs (square feet)</u>	<u>Fee</u>
2 to 10	\$30.00
11 to 50	\$45.00
51 to 100	\$60.00
101 to 250	\$75.00

2) Free-Standing Signs (including directional signs and off-premise signs), Projecting Signs, and Roof Signs - license valid for three (3) years after which the license may be renewed upon payment of fee. License Fee is per sign.

Fee - \$2.00 per square foot. The minimum fee is \$30.00 and the maximum is \$200.00. (Note: the time involved for permit review and inspection is greater for Free-Standing Signs because of more height restrictions, setbacks, and sight distance problems).

C. License Fees - Temporary Signs:

License fee is Fifteen and 00/100 (\$15.00) Dollars per sign.

The Township Zoning Officer shall have authority to issue citations and in all ways enforce this Sign Ordinance.

IX. PENALTIES

If a sign is found to be in violation of the provisions of this Article or of any and all other Articles, Ordinances and regulations relating to the erection, alteration or maintenance of signs, the Owner of said sign shall be guilty of a summary offense and, upon conviction, shall be sentenced to pay a fine of not less than \$50 and not more than the maximum permitted under the Pennsylvania Municipalities Planning Code. Each day a sign is maintained in violation of this act shall constitute a separate offense.

X. SEVERABILITY

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such finding shall not affect or impair any of the remaining sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Township that this Ordinance would have been adopted had all unconstitutional, illegal or invalid sentences, clauses, sections or parts hereof not been included herein.

ENACTED AND ORDAINED this 10th day of April, 2001.