

ARTICLE 6
SIGNS

601. **PURPOSES AND APPLICABILITY.**

- 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 unreasonably 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.
- B. Permit Required. A zoning permit shall be required for all signs except for: a) signs meeting the requirements of Section 603 and b) non-illuminated window signs. Only types, sizes and heights of signs that are specifically permitted by this Ordinance within the applicable District shall be allowed.
- 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 Ordinance provided that the changes do not increase the sign area or otherwise result in noncompliance or an increased non-conformity with this Ordinance.
- D. Nonconforming Signs.
 - 1. Signs legally existing at the time of enactment of this Ordinance and which do not conform to the requirements of the Ordinance shall be considered nonconforming signs.
 - 2. An existing lawful non-conforming sign that was lawful when it was initially placed may be replaced with a new sign, provided the new sign is not more nonconforming in any manner than the previous sign. A non-conforming sign shall not be expanded in a manner that does not conform to this Ordinance.
- E. Unlawful Signs. If a sign was placed without a required permit by the Township, and does not comply with this Ordinance, it shall not be considered lawful, and shall be required to be removed. See the enforcement notice requirements in Article 1.

602. **SIGN DEFINITIONS.**

- A. Sign Definitions. The following definitions shall also be used in determining whether signs meet the measurement and type requirements of this Article:
 - 1. Abandoned Sign. A sign which identifies something that is no longer a bona fide business, lessor, service, owner or product, or advertises an event or activity that is not longer occurring, and/or for which no legal owner can be found. This term shall also include a structural support for a sign if the sign has been removed.
 - 2. Awning. A non-illuminated sign painted on or attached to a fabric or vinyl cover on a rigid frame. All or part of the allowed wall sign area may be placed on an awning.
 - 3. Building Face. The vertical area of a particular side of a building, but not including the area of any slanted roof.
 - 4. Changeable Message Sign. A sign that is designed to vary from message to message by means of electronic lights, movable panels and/or movable letters.

5. Flag. Fabric, banner or bunting containing distinctive colors, patterns or symbols, including a flag that is a symbol of a nation or political subdivision or other entity.
 6. Freestanding Sign. A sign which is self-supporting upon the ground or which is primarily supported by poles attached to the ground and not primarily supported by a building.
 7. 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, when not accompanied by lettering, shall not be restricted by the sign heights of this Article when attached to a tower or spire of a place of worship.
 8. 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.
 9. Marquee Sign. A sign that is attached to a permanent overhang over a sidewalk that extends from the face of a building, and which meets the minimum clearance over a sidewalk established by the Construction Code. All or part of the allowed wall sign area may be placed on a marquee, provided any new marquee shall meet this Ordinance and the Construction Codes.
 10. Monument Sign. A type of freestanding sign which has a maximum total height of 8 feet and which has a solid bottom attached to the ground, as opposed to be supported by a pole.
 11. Non-conforming Sign. A sign which was lawful when it was installed, but which would not meet current sign regulations of this Ordinance.
 12. Off-Premise Sign. A sign which directs attention to an object, product, service, place, activity, person, institution, organization, or business that is primarily offered or located at a location other than the lot upon which the sign is located.
 13. On-Premises Sign. A sign that is not an off-premises sign, such as a sign that advertises a business or service offered on the premises.
 14. Political Sign. A sign that advertises a candidate for election or an opinion on a current political issue.
 15. Portable Sign. A sign that is not permanently affixed to the ground or to a building, and which is not listed by this Article as an allowed temporary sign, and which is attached to a chassis, wheels or legs that allows it to be towed or carried from one location to another.
 16. Projecting Sign. A sign that is attached to a building and that extends perpendicular from the building and which meets requirements of the Construction Code for secure construction and minimum clearance over a sidewalk, and which does not extend over a street.
 17. Real Estate Sign. A temporary sign advertising the availability of land or building space for sale, lease or auction.
 18. Sign. Any physical device for visual communication that is used for the purpose of attracting attention from the public and that is visible from beyond an exterior lot line, including all symbols, words, models, displays, banners, flags, devices or representations. This shall not include displays that only involve symbols that are clearly and entirely religious in nature, and which do not include advertising.
 19. Wall Sign. A sign primarily supported by or painted on a wall of a building. A Wall Sign may also be displayed upon an awning or canopy, provided other requirements of this Ordinance are met.
 20. 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.
603. **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.

Upper Milford Township Zoning Ordinance – Draft October 2009

TYPE AND DEFINITION OF SIGNS NOT REQUIRING PERMITS	MAX. NO. OF SIGNS PER LOT	MAX. SIGN AREA PER SIGN * ON RESIDENTIAL LOTS ** (sq. ft.)	MAX. SIGN AREA PER SIGN * ON NON-RESIDENTIAL LOTS (sq. ft.)	OTHER REQUIREMENTS
<u>Agricultural Sales or Christmas Tree Sign</u> - Advertises the seasonal sale of agricultural products or Christmas trees.	2	8	24	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 a legitimate tax-exempt nonprofit organization or charity.	2	4	40	Shall be placed a max. of 30 days prior to event and removed a max. of 7 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, or a bank or agency that is financing an on-site construction project.	1 per contractor	12	32 (Or one sign of 60 square feet maximum may be used if the sign is shared by multiple entities).	Shall only be permitted while such work is actively and clearly underway and a max. of 7 days afterward. Such signs shall not be placed on the lot for more than 1 year, unless a 1 year extension is granted by the Zoning Officer. 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 on, and that does not include advertising.	No max.	3, in addition to signs painted on pavement	3, in addition to signs painted on pavement	Directional signs within a residential development shall not be illuminated.
<u>Flag</u> - a pennant made of fabric or materials with a similar appearance that is hung in such a way to flow in the wind. See also “Special Sale Signs” below.	1	20	20	Flags of governments and flags that simply include colors or patterns are not regulated by this Ordinance.

Upper Milford Township Zoning Ordinance – Draft October 2009

TYPE AND DEFINITION OF SIGNS NOT REQUIRING PERMITS	MAX. NO. OF SIGNS PER LOT	MAX. SIGN AREA PER SIGN * ON RESIDENTIAL LOTS ** (sq. ft.)	MAX. SIGN AREA PER SIGN * ON NON-RESIDENTIAL LOTS (sq. ft.)	OTHER REQUIREMENTS
<u>Garage Sale Sign</u> - advertises an occasional garage sale/porch sale or auction.	2 per event	4 per sign	4 per sign	Such signs shall be posted not more than 3 days before the sale starts, and shall be removed within 1 day after the sale ends. No sign shall be posted for more than 6 days.
<u>Home Occupation Sign</u> - advertises a permitted home occupation.	1	1	2	Shall not be illuminated, except a sign of a medical doctor may be externally lit. Shall be setback a minimum of 10 feet from the street right-of-way, unless printed on a mailbox. May be freestanding, attached flat on a building wall or within a window.
<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 advertising.	1	1, except 2 for a principal non-residential use.	6	Maximum height of 8 feet.
<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 max. of 5 days before open house begins, and be removed max. of 24 hrs. after open house ends. Such sign shall not be posted more than 5 consecutive days.

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<p><u>Political Sign</u>- advertises a person or party seeking political office or a political cause or opinion on a referendum or matter of political concern and which relates to a scheduled election or matter of upcoming vote by a governmental body.</p> <p>Political signs shall not obstruct safe sight distances at intersections.</p>	Maximum of 2 sign faces per issue or candidate per street per lot	Maximum of 10 s.f. per issue or candidate per street frontage.	Maximum of 20 s.f. per issue or candidate per street frontage.	Shall be removed a max. of 5 days after an election, vote or referendum, if the sign pertains to such. Persons posting political signs shall maintain a written list of locations of such signs, unless posting signs on their own property. Political signs shall not be placed on private property without the prior consent of the owner. If a political sign does not meet these requirements, then it shall be regulated as an "off-premises sign."
<p><u>Public Services Sign</u>- advertises the availability of restrooms, telephone or other similar public convenience.</p>	No max.	2	2	
<p><u>Real Estate Sign</u>- advertises the availability of property on which the sign is located for sale, rent or lease.</p>	1 per street the lot abuts	12	30	Shall only be placed on the property while it is actively for sale, lease or rent, and shall be removed a max. of 7 days after settlement or start of lease.
<p><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.</p>	2	2	2	Maximum of 2 such signs per such organization or place of worship.

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<u>Special Sale Signs/Banners</u> - temporary banners or flags that advertise a special sales event at a lawful principal commercial business.	5 per lot	Not permitted	Total of 60 sq. ft. for all such banners, flags and other temporary signs.	Shall be displayed a maximum of 90 total days per year. Such signs shall not flash, be internally illuminated, nor obstruct safe sight distances.
<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 max.	2	4	

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

** For the purposes of this Section, a "Residential Lot" shall mean a lot occupied by a primarily residential use, or an undeveloped lot in a "residential district."

A. In addition, the following are not regulated by this Ordinance:

1. Historic Sign- memorializes an important historic place, event or person and that is specifically authorized by the Township or a County, State or Federal agency.
2. Holiday Decorations- commemorates a holiday recognized by the Township, County, State or Federal Government and that does not include advertising.
3. Not Readable Sign- not readable from any public street or any exterior lot line.
4. Official Sign- erected by the State, County, Township or other legally constituted governmental body, or specifically authorized by Township ordinance or resolution, and which exists for public purposes.
5. Required Sign- only includes information required to be posted outdoors by a government agency or the Township.
6. Right-of-Way Sign- posted within the existing right-of-way of a public street and officially authorized by the Township or PennDOT, including but not limited to decorative banners hung from street lights that are authorized by the Township.
7. Small Signs - Signs of one square feet or less of sign area that are displayed independently of other signs.

604. **FREESTANDING, WALL AND WINDOW SIGNS (On-Premises Signs).**

A. The following are the on-premises signs permitted on a lot within the specified districts and within the following regulations, in addition to "Exempt Signs" and "Temporary Signs" permitted in all districts by other provisions of this Article. See definitions of the types of signs in Section 602.

ZONING DISTRICT OR TYPE OF USE	TOTAL MAXIMUM HEIGHT OF FREE-STANDING SIGNS	TOTAL MAXIMUM AREA OF WALL SIGNS	TOTAL MAXIMUM AREA OF WINDOW SIGNS	TOTAL MAXIMUM AREA AND NUMBER OF FREESTANDING SIGNS
CON, R-A, AC and Residential Districts, with signs in this table limited to allowed principal non-residential uses, nursing homes and personal care centers. For home occupation signs, see Section 603.	8 feet	30 square feet on each side of a principal non-residential building or an allowed nursing home or personal care center.	May be used in place of a wall sign with the same restrictions	1 sign on each street the lot abuts, each with a maximum sign area of 16 sq. ft.
VC Village Commercial District.	8 feet	1 square foot of sign area for each linear foot of building length on the building side on which such signs are attached.	Temporary non-illuminated window signs are not regulated. Other window signs shall be considered wall signs.	1 sign per street that the lot abuts, each with a maximum area of 32 sq.ft. * Up to 10 square feet of this sign area may be used instead for a projecting sign. See also "Special Sale Signs/Banners" in Section 603.
C and I districts and any other district not listed above	20 feet.	2 square feet of sign area for each linear foot of building length on the building side on which such signs are attached.	Temporary non-illuminated window signs are not regulated. Other window signs shall be considered wall signs.	1 sign per street that the lot abuts, each with a maximum area of 40 sq.ft. * See also "Special Sale Signs/Banners" in Section 603.

* If a lot includes 2 or more distinct principal non-residential uses, the maximum freestanding sign area may be increased by 10 square feet for each principal non-residential use beyond the

first non-residential use. For example, in the C district, if a lot includes 3 such uses, the maximum freestanding sign area shall be 40 plus 20 equals 60 square feet.

- B. Maximum 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. However, sign may be attached to a “parapet roof” that vertically extends up to 10 feet above the structural roof, provided the parapet roof appears to be an architectural extension of the building.
- 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 Ordinance.
 2. Portable signs are prohibited in all districts, except as a temporary Charitable Event sign permitted by Section 603.
 3. Businesses are encouraged to provide an area on a permanent sign that displays changeable messages, as opposed to using a separate sign for such purpose.
- D. Signs on Freestanding Walls. A freestanding sign may be attached to a decorative masonry or stone wall with a maximum height of 6 feet and a maximum length of 12 feet, without being regulated by the wall setback regulations of this Ordinance and with the wall itself not counting towards the maximum sign area. Such walls may be placed in a yard, provided they do not obstruct safe sight distances.
605. PROHIBITED SIGNS. The following prohibitions on signs shall apply in all zoning districts:
- A. Any moving object used to attract attention to a commercial use is prohibited. However, certain flags and banners may be allowed as provided in Section 603.
 - B. Flashing, blinking, twinkling, animated, scrolling or moving signs of any type are prohibited. Signs may change their message from time to time provided that each message is visible for a minimum of 10 seconds, except as follows: a) time and temperature signs may change more frequently, and b) a sign with a sign area greater than 100 square feet shall not change its message more frequently than once every 30 seconds.
 1. 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 Christmas lighting or displays, within Section 603.
 - C. Signs which emit smoke, visible vapors or particles, sound or odor are prohibited.
 - D. Signs which contain information that states that a lot may be used for a purpose not permitted under this Ordinance are prohibited.
 - E. Signs that are of such form, shape or color that they resemble an 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") are prohibited.

- F. Signs or displays visible from a lot line that include words or images that are obscene or pornographic are prohibited.
- G. Balloons of greater than 50 cubic feet that are tethered to the ground or a structure for periods of over a day and that are primarily intended for advertising purposes are prohibited.
- H. Floodlights and outdoor lasers for advertising purposes are prohibited.
- I. Neon or argone lighting and similar types of gaseous internal illumination shall be prohibited, except within the C Commercial Zoning District.

606. OFF-PREMISE SIGNS (Including Billboards).

- A. Purposes. Off-premise signs are controlled by this Ordinance for the following purposes, to: ensure that a physical environment is maintained that is attractive to desirable types of development, especially light industrial and office parks; prevent visual pollution in the Township and protect property values, especially in consideration of the fact that most commercial areas of the Township 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 Township, including existing nonconforming off-premise signs, on-premise signs and temporary signs and printed and electronic media; carry out the purposes of Section 601.
- 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.
- C. PennDOT Sign. Signs erected and maintained by PennDOT are permitted by right in all Districts.
- D. Permitted Off-Premise Signs. Except for other types of signs that are specifically allowed by this Section to be off-premises, an off-premise sign is only permitted if it meet the following requirements:
 - 1. District. An off-premise sign is only permitted in the I 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 Total Sign Area on Each of 2 Sides. 300 square feet.
 - 4. Spacing. Any off-premise sign shall be separated by a minimum of 500 feet from any other off-premise sign with a sign area greater than 20 square feet, including signs on either side of a street and including existing signs in other municipalities. No lot shall include more than 1 off-premise sign, except as allowed in subsection 6 below.
 - 5. Maximum Height. 35 feet above the elevation of the adjacent street, measured at the street 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 of 300 square feet may have two sign faces of 300 square feet each provided the angle between the signs does not exceed 45 degrees.
 - 7. Control of Lighting and Glare. See standards in Section 514. Lights shall be directed so they do not shine into the eyes of motorists nor residents of homes. Lighting shall be directed downwards towards the sign area and shall be turned off between the hours of midnight and 6 am.

8. Setbacks. No off-premise sign greater than 20 square feet in sign area shall be located within 200 feet from any of the following: a) an existing dwelling or b) a residential district.
 9. Condition. The sign shall be maintained in a good and safe condition, particularly to avoid hazards in high winds. The area around the sign shall be kept free of debris. If the message of a sign is no longer intact, it shall be replaced with a solid color or a “for lease” sign.
- E. Additional Off-Premise Signs. Up to 2 off-premises signs may be placed if needed to direct motorists to a principal business use within Upper Milford Township that is not adjacent to an arterial road. Such signs shall only be posted with permission of the owner of the land upon which the signs will be placed. Each sign shall not exceed 4 square feet and shall not exceed 8 feet in height. Such signs shall only be placed in the R-A or AC districts if they are along an arterial or collector road or in the VC, VR, C or I districts. Such signs shall not be illuminated. Such signs may be increased to a total of 6 if they advertise a seasonal business (such as Christmas Tree Sales) and are visible for less than 90 days per year.
607. **GENERAL DESIGN, LOCATION AND CONSTRUCTION OF SIGNS.**
- A. Setbacks.
 1. No sign shall be located within 10 feet from an existing street right-of-way. However, if the closest edge of the sign will be placed a minimum of 25 feet from the centerline of a street, then no setback shall be required from the street right-of-way.
 2. A freestanding illuminated sign for a commercial or industrial business shall not be located within 5 feet from an abutting lot line of principal dwelling in a residential district.
 3. These setbacks shall not apply to Official Signs, Nameplate Signs, Public Service Signs and Directional Signs.
 - B. Sight Clearance. No sign shall be so located that it interferes with the sight clearance requirements of Section 403.
 - 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. A Major Development Sign may be located on one lot in a subdivision to advertise uses throughout the subdivision.
 - D. Permission of Owner. No sign shall be posted on any property or public utility pole, unless permission has been received by the owner of such land or pole.
 - E. Utility Poles. No sign shall be attached to a utility pole using metal fasteners, except by a utility or government agency.
 - F. Construction of Signs. Every permanent sign permitted in this section shall be constructed of durable materials and 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 dilapidated or unsafe sign within a specified period of time. If such order is not complied with, the Township may repair or remove such sign at the expense of such owner or lessee.
 - G. Wiring of Signs. Signs shall be prohibited that involve electrical cords laying across parking lots, driveways or sidewalks, except on a residential property for seasonal lighting.

- H. Banners and Overhanging Signs. The Board of Supervisors may approve the hanging of decorative banners within the street right-of-way and may approve a sign overhanging across a street to advertise a community event or festival
608. **VEHICLES FUNCTIONING AS SIGNS.** Any vehicle, trailer or structure to which a sign is affixed in such a manner that the carrying of such sign(s) no longer is incidental to the primary purpose of the vehicle, trailer or structure but instead becomes a primary purpose in itself shall be considered a freestanding sign and shall be subject to all of the requirements for freestanding signs in the district in which such vehicle, trailer or structure is located.
609. **ABANDONED OR OUTDATED SIGNS.** Signs advertising a use no longer in existence (other than a sign relating to a building that is clearly temporarily vacant and being offered to new tenants or for purchase) shall be removed within 180 days of the cessation of such use.
610. **MEASUREMENT OF SIGNS.**
- A. 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 structural supports that do not include a message.
 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 of sign shall be for each of two 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 regards to signs are maximum sizes.
611. **ILLUMINATION OF SIGNS.** See "Light and Glare Control" in Article 5.
612. **MAJOR RESIDENTIAL DEVELOPMENT SIGNS.**
- A. Residential Development Sign. If a subdivision or land development is approved to include over 15 dwelling units, then an additional sign shall be permitted up to 2 vehicle entrances to the project from exterior public streets. Such sign may have two sign faces on one structure, or one sign face on each structure on each side of the entrance.
1. Each such sign shall have a maximum sign area of 30 square feet. Such signs shall have a maximum total height of 6 feet. The sign may be attached to a stone or decorative masonry wall or fence constructed of weather-resistant wood or materials with a similar appearance. In such case, the wall or fence shall have a maximum total height of 6 feet and a maximum length of 12 feet.
- B. The applicant shall prove to the Zoning Officer that the signs will be of durable construction that requires little maintenance. Such sign shall not be illuminated. Attractive low-maintenance landscaping shall surround the sign.