

ARTICLE 7 SIGNS

701. APPLICABILITY.

- 701.A. Purposes. This Article is intended to: promote and maintain overall community aesthetic quality; establish reasonable time, place and manner of regulations for the exercise of free speech, without regulating content; promote traffic safety by avoiding distractions and sight distance obstructions; and protect property values and ensure compatibility with the character of neighboring uses.
- 701.B. Permit Required. A zoning permit shall be required for all signs except for: a) signs meeting the requirements of Section 703 and b) non-illuminated window signs constructed of paper, posterboard or similar materials and that are not of a permanent nature. Only types, sizes and heights of signs that are specifically permitted by this Article within the applicable District shall be allowed.
- 701.C. Changes on Signs. Any lawfully existing sign (including nonconforming signs) may be painted or repaired or changed in logo or message without a new permit under this Article provided that the changes do not increase the sign area or otherwise result in noncompliance or an increased non-conformity with this Article.

702. NONCONFORMING SIGNS.

- 702.A. Signs legally existing at the time of enactment of this Article and which do not conform to the requirements of the Ordinance shall be considered nonconforming signs. A nonconforming sign shall not be expanded or extended in any manner that would make it more nonconforming.
- 702.B. After a permit has been issued, an existing lawful nonconforming sign may be replaced with a new sign, provided the new sign is not more nonconforming in any manner than the previous sign.
703. MISCELLANEOUS SIGNS NOT REQUIRING PERMITS. The following signs shall be permitted by right within all zoning districts within the following regulations, and shall not be required to have a permit under this Article.

See footnotes at the end of the table.

Fountain Hill Borough Zoning Ordinance - Adopted September 8, 2008

| Type and Definition of Signs Not Requiring Permits | Max. No. Of Signs Per Lot | Max. Sign Area per Sign * Other Than a Non-Residential Lot (Sq.Ft.) | Max. Sign Area per Sign* on a Non-Residential Lot ** (Sq.Ft.) | Other Requirements |
|---|-----------------------------------|---|---|---|
| <u>Christmas Tree Sign</u> - Advertises the seasonal sale of Christmas trees. | 2 | 8 | 20 | Shall only be posted during seasons when such products are actively offered for sale. |
| <u>Charitable Event Sign</u> - Advertises a special event held a maximum of 9 days in any calendar year that primarily is held to benefit an established tax-exempt nonprofit organization. | 2 | 4 | 30 | Shall be placed a maximum of 14 days prior to event and removed a maximum of 4 days after event. |
| <u>Contractor's Sign</u> - Advertises a building tradesperson, engineer or architect who is actively conducting significant work on a particular lot that is not such person's place of business. | 1 per company working on the site | 8 | 20 | Shall only be permitted while such work is actively and clearly underway and a maximum of 4 days afterward. Such signs shall not be placed on the lot for more than one year. Shall not be illuminated. |
| <u>Directional Sign</u> - Provides information indicating traffic direction, entry or exit, loading or service area, directions to apartment numbers or parking courts in a development, fire lanes, parking or closely similar information regarding the same lot as the sign is one, and that does not include advertising. | No maximum | 2, in addition to signs painted on pavement | 2, in addition to signs painted on pavement | Directional signs within a residential development shall not be illuminated. |
| <u>Flag</u> - A banner or pennant made of fabric or materials with a similar appearance that is hung from a pole in such a way to flow in the wind and that includes the words "Open" or some type of advertising message. | 1 | Not permitted | 20 | Governmental flags and flags without an advertising message are not regulated by this Article. Also, a corporate flag may be displayed on a flag pole. |
| <u>Garage Sale Sign</u> - Advertises an occasional garage sale / porch sale or auction. | 2 per event | 4 per sign | 4 per sign | Shall be placed a maximum of 24 hours before permitted garage sale or auction begins, and be removed maximum of 24 hours after event ends. |

Fountain Hill Borough Zoning Ordinance - Adopted September 8, 2008

| Type and Definition of Signs Not Requiring Permits | Max. No. Of Signs Per Lot | Max. Sign Area per Sign * Other Than a Non-Residential Lot (Sq.Ft.) | Max. Sign Area per Sign* on a Non-Residential Lot ** (Sq.Ft.) | Other Requirements |
|---|---------------------------------|---|---|---|
| <u>Home Occupation Sign</u> - Advertises a permitted home occupation. | 1 | 2 | 2 | Shall not be illuminated if within a residential district. May be freestanding, attached flat on a building wall or within a window. Maximum total height of 6 feet. |
| <u>Identification Sign</u> - Only identifies the name and/or occupation of the resident and/or the name, street address and/or use of a lot, but that does not include other advertising. | 1 | 1 | 4 | Maximum height of 6 feet if freestanding. |
| <u>Open House Sign</u> - Advertises the temporary and periodic open house of a property for sale or rent. | 2 per event | 4 | 4 | Shall be placed maximum of 3 days before open house begins, and be removed maximum of 24 hours after open house ends. |
| <u>Public Services Sign</u> - Advertises the availability of restrooms, telephone or other similar public convenience. | No maximum | 2 | 2 | |
| <u>Real Estate Sign</u> - Advertises the availability of property on which the sign is located for sale, rent or lease. | 1 per street that the lot abuts | 6 | 20 | Shall only be placed on the property while it is actively for sale, lease or rent, and shall be removed a maximum of 7 days after settlement or start of lease. |
| <u>Service Organization / Place of Worship Sign</u> - An off-premises sign stating name of a recognized incorporated service organization or place of worship and that states the place and times of meetings or services and/or an arrow directing persons to such location. | 1 | 2 | 2 | Maximum of four such signs within the Borough for each such organization or place of worship. |
| <u>Special Sale Signs</u> - Temporary banners, flags and other signs that advertise a special sales event or grand opening at a lawful principal commercial business. | 2 per lot | Not permitted | Total of 40 sq. ft. for all such banners, flags and other temporary signs | Shall be displayed a maximum of 7 days per event, with a maximum of 2 events per lot per year. Such signs shall not flash, be internally illuminated, or obstruct safe sight distances. |

Fountain Hill Borough Zoning Ordinance - Adopted September 8, 2008

| Type and Definition of Signs Not Requiring Permits | Max. No. Of Signs Per Lot | Max. Sign Area per Sign * Other Than a Non-Residential Lot (Sq.Ft.) | Max. Sign Area per Sign* on a Non-Residential Lot ** (Sq.Ft.) | Other Requirements |
|---|---------------------------|---|---|--------------------|
| <u>Time and Temperature Sign</u> - With a sole purpose to announce the current time and temperature and any non-profit public service messages. | 1 | Not permitted | 30 | |
| <u>Trespassing Sign</u> - Indicating that a road is private, that trespassing is prohibited on a lot, or controlling certain activities such as hunting and fishing on the lot. | No maximum | 2 | 2 | |

Abbreviations: “max.” = maximum; “min.” = minimum; “hrs.” = hours.

* Maximum sign areas are for each of 2 sides of each permitted sign, measured in square feet.

** A “Non-residential Lot” shall be considered a lot occupied by a lawful principal commercial, industrial or institutional use.”

In addition, the following types of signs are not regulated by this Article:

1. Historic Sign. A sign that memorializes an important historic place, event or person and that is specifically authorized by the Borough or a County, State or Federal agency.
2. Holiday Decorations. Decorations that commemorate a holiday recognized by the Borough, County, State or Federal Government and that does not include advertising.
3. Not Readable Sign. A sign that is not readable from any public street or any exterior lot line.
4. Official Sign. A sign erected by the State, County, Borough or other legally constituted governmental body, or specifically authorized by Borough ordinance or resolution, and which exists for public purposes.
5. Required Sign. A sign that only includes information required to be posted outdoors by a government agency or the Borough.
6. Right-of-Way Sign. A sign posted within the existing right-of-way of a public street and officially authorized by the Borough or PennDOT.

704. FREESTANDING, WALL AND WINDOW SIGNS.

704.A. The following signs are permitted within the specified zoning districts, in compliance within the following regulations. In addition, "Exempt Signs" and "Temporary Signs" are permitted in all districts by other provisions of this Article. See definitions of the types of signs in Section 711.

| ZONING DISTRICT OR TYPE OF USE | MAXIMUM TOTAL HEIGHT OF FREE-STANDING SIGNS | MAXIMUM AREA OF WALL SIGNS - Limited to a maximum of 2 building sides. | MAXIMUM AREA OF WINDOW SIGNS | MAXIMUM AREA AND NUMBER OF FREESTANDING SIGNS **** |
|---|--|--|--|---|
| <p>Residential (LD-R, MD-R, MHD-R, and HD-R) Districts, with these signs limited to allowed principal non-residential uses.</p> <p>Other types of signs are addressed in Section 703, including home occupation signs.</p> <p>New signs in these districts shall not be internally illuminated.</p> | 6 feet | 20 square feet on each side of two sides of a principal building. | May be used in place of a wall sign with the same restrictions | One sign on each street the lot abuts, each with a maximum sign area of 20 sq. ft. |
| RO, RC and TC Districts. * | 15 feet | 50 square feet on each of 2 sides of a principal building. * | Temporary non-illuminated window signs are not regulated. Other window signs are regulated under wall signs. | One sign per street that the lot abuts, each with a maximum area of 15 sq.ft. **, *** |
| All Districts Other than Residential or RO, RC and TC Districts. | 15 feet. | 10% of the vertical area of the building side on which the signs are attached, up to a maximum total of 200 square feet. | Temporary non-illuminated window signs are not regulated. Other window signs are regulated as wall signs. | One sign per street that the lot abuts, each with a maximum area of 24 sq.ft. **, *** |

* In the RO, RC and TC districts, the following additional signs shall be allowed:

1. A maximum of one Projecting Sign shall be permitted per lot, provided:
 - a) such sign has a minimum clearance over the sidewalk of 9 feet (unless a differing standard is established by the Building Code),
 - b) the sign face is constructed from materials with an appearance similar to wood, in addition to any metal fasteners,
 - c) such sign has a maximum sign area on each of 2 sides of 8 square feet,
 - d) such sign is securely attached to the building,
 - e) the sign may project a maximum of 4 feet from the wall of the building. If the building is setback less than 4 feet from the right-of-way, then the sign may project into the right-of-way, provided the 4 feet projection is still met, and

- f) if the sign projects over the public right-of-way, the Borough may require a hold harmless agreement that protects the Borough from liability.
2. A maximum of one Sidewalk Sign (or “sandwich board sign”) shall be permitted per lot, provided:
- a) such sign has a maximum sign area of 8 square feet on each of 2 sides and a maximum width of 3 feet, and has a maximum height of 4 feet,
 - b) such sign is taken indoors during all hours when the business is not open to the public,
 - c) such sign is not in a location that would interfere with pedestrian traffic, emergency access or parking spaces and retains a 4 feet wide minimum clear path for pedestrians, and such sign is kept as close to the building as is feasible,
 - d) such sign is attractive, well-maintained and durably constructed, and
 - e) such sign may be placed within the right-of-way if there is no location available that would be outside of the right-of-way.

** If the permitted freestanding sign area is not used, such sign area may be added to the permitted wall sign area. An auto service station may also include an additional 24 square feet of sign area to display fuel prices.

*** If a lot includes 3 or more distinct business establishments OR has more than 100 feet of frontage along a street, then along a single street, the maximum freestanding sign area may be increased to 50 square feet.

**** See Sign bonus in subsection 704.E. below. See setbacks for freestanding signs in Section 706.A.

704.B. Height of Wall Signs. The maximum height of wall signs shall be equal to the top of the roof along the wall to which they are attached. If a non-structural extension is added to a roof, the maximum height of the wall sign shall be the top of the structural roof.

704.C. Portable Signs (Including "Signs on Mobile Stands") and Other Temporary Signs.

- 1. Purpose. These standards recognize portable signs as a particular type of sign that has the characteristics of a temporary sign but that has been inappropriately used as a permanent sign. This Section is based on the policy that if a use desires to regularly display a sign for regularly changing messages, that it erect a permanent sign within all of the requirements of this Article.
- 2. Definition of a "Portable Sign"- A freestanding sign that is attached to a chassis or legs that allows it to be towed or carried from one location to another and that is not permanently attached to the ground.
- 3. Portable signs are prohibited in all districts, except as a temporary Charitable Event sign complying with Section 703.

704.D. Signs on Freestanding Walls. A freestanding sign may be attached to a decorative masonry or stone wall with a maximum height of 5 feet and a maximum length of 10 feet, without being regulated by the wall setback regulations of this Ordinance and with the wall itself not counting towards the maximum sign area. Sight distance requirements shall still be met.

- 704.E. Sign Area Bonus. In a commercial district, the maximum sign area for a freestanding sign may be increased by 25 percent beyond the size that would otherwise be allowed if the sign is not internally illuminated, and if the base of the sign is surrounded by landscaping.
705. **ABANDONED OR OUTDATED SIGNS.** Signs advertising a use no longer in existence shall be removed within 90 days of the cessation of such use. If the owner of a property does not remove such sign within 30 days after receiving a written notice from the Zoning Officer, the sign may be removed by the Borough at the expense of the property-owner.
- 705.A. These time limits shall not apply to a sign intended to be reused with a new sign face serving a building that is clearly temporarily vacant and being offered to new tenants or for purchase.
706. **LOCATION OF SIGNS.** The following shall regulate the location of signs:
- 706.A. Setbacks. A sign shall not intrude into or project over an existing street right-of-way, unless specifically authorized by a permit from the Borough or PennDOT. Projecting signs meeting the requirements for such signs and Official Signs shall be allowed within the right-of-way. The Borough Police Department, Zoning Officer or his/her designee or any other person shall have the authority to remove and dispose of unauthorized signs within the street right-of-way or that are attached to a utility pole or tree.
1. Borough Council may approve a temporary banner over a street cartway to advertise a charitable or Borough-sponsored event.
- 706.B. Sight Clearance. No sign shall be so located that it interferes with the sight clearance requirements of Section 803.C.
- 706.C. Off-Premises. No signs except permitted Off-Premise, Official, Political or Public Service Signs shall be erected on a property to which it does not relate.
- 706.D. Permission of Owner. No sign shall be posted on any property or sign pole or public utility pole, unless permission has been received from the owner.
707. **ILLUMINATION OF SIGNS.** See "Light and Glare Control" in Article 5 (including Section 507.H.) and provisions in Section 704.A. within residential districts.
708. **VEHICLES FUNCTIONING AS SIGNS.** Any vehicle or trailer displaying a sign area greater than 20 square feet that is being used in such a manner that the carrying of sign(s) no longer is incidental to the primary purpose of the vehicle or trailer but becomes a primary purpose in itself shall be considered a freestanding sign and shall be subject to all of the requirements for freestanding signs. This shall include, but not be limited to, a vehicle that is parked in the front yard of a business within clear view of a street and that is not moved to another lot at least once a week.
709. **PROHIBITED SIGNS.**
- 709.A. Any moving object used to attract attention to a commercial use shall be prohibited. Any banner or flag that does not meet the requirements of this Article shall be prohibited.

- 709.B. Flashing, blinking, twinkling, animated or moving signs of any type shall be prohibited. A sign may electronically change from one message to another message provided the message does not flash, and stays on for a duration of at least twenty-five (25) seconds. In addition, flashing lights visible from a street shall not be used to attract attention to a business. This restriction specifically includes window signs, but does not prohibit seasonal Christmas lighting or displays that comply with Section 703.
- 709.C. Signs which emit smoke, visible vapors or particles, sound or odor shall be prohibited.
- 709.D. Signs are prohibited which contain information that states that a lot may be used for any purpose not permitted under the applicable provisions of this Ordinance.
- 709.E. Signs shall be prohibited that are of such character, form, shape or color that they imitate or resemble any official traffic sign, signal or device or that have any characteristics which are likely to confuse or distract the operator of a motor vehicle on a public street (such as prominent use of the words "Danger").
- 709.F. Signs or displays visible from a lot line that include words or images that are obscene or pornographic shall be prohibited.
- 709.G. Balloons of greater than 40 cubic feet that are tethered to the ground or a structure for periods of 12 hours shall be prohibited.
- 709.H. Floodlights and outdoor lasers used for advertising purposes shall be prohibited.
710. **CONSTRUCTION OF SIGNS.** Every sign (except allowed temporary signs) shall be constructed of durable materials. Every sign shall be kept in good condition and repair. The Zoning Officer shall by written notice require a property owner or lessee to repair or remove a damaged, dilapidated or unsafe sign within a specified period of time. If such order is not complied with, the Borough may repair or remove such sign at the expense of such owner or lessee.
711. **MEASUREMENT AND MAJOR TYPES OF SIGNS.**
- 711.A. **Sign Definitions.** The following definitions shall be used in determining whether signs meet the measurement and type requirements of this Article:
1. **Building Face.** The vertical area of a particular side of a building, but not including the area of any slanted roof.
 2. **Freestanding Sign.** See Article 2.
 3. **Height of Sign.** The vertical distance measured from the average ground level surrounding a sign to the highest point of the sign and its supporting structure. Religious symbols shall not be restricted by the sign heights of this Article when extending above the roofline or attached to a tower or spire of a place of worship.
 4. **Illuminated Sign, Internally.** A sign illuminated by light from within the sign rather than a source adjacent to or outside of the sign. A sign within a display case with lights only shining onto the front of the sign shall be considered to be "externally" illuminated.
 5. **Off-Premise Sign.** See Article 2.

6. Sign. See Article 2.
7. Wall Sign. A sign primarily supported by or painted on a wall of a building and which does not project more than 2 feet from such wall. A Wall Sign may project up to 3 feet if it is attached to an awning.
8. Window Sign. A sign which is readily visible and can be at least partially read from an exterior lot line and which is attached to a window or transparent door or that can be read through a window or transparent door.

711.B. Measurement of Sign Area.

1. Sign area shall include all lettering, wording and accompanying designs and symbols, together with related background areas on which they are displayed. One "freestanding sign" may include several signs that are all attached to one structure, with the total "sign area" being the area of a common geometric form that could encompass all signs.
2. The sign area shall not include any structurally supporting framework, bracing, or supports if such area does not include any display, lettering or sign and if such area is clearly incidental to the sign area itself.
3. Where the sign consists of individual letters or symbols attached to or painted directly on a building or window, other than an illuminated background that is a part of the sign, the sign area shall be the smallest rectangle that includes all of the letters and symbols.
4. The maximum sign area shall be for each of 2 sides of a sign, provided that only one side of a sign is readable from any location.
5. Unless otherwise specified, all square footages in regard to signs are maximum sizes.

712. **OFF-PREMISE SIGNS (Including Billboards).**

- 712.A. Purposes. Off-premise signs are controlled by this Article for the following purposes, to: ensure that a physical environment is maintained that is attractive to desirable types of development; prevent visual pollution in the Borough and protect property values, especially in consideration of the fact that most commercial areas of the Borough are within close proximity to existing residences; prevent glare on adjacent property and streets; avoid the creation of additional visual distractions to motorists, especially along busy arterial streets that involve complex turning movements and numerous traffic hazards; recognize the numerous alternative forms of free speech available in the Borough, including existing nonconforming off-premise signs and on-premise signs; carry out the purposes listed in Section 701.
- 712.B. Nonconforming Off-Premise Signs. This section is not intended to require the removal of an existing lawfully-placed off-premise sign that is in structurally sound condition.
- 712.C. PennDOT Sign. Signs erected and maintained by PennDOT are permitted by right in all Districts.
- 712.D. Permitted Off-Premise Signs. Except for signs allowed by Section 703, an off-premise sign is only permitted if it meets the following requirements:
 1. District. An off-premise sign is only permitted in the GC District.
 2. Location. An off-premise sign shall be setback a minimum of 25 feet from all lot lines and street rights-of-way.

3. Maximum Sign Area. 300 square feet.
4. Spacing. Any off-premise sign shall be separated by a minimum of 1,000 feet from any other off-premise sign, including signs on either side of a street and including existing signs in other municipalities. No lot shall include more than one off-premise sign.
5. Maximum Height. 35 feet above the elevation of the adjacent street or highway, measured at the street or highway centerline.
6. Attached. No off-premise sign or sign face shall be attached in any way to any other off-premise sign, except that a sign may have 2 sign faces of 300 square feet each if they are placed approximately back-to-back.
7. Control of Lighting and Glare. See standards in Section 507.
8. Residences. No off-premise sign greater than 30 square feet in sign area shall be located within 200 feet from a lot line of an existing dwelling.
9. Condition. The sign shall be maintained in a good and safe condition. The area around the sign shall be kept free of debris.