

Chapter 19

Signs and Billboards

Part 1

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Part 1

Sign Regulations

§19-101. Intent and Purpose.

1. *Intent and Purpose.* Regulation of the location, size, placement and certain features of signs is necessary to enable the public to locate goods, services and facilities in the Ferguson Township area without difficulty and confusion, to encourage the general attractiveness of the community and to protect property values therein. Accordingly, it is the intent of this Part to establish regulations governing the display of signs which will:

A. Promote and protect the public health, safety, comfort, morals and convenience.

B. Enhance the economy and the business and industry of the area by promoting the reasonable, orderly and effective display of signs and thereby encourage communication with the public.

C. Restrict signs and lights which overload the public's capacity to receive information or which increase the probability of traffic congestion and accidents by distracting attention or obstructing vision.

D. Reduce conflict among signs and light and between public and private environmental information systems.

E. Promote signs which are compatible with their surroundings, are appropriate to the type of activity to which they pertain and are expressive of the identity of proprietors and other persons displaying signs.

2. *Interpretation.* In their interpretation and application, the provisions of this Part shall be held to be the minimum requirements necessary for the promotion and protection of public health, safety, comfort, morals and convenience.

3. *Conflicting Ordinances.* If any provision or requirement of this Part is found to be in conflict with any other provision or requirement of this Part or of any other applicable governmental law, ordinance, resolution, rule or other governmental regulation of any kind, the regulation which establishes the more restrictive rule or higher standard shall govern.

4. *Existing Agreements.* This Part shall not abrogate any private agreement; provided, that where the regulations of this Part are more restrictive or impose higher standards than such private agreements, the provisions and requirements of this Part are controlling.

(Ord. 867, 9/5/2006, §101)

§19-102. Definitions.

In the construction of this Part and any subsequent amendment, the rules and definitions contained in this Section shall be observed and applied except when the content clearly indicates otherwise:

A. Words used in the present tense shall include the future tense.

B. Words used in the plural number shall include the singular and plural number, and the plural number shall include the singular number.

C. The words “shall” and “will” are mandatory and are not discretionary.

D. The word “may” is permissive.

E. The word “lot” shall include the words “place” and “parcel.”

F. The word “building” shall include the word “structure” and shall include all improvements of every kind, regardless of similarity to buildings.

G. The phrase “used for” shall include the phrases “arranged for,” “designed for,” “intended for,” “maintained for” and “occupied for.”

H. The word “person” shall include the words “individual,” “corporation,” “governmental agency,” “trust,” “estate,” “partnership,” “association,” “venture,” “joint venture” or any other legal activity.

I. The masculine gender includes the feminine and neuter.

J. Words and terms shall have the meaning set forth, except where otherwise specifically indicated. Words and terms not defined herein shall be defined as in *Merriam Webster's Collegiate Dictionary*, 10th Edition, 1996:

Attraction board - a permanent sign on which the information is changed periodically and identifies special, unique, limited activities, services, products or sales of limited duration.

Automobile service station - a business at which State vehicle inspection, maintenance and repair of vehicle, sales of vehicle tires, batteries, accessories, and fuel are provided and are the principal source of revenue.

Awning - a structure made of cloth, metal or other material affixed to a building in such a manner that the structure may be raised or retracted to a position against the building.

Banner - a sign intended to be hung without a frame possessing characters, letters, illustrations or ornamentations applied to paper, plastic or fabric of any kind excluding flags, emblems and insignias of political, professional, religious, education or corporate organizations provided that such flags, emblems and insignia are displayed for noncommercial purposes.

Bed and breakfast sign - a sign, providing no advertising of any kind, which only identifies the name and address of the bed and breakfast.

Billboards and off-premises signs - a sign which directs attention to a business, commodity, service, entertainment or attraction sold, offered or existing elsewhere then upon the same lot where such sign is displayed. The term “off-premises sign” shall include an outdoor advertising sign (billboard) on which space is leased or rented by the owner thereof to others for the purpose of conveying a commercial or noncommercial message.

Building - a structure, including any part thereof, having a roof and used for shelter or enclosure of persons or property.

Business sign - a sign which directs attention to a business, profession, activity, commodity, service, produce price or entertainment conducted, sold or offered upon the premises where such sign is located or within the building to which such sign is affixed.

Canopy - a rigid structure other than an awning made of cloth, metal or other materials with frame affixed to a building and carried by a frame, which is generally supported by the ground.

Construction sign - a sign identifying individuals or companies involved in the design, construction, wrecking, financing or development when placed upon the premises where work is under construction, but only for the duration of construction or wrecking.

Convenience store - a retail business with a shopping area not exceeding 2,400 square feet offering paved, off-street, drive-in shopping 84 hours or more per week, selling a limited line of groceries, periodicals or other nondurable consumer goods excluding service meals or alcoholic beverages and that provides parking for between seven and 20 customer cars (exclusive of parking at any service island that may be on the lot).

Curb level - the level of the established curb in the front of a building or other structure measured at the center of such front. Where no curb elevation has been established, the mean elevation of the centerline of the street fronting and building structure shall be considered curb level.

Directional sign - a sign, providing no advertising of any kind, which provides direction or instruction to guide persons to facilities intended to serve the public including, but not limited to, those signs identifying restrooms, public telephones, public walkways, parking areas and other similar facilities. A logo may be part of a directional sign, but shall not exceed 25 percent of the gross sign area.

Directory sign - a sign which indicates the name and/or address of the occupant, the address of the premises and/or identification of any legal business or occupation which may exist at the premises.

External illumination - illumination of a sign which is affected by an artificial source of light which is not contained within the sign itself.

Flashing sign - an illuminated sign on which the artificial source of light is not maintained stationary or constant in intensity and color at all times when such sign is illuminated. For the purpose of this Part, any moving illuminated sign affected by intermittent lighting shall be deemed a flashing sign. The time and temperature portion of a sign does not constitute a flashing sign.

Grade - the average level of the finished surface of the ground adjacent to a sign or the exterior wall of the building to which a sign is affixed.

Gross surface area - the area of a sign face shall be computed by means of the smallest square, circle, rectangle or triangle which encompasses the extreme limits of characters, lettering, illustrations, logos, ornamentations or other figures, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed. Where the sign has two or more faces, the area of all faces shall be included in determining the gross surface area. Where the sign consists of individual letters or symbols attached to a building or wall, the area shall be considered to be that of the smallest square, circle, rectangle or triangle which encompasses all of the letters and

symbols. The gross surface area shall not include any supporting structures, framing, pole, covers or bracing which is incidental to the display/sign itself and does not bear any advertising copy.

Ground sign - a sign supported by structures or supports or upon the ground and not attached or dependent for support from any building.

Illuminated sign - a sign in which an artificial source of light is used in connection with the display of such sign.

Instructional sign - a sign, providing no advertising of any kind, which provides direction or instruction to guide persons to facilities intended to serve the public including, but not specifically limited to, those signs identifying restrooms, public telephones, public walkways, parking areas and other similar facilities.

Internal illumination - illumination of a sign which is affected by an artificial source of light, which is contained within the sign itself.

Item of information - a word, an abbreviation, a number, a symbol or a geometric shape contained in a sign. A sign which combines several different geometric shapes of unusual configuration is assessed one item of information for each noncontinuous plane.

Landscaped ground sign - a sign located on the ground which is constructed from plant or related natural landscaped material. This sign is not attached to or dependent upon any building for support. The sign area is defined as the best fitting geometric shape such as a square, rectangle, circle or triangle which defines the outside limits of the area which clearly spells the name of the business it is identifying.

Lot - a designated parcel, tract or area of land established by plot, subdivision or otherwise permitted by law to be used, developed or built upon as a single unit under single ownership or control.

Maintenance of sign - normal maintenance of a permanent sign includes cleaning, repairing and maintenance which does not change the size of the sign. May also include the replacement of landscape materials in a landscaped ground sign.

Marquee - a permanent roof-like structure extending from part of the wall of a building, but not supported by the ground, and constructed of durable material such as metal or glass.

Moving sign - a sign which revolves, rotates, swings, undulates or otherwise attracts attention through the movement of parts or through the impression of movement, including automatic, electrically controlled copy changes, but not including flags, banners or pennants.

Neon or other gas tube illumination - illumination affected by a light source consisting of a neon or other gas tube which is bent to form letters, symbols or other shapes.

Nonconforming sign - a sign which does not adhere to one or more of the provisions contained in this Part.

Office and industrial park sign - a sign, providing no advertising of any kind, which indicates the name of the park and/or the address or location of the

park.

Off-premises directional / directory sign - a sign providing no advertising of any kind, which provides direction or instruction to guide persons to businesses which do not have public street frontage.

Open sign - a sign in which the area exposed to wind is less than 50 percent of such sign's aggregate gross surface area.

Permanent sign - a permanent sign displayed in the Township of Ferguson on and after the effective date of this Part.

Political sign - a temporary sign identifying a political candidate, issue or party.

Portable sign - a sign not permanently affixed to the ground, a building or other structure which may be moved from place to place.

Principal building - the main or principal building located upon a single zoning lot; the building in which the principal use of the premises is conducted.

Projecting sign - a sign which is affixed to a building or wall and extends beyond the line of such building or wall or beyond the surface of that portion of the building or wall to which it is affixed by more than 16 inches.

Real estate sign - a sign which is used to offer for sale, lease or rent the premises upon which such sign is placed.

Real estate development sign - a sign listing the developer, the name of the development and a written or graphical listing of the lots for sale.

Residential development sign - a sign identifying the real estate development, project or area where the residences are owner occupied, rented or leased. If the name of the owner or developer of the real estate development, project or area appears on the sign, then it shall be deemed not to be a residential development sign.

Roof sign - a sign erected or maintained in whole or in part upon, against or directly above the parapet line or roof of the building.

Service island - a set of one or more fuel dispensing pumps arranged in proximity to each other as a raised, concrete island surrounded by paving.

Shopping center - a group of not less than 15 contiguous retail stores originally planned and developed as a single unit having a total ground floor building area of not less than 60,000 square feet with immediate automobile parking. A shopping center is described as a neighborhood, community or regional shopping center.

Sign - any device, fixture, placard or structure which uses any color, form, graphic, logo, illumination, symbol or writing which advertises, announces the purpose of or identifies the purpose of a product, service, place, activity, person, institution, business or solicitation to the public. Also included are any emblems, paintings, flags, banners, pennants or placards designed to advertise, identify or convey information and any permanently installed or situated merchandise.

Sign Officer - the Sign Officer of Ferguson Township.

Solid sign - a sign in which the area exposed to wind is 50 percent or more

of such sign's aggregate gross surface area.

Structure - any manmade object having an ascertainable, stationary location on or in land or water, whether or not affixed to land.

Temporary sign - a nonpermanent sign erected, affixed or maintained on a premises for a short, usually fixed, period of time.

Wall sign - a sign attached directly to an exterior wall of a building or dependent upon a building for support with the exposed face of the sign located on such exterior building wall to which the sign is attached or supported by.

Warning sign - a sign containing no advertising material, warning the public of the existing danger.

Window sign - a sign attached to, placed upon or painted on the interior of a window or door of a building which is intended for viewing from the exterior of such building.

Zoning Hearing Board - the Zoning Hearing Board of Ferguson Township.

Zoning lot - a designated parcel, tract or area of land established by plat, subdivision or otherwise permitted by law to be used, developed or built upon as a single unit under single ownership or control.

Zoning ordinance - the Zoning Ordinance of Ferguson Township [Chapter 27].

(Ord. 867, 9/5/2006, §102)

§19-103. General Provisions.

1. *Basis on Which Signs are Regulated.* The display of signs in the Township of Ferguson is hereby regulated on the basis of the following factors:

- A. The type of activity displaying the sign.
- B. The following four design features:
 - (1) The type of sign.
 - (2) The area of the sign.
 - (3) The height of the sign.
 - (4) The location of the sign.

2. In addition, certain signs and certain activities are regulated on the basis of additional factors, as set forth in this Part.

(Ord. 867, 9/5/2006, §103)

§19-104. Illumination.

All signs permitted by this Part may be illuminated; provided, that the provisions of this Section are strictly complied with:

A. *Electrical Permit.* In addition to complying with the provisions of this Part, all signs in which electrical wiring and connections are to be used shall be subject to the applicable provisions of the Electrical Code of the Township of Ferguson [Chapter 5, Part 2].

B. *Illumination of Buildings, Structures and Areas.*

(1) The use of unshielded lighting, including incandescent light bulbs hung or strung on poles, wires or any other type of support to illuminate buildings, structures, outdoor sales areas or outdoor storage areas is prohibited except:

(a) During the month of December for areas in which Christmas trees are offered for sale.

(b) On a temporary basis for areas in which carnivals, fairs or other similar activities are held.

(2) Illumination of awnings, canopies, marquees, walls or building trim is strictly prohibited. Buildings, walkways and parking areas may be illuminated to the extent that the lighting is for safety and security purposes.

Refer to the Ferguson Township Lighting Ordinance [Chapter 4, Part 1] for a more detailed description of lighting standards and requirements.

C. *Glare.* All signs shall be so designed, located, shielded and directed so as to prevent the casting of glare or direct light from artificial illumination upon adjacent publicly dedicated roadways and surrounding property.

D. *Illuminated Awnings, Canopies, Marquees and Walls Containing Signage.* If a sign is located on an exterior wall, awning, canopy or marquee, only the section which contains and is defined as the sign may be illuminated to the maximum permitted size of the sign.

(Ord. 867, 9/5/2006, §104)

§19-105. Construction Specifications.

All permanent signs permitted by this Part shall be constructed in accordance with the provisions of this Section. When applicable, a building permit shall be obtained for sign construction.

A. *Compliance with Applicable Codes.* In addition to complying with the provisions of this Part, all signs shall be constructed in accordance with the provisions of the International Building Code [Chapter 5, Part 1] and Electrical Code of the Township of Ferguson [Chapter 5, Part 2], latest adopted edition.

B. *Information to be Affixed on Signs.* All signs erected after the effective date of this Part shall have affixed in a conspicuous place thereon, the following information:

(1) The date of erection.

(2) The sign permit number.

C. *Auxiliary Specifications.* All signs permitted by this Part shall be constructed in accordance with the following provisions:

(1) *Obstruction to Exit.* No sign shall be erected, constructed or maintained so as to obstruct any fire escape, required exit, window, door opening or wall opening intended as a means of ingress or egress.

(2) *Obstruction of Ventilation.* No sign shall be erected, constructed or maintained so as to interfere with any opening required for ventilation.

(3) *Clearance from Electrical Power Lines and Communication Lines.* All signs shall be located in such a way that they maintain horizontal and vertical

clearance of all electrical power lines and communication lines in accordance with the applicable provisions of the National Electric Code [Chapter 5, Part 2]. However, in no instance shall a sign be erected or constructed within 8 feet of any electrical power line, conductor or service drop, or any communication line, conductor or service drop.

(4) *Clearance from Surface and Underground Facilities.* All signs and supporting structures shall maintain clearance and noninterference with all surface and underground facilities and conduits of water, sewage, gas, electricity or communications equipment or lines. In addition, the placement of all signs and their supporting structures shall not interfere with natural or artificial drainage or surface or underground water.

(5) *No Obstruction to Any Existing Warning or Instructional Sign.* No sign shall be erected, constructed or maintained so as to interfere with any existing warning or instructional sign.

D. *Wind Loads.* All signs, except those attached flat against the wall of a building, shall be constructed to withstand minimum wind loads as set forth in the International Building Codes.

(Ord. 867, 9/5/2006, §105)

§19-106. Prohibited Signs.

The following signs are hereby expressly prohibited for erection, construction, repair, alteration or relocation within the Township of Ferguson except as otherwise permitted in this Part:

A. *“A” Frame or Sandwich Board Signs.* “A” frame or sandwich board and sidewalk, or curb signs, except as a temporary sign as provided in §19-108 of this Part.

B. *Banners.* Banners, streamers, balloons and other gas-filled figures, except as a temporary sign, as provided in §19-108 of this Part.

C. *Moving and Flashing Signs.* Signs which flash, revolve, rotate, swing, undulate or otherwise attract attention through the movement or flashing of parts, including automatic, electronically controlled copy changes, or through the impression of movement, is either digital or analogue.

D. *Portable and Wheeled Signs.* Portable and wheeled signs, except as a temporary sign, as provided for in §19-108 of this Part.

E. *Projecting Signs.* Signs which are attached or otherwise affixed to a building and project more than 16 inches beyond the wall surface of such building to which the sign is attached or otherwise affixed thereto.

F. *Signs on Parked Vehicles.* Signs placed on or affixed to vehicles and/or trailers which are parked on a public right-of-way, public property or private property, so as to be visible from a public right-of-way where the apparent purpose is to advertise a product or direct people to a business or activity located on the same or nearby. This subsection does not apply to signs which are affixed to the side of self-propelled, licensed vehicles with no more than two axles where the vehicles are parked in the parking lot for the use the vehicle serves. A sign affixed to the side of a vehicle may not exceed the limits of the side of the vehicle that it is

affixed to.

G. *Signs on Trees.* Signs which are attached or otherwise affixed to trees or other living vegetation.

H. *Signs Which Imitate Traffic Control Devices.* Signs which imitate, interfere with, obstruct the view of or can be confused with any authorized traffic control sign, signal or other device.

I. *Signs on Utility Poles.* Signs which are attached to utility poles, street signs or other structures within the public right-of-way.

J. *Roof Signs.* Signs which are erected or maintained in whole or in part upon, against or directly above the parapet line or roof of the building.

(Ord. 867, 9/5/2006, §106)

§19-107. Exempt Signs.

The following signs are hereby exempt from the provisions of this Part, excepting for such instances where any sign listed herein is found to be unsafe or unlawful as provided for in other Sections of this Part:

A. *Awning, Canopy and Marquee Signs.* Signs, not exceeding an aggregate gross surface area of 4 square feet, indicating only the name of the activity conducted on the premises on which the sign is to be located and/or brief generic description of the business being conducted by the activity. Advertising material of any kind is strictly prohibited on signs affixed to awnings, canopies and marquees.

B. *Civic and Religious.* Civic and religious organization signs indicating the organization insignia, name, meeting place and time. Such signs shall not exceed 2 square feet for each exposed surface and 4 feet aggregate gross surface area. Such signs may include symbols, commemorative plaques for recognized historical agencies or identification emblems for religious orders or historical agencies.

C. *Directional or Instructional Signs.* Signs, not exceeding 4 feet in aggregate gross surface area, which provide direction or instruction to guide persons to facilities intended to serve the public providing that such signs contain no advertising of any kind. Such signs include those identifying restrooms, public telephones, public walkways, affiliation with motor clubs, acceptance of designated credit cards and other similar signs providing direction or instruction to persons using a facility, but not including those signs accessory to parking areas. Advertising material of any kind is strictly prohibited on directional and instructional signs.

D. *Educational Agricultural Event.* Signs erected for the limited time period of 2 weeks during a year in the AR District and on the grounds commonly used for the Agricultural Progress Days.

E. *Noncommercial Signs.* Flags, emblems and insignia of political, professional, religious, educational or fraternal organizations providing that such flags, emblems and insignia are displayed for noncommercial purposes.

F. *Governmental Signs.* Governmental signs for control of traffic and other regulatory purposes, street signs, warning signs, railroad crossing signs and signs of public service companies indicating danger and aids to services or safety which

are erected by, or at the order of, a public officer or employee in the performance of the officer's or employee's duties.

G. *Holiday Decorations.* Signs or other materials temporarily displayed on traditionally accepted civic, patriotic or religious holidays related to observance of the civic, patriotic or religious holiday.

H. *Interior Signs.* Signs which are fully located within the interior of any building or stadium, or within an enclosed lobby or court of any building and signs located within the inner or outer lobby court or entrance of any theater.

I. *Memorial Signs.* Memorial plaques or tablets, grave markers, statuary or other remembrances of persons or events that are noncommercial in nature.

J. *Name and Address Plates.* Signs, not exceeding 2 square feet in gross surface area for each exposed face nor exceeding an aggregate gross surface area of 4 square feet, indicating the name of the occupant, the address of the premises and identification of any legal business or operation which may exist at the premises.

K. *No Trespassing, No Hunting, No Fishing, No Dumping, No Parking, No Towing and Other Similar Signs.* No trespassing, no hunting, no fishing, no dumping, no parking, towing and other similar signs (as set forth in Title 75, Pa.C.S.A., the Pennsylvania Vehicle Code and its regulations, and as set forth in Title 18, Pa.C.S.A., the Pennsylvania Crimes Code and its regulations) not exceeding 2 square feet in gross surface area for each exposed face not exceeding an aggregate gross surface area of 4 square feet.

L. *Parking Lot Directional and Instructional Signs.*

(1) *Directional Signs.* Signs designating parking area entrances and exits limited to one sign for each entrance and/or exit and not exceeding 4 square feet in gross surface area for each exposed face. Parking lot directional signs shall not project higher than 5 feet in height, as measured from the established grade of the parking area to which such signs are accessory. These signs are limited to the name and logo of the business being directed to.

(2) *Instructional Signs.* Signs designating the conditions of use or identity of parking areas and not exceeding 8 square feet in gross surface area for each exposed face nor exceeding an aggregate gross surface area of 16 square feet. Parking lot instructional signs shall not project higher than ten feet for wall signs and 7 feet for ground signs, as measured from the established grade of the parking area(s) to which such signs are accessory.

M. *Patron Advertising Signs.* Signs erected on the perimeter of an organizational sponsored youth athletic field for the sole purpose of sponsoring or contributing to the organized youth athletic sport. Signs erected for this purpose shall be one sided with a maximum of 32 square feet of gross aggregate surface area. Sponsors advertising on score boards may not exceed 25 percent of the surface area of the score board.

N. *Plaques.* Plaques, nameplates or memorial signs, directly attached or affixed to the exterior walls of a building, not exceeding 4 square feet in aggregate gross surface area.

O. *Public Notices.* Official notices posted by public officers or employees in the

performance of the officer's or employee's duties.

P. *Public Signs.* Signs required by governmental bodies or specifically authorized for a public purpose by any law, statute or ordinance. Such public signs may be on any type, number, area, height, location or illumination as required by law, statute or ordinance.

Q. *Seed Signs.* Signs erected to indicate the type of seed planted in the RA District, such signs are not to exceed 2 square feet for each exposed surface area nor 4 square feet in gross surface area.

R. *Signs on Vehicles.* Signs placed on or affixed to the side of vehicles and/or trailers where the sign is incidental to the primary use of the vehicle or trailer. However, this is not in any way intended to permit signs placed on or affixed to vehicles and/or trailers which are parked on a public right-of-way, public property or private property so as to be visible from a public right-of-way where the apparent purpose is to advertise a product or direct people to a business or activity located on the same or nearby property with the exception of self-propelled, licensed vehicles with no more than two axles where the vehicles are parked in the parking lot for the use which the vehicles serves. A sign affixed to the side of a vehicle may not exceed the limits of the side of the vehicle that it is affixed to.

S. *Temporary Political Signs.* Signs announcing political candidates seeking office, political parties and/or political and public issues contained on a ballot shall be subject to the following:

(1) *Private Property.* There shall be not more than one temporary political sign for each elected office per each 1,000 linear feet of road frontage on a zoning lot.

(2) *Public Right-of-Way.* There shall be no political signs displayed or erected in the public right-of-way.

(3) On private property, temporary political signs shall not exceed an aggregate gross surface area of 20 square feet.

T. *Vending Machine Signs.* Permanent, non-flashing signs on vending machines, gasoline pumps, ice or milk containers or other similar machines indicating only the contents of such devices, the pricing of the contents contained within, directional or instructional information as to use, and other similar information not exceeding 4 square feet in gross surface area for each exposed face not exceeding an aggregate gross surface area of 8 square feet on each machine.

U. *Warning Signs.* Signs warning the public of the existence of danger, but containing no advertising material; to be removed within 3 days upon subsidence of danger. Such warning signs may be of any type, number, area, height, location or illumination as deemed necessary to warn the public of the existence of danger.

V. *Farm Identification Sign.* Signs which do not exceed 20 square feet of gross surface area per sign face or 40 square feet total, identifying the name and address of the farm only and does not provide advertising of any kind.

W. *Development Review Notice Sign.* A sign which is posted on a property to notify the public of a pending subdivision, land development, site plan or PRD development or final plan. This sign shall be 30 inches wide, 48 inches high and shall have the following wording in 3 and 4 inch lettering: DEVELOPMENT

PROPOSAL UNDER REVIEW, (TOWNSHIP LOGO) FERGUSON TOWNSHIP, CALL 238-4651 (see §27-903 of the Township Zoning Ordinance for specifications). The sign shall be made of aluminum with white reflective sheeting and the lettering and the logo shall be royal blue. The sign must be posted within 10 days of filing a plan with the Township and shall be removed within 7 days after receiving conditional approval from the Board of Supervisors.

X. *Tourist Oriented Directional (TOD) Sign.* An official sign that is located within the right-of-way of a State highway that indicates the name of an attraction and gives directional guidance to the same. A TOD sign may not exceed 5 square feet in gross surface area and must be permitted by PennDOT in conformance with PennDOT's Tourist Oriented Directional Signing Policy.

(Ord. 867, 9/5/2006, §107)

§19-108. Temporary Signs.

Temporary signs may be erected and maintained in accordance with the provisions contained in this Section:

A. *General Conditions.*

(1) *Permit Required.* No person shall erect, construct, repair, alter or relocate within Ferguson Township any temporary sign, except real estate, temporary political, temporary construction, temporary agricultural, auction or garage/yard sale signs without first obtaining a permit from the Sign Officer as provided for in §19-112 of this Part.

(2) *Materials and Methods.* The Sign Officer may impose as a condition of the issuance of a permit for temporary signs such requirements as to the material, manner of construction and method of erection of a sign as are reasonably necessary to assure the health, safety, welfare and convenience of the public.

(3) *Illumination.* Temporary signs may be illuminated, subject to §19-104.

(4) *Sign Types.* Temporary signs shall be limited to non-projecting wall signs, attached ground signs or portable and wheeled signs defined herein.

B. *Temporary Business Signs.* Temporary business signs identifying a special, unique or limited activity, service, product or sale of limited duration shall be subject to the following:

(1) *Number.* There shall be not more than two permits for temporary business signs issued for the same premises within 1 calendar year. Each temporary business sign permit may be erected and maintained for a period not to exceed 30 days and shall be removed within 3 days of the termination of the activity, service, project or sale. Or, alternatively, a temporary business sign permit may be applied for a maximum of five times during 1 calendar year for the same premises; each permit shall be issued for a maximum of 7 days. It is expressly stated that temporary business sign permits shall be issued under one method or the alternative and that the methods may not be used jointly or in combination during any one calendar year.

(2) *Area.*

(a) *Residential Areas.* In residential areas, temporary business signs

shall not exceed 2 square feet in gross surface area for each exposed face not to exceed an aggregate gross surface area of 4 square feet.

(b) *Nonresidential Areas.* In nonresidential areas, temporary business signs shall not exceed 32 square feet in gross surface area for each exposed face nor exceed an aggregate gross surface area of 64 square feet.

(3) *Location.* Temporary business signs shall be located only upon the zoning lot upon which the special, unique or limited activity, service, product or sale is to occur. Such signs may be located in any required yard setback, but shall not extend over any lot line or within 15 feet of any point of vehicular access from a zoning lot to a public roadway, provided the sign does not violate §27-206.F of the Ferguson Township Zoning Ordinance.

(4) *Height.*

(a) *Residential Areas.* In residential areas, temporary business signs shall not project higher than 7 feet as measured from grade level directly below the face of the sign or grade of the nearest adjacent roadway, whichever is higher.

(b) *Nonresidential Areas.* In nonresidential areas, temporary business signs shall not project higher than 15 feet as measured from grade level directly below the face of the sign or grade of the nearest adjacent roadway, whichever is higher.

C. *Temporary Construction Signs.* Temporary construction signs identifying the parties involved in the construction to occur or occurring on the premises on which the sign is located shall be subject to the following:

(1) *Number.* There shall not be more than one temporary, construction sign for each project or development, except that where a project or development abuts two or more streets, additional such signs, one oriented to each abutting street, shall be permitted.

(2) *Area.*

(a) *Residential Areas.* In residential areas, temporary construction signs shall not exceed 16 square feet in gross surface area for each exposed face, not exceeding an aggregate gross area of 32 square feet.

(b) *Nonresidential Areas.* In nonresidential areas, temporary construction signs shall not exceed 32 square feet in gross surface area for each exposed face, not exceeding an aggregate gross surface of 64 square feet.

(3) *Location.* Temporary construction signs shall be located only upon the premises upon which construction either is about to occur or is occurring. Such signs may be located in any required yard setback, but shall not extend over any lot line or within 15 feet of any point of vehicular access from a zoning lot to a public roadway; provided the sign does not violate §27-206.F of the Ferguson Township Zoning Ordinance.

(4) *Height.* Temporary construction signs shall not project higher than 15 feet, as measured from grade level directly below the face of the sign or grade of the nearest adjacent roadway, whichever is higher.

(5) *Special Conditions.* Temporary construction signs shall be permitted

only as accessory to an approved building permit for a project or development. Temporary construction signs may be erected and maintained for a period not earlier than 60 days prior to the commencement of construction of the project or development and must be removed prior to an occupancy permit being issued or if no occupancy permit is required, the sign shall be removed upon project completion.

D. *Temporary Event Signs.* Temporary event signs announcing a campaign, drive, activity or event for commercial purposes shall be subject to the following:

(1) *Number, Area, Height and Location.* The permitted number, area, height, location and construction method of temporary event signs shall be determined by the Sign Officer with consideration given to the public intended purpose. In any event, no sign may exceed 16 square feet for each exposed surface or 32 square feet in gross surface area. Any temporary event sign shall not be permitted to extend over or onto a public right-of-way.

(2) *Special Conditions.*

(a) *Timing.* Temporary event signs may be erected and maintained for a period not to exceed 30 days prior to the date of which the campaign, drive, activity or event advertised is scheduled to occur and shall be removed within 3 days of the termination of such campaign, drive, activity or event.

(b) *Limit on Number of Permits.* No more than two permits for temporary event signs shall be issued for the same premises within 1 calendar year.

F. *Temporary Real Estate Signs.* Temporary real estate signs advertising the sale, lease or rent of the premises upon which such sign is located shall be subject to the following:

(1) *Number.* There shall be not more than one temporary real estate sign for each zoning lot except that where a lot abuts two or more streets, additional signs, one oriented to each abutting street, shall be permitted.

(2) *Area.*

(a) *Residential Areas.* In all residential areas, temporary real estate signs shall not exceed 6 square feet in gross surface area per sign face or 12 square feet total.

(b) *Nonresidential Areas.* In nonresidential areas, there may be one temporary real estate sign for the entire subdivision which shall not exceed 32 square feet in gross surface area for each exposed face, nor exceed an aggregate gross area of 64 square feet; or there may be one temporary real estate sign for each lot in the subdivision which shall not exceed 6 square feet in gross surface area.

(3) *Location.* Temporary real estate signs shall be located only upon the premises for sale, lease or rent. Such signs may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from zoning lot to a public roadway.

(4) *Height.* Temporary real estate signs shall not project higher than 15 feet as measured from grade level directly below the face of the sign or grade

of the nearest adjacent roadway, whichever is higher.

(5) *Special Conditions.* Temporary real estate signs shall be removed within 7 days of the sale or lease of the premises upon which the sign is located.

G. *Temporary Yard or Garage Sale Signs.* Temporary auction or garage/ yard sale signs advertising the sale of items and the sales location shall be subject to the following:

(1) *Number.* There shall not be more than 10 temporary auction or garage/yard sale signs for each location of a sale.

(2) *Area.* In all zoning districts, no temporary auction or garage/yard sale sign shall exceed 4 square feet in size.

(3) *Location.* Temporary auction or garage/yard sale signs may not be located within the street or road right-of-way. No sign may be placed on a utility or municipality owned pole or structure. Any temporary auction or garage/yard sale sign shall be self-supported and shall not create a public hazard.

(4) *Height.* Temporary auction or garage/yard sale signs shall not exceed 30 inches as measured from grade level directly below the face of the sign or grade of the nearest adjacent roadway, whichever is higher.

(5) *Special Conditions.*

(a) *Timing.* Temporary auction garage/yard sale signs may be erected no sooner than 7 days before the sale and must be removed no later than 3 days after the sale. No temporary auction or garage/yard sale sign shall remain erected longer than 10 days.

H. *Temporary Agricultural Signs.* Temporary agricultural signs identifying the sale of agricultural products grown and produced on the premises upon which this sign is located shall be subject to the following:

(1) *Number.* There shall not be more than four agricultural signs per premises.

(2) *Area.* Gross surface area shall not exceed 5 square feet for each exposed surface area nor an aggregate gross surface area of 10 square feet per sign.

(3) *Location.* A sign may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from a zoning lot to a public roadway.

(4) *Height.* A sign may not project higher than 10 feet as measured from grade level directly below the face of the sign or grade of the nearest adjacent roadway, whichever is higher.

(5) *Type.* Signs shall be limited to signs and ground signs.

(6) *Timing.* Signs may be erected fourteen days before the beginning of the sale of the product and must be removed within 7 days after the sale of the product. Duration of the sign shall not exceed 90 days.

I. *Real Estate Development Sign.* Real estate development signs listing the developer, the name of the development and a written or graphical listing of the

lots for sale shall be subject to the following requirements:

(1) *Number.* There shall not be more than one real estate development sign for each point of vehicular access to a development.

(2) *Area.* The real estate development sign shall not exceed 32 square feet of surface area per sign face.

(3) *Location.* Real estate development signs may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from a zoning lot to a public roadway.

(4) *Height.* Real estate development signs shall not project higher than 10 feet, as measured from grade level directly below the face of the sign or grade of the nearest adjacent roadway, whichever is higher.

(5) *Special Conditions.* Real estate development signs are permitted to be placed on the property upon the recording of the final approved plan. The real estate development sign must be removed upon the issuance of zoning permits for 90 percent of the units.

(Ord. 867, 9/5/2006, §108)

§19-109. Residential Use.

For all residential uses, only the following signs are hereby permitted and then only accessory and incidental to a permitted or special use:

A. *Building Name and Address Signs.* Name and address signs of buildings containing six or more residential units indicating only the name of the building, the name of the development in which it is located, the management thereof and/or address of the premises shall be subject to the following:

(1) *Type.* Building name and address signs may be either wall signs or ground signs.

(2) *Number.* There shall not be more than one name and address sign for each building except that where a building abuts two or more streets, additional such signs, one oriented to each abutting street, shall be permitted.

(3) *Area.* Building name and address signs shall not exceed 4 square feet in gross surface area for exposed face, nor exceed an aggregate gross surface of 8 feet.

(4) *Location.* Building name and address signs shall not be located closer than one-half the minimum setback required for the zoning district in which the sign is to be erected or within 15 feet of any point of vehicular access from zoning lot to a public roadway, whichever is greater. The location and arrangement of all building name and address signs shall be subject to the review and approval of the Sign Officer.

(5) *Height.* Building name and address signs shall not project higher than 15 feet for wall signs and 7 feet for ground signs as measured from base of sign or building to which the sign is to be affixed or grade of the nearest adjacent roadway, whichever is higher.

B. *Residential Development Signs.* Residential development signs indicating only the name of the development and/or the address or location of the development

shall be subject to the following:

(1) *Type*. The residential development signs shall be ground signs.

(2) *Number*. There shall not be more than two residential development signs for each point of vehicular access to a development.

(3) *Area*. Residential development signs shall not exceed 20 square feet of surface area per sign face. The total aggregate surface area shall not exceed 40 square feet for each point of vehicular access to a development.

(4) *Location*. Residential development signs may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from a zoning lot to a public roadway. The location and arrangement of all residential development signs shall be subject to the review and approval of the Sign Officer.

(5) *Height*. Residential development signs shall not project higher than 7 feet as measured from the base of the sign or grade of the nearest adjacent roadway, whichever is higher.

C. *Bed and Breakfast Signs*. Signs which indicate the name and address of a bed and breakfast that is not defined as a home occupation shall be subject to the following:

(1) *Type*. The bed and breakfast sign shall be a ground sign.

(2) *Number*. There shall not be more than one bed and breakfast sign per lot.

(3) *Area*. The bed and breakfast sign shall not exceed 10 square feet or surface area per sign face or 20 square feet gross aggregate sign area.

(4) *Location*. The bed and breakfast sign may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from a zoning lot to a public roadway. The location of all bed and breakfast signs shall be subject to the review and approval of the Sign Officer.

(5) *Height*. Bed and breakfast signs shall not project higher than 5 feet as measured from grade level directly below the face of the sign or grade of the nearest adjacent roadway, whichever is higher.

C. *Exempt Signs*. Exempt signs as specified in §19-107 of this Part.

D. *Temporary Signs*. Temporary signs as specified in §19-108 of this Part.

(Ord. 867, 9/5/2006, §109)

§19-110. Commercial Uses.

For all commercial uses, only the following signs are hereby permitted and then only if accessory and incidental to a permitted or special use:

A. *Commercial Use Signs*. Commercial use signs, other than those subject to special conditions in later subsections of this Section, shall be subject to the following:

(1) *Wall Signs*.

(a) *Number*. There shall not be more than one wall sign for each

principal building except that where the building abuts two or more streets, additional such signs, one oriented to each abutting street, shall be permitted.

(b) *Area.* The gross surface area of a wall sign shall not exceed 10 percent of the area of the building wall, including doors, windows, to which the sign is to be affixed or 64 square feet, whichever is smaller. The gross surface area of a wall sign may be increased by 20 percent, except that the gross surface of the sign shall not exceed 64 square feet, if such wall sign:

- 1) Consists only of individual, outlined alphabetic, numeric and/or characters without background, except that provided by the building surface to which the sign is to be affixed.
- 2) If illuminated, such illumination is achieved through shielded spot lighting, but not any lighting where the light source is visible or exposed on the face or sides of the characters.

(c) *Location.* A wall sign may be located on the outermost wall on any principal building, but shall not project more than 16 inches from the wall to which the sign is to be affixed. The location and arrangement of all wall signs shall be subject to the review and approval of the Sign Officer.

(d) *Height.* A wall sign shall not project higher than the parapet line of the wall to which the sign is to be affixed or 20 feet as measured from the base of the building wall which the sign is to be affixed, whichever is lower.

(e) *Special Conditions.* Where a principal building is devoted to two or more permitted uses, the following chart shall determine the size of the sign permitted per business:

No. of Businesses In Building	Max S.F. Permitted Per Business	No. of Businesses in Building	Max S.F. Permitted Per Business
1	64	8	10
2	32	9	8
3	24	10	8
4	20	11	7
5	16	12	6
6	13	13	6
7	11	14	5

In this case, where there are two or more permitted uses within a building, it shall be the responsibility of the building owner to apply for and sign for the sign permit.

(2) *Ground Signs.*

(a) *Number.* There shall not be more than one ground sign for each lot.

(b) *Area.* The gross surface area of a ground sign shall not exceed 32

square feet for each exposed face, nor exceed an aggregate gross surface area of 64 square feet.

(c) *Location.* A ground sign may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from a zoning lot to a public roadway.

(d) *Height.* A ground sign shall not project higher than 25 feet, as measured from grade level directly below the face of the sign or grade of the nearest adjacent roadway, whichever is lower, except in the Corridor Overlay District when the height shall be controlled by the Corridor Overlay Ordinance.

(3) *Awning, Canopy and Marquee Signs.*

(a) *Number.* There shall not be more than one awning, canopy or marquee sign exceeding an aggregate gross surface area of four square feet for each principal building. Awning, canopy and marquee signs which are 4 square feet or less in aggregate gross surface area are exempt from the provisions of this Part, as specified in §19-107.A.

(b) *Area.* The gross surface area of an awning, canopy or marquee sign shall not exceed 24 square feet, or not more than 50 percent of the gross surface area of the smallest face of the awning, canopy or marquee to which such sign is affixed.

(c) *Height.* Any awning, canopy or marquee sign shall not project higher than the top of the awning, canopy or marquee to which such sign is to be affixed.

(4) *Attraction Boards.*

(a) *Type.* Attraction boards shall be attached to the main ground sign.

(b) *Number.* Each lot with a retail/wholesale commercial use (except automobile dealerships and automobile service stations) may erect a single attraction board identifying special, unique, limited activities, services, products or sale of limited duration occurring on the retail/wholesale commercial lot or where the attraction board is to be located.

(c) *Area.* The gross surface area of a retail/wholesale commercial lot attraction board shall not exceed 10 square feet in gross surface area for each exposed face, nor exceed 20 square feet in aggregate gross surface area.

(d) *Location.* A retail/wholesale commercial premise attraction board may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from any zoning lot to a public roadway.

(5) *Height.* If the attraction board is separated from the main ground pole sign, the attraction board may not project higher than 15 feet as measured from grade level directly below the base of the sign or grade of the nearest adjacent roadway, whichever is higher. If the attraction board is separated from the main ground sign, it shall be separated by a minimum of 12 inches from the main ground pole sign.

(5) *Billboards and Off-Premises Signs.*

(a) *Number.* One billboard or off-premises sign may be erected, constructed or maintained on any premises in a General Commercial Zoning District if a special exception is granted by the Zoning Hearing Board. Any special exception granted shall meet the following criteria and be required to adhere to the following regulations.

(b) *Area.* An off-premises sign or billboard shall not exceed 300 square feet in surface area, and each such sign shall have only one exposed face.

(c) *Spacing.* An off-premises sign or billboard shall not be closer than 1,000 feet to another off-premises sign or billboard along the same side of any street or highway.

(d) *Spacing at Intersections.* An off-premises sign or billboard shall not be located within 150 feet of any street intersection.

(e) *Location.* An off-premises sign or billboard shall only be permitted in the General Commercial Zoning District only on lots which do not have a ground sign. The sign shall be located in accordance with the yard setbacks for structures in the General Commercial Zoning District. If a billboard is erected, no ground sign will be permitted.

(f) *Height.* An off-premises sign or billboard shall not project higher than 22 feet, as measured from grade level directly below the face of the sign or grade of the nearest adjacent roadway, whichever is lower.

(g) *Site Plan.* An application for an off-premises sign or billboard shall be accompanied by a site plan and contain all the applicable requirements as set forth in §27-903 of the Zoning Ordinance, as amended [Chapter 27].

(h) *Engineering Certification.* Any applications for an off-premises sign or billboard shall be accompanied by certification under seal by a professional engineer that the existence of the off-premises sign or billboard, as proposed, shall not present a safety hazard.

B. *Shopping Center Signs.* Shopping center signs shall be subject to the following:

(1) *Wall Signs.*

(a) *Number.* There shall not be more than one wall sign for each principal tenant or use contained in a shopping center except that where a tenant or use abuts two or more streets, additional such signs, one oriented to each abutting street, shall be permitted.

(b) *Area.* The gross surface area of a wall sign shall not exceed 10 percent of the tenant's or user's proportionate share of the building wall to which the sign is to be affixed or 64 square feet, whichever is smaller.

(c) *Location.* A wall sign may be located on the outermost wall of any principal building, but shall not project more than 16 inches from the wall to which the sign is to be affixed.

(d) *Height.* A wall sign shall not project higher than the parapet line

of the wall to which the sign is to be affixed or 20 feet as measured from the base of the building wall to which the sign is to be affixed, whichever is lower.

(2) *Ground Signs.*

(a) *Number.* There shall not be more than one ground sign for each shopping center.

(b) *Area.* The gross surface area of a ground sign shall not exceed a maximum of 1 square foot of gross aggregate surface area for each 1½ linear foot of front footage of the lot not to exceed 100 square feet per sign face nor exceed 200 square feet of gross aggregate surface area.

(c) *Location.* A ground sign may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from a zoning lot to a public roadway.

(d) *Height.* A ground sign shall not project higher than 25 feet as measured from grade level directly below the base of the sign or grade of the nearest adjacent roadway, whichever is lower. If the lot is located in the Corridor Overlay District, the height shall be controlled by the Corridor Overlay Ordinance and the regulations of the underlying zone.

(e) *Directory Signs.* Each shopping center ground sign may include affixed directly to it a directory indicating only the names of the tenants of the shopping center in which the sign is to be located. The gross surface area of a directory shall not exceed 10 square feet for each exposed face, nor exceed an aggregate gross surface area of 20 square feet for each tenant located in the shopping center in which the sign is to be located.

(3) *Awning, Canopy and Marquee Signs.*

(a) *Number.* There shall not be more than one awning, canopy or marquee sign exceeding an aggregate gross surface area of 24 square feet for each principal building. Awning, canopy and marquee signs which are 4 square feet or less in aggregate gross surface area are exempt from the provisions of this Part as specified in §19-107.A.

(b) *Area.* The gross surface area of an awning, canopy or marquee sign shall not exceed 24 square feet, but limited to not more than 50 percent of the gross surface area of the smallest face of the awning, canopy or marquee to which such sign is to be affixed.

(c) *Height.* An awning, canopy or marquee sign shall not project higher than the top of the awning, canopy or marquee to which such sign is to be affixed.

(4) *Attraction Board.*

(a) *Type.* Shopping center attraction boards shall be ground signs.

(b) *Number.* Each shopping center may erect a single attraction board identifying special, unique, limited activities, services, products or sale of a limited duration occurring within the shopping center in which the attraction board is to be located.

(c) *Area.* The gross surface area of a shopping center attraction board

shall not exceed 50 square feet in gross surface area for each exposed face, nor exceed an aggregate gross surface area of 100 square feet.

(d) *Location.* A shopping center attraction board may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from any zoning lot to a public roadway.

(e) *Height.* If the sign is separate from the main ground pole sign, a shopping center attraction board shall not project higher than 15 feet as measured from grade level directly below the face of the sign or grade of the nearest adjacent roadway, whichever is higher. If the attraction board is part of and mounted on the main ground pole sign, the attraction sign shall be separated by a minimum of 12 inches from the main shopping center sign. If the lot is located in the Corridor Overlay District, the height shall be controlled by the Corridor Overlay Ordinance and the regulations of the underlying zone.

C. *Automobile Service Station Signs.* Automobile service station signs shall be subject to the following:

(1) *Wall Signs.*

(a) *Number.* There shall not be more than one wall sign for each principal building except that where the building abuts two or more streets, additional such signs, one oriented to each abutting street, shall be permitted.

(b) *Area.* The gross surface area of a wall sign shall not exceed 10 percent of the area of the building wall to which it is to be affixed or 64 square feet, whichever is smaller. The gross surface area of a wall sign may be increased by 20 percent, except that the gross surface area of the sign shall not exceed 64 square feet, if such wall sign:

1) Consists only of individual, outlined alphabetic, numeric and/or symbolic characters without background except that provided by the building surface to which the sign is to be affixed.

2) If illuminated, such illumination is achieved through shielded illumination, shielded silhouette lighting or shielded spot lighting, but not any lighting where the light source is visible or exposed on the face or sides of the characters.

3) *Location.* A wall sign may be located on the outermost wall of any principal building, but shall not project more than 16 inches from the wall to which the sign is to be affixed.

4) *Height.* A wall sign shall not project higher than a parapet line of the wall to which the sign is to be affixed or 20 feet as measured from the base of the building wall to which the sign is to be affixed, whichever is lower.

(2) *Ground Signs.*

(a) *Number.* There shall not be more than one ground sign for each lot.

(b) *Area.* The gross surface area of a ground sign shall not exceed 32 square feet for each exposed face, nor exceed an aggregate gross surface

area of 64 square feet.

(c) *Location.* A ground sign may be located in any required yard but shall not extend over any lot line or within 15 feet of any point of vehicular access from a zoning lot to a public roadway.

(d) *Height.* A ground sign shall not project higher than 25 feet, as measured from grade level directly below the face of the sign or grade of the nearest adjacent roadway, whichever is lower, except in the Corridor Overlay District when the height shall be controlled by the Corridor Overlay District and the regulations of the underlying zone.

(3) *Awning, Canopy and Marquee Signs.*

(a) *Number.* There shall not be more than one awning, canopy or marquee sign exceeding an aggregate gross surface area of 4 square feet for each principal building. Awning, canopy and marquee signs which are 4 square feet or less in aggregate gross surface area are exempt from the provisions of this Part, as specified in §19-107.

(b) *Area.* The gross surface area of an awning, canopy or marquee sign shall not exceed 24 square feet, but limited to not more than 50 percent of the gross surface area of the smallest face of the awning, canopy or marquee to which such sign is to be affixed.

(c) *Height.* An awning, canopy or marquee sign shall not project higher than the top of the awning, canopy or marquee to which such sign is to be affixed or 20 feet as measured from the base of the building wall to which the awning, canopy or marquee is to be affixed, whichever is lower.

(4) *Service Bay Identification Signs.* Service bay identification signs providing direction or instruction to:

(a) *Type.* All service bay identification signs shall be wall signs.

(b) *Number.* There shall not be more than one service bay identification sign for each service bay located on the premises.

(c) *Area.* The gross surface area of a service bay identification sign shall not exceed 10 square feet.

(d) *Location.* A service bay identification sign may be located on the outermost wall of any principal building adjacent to a service bay entrance, but shall not project more than 16 inches from the wall to which the sign is to be affixed.

(e) *Height.* A service bay identification sign shall not project higher than a parapet line of a wall to which the sign is to be affixed or 20 feet as measured from the base of the building wall to which the sign is to be affixed, whichever is lower.

(5) *Service Island Identification Signs.* Service island identification signs indicating the type of service offered, the price of gasoline and other relevant information or direction to persons using the facility, but containing no advertising material of any kind, shall be subject to the following:

(a) *Type.* Service island identification signs may be either wall signs

or ground signs.

(b) *Number.* There shall not be more than one service island or identification sign for each service or pump island on the premises.

(c) *Location.* Service island identification signs may be located on the outermost wall of any principal building, on the pumps or within the area of a service island.

(d) *Area.* The gross surface of a service island identification sign shall not exceed 6 square feet for each exposed face, nor exceed an aggregate gross surface of 12 square feet.

(e) *Height.* A service island identification sign shall not project higher than 15 feet, as measured from grade level directly below the face of the sign or building to which the sign is to be affixed or grade of the nearest adjacent roadway, whichever is lower.

D. *Convenience Store Signs.* Convenience store signs shall be subject to the following: (1) A convenience store will be regulated by paragraph .A, except that each convenience store with one or more service islands shall be regulated by the provisions of paragraph .C(5) and such election shall be included as part of this sign permit for that store.

E. *Off-Premises Directional/Directory Signs.* Off-premises directional/directory signs shall be subject to the following:

(1) *Type.* Off-premises directional/directory signs may be either wall or ground signs.

(2) *Number.* There shall not be more than one sign per permitted area. When two or more businesses require an off-premises directional/directory sign, all information shall be combined into one sign.

(3) *Area.* The gross surface area of an off-premises directional/ directory sign shall not exceed 5 square feet for each exposed face nor exceed an aggregate gross surface area of 10 square feet.

(4) *Location.* An off-premises directional/directory sign shall be located at the roadway leading to the occupant's premises but shall not extend over any lot line or within 15 feet of any point of vehicular access from any zoning lot to a public roadway.

(5) *Height.* If the off-premises directional/directory sign is a ground sign, then it shall not project higher than 10 feet as measured from grade level directly below the face of the sign or building to which the sign is to be affixed or the grade of the nearest adjacent roadway, whichever is higher. If the off-premises directional/directory sign is a wall sign, then it shall not project higher than the parapet line of the wall to which the sign is to be affixed, whichever is lower.

(6) *Special Conditions.* Off-premises directional/directory signs are to be utilized only by businesses whose properties do not abut a public street.

F. *Exempt Signs.* Exempt signs as specified in §19-107 of this Part.

G. *Temporary Signs.* Temporary signs as specified in §19-108 of this Part.

H. *Adult Business Signs.*

(1) *Wall Signs.*

(a) *Number.* There shall not be more than one wall sign for an adult business use.

(b) *Area.* The gross surface area of a wall sign shall not exceed 20 square feet.

(c) *Location.* A wall sign may be located on the outermost wall of any principal building, but shall not project more than 16 inches from the wall to which the sign is to be affixed.

(d) *Height.* A wall sign shall not project higher than the lower of the parapet line of the wall to which the sign is to be affixed or 20 feet as measured from the base of the building wall to which the sign is to be affixed.

(2) Adult businesses are not permitted to have ground, canopy, marquee, awning or directional signs.

I. *Automobile Dealership Signs.* Automobile dealership signs shall be subject to the following:

(1) *Wall Signs.*

(a) *Number.* There shall be no more than one wall sign for each principal building except that where the building abuts two or more streets, additional such signs, one oriented to each abutting street, shall be permitted.

(b) *Area.* The gross surface area of a wall sign shall not exceed 10 percent of the area of the building wall, including doors and windows, to which the sign is to be affixed or 64 square feet, whichever is smaller.

(c) *Location.* A wall sign may be located on the outermost wall of any principal building, but shall not project more than 16 inches from the wall to which the sign is to be affixed. The location and arrangement of all wall signs shall be subject to the review and approval of the Sign Officer.

(d) *Height.* A wall sign shall not project higher than the parapet line of the wall to which the sign is affixed or 20 feet as measured from the base of the building wall to which the sign is to be affixed, whichever is lower, except in the Corridor Overlay District when the height shall be controlled by the Corridor Overlay Ordinance and the regulations of the underlying zone.

(2) *Ground Signs.*

(a) *Number.*

1) *Primary Ground Signs.* There shall not be more than one principal ground sign for each automobile dealership.

2) *Secondary Ground Signs.* Secondary ground signs shall be permitted only if used for pre-owned automobiles and/or if two or more automotive product lines (automobile makes) are offered for sale on the premises. No more than two secondary ground signs shall be permitted; one denoting the sale of pre-owned automobiles and one denoting the sale of the second and additional automotive product

lines (automotive makes).

(b) *Area.*

1) *Primary Ground Signs.* The gross surface area of primary ground sign shall not exceed 32 square feet for each exposed face, nor exceed an aggregate gross surface area of 64 square feet.

2) *Secondary Ground Signs.* The gross surface area of a secondary ground sign shall not exceed 24 square feet for each exposed face, nor exceed an aggregate gross surface area of 48 square feet.

(c) *Location.* Primary and secondary ground signs may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from a zoning lot to a public roadway.

(d) *Height.*

1) *Primary Ground Signs.* A primary ground sign shall not project higher than 25 feet as measured from grade level directly below the face of the sign or grade of the nearest adjacent roadway, whichever is lower, except in the Corridor Overlay District when the height shall be controlled by the Corridor Overlay District and the regulations of the underlying zone.

2) *Secondary Ground Signs.* A secondary ground sign shall not project higher than 15 feet as measured from grade level directly below the face of the sign or grade of the nearest adjacent roadway, whichever is lower, except in the Corridor Overlay District when the height shall be controlled by the Corridor Overlay District and the regulations of the underlying zone.

(3) *Awning, Canopy and Marquee Signs.*

(a) *Number.* There shall not be more than one awning, canopy or marquee sign exceeding an aggregate gross surface area of 4 feet for each principal building. Awning, canopy or marquee signs which are 4 square feet or less in aggregate gross surface area are exempt from the provisions of this Part.

(b) *Area.* The gross surface area of an awning, canopy or marquee sign shall not exceed 24 square feet, but limited to, not more than 50 percent of the gross surface area of the smallest face of the awning, canopy or marquee to which such sign is to be affixed.

(c) *Height.* An awning, canopy or marquee sign shall not project higher than the top of the awning, canopy or marquee to which such sign is to be affixed.

(4) *Service Bay Identification Signs.* Service bay identification signs providing direction or instruction to persons using the facility and containing no advertising material of any kind shall be subject to the following:

(a) *Type.* All service bay identification signs shall be wall signs.

(b) *Number.* There shall not be more than one service bay identification sign for each service bay located on the premises.

(c) *Area.* The gross surface area of a service bay identification sign shall not exceed 10 square feet.

(d) *Location.* A service bay identification sign may be located on the outermost wall of any principal building adjacent to a service bay entrance, but shall not project more than 16 inches from the wall to which the sign is to be affixed.

(e) *Height.* A service bay identification sign shall not project higher than the parapet line of the wall to which the sign is to be affixed or 20 feet as measured from the base of the building to which the sign is to be affixed, whichever is lower.

[Ord. 934]

(Ord. 867, 9/5/2006, §110; as amended by Ord. 934, 5/17/2010, §1)

§19-111. Office, Industrial and Institutional Use Signs.

For all office, industrial and institutional uses, only the following signs are hereby permitted and then only if accessory and incidental to a permitted or special use:

A. *Office, Industrial and Institutional Use Signs.* Office, industrial and institutional use signs shall be subject to the following:

(1) *Wall Signs.*

(a) *Number.* There shall not be more than one wall sign for each principal building except where the building abuts two or more streets, additional such signs, one oriented to each abutting street, shall be permitted.

(b) *Area.* The gross surface area of a wall sign shall not exceed 10 percent of the area of the building wall, including doors and windows, to which the sign is to be affixed or 64 square feet, whichever is smaller. The gross surface area of a wall sign may be increased by 20 percent, except that the gross surface area of the sign shall not exceed 64 square feet, if such wall sign:

1) Consists only of individual, outlined, alphabetic, numeric and/or symbolic characters without background except provided by the building surface to which the sign is affixed.

2) If illuminated, such illumination is achieved through shielded illumination, shielded silhouette lighting or shielded spot lighting, but not any lighting where the light source is visible or exposed on the face or sides of the characters.

(c) *Location.* A wall sign may be located on the outermost wall of any principal building, but shall not project more than 16 inches from the wall to which the sign is to be affixed.

(d) *Height.* A wall sign shall not project higher than the parapet line of the wall to which the sign is to be affixed or 20 feet as measured from the base of the building wall to which the sign is to be affixed, whichever is lower.

(e) *Special Conditions.* Where a principal building is devoted to two

or more permitted uses, the operator of each such use may install a wall sign upon his/her proportionate share of the building wall to which the sign is to be affixed. The maximum gross surface area of each such wall sign shall be not more than 24 square feet. The proportionate share is determined by calculating the area of the building wall, including doors and windows to which the sign is to be affixed, and applying such proportion to the total permitted wall sign aggregate gross surface area of the building.

(2) *Ground Signs.*

(a) *Number.* There shall not be more than one ground sign for each lot.

(b) *Area.* The gross surface area of a ground sign shall not exceed 32 square feet for each exposed face, nor exceed an aggregate gross surface area of 64 square feet.

(c) *Location.* A ground sign may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from any zoning lot to a public roadway.

(d) *Height.* A ground sign shall not project higher than 25 feet, as measured from grade level directly below the face of the sign or grade of the nearest adjacent roadway, whichever is lower, except in the Corridor Overlay District when the height shall be controlled by the Corridor Overlay District and the regulations of the underlying zone.

(3) *Awning, Canopy and Marquee Signs.*

(a) *Number.* There shall not be more than one awning, canopy or marquee sign exceeding an aggregate gross surface area of 4 square feet for each principal building. Awning, canopy and marquee signs which are 4 square feet or less in aggregate gross surface area are exempt from the provisions of this Part as specified in §19-107.A.

(b) *Area.* The gross surface area of an awning, canopy or marquee sign shall not exceed 24 square feet, but limited to not more than 50 percent of the gross surface area of the smallest face of the awning, canopy or marquee to which such sign is to be affixed.

(c) *Location.* A sign may be affixed to or located upon any awning, canopy or marquee.

(d) *Height.* An awning, canopy or marquee sign shall not project higher than the top of the awning, canopy or marquee to which such sign is to be affixed.

(4) *Landscaped Ground Sign.*

(a) *Number.* There shall not be more than one landscaped ground sign for each lot.

(b) *Area.* The minimum nonbuildable front yard area required for

placement of a landscaped ground sign is $\frac{1}{4}$ acre (10,890 square feet). The gross surface area of a landscaped ground sign shall not exceed 1,500 square feet. The front yard area is defined as the area between the two side lot lines, the road right-of-way, and the building front or parking lot, whichever is closer, extending the full length of the front lot line.

(c) *Location.* A landscaped ground sign shall be located in the required front yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from a zoning lot to a public roadway. In addition, the landscaped ground sign shall not block the sight distance of persons ingressing or egressing from the site. The landscaped sign shall be located on a slope of not greater than 3 to 1.

(d) *Height.* Any material which is part of a landscaped ground sign (i.e., the name, logo or primary identifying feature) shall not project higher than 3 feet, as measured from average grade below the landscaped materials which make up the sign.

(e) *Grading.* Proposed grading and/or mounding shall not be sloped greater than three to one and shall not extend higher than 3 feet from adjacent finished grades.

(f) *Lighting.* The landscaped ground sign may be illuminated with ground lighting in accordance with §19-104 of this Part.

(g) *Materials.* The landscaped ground sign shall be constructed of plant material and related natural landscaping materials such as stone, mulch and landscape timbers. The landscaped ground sign shall be property maintained. Any plant material that is 25 percent dead or more shall be considered dead and must be replaced. Deciduous material shall be guaranteed to break dormancy if planted in the dormant season. Replacements shall be made during the first spring or fall planting season following the death of the plants. Replacements shall be of the same size and species as the original.

B. *Office and Industrial Park Signs.* Office and industrial park signs indicating only the name of the park and/or the address or location of the park shall be subject to the following:

(1) *Type.* All office and industrial park signs shall be ground signs.

(2) *Number.* There shall not be more than one office or industrial park sign for each point of vehicular access to an office or industrial park from an intersecting public roadway.

(3) *Area.* The gross surface area of an office or industrial park sign shall not exceed 32 square feet in gross surface area for each exposed face, nor exceed an aggregate gross surface area of 64 square feet. Directory signs may not be attached to the office or industrial park ground sign.

(4) *Location.* An office or industrial park sign may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from any zoning lot to a public roadway.

(5) *Height.* An office or industrial park sign shall not project higher than 7 feet as measured from grade level directly below the face of the sign

or grade of nearest adjacent roadway, whichever is higher.

C. *Directory Signs.* Directory signs, which are in addition to the principal ground or wall signs, indicating only the name of the occupants of the premises on which the sign is to be located, but containing no advertising material of any kind, shall be subject to the following:

(1) *Type.* Directory signs may be either wall signs or part of the primary ground sign for the lot.

(2) *Number.* There shall not be more than one directory sign for each office, industrial and institutional building or complex under unified control consisting of two or more occupants. Directory signs shall not be permitted for single occupant office, industrial and institutional buildings and complexes.

(3) *Area.* The aggregate gross surface area of a directory sign shall not exceed 5 square feet for each occupant located in the building or complex.

(4) *Location.* A directory sign may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from any zoning lot to a public roadway.

(5) *Height.* A directory sign shall not project higher than 10 feet as measured from grade level directly below the face of the sign or building to which the sign is to be affixed or the grade of the nearest adjacent roadway, whichever is higher.

D. *Off-Premises Directional/Directory Signs.* Off-premises directional/directory signs shall be subject to the following:

(1) *Type.* Off-premises directional/directory signs may be either wall signs or ground signs.

(2) *Number.* There shall not be more than one sign per business which does not have access to a public street. When two or more businesses require an off-premises directional/directory sign, all information shall be combined into one sign.

(3) *Area.* The gross surface area of an off-premises directional/directory sign shall not exceed 5 square feet for each exposed face per business nor exceed an aggregate gross surface area for all businesses of 32 square feet per sign face or an aggregate gross surface area of 64 square feet.

(4) *Location.* An off-premises directional/directory sign shall be located at the roadway leading to the occupant's premises but shall not extend over any lot line or within 15 feet of any point of vehicular access from any zoning lot to a public roadway. The sign may be located within the private access right-of-way provided that all parties with an interest in the private right-of-way waive their private interest in the encroachment of the sign. Further, if the private right-of-way ever becomes public, the off-premises directional sign shall be removed prior to the Township accepting the street.

(5) *Height.* If the off-premises directional/directory sign is a ground sign, then it shall not project higher than 10 feet as measured from grade level directly below the face of the sign to the grade of the nearest adjacent roadway, whichever is higher. If the off-premises directional/directory sign is a wall sign, then it shall not project higher than the parapet line of the wall to which the

sign is to be affixed, whichever is lower.

(6) *Special Conditions.* Off-premises directional/directory signs are to be utilized only by a business whose property does not abut a public street. A permit may be issued by the Sign Officer after review by the Zoning Hearing Board.

E. *Institutional Attraction Boards.* Attraction boards displayed by civic, philanthropic, educational and religious organizations identifying activities, events and services involving the organization occupying the premises on which the attraction board is to be erected, but containing no commercial advertising material of any kind, shall be subject to the following:

(1) *Type.* Institutional attraction boards may be either wall signs or ground signs. If it is a ground sign, it must be attached to the primary ground sign.

(2) *Number.* There shall not be more than one institutional attraction board for each principal building.

(3) *Area.* The gross surface area of an institutional attraction board shall not exceed 15 square feet for each exposed face, nor exceed an aggregate gross surface area of 30 square feet.

(4) *Location.* An institutional attraction board may be located in any required yard, but shall not extend over any lot line or within 15 feet of any point of vehicular access from any zoning lot to a public roadway.

(5) *Height.* An institutional attraction board shall not project higher than 15 feet as measured from grade level directly below the face of the sign or building to which the sign is to be affixed or the grade of the nearest adjacent roadway, whichever is higher.

F. *Exempt Signs.* Exempt signs as specified in §19-107 of this Part.

G. *Temporary Signs.* Temporary signs as specified in §19-108 of this Part.

(Ord. 867, 9/5/2006, §111)

§19-112. Permits.

1. *Permits Required.* Except for the following, no person may erect, alter or relocate within Ferguson Township any sign without first obtaining a sign permit from the Sign Officer and paying the required fee:

A. Exempt signs as specified in §19-107 of this Part.

B. Real estate, temporary construction, temporary political, temporary event, auction or garage/yard sale signs.

C. Routine maintenance or changing of the parts or copy of a sign; provided, that the maintenance or change of parts or copy does not alter the surface area, height or otherwise render the sign nonconforming.

2. *Permit Application.* Applications for sign permits shall be submitted to the Sign Officer and shall contain or have attached thereto the following information:

A. The names, addresses and telephone numbers of the applicant, the owner of the property on which the sign is to be erected or affixed, the owner of the sign and the person to be erecting or affixing the sign.

B. The location of the building, structure or zoning lot on which the sign is to be erected or affixed.

C. A sketch plan of the property involved, showing accurate placement thereon of the proposed sign.

D. Two blueprints or ink drawings of the plans and specifications of the sign to be erected or affixed and the method of construction and attachment to the building or in the ground. Such plans and specifications shall include details of dimensions, color, materials and weight.

E. If required by the Sign Officer, a copy of stress sheets and calculations prepared by or approved by a registered structural engineer, licensed by the State of Pennsylvania, showing that the sign is designed for dead load and wind pressure in any direction in the amount required by this and all other applicable ordinances of the Township of Ferguson.

F. The written consent of the owner of the building, structure or property on which the sign is to be erected or affixed.

G. Such other information as the Sign Officer may require to determine full compliance with this and other applicable ordinances of the Township of Ferguson.

3. *Issuance of Permits.* Upon filing of an application for a sign permit, the Sign Officer shall examine the plans, specifications and other submitted data, and the premises upon which the sign is proposed to be erected or affixed. If it appears that the proposed sign is in compliance with all the requirements of this Part and in conformance with the Zoning Ordinance [Chapter 27] and other applicable ordinances of the Township of Ferguson and if the appropriate permit fee has been paid, the Sign Officer shall issue a permit for the proposed sign. If the work authorized under a sign permit has not been completed within 90 days after the date of issuance, the permit shall become null and void, unless otherwise extended by the Sign Officer for a single additional 90-day period.

4. *Permit Fees.* Each sign required by this Part requiring a sign permit shall pay a fee established by resolution by the Board of Supervisors of Ferguson Township.

5. *Annual License Fee.* An annual license fee for all signs, excepting exempt signs and residential development signs, shall be paid in accordance with a resolution setting forth the annual license fee schedule. The annual license fee schedule shall be adopted by the Ferguson Township Board of Supervisors.

6. *Penalty Fee.* If an annual sign permit renewal fee is paid later than 60 days of the date of the invoice requesting such payment, a penalty fee equal to 50 percent of the cost of the permit renewal fee shall be assessed.

7. *Revocation of Permit.* All rights and privileges acquired under the provisions of this Part are mere licenses and, as such, are at any time revocable for just cause by the Ferguson Township Board of Supervisors. All permits issued pursuant to this Section are hereby subject to this provision.

(Ord. 867, 9/5/2006, §112)

§19-113. Review of Existing Permanent Signs.

1. *Annual Inspection.* The Sign Officer, or his/her authorized representative, shall conduct, at a minimum, an annual inspection of all permanent signs being displayed

in the Township of Ferguson on and after the effective date of this Part (which signs are hereinafter called “existing permanent signs” for the purpose of identifying those existing permanent signs which are not in compliance with this Part).

2. *Requests for Inspection.* Any person may file a written request with the Sign Officer requesting an inspection of one or more existing permanent signs as identified in the request. In each such instance, the Sign Officer shall promptly inspect such sign(s) to determine compliance with the provisions of this Part. However, no existing permanent sign need be inspected more than two times annually. The Sign Officer shall make a written report indicating the findings of the inspection to both the owner of the inspected sign and to the person filing the request for inspection.

3. *Notices of Violation.* The Sign Officer shall notify, in writing, each owner of an existing permanent sign found to be in violation of any provision of this Part pursuant to the inspections made under subsections .1 and .2. The notice shall specifically refer to each Section of this Part under which a violation has been found to exist and thereupon describe the features of the inspected sign found to be deficient. The notice shall specify whether the sign is a legal nonconforming sign or an illegal nonconforming sign, as described in §19-114 of this Part.

4. *Effect of Notice.* Each existing permanent sign which is the subject of a notice of violation as specified in subsection .3. shall thereupon be classified as an illegal nonconforming sign as specified in §19-114 of this Part, unless the sign is deemed unsafe or insecure as determined by the Sign Officer, in which case, such sign shall be subject to repair or removal pursuant to §19-115 of this Part.

5. *Appeals.* The owner of an existing permanent sign which has been the subject of the notice of violation as specified in subsection .3. may appeal the notice by filing an appeal pursuant to §19-116 of this Part not later than 30 days after receipt of such notice of violation.

(Ord. 867, 9/5/2005, §113)

§19-114. Nonconforming Signs.

1. *Nonconforming Signs.*

A. *Legal Nonconforming Signs.* Any sign lawfully existing or under construction on the effective date of this Part, which does not conform to one or more of the provisions of this Part, may be continued in operation and maintained indefinitely as a legal nonconforming sign subject to compliance with the requirements of subsection .2 of this Section.

B. *Illegal Nonconforming Signs.* Any sign found to be in violation of this Part, if the sign was implemented after the adoption of this Part and applicable amendments, is subject to removal requirements of §19-115.1. of this Part.

2. *Maintenance and Repair of Legal Nonconforming Signs.* Normal maintenance of legal nonconforming signs, including changing copy, necessary repairs and incidental alterations which do not extend or intensify the nonconforming features of the sign, shall be permitted. However, no enlargement or extension shall be made to legal nonconforming sign unless the enlargement or extension will result in the elimination of the nonconforming features of the sign. If a legal nonconforming sign is removed or destroyed by any means the sign may not be rebuilt to its original condition and may

not continue to be displayed.

(Ord. 867, 9/5/2006, §114)

§19-115. Removal of Certain Signs.

1. *Nonconforming Signs.* If the Sign Officer shall find that any nonconforming sign, except for those legal nonconforming signs as specified in §19-114, is displayed, he shall give written notice to the owner, agent or person having the beneficial interest in the building or the premises on which such sign is located. Removal of the sign shall be effected within 5 days after receipt of the notice from the Sign Officer. If such sign is not removed after the conclusion of such 5-day period, the Sign Officer is hereby authorized to cause the sign to be removed forthwith at the expense of the owner, agent or person having the beneficial interest in the building or premises on which such sign is located.

2. *Obsolete Signs.* Any nonconforming sign, whether existing on or erected after the effective date of this Part, which advertises a business no longer being conducted or a product no longer being offered for sale in or from the premises on which the sign is located, shall be completely removed including any supporting structures within 90 days upon the cessation of such business or sale of such product by the owner, agent or person having beneficial interest in the building or premises on which such sign is located. If the Sign Officer shall find that any such sign advertising a business no longer being conducted or a product no longer being offered for sale in or from the premises on which the sign is located has not been removed from the premises on which the sign is located within 90 days upon the cessation of such business or sale of such product, he shall give written notice to the owner, agent or person having the beneficial interest in the building or premises on which such sign is located. Removal of the sign shall be effected within 5 days after receipt of the notice from the Sign Officer. If such sign is not removed after the conclusion of such 5-day period, the Sign Officer is hereby authorized to cause the sign to be removed forthwith at the expense of the owner, agent or person having the beneficial interest in the building or premises on which such sign is located.

3. *Unsafe Signs.* If the Sign Officer shall find that any sign is unsafe or insecure, or is a menace to the public, he shall give written notice to the owner, agent or person having the beneficial interest in the building or premises on which such sign is located. Correction to the condition which caused the Sign Officer to give such notice shall be effected within 10 days after receipt of the notice. If such condition is not corrected after the conclusion of such 5-day period, the Sign Officer is hereby authorized to cause the sign to be removed forthwith at the expense of the owner, agent or person having the beneficial interest in the building or premises on which such sign is located. Notwithstanding the foregoing provisions, the Sign Officer is authorized to cause any sign to be removed summarily and without notice, at the expense of the owner, agent or person having the beneficial interest in the building or premises on which such sign is located, whenever the Sign Officer determines that such sign is an immediate peril to persons or property.

(Ord. 867, 9/5/2006, §115)

§19-116. Administration and Enforcement.

1. *Enforcement Officer.* The Sign Officer is hereby designated as the enforcement

officer for this Part. In furtherance of his/her authority as such enforcement officer, the Sign Officer shall have the following duties and powers:

A. *Review and Issue Permits.* Review all applications for sign permits, issuing permits for those signs found to be in compliance with the provisions of this Part.

B. *Conduct Inspections.* Conduct an annual or more frequent inspection of all permanent signs displayed in the Township of Ferguson to ensure compliance with the provisions of this Part.

C. *Issue Notices of Violations.* Issue notices of violation to the owner, agent or person having the beneficial interest in the building or the premises on which a sign is located which is found to be in violation of this Part.

D. *Cause Removal of Certain Signs.* After due notice, cause the removal of certain signs which are found to be in noncompliance with one or more of the provisions of this Part.

E. *Administrative Interpretations.* Render, when called to do so, administrative interpretations regarding the provisions of this Part and their effect on the display of any sign located or to be located in the Township of Ferguson.

F. *Maintenance of Records.* Maintain all records necessary to the appropriate administration and enforcement of this Part, including applications for variances and appeals.

G. *Public Information.* Provide and maintain a source of public information relative to all matters arising out of this Part.

2. *Zoning Hearing Board of Ferguson Township.*

A. *Jurisdiction.* The Zoning Hearing Board is hereby vested with the following jurisdiction and authority:

(1) *Appeals.* Hear all appeals from any order, requirement, decision, determination or interpretation of the Sign Officer acting with the authority vested from this Part and make written decisions for the disposition of such appeals.

(2) *Variances.* Hear all requests for variances from the provisions of this Part and make written decisions for the granting or denial of such requests.

3. *Appeals.* An appeal may be taken to the Zoning Hearing Board by any person aggrieved by an order, requirement, decision, determination or interpretation by the Sign Officer acting within the authority of this Part.

A. *Petition for Appeal.*

(1) *Standing.* An appeal shall be filed within 30 days after the alleged erroneous order, requirement, decision, determination or interpretation.

(2) *Filing.* An appeal shall be filed in writing with the Sign Officer and shall include the following information:

(a) The name(s), address(es) and telephone number(s) of the petitioner(s), the owner(s) or the property on which the sign is to be erected or affixed, the owner(s) of the sign and the person affixing the sign.

(b) A description of the appeal.

(c) Justification of the appeal.

(d) The location of the building, structure or zoning lot on which the sign is to be erected or affixed.

(e) A site plan on the property involved, showing accurate placement thereon of the proposed sign.

(f) A blueprint or ink drawing of the plans and specifications of the sign to be erected or affixed and method of construction and attachment of the building or in the ground. Such plans and specifications shall include details of dimensions, materials, color and weight.

(g) The written consent of the owner of the building, structure or property on which the sign is to be erected or affixed.

(h) Such other information as the Sign Officer may require to determine full compliance with this and other applicable ordinances of the Township of Ferguson.

(3) Each appeal to the Zoning Hearing Board shall be accompanied by a fee as set by resolution of the Ferguson Township Board of Supervisors.

B. *Transmittal of Record.* The Sign Officer shall, at the time of filing an appeal, forthwith transmit to the Zoning Hearing Board all of the documents constituting a record upon which the action appealed was taken.

C. *Effect of Appeal.* An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Sign Officer certifies to the Zoning Hearing Board, after the appeal has been filed with the Sign Officer, that by reason of the facts stated in the application, a stay would in his/her opinion cause imminent peril to life or property. In such case, the proceeding shall not be stayed unless a restraining order is issued by a court of record, and then only if due cause can be conclusively shown.

D. *Zoning Hearing Board Public Hearing.*

(1) *Timing.* The Zoning Hearing Board shall hold a public hearing on an appeal within 60 days of its completed, written form.

(2) *Attendance.* The petitioner and Sign Officer and/or their authorized representative shall attend those meetings of the Zoning Hearing Board at which an appeal is to be heard.

E. *Zoning Hearing Board Decision.* Within 45 days after the close of the required public hearing of an appeal, the Zoning Hearing Board shall prepare and submit written findings of fact and conclusions of law to grant, deny, wholly or in part, or modify said appeal to the Board of Supervisors for final determination.

F. *Effect of Zoning Hearing Board Denial.* No appeal which has been denied, wholly or in part, by the Zoning Hearing Board, in accordance with the provisions established herein, may be resubmitted for a period of 1 year from date of said denial, except on grounds of new evidence or proof of changed conditions found to be valid by the Zoning Hearing Board.

G. *Maintenance of Records.* The Sign Officer shall maintain complete records of all findings of fact and conclusions of law of the Zoning Hearing Board relative to an appeal. All such records shall be open to the public for inspection.

4. *Variiances.* It is the intent of this Part to use variances only to relieve hardship.

Specifically, variances are to be used to overcome some exceptional condition which poses practical difficulty or particular hardship in such a way as to prevent an owner from displaying his/her sign as intended by this Part. Such practical difficulty must be clearly exhibited and must be a result of an external influence; it may not be self-imposed.

A. *Petition for Variance.*

(1) *Standing.* A petition for a variance from any provisions of this Part may be made by any person having a proprietary interest in the sign for which such variance is requested.

(2) *Filing.* A variance request shall be filed in writing with the Sign Officer and shall include the following information:

(a) The name(s), address(es) and telephone number(s) of the petitioner(s), the owner(s), of the property on which the sign is to be erected or affixed, the owner(s) of the sign and the person affixing the sign.

(b) A description of the requested variance.

(c) Justification of the requested variance.

(d) The location of the building, structure or zoning lot on which the sign is to be erected or affixed.

(e) A site plan of the property involved, showing accurate placement thereon of the proposed sign.

(f) A blueprint or ink drawing of the plans and specifications of the sign to be erected or affixed and method of construction and attachment of the building or in the ground. Such plans and specifications shall include details of dimensions, materials, color and weight.

(g) The written consent of the owner of the building, structure or property on which the sign is to be erected or affixed.

(h) Such other information as the Sign Officer may require to determine full compliance with this and other applicable ordinances of the Township of Ferguson.

B. *Fees.* Each variance request to the Zoning Hearing Board shall be accompanied by a fee as set forth by the Board of Supervisors, which fee is to be paid at the time of filing of the variance request.

C. *Zoning Hearing Board Public Hearing.*

(1) *Timing.* The Zoning Hearing Board shall hold a public hearing on a variance request within 60 days of its completed, written filing.

(2) *Attendance.* The petitioner and Sign Officer and/or their authorized representative shall attend those meetings of the Zoning Hearing Board at which a variance is to be heard.

D. *Standards for Variances.* The Zoning Hearing Board may determine that a variance be granted when it shall be determined from evidence presented to the Zoning Hearing Board that the variance will not merely serve as a convenience to the petitioner, but is necessary to alleviate some demonstrable hardship or unusual practical difficulty and that the granting of the variance will not in any way be inconsistent with the intent, purpose and objectives of this Part.

E. *The Zoning Hearing Board's Decision.* Within 30 days after the close of the required public hearing of a requested variance from one or more of the provisions of this Part, the Zoning Hearing Board shall prepare and submit written findings of fact and conclusions of law to grant, deny, wholly or in part, or modify said variance request.

(Ord. 867, 9/5/2006, §116)

§19-117. Penalties.

1. *Failure to Obtain or Renew Sign Permit.* Any person who erects, alters or relocates within the Township of Ferguson any sign without first obtaining a sign permit or fails to renew such permit for an existing sign as specified in §19-112 of this Part shall be, upon conviction thereof in a proceeding commenced before a district justice pursuant to the Pennsylvania Rules of Criminal Procedures, sentenced to a fine of not less than \$100 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each days continuance of a violation shall constitute a separate offense.

2. *Display of Illegal Signs.* Any person who displays a sign in the Township of Ferguson found to be in violation of one more of the provisions of this Part, except for those legal nonconforming signs as specified in §19-114, after receipt of written notice of such violation(s), shall, upon conviction thereof in a proceeding commenced before a district justice pursuant to the Pennsylvania Rules of Criminal Procedures, be sentenced to a fine of not less than \$100 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days Each days continuance of a violation shall constitute a separate offense.

3. *Other Remedies.* In addition to all other remedies, the Township of Ferguson may institute any appropriate action or proceeding to prevent, restrain, correct or abate any violation of this Part.

(Ord. 867, 9/5/2006, §117)