

**CHAPTER 27
ZONING
SUPPLEMENTARY REGULATIONS**

**ARTICLE V
SUPPLEMENTARY REGULATIONS**

500 Introduction

The standards that follow shall be applied to the specific situations indicated and are intended to supplement the standards in Article IV. Standards contained in a specific section regulating a specific use shall not exempt said use from other applicable regulations contained in this Ordinance.

501 Deviations From Required Sizes

No part of any structure, whether attached to the principal structure or not; including but not limited to, porches, carports, decks, balconies, chimneys, bay windows or overhangs shall project into any required yard except as permitted in this §501. No lot, yard, or other space shall be so reduced in area or dimension as to make it less than the minimum required by this Ordinance except as follows:

501.1 Nonconforming Lots of Record

See §911 of this Zoning Ordinance.

501.2 Reserved

501.3 Front Yard Exception

Where a vacant lot exists between two (2) improved lots, each of which has a building within twenty (20) feet of the property line separating the parcels, a building may be erected on the vacant lot with a front yard not less than the greater front yard of the two (2) adjoining buildings. However, the front yard shall not in any case be reduced to less than ten (10) feet.

501.4 Height Limitations

Height regulations shall not apply to spires, belfries, cupolas, domes, not used for human occupancy, nor to chimneys, ventilators, monuments, water towers, masts and aeriels, television antennae, public utility structures that are not buildings, silos, chimneys, ventilators, and parapet walls extending not more than four (4) feet above the regulated height of the building, skylights, bulkheads, and ornamental or necessary mechanical appurtenances. However, any such structure proposed to be a height in excess of sixty (60) feet shall be treated as a conditional use.

501.5 Extension of Non-Conforming Setbacks

A structure which is non-conforming as to a setback requirement may be extended along the non-conforming setback line a distance not to exceed fifty (50) percent of the length of the structure as it existed at the effective date of this Ordinance.

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501.6 Projections Into Yards

Projections into required yards shall be permitted as follows; however, in no case shall a projection be less than seven (7) feet from any side or rear lot line or ten (10) feet from any public road right-of-way.

- A. Bay windows, fire places, fire escapes, chimneys, uncovered stairs and landings, and balconies and cornices, canopies, eaves, or other architectural features not required for structural support may project into the required front or rear yard not more than a total of three (3) feet provided it does not interfere with pedestrian or vehicular traffic.
- B. Unenclosed decks and porches may project into the required front and rear yards up to ten (10) feet.
- C. Patios may be located in the required side and rear yards not less than seven (7) feet to any adjacent property line, and may project into front yards up to ten (10) feet.
- D. See §503.6 for outdoor swimming pools.

502 Unique Lots, Yards and Building Locations

502.1 Two or More Uses on a Lot

- A. Development Standards - Two (2) or more principal buildings or uses located on a parcel in single ownership shall conform to all the requirements of this Ordinance which would normally apply to each building or use if each were on a separate district lot, including but not limited to setbacks, parking, lot coverage, and sewage disposal requirements.
- B. Residential Density - For the purposes of density of residential structures, lot size shall be increased to maintain the density required by this Ordinance. For example, the parcel size required for three (3) single-family dwellings on one parcel would be determined by multiplying the minimum lot size for one (1) dwelling by a factor of three (3).
- C. Non-Residential Uses - In the case of non-residential uses, there shall be no limit on the number of uses or structures on a single parcel provided all other standards of this Ordinance are satisfied. This shall not apply to adult businesses, junkyards, natural resource uses, or solid waste facilities where the parcel size shall be increased to provide for the minimum land area for each use on the parcel.
- D. Residential and Non-Residential on the Same Lot
 - 1. R-1, R-2, R-3 and RP Districts - Residential dwellings provided for in the District by the Schedule of Uses shall be permitted on the same lot as a permitted non-residential use provided the lot is of sufficient size to meet the residential unit density required by this Ordinance in addition to the land area needed to meet the density requirement for the non-residential use.

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2. CC, HC, HC1 and MI Districts - One residential unit per property shall be permitted in association with a non-residential use(s) without an increase in the minimum lot size requirement provided said unit is attached to and is an integral part of the principal non-residential structure. The residential unit shall be occupied only by the owner or manager of the non-residential use(s). Any additional residential dwelling units, if provided for in the District by the Schedule of Uses, shall be permitted on the same lot as a non-residential use only if the lot is of sufficient size to meet the residential unit density required by this Zoning Ordinance in addition to the land area needed to meet the density requirement for the non-residential use.

E. Structure Separation - Principal structures located on the same lot shall be separated by a distance at least equal to the height of the highest adjoining structure, but in no case less than twenty (20) feet unless another applicable building code requires a larger separation. (See §503.1 for accessory structures.)

502.2 Street Frontage

A principal building shall be permitted only upon a lot with frontage on a public or private road right-of-way. Each yard of a lot which abuts a street shall not be less than the front yard required for the district. In the case of corner lots, yards not abutting a street may be considered a side yard. Yards abutting an alley shall meet the normal yards required for the district. (e.g., If the rear yard abuts an alley the normal rear yard setback shall be required.)

502.3 Clear View At Street Intersections

Visual obstructions at street intersection including, but not limited to, structures, opaque fences, vegetation and signs, (excluding an existing building, post, public utility structures, column or deciduous tree) between a height of two and one-half (2.5) and ten (10) feet shall be prohibited on any lot within the triangle formed by the street right-of-way lines and a line drawn between points along the street right-of-way lines thirty (30) feet distant from their points of intersection. More restrictive standards shall be required in cases where intersection alignment, topography or other circumstances dictate same to maintain adequate clear view.

503 Accessory Structures and Uses

503.1 Accessory Structures

All accessory structures shall conform to the minimum regulations established in Article IV except as permitted below.

A. Unattached Accessory Structures - All unattached accessory structures shall comply with yard requirements for principal structures, except that accessory structures which are not attached to a principal structure and do not exceed ten (10) feet in height and one-hundred (100) square feet in total floor area may be erected within the required side and rear yards of a principal structure, provided that no side or rear yard is reduced to less than five (5) feet. In the case of corner lots, the full yard as specified in §502.2 shall be maintained.

B. Attached Accessory Structures - An accessory structure attached to a principal building shall be considered to be a part of the principal building and shall conform to the setbacks for principal structures.

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503.2 Fences and Walls

The erection of any fence or wall in all Districts shall require a zoning permit, and shall be subject to the following provisions:

- A. All fences and walls shall comply with §502.3 of this Ordinance for clear sight triangles.
- B. Fences and walls may be erected in front yards; however, no such fence or wall shall encroach upon any public right-of-way and shall not exceed a height of four (4) feet. Any fence erected in a front yard shall be seventy-five (75) percent open area in ratio to structural area.
- C. Fences and walls not greater than four (4) feet in height may be erected up to the property line of adjoining properties.
- D. Fences and walls exceeding four (4) feet in height may be erected on a side or rear property line provided said property line is clearly located and physically marked on the lots by lot line markers placed in accord with a survey conducted by a Registered Land Surveyor, and the owners of said lots present to the Borough a written document executed between said owners establishing agreement for erection of the subject fence or wall.
- E. Fences or walls and not located on the property line in accord with Sub-section D above shall maintain the required front yard setback and shall be set back from side and rear lot lines by at least fifty (50) percent of the side and rear setbacks, respectively, required in the District for principal structures, but in no case less than five (5) feet.
- F. All fence posts and other structural supports shall be located on the side of said fence towards the interior of the property owned by the person erecting the subject fence.
- G. The following fences and fencing materials are prohibited:
 1. Barbed wire except that surmounting a "man-proof" fence and said barbed wire is at least six (6) feet above ground level.
 2. Electrically charged fences.
 3. Broken glass surmounting a wall.
 4. Fabric, junk, junk vehicles, sheet metal, appliances, tanks, barrels or similar material.
 5. Fences which exceed District maximum height requirements.
- H. Engineered retaining walls necessary to hold back slopes are exempted from setback requirements and the regulations of this §503.2.

503.3 Heliports as an Accessory Use

Heliports as accessory uses, in addition to all other applicable Ordinance requirements, shall comply with the following standards.

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- A. Allowed only in the MI District as a conditional use.
- B. The applicant shall document compliance with all applicable state and federal regulations.
- C. The landing pad shall be a minimum of two hundred and fifty (250) feet from any existing dwelling or any residential district.

503.4 Home Gardening, Nurseries and Greenhouses

Home gardening, and accessory structures used for nurseries or as greenhouses, are permitted in residential areas, provided they are used by the residents thereof for non-commercial purposes.

503.5 Home Occupations

It is the intent of this subsection to regulate the operation of home occupations so that the average neighbor, under normal circumstances, will not be aware of the existence of the home occupation. The burden of proof shall be on the applicant to demonstrate that the standards will be met. Based upon the potential nuisances of a proposed home occupation the Zoning Hearing Board may determine that a particular type or intensity of use is unsuitable to be a home occupation or that the proposed lot area or setbacks are not adequate. In addition to the standards for special exceptions in this ordinance, the following standards shall apply:

- A. The home occupation must be conducted entirely inside a building and shall be clearly incidental and secondary to the use of the dwelling as a residence.
- B. The total area used by all home occupations on the premises does not exceed twenty-five (25) percent of the gross floor area of the dwelling unit, including basement, and accessory structures as existed at the effective date of this Ordinance, but not to exceed five hundred (500) square feet in any case.
- C. No outdoor display or display visible from outdoors, or outdoor storage of materials, goods, products, supplies, or equipment used in the home occupation(s) shall be permitted.
- D. There shall be no evidence visible from outside the dwelling (show windows, business displays, advertising, etc.) that the residence is being operated as a home occupation except for a sign, if permitted, and required parking area.
- F. In the R-1 District, the home occupation shall be conducted only by members of the family residing in the dwelling and in all other districts not more than one (1) person other than residents of the dwelling shall be employed on the premises.
- G. Off-street parking for customers, patients, clients, sales persons and other business related vehicular parking customarily associated with the home occupation in addition to the private parking area for the residents of the home shall be provided on the premises as required by this Ordinance to prevent parking on any public or private street right-of-way.

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- H. No home occupation use shall generate nuisances such as traffic, noise, vibration, glare, odors, fumes, electrical interference, or hazards to any greater extent than what is usually experienced in the residential neighborhood.
- I. No goods or items for retail or wholesale sale shall be permitted. Mail order or sales businesses not involving customer contact on the premises or wholesale brokering not involving stock on the premises shall be permitted.
- J. The professional practice of medicine, dentistry, architecture, law and engineering, artists, beauticians, and barbers, and similar types of professional practice uses shall be limited to practitioners who reside on the premises.
- K. 5701, Performance Standards, shall also apply to home occupations.
- L. Signs for home occupations shall not be permitted in the R-1 District. See §505 for home occupation signs in other districts.
- M. The following uses shall not be permitted as home occupations: commercial stables, veterinarians, commercial kennels or motor vehicle or small engine repair shops, retail sales, restaurant, funeral parlor or other uses not meeting the requirements of this §503.3.
- N. The use shall not require the parking or servicing by a vehicle with more than 8,000 pounds registered gross vehicle weight, except for deliveries of a maximum of two (2) time per day. The use shall not involve the parking of more than one (1) truck of any type on the lot or on adjacent streets at any period of time. The use shall not require servicing by, deliveries by, or parking of tractor-trailer trucks.

"Truck" as used in this section is not a defined term. It is the intent to permit a truck or commercial vehicle (see Section 504.18.B.1.a) to be parked as a accessory use to a home occupation. If it is a commercial vehicle it shall be parked off street and not visible from a public street or adjacent dwelling or property.

503.6 Pets, Keeping of

The keeping of pets is a permitted accessory use in all districts subject to the standards in this §503.9 and Zoning Ordinance and any other ordinance or standards adopted by the Borough. (See §822 for "kennels" and §824 for "livestock operations".)

- A. Type Permitted - Only domesticated animals compatible with a residential character shall be permitted, including for example, dogs, cats, lizards, turtles, gerbils and fish. The keeping of bears, exotic cats, wolves, wolf-dog hybrids, venomous snakes and other wild animals, and the keeping of pigeons, chickens, ducks, geese, and similar fowl shall not be permitted in the Borough. The keeping of livestock shall be regulated by §824 unless otherwise specifically addressed by this §503.9.
- B. Dogs and Cats - The combined maximum number of dogs and cats over three (3) months of age shall be six (6). Any number in excess of six (6) and commercial breeding shall be considered a kennel subject to regulation by this Ordinance.

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- C. Rabbits - A maximum of two (2) rabbits may be kept as pets provided such animals are kept within the principal building or within a secure fenced or caged area not less than thirty (30) feet from any property line. The keeping of more than a combined total of two (2) such animals shall be considered a livestock operation regulated by §824.
- D. Bees - Any area intentionally used for the outdoor keeping of bees shall be a minimum of one hundred and fifty (150) feet from all lot lines and shall be well marked.
- E. Nuisances - The keeping of any animals shall not create a public nuisance, health hazard or safety hazard. The person responsible for the animal shall collect and properly dispose of all pet fecal matter.
- F. See also Chapter 2 and Chapter 10 of the Code of the Borough of Clarks Summit.

503.7 Private Outdoor Swimming Pools

A permit shall be required for all pools except those noted in §503.6,E, and the following standards shall apply:

- A. A single private outdoor swimming pool per dwelling unit is permitted as an accessory use to a residential structure, provided that such swimming pool is for the private use of the residents of the dwelling unit or for their guests, and provided that the pool is not located closer than ten (10) feet to any property line nor located between any principal structure and a public street. Decks around pools shall comply with setbacks for accessory structures. (See §501.6 and §503.1.)
- B. A fence, wall or other enclosure not less than five (5) feet high and of a design to restrict access shall completely surround the area of any ground level swimming pool. This enclosure shall be designed to be difficult for children to climb or slip through. All gates or door openings through such enclosure shall be self-closing and include a self-latching device on the pool side for keeping the gate or door securely closed when the pool is not in use.
- C. Above ground pools shall include a secure fence, wall or other enclosure a minimum of five (5) feet high above the surrounding ground level. Such pools shall be equipped with an access ladder that can be raised and locked in a position so that it is a minimum of four (4) feet above the surrounding ground level or otherwise completely inaccessible to children when the pool is unattended.
- D. Access to all pools shall be restricted when the pool is not in use whether by fence, wall or integrated in the design of the pool.
- E. A zoning permit or fence shall not be required for wading pools where the water does not exceed eighteen (18) inches in depth and which are not normally filled on a constant basis.
- F. See also Chapter 23 of the Code of the Borough of Clarks Summit.

503.8 Private Parking Areas and Garages

Accessory off-street parking areas or garages serving the residential or non-residential parking demand created by the principal building or use are permitted in accord with §504. Accessory garages shall conform with §503.1.

503.9 Stables, Private

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Private stables shall be considered livestock operations and shall be governed by §824 of this Ordinance.

503.10 Temporary Uses

- A. Definition -** A use accessory to another permitted principal use that operates at a fixed location for a temporary period of time.
- B. Zoning permit required -** No temporary use shall be established unless a zoning permit evidencing the compliance of such use with the provisions of this §503.7 and other applicable provisions of this Ordinance shall have first been issued.
- C. Particular temporary uses permitted -** The following are temporary uses which are subject to the following specific regulations and standards, in addition to the other requirements specified in this Ordinance.
 - 1. Contractor's office and construction equipment sheds.**
 - a. Permitted in any district where use is incidental to a construction project. Office or shed shall not contain sleeping or cooking accommodations.
 - b. Maximum length of permit shall be one (1) year.
 - c. Office or shed shall be removed upon completion of construction project.
 - d. Required water supply and sanitary facilities shall be provided.
 - 2. Real estate sales office.**
 - a. Permitted in any district for any new subdivision approved in accord with the Borough Subdivision Ordinance. The office may not contain sleeping or cooking accommodations. A model home may be used as a temporary sales office.
 - b. Maximum length of permit shall be one (1) year.
 - c. The office shall be removed upon completion of the development of the subdivision.
 - d. Required water supply and sanitary facilities shall be provided.
 - 3. Temporary shelter.**
 - a. When fire or natural disaster has rendered a single-family residence unfit for human habitation, the temporary use of a mobile home located on the single-family lot during rehabilitation of the original residence or construction of a new residence is permitted subject to the following additional regulations.
 - b. Required water supply and sanitary facilities must be provided.
 - c. Maximum length of permit shall be twelve (12) months, but the zoning officer may extend the permit for a period or periods not to exceed sixty (60) days in the event of circumstances beyond the control of the owner. Application for the extension shall be made at least fifteen (15) days prior to expiration of the original permit.
 - d. The mobile home shall be removed from the property prior to issuance of any occupancy permit for the new or rehabilitated residence.
- D. Tents -** The following are permitted by right accessory uses: tents erected for a use during a maximum of 5 consecutive days in any calendar year for - 1) routine and customary accessory non-commercial uses (such as

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weddings in a rear yard) and for 2) a routine and customary accessory use to an existing commercial use; all tents must be securely anchored to the ground, made of at least a two (2) hour fire resistant material, and when persons are under the tent, provide for at least three (3) emergency exits in addition to the main entrance. At no time shall a tent be utilized as a temporary or permanent residence. Sanitary facilities, in the principal use shall be available for use by every person under the tent. This shall apply to a small family camping tent erected on and adjacent to property owned or rented by the user(s).

E. Other Temporary Uses - For temporary structures or uses that are not specifically permitted by right by this Ordinance, and other than customary accessory uses and other than those uses that were lawfully occurring on a periodic basis prior to the adoption of this Ordinance, a temporary permit may be issued by the Zoning Officer as a special exception of structures or uses that would not otherwise be permitted, subject to the following additional provisions:

1. Duration - The Zoning Officer shall establish a limit on the duration of the use. In the case of a special event, except under special circumstances, this should be a maximum of seven (7) days in any sixty (60) day period. The Zoning Officer may grant a single approval once for numerous occurrences of an event.
2. Statement from Owner - The applicant shall present a statement from the owner of record of the land accepting responsibility to ensure that the use or structure is removed once the permit expires.
3. Removal - Such structure or use shall be removed completely upon expiration of the permit without cost to the Borough. If the structure or use is not removed in a timely fashion after proper notification, the Borough may remove the use or structure at the cost of the person who owns the land upon which the structure or use is located.
4. Conditions - The temporary use or structure shall: 1) be compatible with adjacent uses and 2) clearly be of a temporary nature.
5. Fee - The Borough Council may waive and/or return the required application fee if the applicant is an Internal Revenue Service recognized and well-established nonprofit organization, and the applicant clearly shows that the proposed use is temporary and will be used to clearly primarily serve a charitable or public service purpose.
6. Nonprofit - Only a well-established and Internal Revenue Service-recognized nonprofit organization proposing a temporary use to clearly primarily serve a charitable or public service purpose shall be eligible to receive approval for a temporary commercial use in a district where that use is not permitted.
7. Special Events - For a special event that will attract significant numbers of the public, the Zoning Officer shall deny the use if it is determined that the following will not be generally appropriate: sanitary and water service, traffic control, off-street parking and protection of the public health and safety.

F. Additional Regulations

1. Documentation must be provided to the Borough that adequate arrangement for temporary sanitary

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facilities has been made.

2. All uses shall be confined to the dates specified in the permit.
3. Hours of operation shall be confined to those specified in the permit.
4. Access and parking for the exclusive use of the facility shall be provided, and a stabilized drive to the parking area shall be maintained with a minimum of six (6) inches or as otherwise needed, of bank-run gravel or equal material.

503.11 Conditional Use - Treatment Center

A treatment center provides an important service to communities but is unique in that the recipients of the service may be a threat to health, safety and welfare of residents and children and customary meeting places of resident(s) and children because of the background of the person utilizing such service(s); recognizing the need for treatment center(s), it is intended that the conditional use restrictions are to balance the respective interests.

503.11.1 Prohibiting the Location of Treatment Center Facilities in Certain Locations.

- A. Notwithstanding any other provision of law to the contrary and except as provided in subsection 406.1.B; a treatment center shall not be established or operated within one thousand (1000) feet of an existing school, public playground, public park, residential housing area, child-care facility, church, meeting house, or other actual place of regularly stated religious worship established prior to the proposed treatment center.

The provisions of this subsection shall apply whether or not an occupancy permit or certificate of use has been issued to the owner or operator of a treatment center;

- B. Notwithstanding subsection 406.1.A, a treatment center may be established and operated closer than one thousand (1000) feet to an existing school, public playground, public park, residential housing area, child-care facility, church, meeting house, or other actual place of regularly stated religious worship established prior to the proposed treatment center if, by majority vote of Borough Council, the Borough Council votes in favor of the issuance of an occupancy permit or certificate of use for said facility at such a location. At least fourteen (14) days prior to the Borough Council voting on whether to approve the issuance of an occupancy permit or certificate of use for a treatment center at a location that is closer than one thousand (1000) feet to a school, public playground, public park, residential housing area, child-care facility, church, meeting house, or other actual place of regularly stated religious worship established prior to the proposed treatment center one or more public hearings regarding the proposed treatment center location shall be held within the Borough of Clarks Summit following public notice. All owners of real property located within one thousand (1000) feet of the proposed location shall be provided written notice of said public hearing(s) at least thirty (30) days prior to said public hearing(s) occurring.

503.11.2 Security

In cases where deemed necessary by the Borough of Clarks Summit, the applicant shall provide a plan addressing security needs to protect the health and safety of the public as well as the occupants of the proposed facility. Such plan shall include a description of the specific services to be offered, types of patients and/or residents to be served, and the staff to be employed for this purpose. The plan shall identify the forms of security normally required with care of the type

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to be offered and detail the specific measures to be taken in the construction, development and operation of the facility so as to provide for effective separation from adjoining residents and/or structures by means of fencing, signs or a combination thereof. The plan shall also address measures to ensure that lighting and noise are controlled, particularly with respect to loudspeakers or other amplification devices and floodlights.

503.12 Yard Sales

Individual private family yard sales are a permitted accessory use in all zoning districts. A permit shall be required and yard sales shall be subject to the following specific regulations and requirements:

- A. Each individual property location may have a maximum of three (3) yard sales during any one (1) calendar year. Each sale shall last a maximum of three (3) consecutive days.
- B. All items shall be placed and offered for sale within the confines of the property described in the permit.
- C. Yard sales are meant to allow individuals to offer for sale accumulated normal household items or arts and crafts; and the buying and selling of commercial or surplus material shall be considered a commercial operation and shall be prohibited except in Districts where permitted and in accord with the requirements of this Ordinance.
- D. Signs for yard sales shall be permitted in accord with §505 of this Ordinance.

504 Off-Street Parking and Loading

504.1 Availability of Facilities

Off-street parking, loading, and unloading facilities shall be provided to lessen congestion in the streets. The facilities required herein shall be available throughout the hours of operation of the particular business or use for which such facilities are provided. As used herein, the term "parking space" includes either covered garage space or uncovered parking lot space located off the public right-of-way.

504.2 Size and Design of Parking Spaces

Parking shall be provided in accord with an overall parking plan prepared in accord with generally accepted design standards and which takes into consideration access design and control, size and shape of the parking area, types of vehicles using the parking area, traffic patterns and other applicable considerations. The net parking space per vehicle shall be not less than nine (9) feet wide and eighteen (18) feet long. Garages and carports not in the public right-of-way may be considered parking spaces. Notwithstanding the above, all parking spaces shall be ample in size for the vehicles for which use is intended.

504.3 Lighting

Any lighting used to illuminate any off-street parking shall be so arranged as to reflect the light away from adjoining premises and public right-of-ways.

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504.4 Public Right-of-Ways

Parking, loading and unloading of vehicles shall not be permitted on public right-of-ways, except in designated areas and in accord with Borough parking regulations. No parking area shall be designed which requires or encourages parked vehicles to be backed into a public street, except for single-family and two-family dwellings with access onto a local street or parking court.

504.5 Off-Street Parking in the CC Central Commercial District

Off-street parking for uses involving new construction in the CC Central Commercial District shall be provided to the rear of the principal structure. In the case of a change in use in the CC District which does not involve an expansion of a structure or additional floor area, additional off-street parking shall be provided equal to the difference between the number of spaces required by §504.6 for the new use and the number required for the existing use as though parking had been provided in accord with §504.6. The replacement of non-conforming uses in the CC District shall not require parking as required by §504.6.

504.6 Number of Spaces To Be Provided

- A. Any structure or building not exempted by §504.5 and which is hereafter erected, converted, or enlarged for any of the following uses, or any open area hereafter used for commercial purposes, shall be provided with off-street parking spaces adequate to serve such use but with not less than the minimum spaces, as set forth in the following Table, which spaces shall be readily accessible to the uses served thereby. Fractional numbers of parking spaces shall be increased to the next whole number.
- B. For projects involving more than one use and/or structure the total number of parking spaces required shall be determined by summing the number of spaces for each individual use.
- C. Additional parking for the handicapped shall be provided in accord with §504.16.
- D. Should the applicant provide evidence that the number of parking spaces required by this §504 is not necessarily required to meet the immediate needs of the proposed use, the number of spaces provided may be reduced as a conditional use by a maximum of fifty percent (50%) provided sufficient and suitable area is dedicated to future parking to meet the normal standards in this Section 504 and the applicant shall agree in writing to install the parking at the direction of the Borough Council. Reserve parking areas shall be included in the calculation of lot coverage area. Parking facilities used jointly by two (2) or more principal uses may be considered for a parking reduction (See §504.16).

USE	PARKING SPACES REQUIRED
A. Dwellings	2 per dwelling unit
B. Homes for handicapped or infirm, nursing homes, group homes, halfway houses and similar uses	3 per every 5 beds
C. Hotels, motels, boarding and tourist homes, bed and breakfast establishments and other uses providing overnight accommodations	1.1 per bedroom
D. Sales and rental of goods, merchandise and equipment	

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1. Retail establishments	1 per 200 SFGFA open to the public
2. Wholesale establishments	1 per 800 SFGFA
3. Flea markets	1 per 200 square feet of lot area designated for display or sales
E. Offices, research facilities and services not primarily related to goods	
1. Serving customers or clients on premises such as attorneys, physicians, insurance, banks, service establishments, and travel agents	1 per 200 SFGFA
2. Drive-in banks	1 per 200 SFGFA open to the public plus reservoir lane capacity equal to 5 spaces per drive-in window
3. Serving little or few customers or clients on premises, such as corporate offices	1 per 250 SFGFA
4. Funeral homes	1 per 100 SFGFA open to the public
F. Manufacturing, processing, renovating, assembling goods, merchandise and equipment	1 per 600 SFGFA
G. Educational, cultural, religious, social, fraternal uses	
1. Public schools	1.75 per classroom for elementary and middle schools; and 5 per classroom for high schools
2. Trade and vocational schools, colleges	1 per 100 SFGFA open to the public
3. Places of worship	1 per every 4 seats used for services
4. Libraries and museums, social, fraternal clubs and lodges; and similar uses	1 per 300 SFGFA open to the public
H. Recreation, amusement and entertainment	
1. Bowling alleys, skating rinks, indoor athletic or exercise facilities and similar uses	1 per every 3 persons of fully utilized design capacity (if measurable in such fashion), otherwise 1 per 200 SFGFA
2. Movie theaters, stadiums and similar uses with seating accommodations	1 per every 4 seats
3. Public and private outdoor recreation facilities such as golf courses, swimming pools and similar uses	1 per 200 SFGFA open to the public plus 1 per every 3 persons of fully utilized design capacity
4. Docking facilities	1 per every 3 slips
I. Health related facilities	
1. Hospitals, clinics and other medical treatment facilities	1 per bed or 1 per 200 SFGFA, whichever is greater
2. Nursing homes, personal care homes	1 per five resident beds at maximum capacity
J. Restaurants, bars, taverns and other eating establishments	1 per 50 SFGFA open to the public plus reservoir lane capacity equal to 5 spaces per drive-in window

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K. Vehicle related uses	
1. Sales, service, repair	1 per 250 SFGFA
2. Gas sales	1 per 250 SFGFA plus sufficient parking area at pumps which does not interfere with other required spaces
3. Car or truck wash	1 per employee plus 2 reservoir spaces in front of each stall for self-serve and 5 reservoir spaces for conveyor type
4. Truck terminals	1 per 200 SFGFA devoted to office use plus 2 per company vehicle using the facility
5. Bus terminals	1 per 200 SFGFA devoted to office use plus 0.75 per seat of the total capacity of buses serving riders who travel round-trip during the peak twelve-hour period of the day
L. Warehousing and storage	1 per 2,000 SFGFA
M. Miscellaneous uses	
1. Veterinary	1 per 200 SFGFA
2. Nursery schools and day care	1 per staff member plus 1 per 5 clients at maximum capacity
3. Greenhouses	1 per 200 SFGFA open to the public
4. Emergency services	1 per 200 SFGFA open to the public
5. Junk and scrap yards	1 per 200 SFGFA open to the public
6. Post office	1 per 200 SFGFA open to the public
7. Recycling centers	1 per employee with a minimum of 2
8. Kennels	1 per 400 SFGFA with a minimum of 4
9. Institutional uses	1 per employee plus 1 per 25 inmates/residents
<p>Note: SFGFA means "square feet of gross floor area". Gross floor area is the sum of the total horizontal areas of the several floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but not including interior parking spaces, loading space for vehicles, or any space where the floor-to-ceiling height is less than six feet.</p>	

For uses not specifically provided above, the Zoning Officer is authorized to determine the required number of spaces based upon the similarity of the proposed use to the uses provided. Any decision of the Zoning Officer may be appealed to the Zoning Hearing Board. It shall be the duty of the Zoning Hearing Board to render its determination with respect thereto.

504.7 Loading and Unloading Areas

In addition to the required off-street parking spaces the developer of any building erected, converted or enlarged in any district for commercial, office building, hotel, motel, restaurant, manufacturing, wholesale, hospital or other non-residential

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uses, to provide adequate off-street areas for loading and unloading of vehicles. The applicant shall provide, to the satisfaction of the Zoning Officer, Borough Council or Zoning Hearing Board, as the case may be, documentation of the types and frequency of vehicles servicing the proposed use. Each required space shall meet the following dimensions:

Largest Type of Truck Service	Minimum Width (feet)	Minimum Length (feet)
Tractor trailer	12	55 with 12 ft clear height
Trucks other than tractor trailers, pick-ups or vans	10	25
Pick-up truck or van	9	18

504.8 Access To Off-Street Parking and Loading Areas

There shall be adequate provisions for ingress and egress to all parking and loading spaces designed for use by employees, customers, delivery services, sales people and/or the general public. Access to and from all off-street parking, loading and vehicle service areas along public rights-of-way shall consist of well-defined separate or common entrances and exits and shall comply with the following provisions:

- A. **Width** - Unless otherwise required by PennDOT for access to a state road, the width of the driveway/access way onto a public street at the edge of the cartway shall be as follows:

WIDTH	1-Way Use	2-Way Use
Minimum	12 feet	20 feet
Maximum	35 feet	50 feet

- B. **Controlled Access** - Each entrance and exit shall be clearly defined with curbing, fencing, landscaping or vegetative screening so as to prevent access to the area from other than the defined entrance and exit.
- C. **Distance Between Non-residential Driveways** - In no case shall one entrance or exit be located within fifty (50) feet of any other on the same property or adjoining property along the same public right-of-way.
- D. **Distance From Intersections** - At a minimum, the following distance shall be maintained between the centerline of any driveway/access way and the centerline of any street intersecting the same street as the driveway/access way:

Type of Street	Minimum Separation Distance
State	75 feet
Borough	50 feet

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- E. Highway Occupancy Permit - A Borough or State highway occupancy permit, as applicable, shall be required for any new access or access proposed for increased average daily traffic to any public street or any other regulated activity within the right-of-way.

504.9 Parking and Loading Area Buffers

All parking and loading areas (not including parking decks) and parallel circulation and service lanes serving any commercial, industrial, institutional or multi-family use shall be separated from any public road right-of-way or adjoining property lines by a buffer area not less than three (3) feet in width unless adjoining uses share parking in accord with §504.12. In the case of adjoining R-1, R-2, R-3 or RP Districts, the buffer shall be increased to ten (10) feet. Buffers shall be improved in accord with §504.13.

- A. Measurement - The width of the buffer shall be measured from the curb line or from the legal right-of-way line after development if no curbs will be provided.
- B. Uses Prohibited - The buffer area shall be maintained in natural vegetative ground cover and shall not include:
1. Paving except for approved driveway crossings
 2. Fences
 3. Parking, storage or display of vehicles
 4. Items for sale or rent
- C. Uses Permitted - The buffer area may include the following:
1. Permitted freestanding signs
 2. Pervious storm water facilities
 3. Approved driveway/access way crossings
- D. Sidewalks - If sidewalks exist or will be provided, the buffer area may be provided between the sidewalk and the street or between the sidewalk and the parking lot.
- E. Clear Sight Triangles - All required clear sight triangles at intersections shall be maintained.

504.10 Surfacing

Off-street parking areas and driveways/access ways shall be graded for proper drainage and shall be surfaced so as to provide a durable and dustless surface of concrete or bituminous concrete surface constructed in accord with accepted standards to assure durability.

504.11 Off-Lot Parking

A principal use located within four hundred (400) feet of another use, within the same Zoning District, that has excess available parking spaces due to the principal use operating at different time(s) or for any other reason, the principal use seeking the shared parking arrangement may, as a conditional use, seek approval of a shared parking arrangement

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before Borough Council. Council may submit the application to the Clarks Summit Planning Commission for recommendations.

504.12 Joint Use Parking

In cases where two principal uses share a common property line, shared parking facilities may be utilized. The arrangement for joint-use parking shall be provided by deed restriction for the portion of each parcel included in the shared arrangement. The joint-use parking area may span the common property line thereby eliminating the setback required in §504.9. The standards in §504.6 for number of spaces to be provided shall apply to joint-use parking. To the extent that principal uses operate at different times, the same spaces may be credited to both uses. (Example: If a church parking lot is generally occupied only to ten (10) percent of capacity on days other than a Sunday, another development not operating on a Sunday could make use of the unused church lot spaces on weekdays.)

504.13 Landscaping

All improved off-street parking areas not entirely contained in a garage or building shall comply with the following landscaping standards:

- A. Buffer Areas - The buffer area required by §504.9 shall be landscaped to a minimum of thirty (30) inches in height including vegetation; of which a minimum of fifty (50) percent shall be evergreen shrubbery; and shall average at least one shrub for every ten (10) feet of frontage.
- B. Parking Lot Interiors - A minimum of five (5) percent of the interior of any parking lot having twenty-five (25) or more parking spaces shall be maintained with landscaping, including trees and shrubs in plots of at least sixty (60) square feet in area. One (1) deciduous tree with a trunk diameter of not less than one (1) inch measured at a height of one (1) foot above finished grade shall be provided for every three thousand (3,000) square feet of paved area. Trees and landscaping plots shall be so located to provide visual relief and sun and wind interruption within the parking area and to insure safe patterns of internal circulation. In no case shall more than fifteen (15) spaces be permitted in a continuous row without interruption by landscaping, and not more than sixty (60) spaces shall be permitted in one lot, said lots being separated by landscaping plots a minimum of four (4) feet in width.
- C. Plants - Plant species shall be of a type proven suitable to local soil and climate conditions and which are resistant to disease, road salt and air pollution as determined by the Borough. All landscaping including plants shall be protected from damage by vehicles and shall be maintained in a good condition with plants that have died being replaced by similar plants.
- D. Plan - A landscaping plan showing the arrangement of the landscaping and parking areas and including plant sizes and species shall be submitted by the applicant for approval by the Borough.

504.14 Existing Parking Areas

Existing parking area or any off-street parking shall be eliminated, reduced in size or otherwise altered so that any use is served by less parking than is required by this Ordinance.

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504.15 Parking for Residential Use

Off-street parking shall be provided in accord with this §504 for all residential uses in all Districts.

504.16 Handicapped Parking

- A. **Number of Spaces** - Any lot including four (4) or more off-street parking spaces shall include a minimum of one (1) handicapped space. The following number of handicapped spaces shall be provided, unless a revised regulation is established under the Federal Americans With Disabilities Act (ADA).

Total # of Required Spaces on Parking Lot	Required Minimum # / % of Handicapped Parking Spaces
4 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of required number of spaces
1,001 or more	20 plus 1% of required number of spaces over 1,000

- B. **Location** - Handicapped parking spaces shall be located where access to the use is via the shortest reasonable accessible distance. Curb cuts with an appropriate slope shall be provided as needed to provide access from the handicapped spaces.
- C. **Minimum Size** - Each required handicapped parking space shall be a minimum of eight (8) feet by eighteen (18) feet. In addition, each space shall be adjacent to an access aisle five (5) feet in width. Such access aisle may be shared by two (2) handicapped spaces by being placed between the spaces. In order to provide for van accessibility, one (1) of every eight (8) required handicapped spaces shall have an adjacent access aisle of eight (8) feet in width instead of five (5) feet.
- D. **Slope** - In accord with ADA requirements, handicapped parking spaces shall be located in areas of less than two (2) percent slope in all directions.

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- E. Marking - All required handicapped spaces shall be well-marked by clearly visible signs and/or pavement markings.

504.17 Non-Residential Parking in Residential Districts RESERVED FOR FUTURE USE.

504.18 Parking of Unregistered Vehicles, Commercial Vehicles and Junk Vehicles

- A. Purpose - To prevent the character of residential areas from being harmed by nuisances, hazards and visual blight, and to prevent the establishment of junkyards in residential districts.

B. Storage of Unregistered, Commercial or Junk Vehicles.

1. Definitions - For the purposes of this §504.18, the following terms shall have the following meanings:

- a. Commercial Vehicle - A motor vehicle that has a gross vehicle weight of greater than six thousand (6,000) pounds and is primarily used for business purposes, including but not limited to making service calls, transporting equipment used in a business or in accomplishing physical work as part of a business (such as hauling material.)
- b. Tractor of a Tractor-Trailer - A truck with a minimum of three (3) axles that is primarily intended to pull a trailer, as defined below, and not primarily to carry goods itself.
- c. Trailer of a Tractor-Trailer - A commercial vehicle with a length of 20 feet or more that is not self-propelled, that is intended to haul materials, vehicles, goods, gases or liquids and that is intended to be pulled by a tractor (as defined above), and that is not a "recreational vehicle."

2. Residential District - Within a residential district, no motor vehicle or trailer that does not display current registration and current safety inspection (or safety inspection and registration that expires less than 90 days prior) and no "abandoned or junk vehicle" (as defined by Article III), motor home, recreational vehicle, camper, bus or ambulance shall be parked or stored in any way that is visible from a public street or an adjacent dwelling.

3. Non-Residential District - Within a non-residential district, no motor vehicle or trailer that does not display current registration and current safety inspection (or safety inspection and registration that expires less than 90 days prior) and no "abandoned or junk vehicle" (as defined by Article III), shall be parked or stored in any way that is visible from a public street or an adjacent structure. This §504.18 shall not apply to a permitted auto sales use, auto service station, junkyard or auto repair garage, provided that the regulations for that use are met.

4. Exceptions - This section does not apply to the following, provided they are in an operational condition:

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- a. Municipally-owned vehicles
 - b. Vehicles operated by the U.S. Postal Service or a level of government or a Municipal Authority
 - c. Vehicles actively engaged in the construction or repair of buildings, streets, curbs, sidewalks, rehabilitation or utilities in the immediate area
 - d. Vehicles actively engaged in making routine household deliveries or rendering routine household services to a property that is adjacent or on the same lot as the vehicle is parked.
5. Commercial Vehicles in a Residential District
- a. In a residential district, a maximum of two (2) "vehicles" which are commercial in nature (having a business name painted on it and/or other advertising on it) may be parked for more than eight (8) hours in any forty-eight (48) hour period on private property. Such vehicles shall be permitted only if used by residents of the property as a means of transportation between their home and work. No commercial vehicle in a residential district shall have a gross vehicle weight of over eight thousand (8,000) pounds if parked outside of an enclosed building.
 - b. In a residential district, the engine of a tractor or a tractor-trailer shall not be idled for more than 10 minutes on the property between the hours of 10 p.m. and 6 a.m. or be repaired, except for clearly emergency repairs.
 - c. No trailer or tractor-trailer shall be parked, stored, maintained or kept in a residential district for more than 8 hours in any forty-eight (48) hour period.
 - d. See the requirements of the State Motor Vehicle Code that require vehicles parked on a public street to have current registration.

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

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probability of traffic congestion and accidents by distracting attention or obstructing vision.

- D. Reduce conflict among signs and signlighting 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.

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.

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.

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.

CANOPY - A rigid structure other than an awning 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.

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.

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

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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.

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.

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.

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, ornamentations, 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.

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.

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 - 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 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

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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.

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.

SOLID SIGN - A sign in which the area exposed to wind is fifty (50%) percent or more of such sign's aggregate gross surface area.

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.

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

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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.

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

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

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- 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 months of November and 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 or parking area or walking area may be illuminated, but all lighting used for this purpose must be designed, located, shielded, and directed in such a manner that the light source is fixed and shielded in such a manner that it does not shine directly on any adjacent publicly dedicated roadway and adjacent and abutting properties.

Glare - 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.

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 BOCA Building Code and National Electrical Code, latest adopted edition.
- 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:

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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.

- 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 BOCA Codes.

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 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 otherwise attract attention through the movement or flashing of parts, including automatic, electronically controlled copy changes, or through the impression of movement or flashing except for Time and Temperature indicators whose movement is either digital or analogue.
- 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.

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- F. Signs and Parked Vehicles - 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 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 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

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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.

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- 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.
- 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

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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

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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 sixteen (16) square feet for each exposed surface or thirty-two (32) 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 two (2) 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 - On private property, temporary political signs may be located in any required yard.
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.

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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 of candidates of the party if they are located in the public right-of-way.
 4. Removal - Prior to the erection of any political signs in any public right-of-way, 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. Number - There shall not be more than three (3) temporary yard or garage sale signs for each location of a sale.

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2. Area - In all zoning districts, no temporary yard or garage sale signs shall exceed four (4) square feet size.
3. Location - Temporary yard and garage sale signs may not be located within the street or right-of-way. No sign may be placed on a utility or municipality owned pole or structure. Any temporary yard or garage sale signs shall be self-supported and shall not create a public hazard.
4. Height - Temporary yard or garage sale signs shall not exceed thirty (30) inches in height.
5. Timing - Temporary yard or garage sale signs may be erected no sooner than seven (7) days before 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 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, 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 when 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 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.

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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, only the following signs are hereby permitted and then only if accessory and incidental to a permitted use:
- 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 sixteen (16) 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.

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- 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 (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

- a. Number - There shall not be more than one (1) awning, canopy, or marquee sign exceeding an aggregated gross surface area of four (4) square feet for each principal building. Awning, canopy, and marquee signs which are four (4) square feet or less in aggregate gross surface area are exempt from the provisions of this Ordinance, as specified in §505.7.
- b. Area - The gross surface area of an awning, canopy, or marquee sign shall not exceed twenty-four (24) square feet, but limited to not more than fifty (50%) percent of the gross surface area of the smallest face of the awning, canopy, or marquee to which such sign is affixed.
- c. Height - Any awning, canopy, or marquee sign shall not project higher than the top of the awning, canopy, or marquee to which such sign is to be affixed.

4. Roof Signs

Roof signs shall not be permitted.

5. Attraction Boards

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- a. Type - Attraction Boards shall be ground signs.
 - b. Number - Each retail/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/wholesale commercial premises on which the attraction board is to be located.
 - c. Area - The gross surface area of a retail/wholesale commercial premises attraction board shall not exceed ten (10) square feet in gross surface area for each exposed face, nor exceed twenty (20) square feet in aggregate gross surface area.
 - d. Location - A retail/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 general commercial 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.

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- 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. Shopping Center Signs - Shopping Center 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 shopping center 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 shopping center 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 sixteen (16) inches from the wall to which the sign is to be affixed.
- 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

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- a. Number - There shall not be more than one (1) ground sign for each shopping center.
 - 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 two hundred (200) 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 shopping center ground sign may include affixed directly to it a directory indicating only the names of the tenants of the shopping center 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 shopping center in which the sign is to be located. The information displayed by a shopping center 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
- a. Number - There shall not be more than one (1) awning, canopy, or marquee sign exceeding an aggregate gross surface area of twenty-four (24) square feet for each principal building. Awning, canopy, and marquee signs which are four (4) square feet or less in aggregate gross surface area are exempt from the provisions of this Ordinance as specified in §505.7.
 - b. Area - The gross surface area of an awning, canopy, or marquee sign shall not exceed twenty-four (24) square feet, but limited to not more than fifty (50%) percent of the gross surface area of the smallest face of the awning, canopy, or marquee to which such sign is to be affixed.
 - c. Height - An awning, canopy, or marquee sign shall not project higher than the top of the awning, canopy, or marquee to which such sign is to be affixed.
4. Attraction Board
- a. Type - Shopping center attraction boards shall be ground signs.
 - b. Number - Each shopping center may erect a single attraction board identifying special, unique, limited activities, services, products, or sale of limited duration occurring within the shopping center in which the attraction board is to be located.
 - c. Area - The gross surface area of a shopping center 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

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(100) square feet.

- d. Location - A shopping center 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 shopping center 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 shopping center sign.
 - f. Items of Information - This information displayed by a shopping center 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. Service Island Identification Signs - Service island identification signs at gasoline service stations indicating the type of service offered, the price of gasoline 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:
1. Type - Service island identification signs may be either wall signs or ground signs.
 2. Number - There shall not be more than one (1) service island or identification sign for each service or pump island located on the premises.
 3. 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.
 4. 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.
 5. 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.
 6. 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.
- D. Multiple Uses - 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 wall 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 of the building.

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- E. Wood Relief Sign Area Bonus - Ground signs permitted under §505.10,A,2 (Commercial and Manufacturing Uses) and §505.10,B,2 (Shopping Centers) 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.

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.

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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. Annual License Fee - An annual license fee shall be paid in accordance with a resolution setting forth the annual license fee schedule. The annual license fee schedule shall be adopted by the Borough Council.
- F. Penalty Fee - If an annual sign permit renewal fee is paid later than sixty (60) days of the date of the invoice requesting such payment, a penalty fee equal to fifty (50%) percent of the cost of the permit renewal fee shall be assessed.
- G. 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

1. Annual Inspection - The Zoning Officer shall conduct, at a minimum of once each two (2) years, an inspection of all permanent signs being displayed in the Borough on and after the effective date of this Ordinance (which signs are hereinafter called "existing permanent signs" for the purpose of identifying those existing permanent signs which are not in compliance with this Ordinance).
2. 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.
3. 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.

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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

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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.