

ORDINANCE NO. 151

AN ORDINANCE OF THE BOROUGH OF CENTRE HALL REPEALING ORDINANCE NO. 137 AND IN ITS PLACE ADOPTING THIS ORDINANCE OF THE BOROUGH OF CENTRE HALL, CENTRE COUNTY, PENNSYLVANIA, DEFINING, PERMITTING AND REGULATING SIGNS AND BILLBOARDS AND DETERMINING THE INTENT AND PURPOSE THEREOF; RESTRICTING ILLUMINATION OF AND PROHIBITING CERTAIN SIGNS; ESTABLISHING CONSTRUCTION SPECIFICATIONS THEREFOR; REGULATING TEMPORARY, RESIDENTIAL, COMMERCIAL, OFFICE, INDUSTRIAL AND INSTITUTIONAL SIGNS; REQUIRING THE PERIODIC REVIEW OF EXISTING, PERMANENT SIGNS AND THE REMOVAL OF CERTAIN SIGNS; RECOGNIZING NON-CONFORMING SIGNS AND EXEMPTING CERTAIN SIGNS THEREFROM; AUTHORIZING ADMINISTRATION THEREOF BY THE ISSUANCE OF PERMITS AND THE ASSESSMENT OF FEES; AND PRESCRIBING PENALTIES FOR VIOLATIONS.

BE IT ENACTED by the Borough of Centre Hall, Centre County, Pennsylvania, and it is hereby enacted and ordained by authority of the same as follows:

Section 1 – INTENT AND PURPOSE.

1. 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 Borough of Centre Hall 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 Ordinance 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 increased 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; and

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 Ordinance shall be held to be the minimum requirements necessary for the promotion and protection of the public health, safety, comfort, morals, and convenience.

3. Conflicting Codes and Ordinance. If any provision(s) or requirement(s) of this Ordinance is found to be in conflict with any other provision(s) or requirement(s) of this Ordinance or of any other applicable governmental law, ordinance, resolution, rule or other governmental regulation of any kind, the regulation which establishes a more restrictive rule or higher standard shall govern.

Section 2. DEFINITIONS.

For the purposes of this Ordinance, the following terms shall be defined and applied as follows:

AWNING OR MARQUEE SIGN - a sign painted on or attached to an overhanging shelter which projects from the wall or surface of a building. The sign shall not project beyond the surface or be attached to the underside of the awning or marquee.

BILLBOARDS or ADVERTISING SIGN BOARDS - boards which direct the motorist or pedestrians to a product, place or activity that is available, exists or occurs at a location other than the location upon which the Board is erected. Billboards are free standing structures and are differentiated thereby from wall signs which are attached to the wall of a building. "Billboard", as used herein, shall refer to a sign with a single face area greater than 25 square feet. These signs are not permitted in any district.

BOROUGH - The governing body for the Borough of Centre Hall, Centre County, Pennsylvania.

BUSINESS IDENTIFICATION SIGNS - signs or boards that are directly oriented to activities that occur on the same premises as the sign or board. Such signs may be either freestanding or attached to a wall of a building.

CODE ENFORCEMENT OFFICER – The officially designated Code Enforcement Officer, or Assistant Code Enforcement Officer(s) of the Borough of Centre Hall.

GROUND POLE SIGNS - a sign supported vertically by one or more uprights placed in or on the ground but designed to be movable. Such a sign advertises products or items offered for sale or are directly related to the premises upon which it is located, e.g., a business identification sign.

PERSON – Any person, partnership, firm, corporation, agency, department, bureau or any other legal entity.

POLITICAL SIGNS - signs or boards directing attention to or promoting a particular individual or group of persons running for office in a public election.

PREMISES - the area occupied by a single business, professional office or other public enterprise or home. When more than one business, office or home occupies a single building on the ground floor, each business area shall be considered a separate premises. Businesses, homes or other enterprises which occupy space on other floors shall be considered separate premises.

ROOF SIGNS - any sign erected and maintained on or above the roof of any building.

SIGN AREA - the area of the smallest triangle, rectangle or circle which can wholly enclose the surface area of a sign. All visible faces of a multifaced sign shall be counted separately and then totaled in calculating the sign area. Three dimensional signs shall be treated in the same manner as dual-faced signs, i.e., the area(s) of the faces shall be calculated and then totaled to calculate the total sign area.

TEMPORARY SIGNS - flags, pennants, ground signs or special promotional devices intended to be erected for a limited period of time to call attention to a legally permissible special event. Such signs shall not protrude on any right of way nor interfere with pedestrian or vehicular traffic. Examples - yard and garage sales, auction signs, book sale signs, etc.

WALL SIGNS - signs attached to a wall or part of a wall of a building or structure, not including billboards as defined above, which advertises products sold or directly related to the premises on which they are located, e.g., a business identification sign.

Section 3 - SIGNS.

Signs may be erected, altered and maintained only when in compliance with the provisions of this Ordinance and any other appropriate Centre Hall Borough regulation(s).

Section 4 - SAFETY AND MAINTENANCE.

Every sign and all parts thereof, including framework, supports, background, anchors and wiring systems shall be constructed and maintained in compliance with the building, electrical and fire prevention codes, as they now exist, or may hereafter exist. All signs and all parts thereof shall be kept in good repair and maintenance.

Section 5 - GENERAL REGULATIONS.

These regulations shall apply to all signs, commercial and otherwise, where such signs are not more specifically regulated herein. In the case of conflict between any two or more provisions of this Ordinance, the more stringent shall apply.

A. Signs in Historic Areas. These regulations shall apply to any property listed on the National Register of Historic Places or to any property or portion thereof within 500 feet of such historic property:

(1) No ground pole sign shall exceed a height of 10 feet, measured from natural ground level immediately below the sign to the highest part of the sign.

(2) Signs illuminated by other than direct incident lighting are prohibited.

B. Height of Signs. No sign, or any part thereof, shall exceed a height of 15 feet as measured from natural ground level directly below the face of the sign to the highest part of the sign.

C. Location. Signs must be located on the premises which they advertise.

D. Area.

(1) The total area of signs erected hereunder shall not exceed 32 square feet on a single-sided sign or 64 square feet on a double-sided sign, per sign.

(2) Any one sign shall not exceed 32 square feet, maximum 50 square feet per building face, and maximum 96 square feet per premises.

E. Number. No more than four signs may be erected or maintained on any one premises at any one time. A double sided sign shall count as a single sign.

F. Licensing. All signs shall be subject to the permit provisions of this Ordinance unless otherwise noted.

G. Projecting Signs. No projecting sign shall project more than 5 feet beyond the building line, nor project over the public walkway (sidewalk), in the direction of the street. No portion of any projecting sign shall be any lower than 10 feet above grade level. No single-face of any projecting sign shall exceed 15 square feet in sign area. No projecting sign shall exceed 30 square feet in total sign area. No projecting sign shall have a vertical dimension greater than 5 feet. No more than one projecting sign is permitted per premises, unless said premises is located on a corner lot, in which case, two projecting signs shall be permitted, one erected for and towards each public way.

H. Wall Signs. No wall sign shall project above the top, or to the left, or to the right of the wall to which it is attached. No wall sign, or any part thereof, shall project more than 1 foot from the wall on which it is mounted. If external lighting is used reflectors must be not less than 10 feet above grade and no part may extend further than two feet from the wall of the building. Reflectors must be shielded to prevent glare from leaving the premises or interfering with motorists. Sign shall not exceed 32 square feet.

I. Ground Pole Signs.

(1) All ground pole signs and all parts, braces and supports thereof shall be located entirely behind the property line and any appropriate setback lines and shall not project over any setback line, property line, public right-of-way or adjoining land.

(2) No ground pole sign shall be larger than 32 square feet in area on a single faced sign or 64 square feet in combined area for both sides on a double-faced sign. No ground pole sign shall exceed 12 feet in any dimension of the sign face.

(3) One ground pole structure or one projecting sign may be erected on a premises, but not both.

(4) No more than four signs shall be mounted to the supporting structure of any ground pole sign.

J. Roof Signs. See Section 7, Subsection M.

K. Indoor Signs. No indoor sign shall be considered a sign for purposes of this Ordinance, nor shall any indoor sign be subject to the regulations hereunder.

Section 6 - SPECIFIC SIGN REGULATIONS.

When a regulation hereunder is nonspecific, i.e., when the terms “reasonably necessary”, “as appropriate”, “noncommercial”, etc., are used, the Code Enforcement Officer shall decide any questions that may arise as to the necessity, appropriateness or content of a sign or signs hereunder.

The following regulations shall apply to all permitted sign uses:

1. The only signs permitted in an R2 District:

A. Name and Address of Resident; Professional Signs. Such signs shall not include any commercial advertising and shall not be larger than 2 square feet in area per side or 4 square feet total for a two or three dimensional sign. No more than one such sign permitted per premises, located on the premises. Such signs shall include signs identifying a professional office such as doctor, dentist, osteopath, lawyer, accountant, architect, surveyor, elected office, or other licensed professionals. Such signs are not subject to the permit provisions herein. Where sign is to be located in the R2 Zoning District, the sign is to be no more than 10 feet from the primary structure.

2. Signs Permitted in All Districts. Signs listed in this Section shall be permitted in all the zoning districts, and shall require permits as noted. Where no specific regulation is given, such signs shall conform to the general regulations for signs set forth in this Ordinance.

A. Name and Address of Resident; Professional Signs. Such signs shall not include any commercial advertising and shall not be larger than 2 square feet in area per side or 4 square feet total for a two or three dimensional sign. No more than one such sign permitted per premises, located on the premises. Such signs shall include signs identifying a professional office such as doctor, dentist, osteopath, lawyer, accountant, architect, surveyor, elected office, or other licensed professionals. Such signs are not subject to the permit provisions herein.

B. No Trespassing Signs. Included in this group shall also be other similar signs regulating or warning of use of the property such as "Beware of Dog", "No Parking", "No Camping", etc. Such signs may not be more than 2 square feet in total area. There shall be no more than 4 signs per premises. They must be located on the premises. Commercial content is not permitted. Such signs are not subject to the permit provisions herein.

C. Real Estate Signs. Such signs shall not exceed 6 square feet in total area in all zones. They shall be limited to statements advertising that the premises are for sale, rental or lease and names and other information for interested parties to contact. They shall be located only upon the premises offered for sale, etc. Such signs shall be removed within 14 days after the premises advertised has been sold, rented or leased. No more than three such signs per premises may be erected. Such signs are not subject to the permit provisions herein.

D. Informational Signs for On Premises Direction. Such signs shall not exceed 4 square feet in total area each and shall be used exclusively for noncommercial direction, e.g., "Telephone", "No Parking", "Office Entrance", "Lubrication & Lube Tune Up", etc. They shall be located only on the premises. As many of such signs as are reasonably necessary to accomplish the purposes of the signs may be erected. Such signs are not subject to the permit provisions herein.

E. Signs Erected by a Governing Body. Such signs may be erected as any governing body (Federal, State, County or Local) may direct. They shall be reasonable in size, type, number, location, design or any other manner by anything contained herein. Such signs are not subject to the permit provisions herein.

F. Memorial Signs or Tablets. Such signs shall not exceed such dimension as is reasonably necessary to accomplish the purpose thereof and shall be noncommercial in nature. They need not be located on the premises referred to. Two such signs per premises may be erected. The content shall be limited to date of erection of buildings or events and short statements of historical circumstances, as appropriate. Such signs are not subject to the permit provisions herein.

G. Banners, Pennants and Flags. Decorative banners or pennants, or flags bearing the insignia of any government, religious, charitable or fraternal organization shall be maintained in a serviceable condition and limited to a maximum area of 24 square feet. Such signs shall have no commercial intent.

Such signs are not subject to the permit provisions herein.

H. Temporary Signs, Advertising Farm Products, Auctions, Yard Sales and Special Events of Charitable, Public Service or Political Groups or Political Campaign. Such signs shall be no larger than 6 square feet each. Location (on premises) and number as appropriate. In the case of farm products, products advertised must be produced on the premises, and must be an integral part of the business conducted on the property involved. In the case of political signs, the property owner must give prior permission for any such signs on the property.

No commercial content is permitted. Failure to remove political signs within 36 hours after the election/political event shall constitute a violation hereunder and shall subject the candidate, or the local party affiliate or committee, to a fine of \$5.00 per sign. Such signs are not subject to the permit provisions herein.

I. Signs Identifying Places of Worship. Location and number as appropriate. Total size to be no greater than 20 square feet. No commercial content permitted. Such signs are not subject to the permit provisions herein.

J. Bulletin Boards for Quasi-Public Facilities. Such signs shall not exceed 20 square feet in total area and shall be used exclusively for noncommercial announcement. They shall be located only on the premises of the church or other institution. No more than one sign per premises. Such signs are not subject to the permit provisions herein.

K. Directional Signs.

1. These signs may be erected along major roadways to direct motorists to premises in locations far removed from the roadway. They shall be ground pole signs with a total area of 15 square feet for a single-sided sign or 30 square feet for a double-sided sign.

2. Content shall be limited to the name of the establishment and distance/direction information. No more than two signs per single advertising establishment. Such signs shall be subject to the permit provisions herein.

3. Temporary off premises directional signs shall contain addresses and dates of event. Not subject to permits, but must be removed within 36 hours after the event. Otherwise there will be a \$10.00 removal fee.

L. Real Estate Development Signs.

1. Such signs may be erected only by developers or owners with a minimum of six lots for sale in a single subdivision. Such signs must be located on the premises which are for sale.

2. Content is limited to advertisement of the lots in the subdivision on which the sign is located; the name of the development; and the developer's, realtor's or landowner's names, addresses and telephone numbers. Content shall not include reference to the sale of lots elsewhere or the realtor's, developer's or landowner's business in general.

3. No more than two such signs per premises, located no closer than 1,000 feet apart. Maximum total area for each single-faced sign shall be 32 square feet and for each double-faced sign 64 square feet. No sign shall be higher than 10 feet above grade or in excess of 12 feet in any direction. Such signs shall be subject to the permit provisions herein.

M. Shopping Center Signs. Such signs are limited to ground pole signs located on the premises of the shopping center. One such sign per premises is permitted. Such sign shall not exceed 32 square feet for a single-sided sign and 64 square feet for a double-sided sign. No such sign shall be higher than 10 feet above grade or in excess of 12 feet in any direction. Content shall be limited to the name of the shopping center. Such signs shall be subject to the permit provisions herein.

N. Permanent Residential, Commercial and Industrial Development Signs and Signs Identifying Country Clubs and similar Recreational Facilities. Such signs shall be located on the premises at the entrance(s) of residential, industrial and commercial developments or on the premises of any recreational facility. They shall be no larger than 32 total square feet, per entrance, or no more than 32 total square feet for recreational facilities. No more than two faces per entrance. No commercial content is permitted. Such signs shall be subject to the permit provisions herein.

Section 7 - SIGNS PROHIBITED IN ALL DISTRICTS (R1, R2, RO, VC, PCI).

The following signs shall not be erected, permitted or maintained in any district, notwithstanding anything contained in this Ordinance or elsewhere. Such signs which are prohibited in the following subsections shall be removed or brought into conformance with the provisions of this Ordinance within 90 days after the effective date of this Ordinance.

A. Signs which incorporate in any manner any flashing or moving illumination or with illumination which varies in intensity or color and signs which have any visible moving part, visible revolving parts or visible mechanical movement of any description or other apparent visible movement achieved by electrical pulsations or by actions of normal wind currents except when not visible from motor vehicles traveling on public roadways. Hanging signs which simply swing in the wind, clocks, time and temperature signs and barber poles may be exempted; provided, that they comply with the other provisions hereunder.

B. Light sources which cast light on signs shall be shielded by opaque material so that the bulbs, floodlights or tubes are not visible off the property or premises on which the signs are located.

C. Any sign or sign structure which constitutes a hazard to public safety or public health.

D. Signs which by reason of size, location, content, coloring or manner of illumination obstruct the vision or impair the concentration of drivers or obstruct or detract from the visibility or effectiveness of any traffic sign or control device on public streets and roads.

E. Any sign which obstructs free ingress to or egress from a fire escape, door, window or other required exit way.

F. Signs which make use of words such as "STOP", "LOOK", "ONE WAY", "DANGER", "YIELD", or any similar words, phrases, symbols, lights, or characters in such a manner as to interfere with, confuse or mislead traffic.

G. Any obsolete sign (including the structural members of the sign) which advertise a business no longer being conducted or a product no longer sold. It shall be the responsibility of the property owner to remove an obsolete sign.

H. Signs on public property or public right-of-way unless erected by a governing body or unless required to be so located by order of a governing body. No sign erected on public property or on a public right-of-way shall contain any commercial content.

I. Signs painted on, attached to or supported by a utility pole, tree, stone or rock outcropping or similar object, except temporary signs as permitted by Section 5(1)(H), above.

J. String lights to illuminate commercial enterprises, other than temporary holiday decorations, which are unshielded from off of the premises on which they are located.

K. Searchlights, pennants, banners, spinners and streamers, except for occasions such as grand openings and similar events and then only through obtaining a temporary sign permit from the Code Enforcement Officer. Use shall be limited to 15 days.

L. Except as specifically permitted herein, the erection, placing and construction of ground pole signs, commonly known as billboards or advertising sign boards and defined in Section 2 above, off of the premises where the product or service advertised is to be found, shall be prohibited in all districts. No alteration in either length, height or width shall be permitted nor shall any single-faced billboard be converted into a two-faced billboard.

M. Roof Signs.

Section 8 - PERMITTING PROVISIONS.

All signs shall be classified as either temporary or permanent and shall be subject to the following regulations:

A. Permanent Signs; General Provisions.

(1) Prior to placing a sign not otherwise exempt hereunder, an application shall be submitted to the Borough Code Enforcement Officer on a form provided by the Borough. If the application is approved, the applicant shall pay a permit fee as set forth below and may place or erect the sign.

(2) Any sign altered structurally or moved will be considered a new sign and is subject to the application and permit requirements hereof.

(3) Permit fees hereunder shall be established from time to time by Resolution of the Centre Hall Borough Council.

B. Temporary Signs; General Provisions.

(1) Size, content and location of a temporary sign may be varied at any time so long as the variations remain within the restrictions of this Ordinance.

(2) Temporary signs shall be removed within 36 hours after the end of an event.

C. County and State Regulation.

(1) All applicable provisions of County and State regulations and ordinances must be adhered to. The applicant should be aware of the restrictions imposed by the Pennsylvania Outdoor Advertising Act of 1971. (Act 160, 36 P.S., Section 2718.100 *et seq.*).

Section 9 - ENFORCEMENT.

A. The Code Enforcement Officer shall examine all applications for permits for erection of new signs and issue permits for new signs.

B. The Code Enforcement Officer shall make an annual inspection of all signs in the Borough and make such report to the Centre Hall Borough Council as may be necessary or as it may require. An inventory of all nonconforming signs shall be made by the Code Enforcement Officer and a copy submitted to the Borough Secretary.

C. The Code Enforcement Officer shall record and file all applications for sign permits with any accompanying plans or documents. The Zoning Officer must verify the zone designation for the sign and attest to such on the application.

Section 10 - PENALTIES.

(1) Any person who violates any provision(s) of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Borough or its Code Enforcement Officer, pay a judgment of not more than \$500.00 plus all court costs, including reasonable attorney fees incurred by the Borough as a result thereof. No judgment shall commence or be imposed, levied or be payable until the date of the determination of a violation of this Ordinance by the Magisterial District Judge. If the Defendant neither pays nor timely appeals the judgment, the Borough may enforce the judgment pursuant to the applicable Rules of Civil Procedure. Each day that a violation continues shall constitute a separate violation.

(2) If the Code Enforcement Officer shall find that any sign has been constructed, structurally altered or erected, or is being maintained in violation of the provisions of this Ordinance, he shall promptly notify the owner or lessor thereof in writing. If the owner or lessor fails to remove or alter the sign so as to comply with the provisions of this Ordinance within 36 hours of the mailing or

delivery of written notice, the Code Enforcement Officer shall cause a violation notice to be filed with the Magisterial District Judge, as provided in this Ordinance.

(3) If the Code Enforcement Officer shall find any sign which is in immediate peril to persons or property, he shall be empowered to order it to be removed immediately. If the Code Enforcement Officer cannot locate the owner or lessor to have the sign removed immediately, he shall cause the sign to be removed and the costs of such removal shall be borne by the owner or lessor and shall constitute a lien upon the premises.

Section 11 - VARIANCES AND EXCEPTIONS.

The Centre Hall Borough Council may, in its sole and absolute discretion, grant variances to the regulations of this Ordinance.

Section 12 – SEVERABILITY.

If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Centre Hall Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 13 – REPEALER.

All Ordinances or parts of Ordinances, specifically including Ordinance 137, which are inconsistent herewith are hereby repealed.

Section 14 – EFFECTIVE DATE.

This Ordinance shall become effective on the date of its enactment.

ENACTED AND ORDAINED as an Ordinance of the Borough of Centre Hall,
this 8th day of May, 2008.

ATTEST:

CENTRE HALL BOROUGH

Beth Ann Davis
Secretary

By: Ronald J. Kuhl
President

This Ordinance was approved by the Mayor of the Borough of Centre Hall on
the 8th day of May, 2008.

[Signature]
Mayor