

§270-59 Signs; scope and applicability

In all zoning districts within the Borough, signs may be erected, altered, maintained, used, removed, or moved only when in compliance with the provisions of this chapter and any and all other ordinances and regulations of the Borough relating to the erection, alteration, maintenance, use, removal or moving of signs and similar devices. None of the regulations which are contained in this chapter shall apply to temporary signs (not to exceed 45 days) which are in the nature of traditional holiday or seasonal greetings or decorations not advertising a specific product, service, or establishment.

§270-60 Definitions

For the purposes of this chapter, the following definitions shall apply:

“Flag” or “banner” means any piece of cloth, vinyl, plastic, canvas, or similar material, commonly bunting; any size, shape, color, design; hanging or fixed in place; used to identify, promote, advertise, announce the interests of any person, business, or establishment when the same is placed in view of the general public. Not to include any official U.S., state, county, or municipality flag.

“Functional sign” means directional, information or public service signs, such signs advertising locations of rest rooms, telephones or similar facilities of public convenience, and signs located on mechanical dispensing equipment to identify its product.

“Official sign” means any sign, symbol or device erected and maintained by federal, state, county, or local government agencies for the purpose of informing or guiding the public or for the protection of health, safety, convenience, and general welfare.

“Sign” means any conspicuous outdoor notice designed to identify, inform, guide or advertise; includes every outdoor sign, billboard, ground sign, roof sign, illuminated sign, projecting sign, temporary sign, pylon or pole sign and marquee and every awning, canopy and street clock which includes any announcement, declaration, demonstration, display, illustration or insignia used to identify or promote the interests of any person when the same is placed in view of the general public.

§270-61 Sign permits

It is unlawful for any person, firm, or corporation to erect, alter, relocate, or maintain within the Borough any sign, as set forth and defined in this chapter, except those hereinafter exempted, without first making application for a permit from the Borough, which permit shall be in addition to any other licenses or permits which may be required by other ordinances:

A. Application. Application for permits shall be made on Borough forms and shall contain the following information:

1. Name, address, and telephone number of the applicant and of the sign erector.
2. Location of building, structure, or lot to which the sign is or is to be attached or erected.
3. Position of the sign in relation to nearby buildings or structures.
4. Name of person, firm, corporation, or association erecting the sign if new construction.

5. Name of owner of property on which sign is located and written consent of owner if other than the applicant.
6. Scale drawing of the sign showing all details, including message, color, lighting, structural design, and anchorage.
7. Other such information as the Borough shall require to show full compliance with this chapter and all other ordinances.

B. Procedure. The Borough, upon receipt of an application, shall refer the same to the Zoning Officer, which shall examine or cause to be examined the application and, when necessary, examine or cause to be examined the lands and/or premises upon which the sign is erected or proposed to be erected and determine whether the structure or proposed structure is in compliance with all of the requirements of this chapter and all other laws and ordinances of the Borough. The Zoning Officer's determination shall be noted on the application which shall be returned to the Borough. If the determination is favorable, the Borough shall accept the prescribed fee and issue a permit. If the determination is unfavorable, the application shall be rejected and referred to the Board for review. Upon approval, signs requiring a construction permit under this chapter shall not be placed until the requirements for a construction permit have also been met.

C. Exemptions.

1. The following signs shall not require an application, permit, or fee: Those signs authorized by §270-62 A. 2, 3, 4, 5, 11, and 12.
2. The following signs shall require an application and permit, but no fee: Those signs authorized by §270-62 A. 8.
3. Functional signs shall not require a permit or fee and shall be permitted to be erected and maintained in addition to signs permitted in the various zones.

D. Fees, expirations, and computation of size.

1. There shall be an application fee as set forth in the Borough Annual Fee Ordinance.
2. As a condition for the issuance of a sign permit, any delinquent property taxes, tax liens or assessments on the property wherein the business or activity for which permit is sought or wherein the business or activity is to be conducted must be paid in full, together with any interest or penalties accruing thereon.

§270-62 Permitted signs; regulations

A. Within the residential zones, no sign other than the following shall be erected in whole or in part unless it complies with the following regulations.

1. No more than one permanent sign per lot shall be permitted for each use or activity permitted in these zones unless otherwise specified herein.
2. A nameplate, situated within the property lines and not exceeding one square foot in area.

3. A nonilluminated temporary sign advertising the prospective or completed sale or rental of the premises upon which it is located, not exceeding six square feet in area and provided that it shall be maintained and removed within seven days after consummation of the sale or lease transaction.
 4. Official signs by any governmental agency.
 5. Temporary signs announcing or advertising any political, educational, charitable, civic, professional, religious or like campaign or event for a consecutive period not to exceed 30 days in any calendar year, provided that they do not exceed 40 square feet in size.
 6. Nonilluminated temporary signs on new construction sites not exceeding 12 feet in total area and provided that they shall be removed within seven days after completion of the construction work. Signs advertising major subdivisions that have received preliminary plot approval by the Board shall not exceed two in number, shall not exceed 100 square feet in area, and shall be removed within 90 days after completion of the construction work.
 7. Signs advertising the sale or development of the premises upon which they are erected, when erected in connection with the development of the premises by a builder, contractor, developer, or other person interested in such sale or development, or a sign advertising alterations to a structure, provided that:
 - a. The size of the sign is not in excess of 12 square feet per each 25,000 square feet of lot area in the subject premises or 32 square feet, whichever is smaller.
 - b. No more than two signs are placed upon any property in a single and separate ownership. All such signs shall be removed upon completion of development or earlier if required by the Borough.
 8. Identification signs for churches, hospitals, schools, playgrounds, parks, and public utility installations, which shall not exceed 20 square feet in area.
 9. Signs advertising private clubs, lodges, and the like, which shall not be neon, shall be situated within the property lines of the premises to which they relate and shall not exceed 12 square feet in area.
 10. Signs prohibiting or otherwise controlling trespassing upon particular premises or indicating the private nature of a road, driveway, or premises, provided that the area of any such sign shall not exceed 12 square feet.
 11. Signs prohibiting or otherwise controlling fishing, hunting, etc., upon particular premises, provided that the area of any such sign shall not exceed four square feet.
 12. One project identification sign on each side of an apartment development which has frontage on a public street, and which may bear only the name of the project, the address and the presence or lack of vacant units. Such signs shall not exceed 32 square feet in area on either side and six feet in height and shall be situated not closer than 20 feet to any street or property line but not attached to any building.
- B. Within the business commercial zone, no sign shall be erected or altered in whole or in part unless it complies with the following regulations:

1. Those signs permitted in residential zones referred to in subsection A. above shall be permitted.
 2. Each commercial use may have one identification sign located on or attached to the façade of said uses. Such sign shall not project more than two feet beyond the building line and shall not exceed an area equal to either 15 percent of the front wall area, including window and door area on which they are displayed, or 200 square feet, whichever is smaller.
 3. Each business may have one freestanding sign, provided that such sign shall not exceed 17 feet in height and shall not be larger than one-half square foot of sign area per linear front foot of building with a maximum of 150 square feet of area, which shall be located so as not to obstruct, confuse, or interfere with vehicular traffic and shall be erected within the property line of the premises to which it relates. Where there are two or more stores joined, only one such freestanding sign shall be permitted on any single property, regardless of the number of establishments on the property, except that the Board may authorize an additional freestanding sign if the property has access from more than one public street.
 4. Signs required by law to be exhibited by the occupants of the premises shall be permitted.
 5. No sign, except such directional devices as may be required by the federal aeronautical authorities, shall be placed, inscribed, or supported upon the roof of any structure or upon the roof of any structure which extends above the roof of any building.
- C. In the White Horse Pike Corridor Redevelopment and the Downtown Redevelopment District, no signs shall be erected or altered in whole or in part unless it complies with the respective Redevelopment Plan, regulations applicable to all districts, and subject to approval by the Board.

§270-63 Sign regulations applicable to all districts

The following general regulations shall be applicable to all zones and districts, except as specifically limited:

- A. All refuse and paper shall be constantly removed from the ground spaces at least 15 feet in all directions around the sign.
- B. No sign shall be placed in such a position that it will cause danger to traffic on a street or entering a street by obscuring the view. In no case shall any sign, other than an official sign or functional sign, be erected within the official right-of-way of any street unless specifically authorized by other ordinance or regulations of the Borough. All signs over six feet in size, other than those permitted within the street right-of-way, shall be erected with the bottom of the sign at least eight feet above the level of the road centerline or shall be set back from the edge of the improved cartway for a distance of not less than 20 feet or shall be at least 50 feet from the side of any street or driveway intersection.
- C. The following signs are prohibited in all zones:
 1. A flashing, blinking, twinkling, animated, moving, or projected sign of any type (with the exception of the illuminated sign permitted for the White Horse Pike Redevelopment District).
 2. Signs with any lighting or control mechanism which may cause radio or television interference, or which may present a safety hazard (e.g., improperly grounded electrical wiring).

3. Any sign which is of such form, character, or shape as to confuse or dangerously distract the attention of the operator of a motor vehicle.
 4. Any advertisement which uses a series of two or more signs or units placed in a line parallel to a highway, or in similar fashion, all carrying a single advertising message, part of which is contained on each sign.
 5. Any sign located on a lot line other than the lot occupied by the use, event or product which said sign advertises.
 6. Any sign exceeding 17 feet in height or located more than 17 feet above grade level.
 7. Any sign attached to or painted on trees, fences, utility poles, rocks, curbs, walks, lamps, hydrants, benches, or bridges. This provision shall not be applicable to signs permitted by subsections A. 10 and 11 of §270-62.
 8. Any sign which, applying contemporary community standards, has as dominant theme or purpose an appeal to prurient interest.
 9. Any flag or banner attached to, or hanging on any structure, tree, fence, pole, rock, curb, walk, lamp, hydrant, bench, or bridge for a period exceeding 30 days in any calendar year.
- D. Every sign permitted in this chapter must be constructed of durable materials and must be kept in good condition and repair. In order that no sign may be injurious to the public safety or morals, all unlicensed signs shall be removed within ten days of notice in writing to the landowner or lessor or lessee of the sign.
- E. The following forms of outdoor advertising are prohibited in all zones: Billboards, balloons, inflatable objects, animated objects, and temporary structures. These objects are prohibited whether or not they are temporary or can be maintained by the landowner and/or occupant on a permanent basis. They are prohibited whether or not they are lighted. These forms of outdoor advertising are prohibited whether or not they promote any business, commercial, industrial, governmental, residential, church, hospital and/or medical use. A billboard or other sign mounted on a moveable object and not secured as specified elsewhere in this chapter is prohibited.
- F. The Board may grant a variance from these provisions, provided that the proposed form of advertising does not result in an expansion of a nonconforming use or where the use promoted by the advertising is not permitted by ordinance. All forms of advertising approved by variance must be constructed of durable materials and must be kept in good condition and repair.
- G. Any signs erected without an approved variance and/or permit shall be removed within ten days of notice in writing to the landowner or lessor or lessee of the advertising. The provisions may be enforced by the Construction Official, Zoning Officer, or any other appropriate officer so authorized by the Borough.
- H. Temporary signs, which may be political, educational, religious, or civic in nature, are permitted with a maximum size of 40 square feet. These signs are generally used to advertise or publicize a

specific event or occasion. Temporary signs may not be erected more than 30 days prior to the event and must be removed within ten days after said event.