

HONEY BROOK TOWNSHIP
CHESTER COUNTY, PA
ORDINANCE #159

AN ORDINANCE OF THE TOWNSHIP OF HONEY BROOK AMENDING THE HONEY BROOK TOWNSHIP ZONING ORDINANCE OF 2003, AS AMENDED, TO REPEAL AND REPLACE THE ENTIRETY OF PART 14, SIGNS.

SECTION 1. Amend Section 27-202 as follows:

Electronic changeable face sign - A sign or portion thereof which can be electronically changed or rearranged without altering the face or the surface of the sign. This shall also include time and/or temperature messages.

SECTION 2. Delete the entirety of Chapter 27, Part 14, and replace with the comprehensive revision, attached to this Ordinance as Exhibit A.

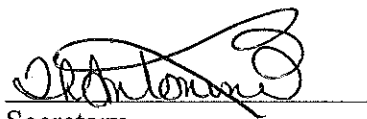
SECTION 3, SEVERABILITY. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof. It is hereby declared as the intent of the Board of Supervisors of Honey Brook Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 4, REPEALER. All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 5, EFFECTIVE DATE. This Ordinance shall become effective five days after enactment as provided by law.

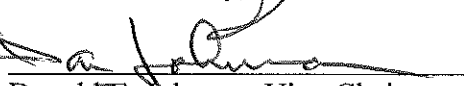
SO IT IS ENACTED AND ORDAINED this 14th day of September, 2011.

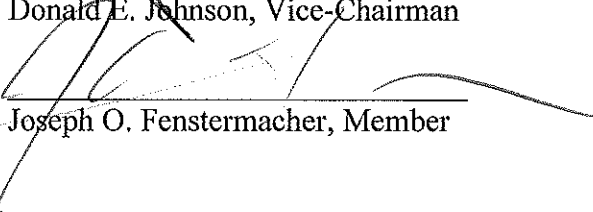
ATTEST:


Secretary

HONEY BROOK TOWNSHIP
BOARD OF SUPERVISORS


Lewis M. Wertley, Chairman


Donald E. Johnson, Vice-Chairman


Joseph O. Fenstermacher, Member

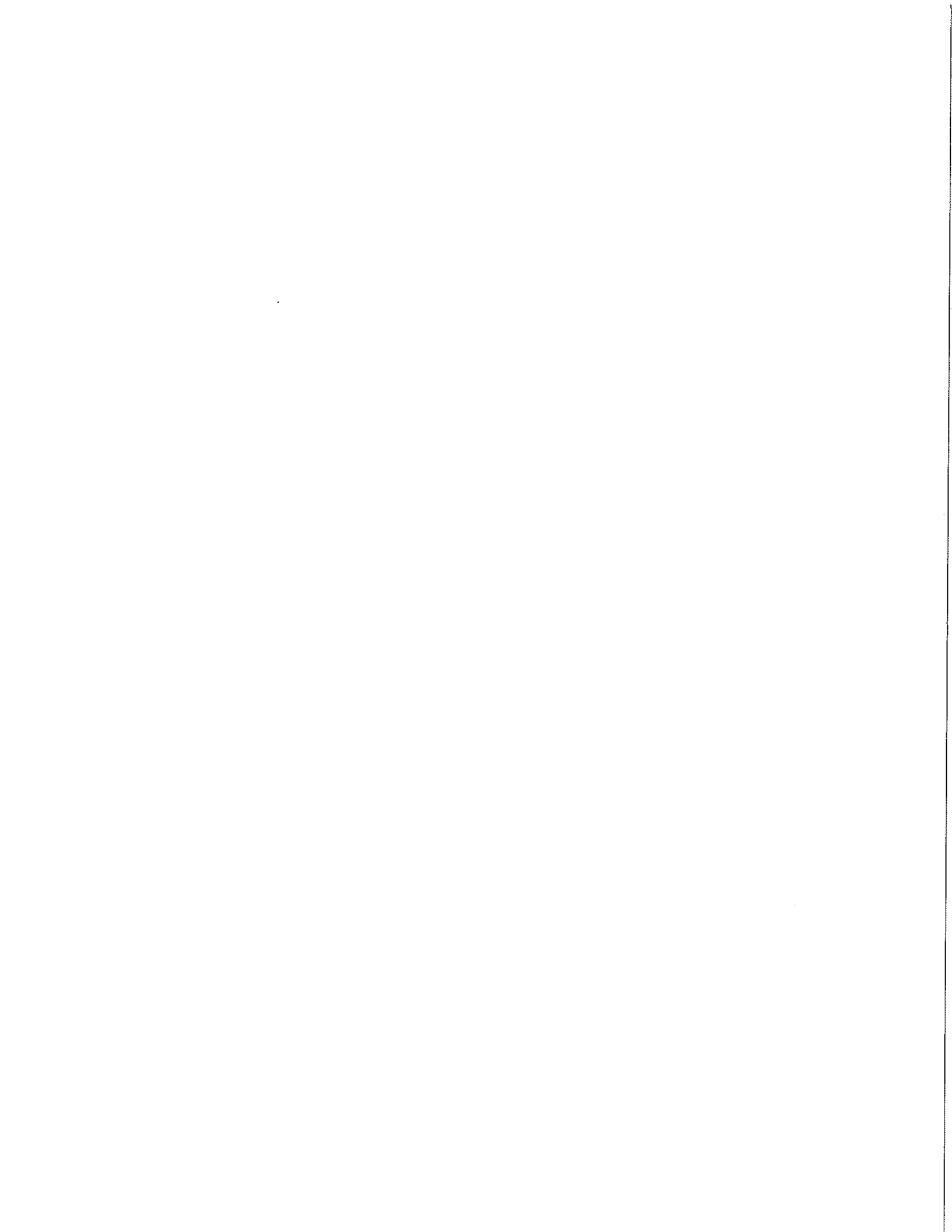


EXHIBIT A

Part 14 Signs

§27-1401. Statement of Intent.

The intent of this Part is to provide for the regulation of signs in Township, as a proper exercise of the municipal police power, to protect the public health, safety, and general welfare in accordance with the following objectives:

A. To control the size, location, and illumination of signs in the Township to reduce hazards to pedestrian and vehicular traffic.

B. To encourage signs which are well-designed and pleasing in appearance, and to provide latitude for variety, in order to enhance the economic value as well as the visual character of properties within the Township.

C. To establish standards designed to encourage signs that are compatible with their surroundings, appropriate to the type of activity to which they pertain, expressive of the identity of individual proprietors, and legible in the circumstances in which they are seen; and to prohibit the erection of signs that do not meet these criteria and which are incompatible with the agricultural landscape and rural character of the Township.

D. To prohibit the construction of and require the removal of signs which constitute a hazard or a blighting influence.

§27-1402. General Sign Standards.

1. *Permits.* Unless otherwise specified in this Chapter, a permit shall be required for all signs within the Township in accordance with the following procedures.

A. A permit application shall be submitted to erect, install, replace, removed and alter signs, as required by the provisions in this Chapter. The application shall contain all information necessary for the Zoning Officer to determine whether the proposed sign conforms to the requirements of this Part. At a minimum the following information shall be included:

1) A copy of the plans and diagrams drawn accurately to scale depicting the dimensions of the lot, cartway, right-of-way and location of the sign.

2) The exact size, dimensions and location of the sign to be placed on the lot or building, together with its type, construction, materials to be used, and the manner of installation.

3) Where required by the Zoning Officer, a structural analysis by a qualified civil engineer verifying the structural integrity of the proposed sign.

3) Any other information as may be required by the Zoning Officer.

EXHIBIT A

B. No sign permit shall be issued except in conformity with the regulations of this Chapter, except upon order of the Zoning Hearing Board, granted pursuant to the procedures established for a variance.

2. *Nonconforming Signs.*

A. Signs legally existing at the time of enactment of this Chapter or subsequent relevant amendments and which do not conform to the requirements of this Chapter shall be considered nonconforming signs.

B. Any nonconforming sign which is damaged in excess of 25% of its cost of replacement, or is removed for any reason other than normal repair and maintenance, shall be replaced only with a conforming sign. Legal nonconforming signs may be repainted or repaired (including lighting), provided that such repainted or repaired sign does not exceed the dimensions of the existing sign. Wording may also be changed. Illumination shall not be added or increased.

C. Signs advertising a use no longer in existence shall be removed or changed to advertise the new use within 30 days of the cessation of the original use. Signs, once removed, shall be replaced only by signs in conformance with this Part.

D. Any nonconforming sign deemed by the Zoning Officer to be unsafe, as stipulated in §27-1402.7.A, shall be made safe or removed in accordance with the terms of that Section.

E. Signs which, at the effective date of this Part or subsequent amendment thereto, are maintained in connection with and upon the same lot as a lawful nonconforming use may be maintained, repaired, or replaced with signs similar in size and character so long as such lawful nonconforming use continues, but may not be enlarged or otherwise substantially altered (nor may illumination be increased or newly installed) except in accordance with the applicable regulations of this Part.

F. It is the responsibility of the owner of the sign to provide evidence that a sign is lawfully nonconforming and to register such sign with the Zoning Officer.

3. *Sign Area.* The area of a sign shall be calculated as follows:

A. The areas of the sign shall include the entire area within a single continuous perimeter enclosing the outer limits of such sign. The sign area shall not include any structural elements lying outside the limits of such sign and not forming an integral part of the display.

B. In the case of an open sign made of individual letters, attached to or painted on a building, wall, window, canopy or awning, the sign area shall be the smallest rectangle or other geometric shape which encompasses all of the letters and symbols.

EXHIBIT A

C. In computing the area of a double-faced sign, only 1 face shall be considered, provided that both faces are identical in areas. In "V" type structures, if the interior angle of the sign face exceeds 45 degrees, both faces shall be considered in computing the sign area.

4. *Sign Height.*

A. The height of a sign shall be measured from the average elevation of the ground or finished grade to the highest point of the sign or its backing structure, whichever is higher.

B. No sign that is a part of or is supported by a building shall be erected, placed or displayed upon the roof of such building, nor shall such sign extend above the height of the building.

5. *Construction of Signs.* Every sign permitted in this Part shall be constructed of durable materials and shall be kept in good condition and repair. Any sign which is allowed to become dilapidated may be repaired or removed by the Township at the expense of the owner or lessee of the property on which it is located, in accordance with the terms of §27-1402.7.

6. *Sign Illumination.*

A. Sign illumination shall be arranged so that:

1) A bare light bulb, spotlight bulb, or fluorescent bulb is not visible beyond the property line.

2) Illumination shall only be of an even intensity at all times and shall not be more than 15 foot-candles per square foot.

3) Illumination may be direct (giving forth light from the interior of the sign through translucent material) or indirect, provided that the light source is directed upon the sign.

4) Lighting shall not shine directly on abutting properties, nor within the normal line of vision of the public on streets or sidewalks.

B. No sign in the A-Agricultural, RC-Resource Conservation, FR-Farm Residential, R-Residential, or MR-Mixed Residential zoning districts shall be indirectly and or internally illuminated unless specifically permitted by another provision of this Part.

C. Sign illumination shall comply with all applicable standards in §27-1710 of this Chapter.

7. *Removal of Signs.*

A. Unsafe Signs.

EXHIBIT A

1) Whenever a sign becomes structurally unsafe and/or poses a potential threat to the safety of a building or premises or endangers the public safety, and such condition becomes known to the Zoning Officer, he shall give written notice to the owner of the premises on which the sign is located that such sign must be made safe or removed within 5 days, unless the Zoning Officer shall deem appropriate a more extended period for compliance.

2) Where, in the opinion of the Zoning Officer upon careful inspection, any sign as described in paragraph 1), above, constitutes an imminent hazard to public safety necessitating immediate action, he shall be empowered to take those measures he deems appropriate to secure, stabilize, or remove such sign without the written notice to the owner of the premises otherwise required by that Section. In such cases, a lien shall be placed against the property on which such sign was situated in the amount of the costs incurred by the Township in removing the sign.

3) Failure of the Zoning Officer to remove, or require the removal of, any unsafe sign as described in this Section shall create no liability upon, nor any cause of action against the Zoning Officer or any other Township official or employee for damage or injury that may occur as a result of such sign.

B. Abandoned Signs.

1) Any sign which was erected for an occupant or business unrelated to the present occupant or business, or any sign which relates to a time or event inconsistent with the time limits established by this Part, shall be deemed to have been abandoned. An abandoned sign shall be removed by the owner of the sign or owner of the property within 30 days of written notification from the Zoning Officer.

2) The Township shall have the right to remove any temporary political campaign sign located on public property which is not removed within the time limit prescribed in §27-1402.8.I or where, in the opinion of the Zoning Officer, its continued presence would constitute a safety or visibility hazard to the public.

C. Illegal Signs. Any sign installed or placed on public property or within any public right-of-way that is not in conformance with the requirements of this Section shall be forfeited to the public and subject to confiscation. In addition to other authorized remedies, the Township shall have the right to recover from the owner or person placing such a sign the full cost of removal and disposal of such sign.

8. Exempt Signs. No permits are needed to erect any of the following signs in any district. Exempt signs shall, however, conform to all other applications regulations of this Chapter.

A. Public Signs. Public signs erected by or on the order of a public officer in the performance of public duty, such as signs to promote safety, no trespassing, or traffic signs; memorial plaques, signs of historical interest, and signs directing people to public and quasi-public facilities or events.

EXHIBIT A

- B. Private Signs. Any permanent sign of not more than 4 square feet in area.
- C. Flags. Flags of any nation, state, county, city, university, college, military organization, or place of worship.
- D. Murals. Murals without a commercial message.
- E. Window Signs. Window signs shall be subject to the following standards:
- 1) Residential Uses: Window signs are not permitted for residential uses.
 - 2) Signage Allotment: Window signs shall not count toward the wall signage allotment of the use.
 - 3) Area: Window signage shall not exceed 25% of the glass area of any individual window pane.
 - 4) Location: Window signage shall not be installed in windows above the ground floor of a structure.
- F. Directional Signs. Directional signs shall be subject to the following standards:
- 1) Area: Signs shall not exceed 4 square feet in area per side.
 - 2) Height: Signs shall not exceed 42 inches in height above the ground.
- G. Construction Signs. Construction signs shall be subject to the following standards:
- 1) Nonresidential, Multifamily, and Single-Family Subdivision Projects: Signs shall not exceed 24 square feet in area per side.
 - 2) Individual Single-family Lots: Signs shall not exceed 5 square feet in area per side.
 - 3) Number: Individual contractors, developers, or financiers may have a maximum of 1 construction sign.
 - 4) Duration: Construction signs may be displayed throughout the duration of construction and shall be removed upon completion of construction.
- H. Not-for-profit Signs. Signs advertising special events by a registered not-for-profit organization shall be subject to the following standards:
- 1) Size: Signs shall not exceed 5 square feet in area per side.
 - 2) Location: Signs shall not be placed on a property unless permission is granted by the property owner.
 - 3) Duration: Signs shall be displayed no more than 7 days prior to the special event and shall be removed within 2 days after the conclusion of the special event.
- I. Political Signs. Political signs shall not exceed 5 square feet in area per side and shall be removed within 7 days of the subject event.

EXHIBIT A

J. Real Estate Signs. Real estate signs shall be subject to the following standards:

1) Commercial: Signs advertising the sale or lease of a commercial property or the sale of a multifamily property with at least 15 units shall be limited to a single sign of a maximum of 24 square feet in area per side.

2) Residential: Signs advertising the sale or lease of single-family properties or multifamily properties with less than 15 units shall be limited to a single sign of a maximum of 5 square feet in area per side.

3) Open House Signage:

(i) Off-site signage directing the public to an open house is permitted on Friday, Saturday and Sunday of the event weekend.

(ii) One off-site open house sign shall be permitted for each property for sale.

(iii) Individual open house signs shall not exceed 5 square feet in area per side.

(iv) Signage must be placed with the owner's permission.

(v) Signs shall only be placed at corner locations.

(vi) All open house signage shall be removed the same day that the event ends.

9. Prohibited Signs. The following signs, because their inherent characteristics could threaten the health, safety, or welfare of persons in the Township, are unlawful and prohibited:

A. Animated Signs. Signs that utilize any motion picture, laser, or visual projection of images or copy in conjunction with any business or advertisement.

B. Bench Signs. A sign located on the seat or back of a bench placed on or adjacent to a public right-of-way. Benches utilized for designated public transit stops are exempt.

C. Imitation of Official Signs. Signs that purport to be, are in imitation of, or resemble an official traffic sign or signal or which bear the words "Stop", "Slow", "Caution", "Danger", "Warning" or similar words.

D. Vehicle Signs. Signs placed on inoperable or unlicensed vehicles parked on public or private property for the apparent purpose of displaying the sign. Prohibited signs do not include those displayed on vehicles parked for the purpose of lawfully making deliveries or random sales or service. Prohibited signs do not include those displayed on vehicles which are customarily used for transporting persons or properties, and on vehicles parked at a driver's place of residence during nonbusiness hours or for incidental purposes.

E. Intermittent Lights. Signs that have intermittent blinking, flashing, or fluttering lights, including any device which has a changing light intensity, brightness of color, or gives such illusion. Strobe lights shall be considered intermittent lights.

F. Temporary Signs. Any temporary sign not specifically permitted in Section 27-1403, below, including, but not limited to, pennants, streamers, balloons, inflatable signs, spinners, and banners, except when specifically permitted in §27-1403.

EXHIBIT A

G. Projecting Signs. Any sign that projects outward from the façade of a building in excess of 12 inches, except as provided in §27-1405.

10. *Prohibited Sign Locations*. Signs shall not be installed at any of the following locations:

A. Public Easement. In any public utility easement, unless authorized by the Township or holder of the easement rights.

B. Public Right-of-Way. In any public right-of-way, except as provided in §27-1402.8.A above.

C. Roofs. On the roof of a structure, or extending above the eave, roof line or parapet of a building.

D. Clear Sight Triangle. Within a clear sign triangle as specified in §22-610.9.

E. Miscellaneous. On any traffic control signs, highway construction signs, fences utility poles, street signs, trees, or other natural objects.

11. *Design Standards*.

A. Freestanding Signs. All freestanding signs shall be designed as follows:

1) Setbacks:

(i) Front: Except where noted, a minimum setback of 5 feet from the public right-of-way shall be required, except as required by §27-1402.10 above.

(ii) Side: A minimum setback of 10 feet from the side property line shall be required. Where adjacent to a residence, or where the sign is illuminated, the minimum setback shall be the same as for buildings in that district.

2) Mountings: All freestanding signs shall be permanently affixed to the ground.

3) Cap: A decorative cap may extend up to 18 inches above the height limit as determined in Part 14. The decorative cap shall have no identifying text, logos, or identifying traits.

B. Wall Signs.

1) Wall signs shall not project more than 12 inches from the building wall and must be so located that the lower edge is a minimum of 10 feet above grade in any case where projection from the wall is greater than 3 inches.

2) Wall signs may be erected upon a canopy or marquee if the structural strength of such canopy or marquee is sufficient to safely carry the additional load, and provided that such signs may not extend beyond the edges of said canopy or marquee or extend within otherwise prohibited areas.

EXHIBIT A

§27-1403. Temporary Signs.

1. *Nonresidential Uses, Multifamily Complexes and Mobile Home Parks.* Conforming nonresidential uses, multifamily complexes with at least 15 dwelling units, and mobile home parks are permitted to display temporary signage as follows:

A. Area: Temporary signs shall not exceed 24 square feet in area per side.

B. Height: Freestanding temporary signs shall not exceed 6 feet in height above the ground.

C. Type: Temporary sign types shall be limited to printed banners or freestanding, portable signs.

D. Number:

1) Individual nonresidential uses shall be permitted a maximum of 3 temporary signs.

2) Multifamily complexes with at least 15 units are permitted a maximum of 3 temporary signs.

3) Individual tenants within nonresidential centers shall be permitted a maximum of 1 temporary sign.

E. Display Periods.

1) Display of temporary signs shall be permitted for 3 periods of up to 30 days per period, per calendar year.

2) All temporary signs shall receive a Sign Permit from the Township prior to being displayed.

3) The 3 temporary sign display periods may be combined, provided that a separate permit is obtained for each display period.

F. Grand Opening Events.

1) New businesses, including multifamily complexes of 15 units or greater, shall be permitted a single grand opening event sign display during which the number, type and size of temporary signs shall not be limited.

2) Grand opening event sign displays shall not exceed 30 consecutive days, and shall count as 1 of the permitted display periods as described in §27-1403.1.E above.

2. *Nonresidential Uses in Residential Districts.* Temporary signs are not permitted for home occupations and legal nonconforming uses in residential districts.

3. *Temporary Retail Uses.* Approved temporary retail uses, such as seasonal sales, shall be allowed 1, 32 square-foot temporary sign for the duration of the temporary use. If an approved

EXHIBIT A

temporary retail use has frontage on multiple public streets, the use shall be permitted 1 such temporary sign per public street frontage.

§27-1404. Sign Standards in A-Agricultural, RC-Resource Conservation, FR-Farm Residential, R-Residential, and MR-Mixed Residential Districts.

1. *Single-Family Subdivision.* Each subdivision shall be permitted 1 freestanding sign per development entrance, subject to the following standards:

A. Area: The maximum sign area shall not exceed 24 square feet per side.

B. Height: The maximum sign height shall not exceed 6 feet.

C. Number: The permitted subdivision sign may be replaced with 2 signs of a maximum 12 square feet in area per side if a sign is placed on each side of the entrance.

2. *Multifamily Complexes and Mobile Home Parks.*

A. Multifamily complexes and mobile home parks containing at least 15 dwelling units shall be permitted 1 freestanding sign per development entrance, subject to the following standards:

1) Area: The maximum sign area shall not exceed 24 square feet per side.

2) Height: The maximum sign height shall not exceed 6 feet.

B. Multifamily complexes and mobile home parks containing fewer than 15 dwelling units shall be permitted 1 wall sign or 1 freestanding sign, provided the maximum sign area shall not exceed 24 square feet.

3. *Conforming Nonresidential Uses.* For any nonresidential use approved as a permitted use, conditional use, special exception, or via use variance, the provisions of §27-1405 shall apply. These provisions may be modified by action of the Zoning Hearing Board as part of a special exception or variance approval. In addition, the following sign standards shall be applied to the uses permitted in these districts as follows:

A. Nursery or Farm Produce Signs.

1) Number: A maximum of 1 freestanding sign or wall sign is permitted, but not both.

2) Area: A maximum sign area of 12 square feet per side, or 12 square feet total for a wall sign, shall be permitted.

3) Height: Freestanding signs shall not exceed 5 feet in height. Wall signs shall not exceed 10 feet in height.

B. Rural Occupation Signs.

1) Number: A maximum of 1 freestanding sign or wall sign is permitted, but not both.

EXHIBIT A

2) Area: A maximum sign area of 8 square feet per side, or 8 square feet total for a wall sign, shall be permitted.

3) Height: Freestanding signs shall not exceed 5 feet in height. Wall signs shall not exceed 10 feet in height.

C. Identification Signs for Schools, Churches, Medical Facilities, Clubs, Lodges, Farms or Estates.

1) Number: A maximum of 1 sign is permitted, regardless of type.

2) Area: A maximum sign area of 15 square feet per side for a freestanding sign, or 10 square feet total for a wall sign, shall be permitted.

3) Height: Freestanding signs shall not exceed 5 feet in height. Wall signs shall not exceed 12 feet in height.

4. *Legal Nonconforming Nonresidential Uses.*

A. Wall Sign Area: Wall signage shall not exceed 10 square feet in area.

B. Freestanding Sign Area: Freestanding signs shall not exceed 12 square feet per side.

C. Number: A maximum of 1 freestanding sign shall be permitted.

D. Height: Freestanding signs shall not exceed 4 feet in height.

§27-1405. **Permitted Signs in the C-Commercial and I-Industrial Districts.**

1. *Wall Signs.* The following standards shall apply to wall signs for individual uses or tenants within a multi-tenant center.

A. Allotment:

1) Individual Nonresidential Uses: The cumulative square footage of all wall signs shall not exceed 10% of the square footage of the building façade facing a public or private street, or 25 square feet, whichever is larger.

2) Multi-tenant Nonresidential Center: The cumulative square footage of all wall signs for any individual tenant shall not exceed 10% of the square footage of the tenant's façade width, or 10 square feet, whichever is smaller.

3) Limits: No property shall be limited to less than 25 square feet of wall signage and no use shall be permitted to exceed 50 square feet of wall signage.

B. Maximum Projection: Except for a projecting sign, no part of a wall sign shall project more than 12 inches from the wall or face of the building to which it is attached.

C. Location: Wall signs for individual tenants within a multi-tenant nonresidential center shall be located on a wall of the tenant's lease space. All such signs shall be placed at a uniform height on the center's façade.

EXHIBIT A

2. *Freestanding Signs.* The following standards shall apply to all freestanding signs.

A. Number:

1) Individual Nonresidential Uses and Multi-tenant Nonresidential Centers: A maximum of 1 freestanding sign is permitted per street frontage.

2) Gasoline Service Stations/Automotive Service and Repair Stations: In addition to 1 freestanding sign, these uses shall have a maximum of 5 accessory signs for other advertising permitted on a given property.

B. Area:

1) Individual Nonresidential Uses: A maximum sign area of 25 square feet per side shall be permitted.

2) Multi-tenant Nonresidential Centers: A maximum sign area of 50 square feet per side shall be permitted.

3) Gasoline Service Stations/Automotive Service and Repair Stations: A maximum sign area of 50 square feet per side shall be permitted.

C. Height: A maximum sign height of 15 feet shall be permitted.

D. Setback:

1) Individual Nonresidential Uses/Gasoline Service Stations/Automotive Service and Repair Stations: A minimum setback of 5 feet from the front property line shall be required.

2) Multi-tenant Nonresidential Centers: A minimum setback of 15 feet from the front property line shall be required.

3. *Menu Board Signs.*

A. Number: A maximum of 1 menu board sign per individual business shall be permitted.

B. Area: A maximum sign area of 5 square feet per side shall be permitted.

C. Height: A maximum sign height of 4 feet shall be permitted.

D. Placement: Signs shall be located outside of the public right-of-way.

4. *Electronic Changeable Face Signs.*

A. Number: An electronic changeable face sign shall only be permitted as part of a permitted freestanding sign, and shall not be permitted as a standalone sign. Such signs shall not be permitted as off-premises signs, including billboards.

EXHIBIT A

B. Distance: An electronic changeable face sign may not be located within 2,000 feet of another electronic changeable face sign.

C. Area: A maximum of 80% of the total sign area of a freestanding sign for an individual nonresidential use or 24 square feet, whichever is less.

D. Height: A maximum sign height of 6 feet shall be permitted.

E. Intensity:

1) No such sign shall be illuminated at an intensity of greater than 0.3 foot-candles above normal ambient conditions during the daytime, measured from the nearest point of any highway or public road.

2) All such signs shall be equipped with a dimmer control and a photo cell which shall constantly monitor ambient light conditions and adjust sign brightness accordingly.

F. Message Presentation:

1) The words, symbols or images must remain stationary for a minimum of 30 seconds before changing to any other words, symbols or images. Signs that display time and/or temperature only may change as time and/or temperature changes.

2) Transitions from one message display cycle to the next shall be instantaneous (within 1/10th of a second), and shall not include any blank-outs, scrolling, fading, streaming, zooming, flashing, or any other animated effect.

3) The sign shall contain a default mechanism that will freeze the sign in one position if a malfunction occurs.

G. Illumination: Any such sign shall not be illuminated between the hours of 9:00 pm and 6:00 am.

5. *Projecting Signs.*

A. Minimum Height: A minimum height of 10 feet above grade shall be required.

B. Maximum Projection: A maximum of 4 feet from the building wall provided that no sign shall project to a point nearer than 5 feet from the edge of the paved roadway.

C. Number: No more than one projecting sign shall be permitted per premises.

6. *Billboards.* Billboards, as defined in Part 2, are permitted subject to the standards contained in §27-1602.I.