ORDINANCE NO. 3 - 2018

AMENDING ARTICLE IX OF CHAPTER 163 OF THE SOUTH GREENSBURG CODE REGARDING THE ZONING OF SIGNS

WHEREAS, the Borough of South Greensburg currently provides zoning regulations on the placement, design, size, and other aspects of signs and desires to update and amend said regulations.

NOW, THEREFORE, be it enacted and ordained by Council of the Borough of South Greensburg in a regular meeting assembled and by authority of the same:

SECTION 1. The Borough of South Greensburg Code is amended by striking Sections 163-35 through 163-38.

SECTION 2. The Borough of South Greensburg Code is amended by striking the following Definitions from Section 163-7(b):

BILLBOARD — See "sign (billboard)."

SIGN (BILLBOARD) — A structure that is arranged, intended, designed or used as an advertisement, announcement or direction, or which is posted, painted or placed in some fashion near a building, structure or any surface for such a purpose. The area of the sign shall include the support material from the bottom of the sign to and beyond the top of the sign.

HEIGHT OF SIGN -- The vertical distance measured from ground level to the highest point on the sign, or its supporting structure.

SECTION 3. The Borough of South Greensburg Code is amended by inserting the following Sections:

§163-35. General Provisions.

Findings, purpose and intent; interpretation.

A. Signs obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation. The purpose of this article is to regulate the size, color, illumination, movement, materials, location, height and condition of all signs placed on private property for exterior observation, thus ensuring the protection of property values, the character of the various neighborhoods, the creation of a convenient, attractive and harmonious community, protection against destruction of or encroachment on historic convenience to citizens and encouraging economic development. This article allows adequate communication through

signage while encouraging aesthetic quality in the design, location, size and purpose of all signs. This article must be interpreted in a manner consistent with the First Amendment guarantee of free speech. If any provision of this article is found by a court of competent jurisdiction to be invalid, such finding must not affect the validity of other provisions of this article which can be given effect without the invalid provision.

B. Signs not expressly permitted as being allowed by right or by special use permit under this article, by specific requirements in another portion of this Chapter, or otherwise expressly allowed by the Borough of South Greensburg or its Zoning Hearing Board, are prohibited.

C. A sign placed on land or on a building for the purpose of identification, protection or directing persons to a use conducted therein, shall be deemed to be an integral, but must be an accessory and subordinate part of the principal use of land or building. Therefore, the intent of this article is to establish limitations on signs in order to ensure they are appropriate to the land, building or use to which they are appurtenant and are adequate for their intended purpose while balancing the individual and community interests identified in subsection A of this section.

D. These regulations are intended to promote signs that are compatible with the use of the property to which they are appurtenant, landscape and architecture of surrounding buildings, are legible and appropriate to the activity to which they pertain, are not distracting to motorists, and are constructed and maintained in a structurally sound and attractive condition.

E. These regulations distinguish between portions of the Borough designed for primarily vehicular access and portions of the Borough designed for primarily pedestrian access.

F. These regulations do not regulate every form and instance of visual communication that may be displayed anywhere within the jurisdictional limits of the Borough. Rather, they are intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the purposes set forth above.

G. These regulations do not entirely eliminate all of the harms that may be created by the installation and display of signs. Rather, they strike an appropriate balance that preserves ample channels of communication by means of visual display while still reducing and mitigating the extent of the harms caused by signs.

H. These regulations are not intended to and do not apply to signs erected, maintained or otherwise posted, owned or leased by this State, the federal government or this Borough. The inclusion of "government" in describing some signs does not intend to subject the government to regulation, but instead helps illuminate the type of sign that falls within the immunities of the government from regulation.

§163-36. Sign Restrictions

A. Definitions.

SIGN. A name, identification, description, display or illustration, which is affixed to, painted or represented directly or indirectly upon a building, or other outdoor surface which directs attention to or is designed or intended to direct attention to the sign face or to an object, product, place, activity, person, institution, organization or business. Signs located completely within an enclosed building, and not exposed to view from a street, must not be considered a sign for the purposes of the Article IX of Chapter 163. Each display surface of a sign or sign face must be considered to be a sign.

SIGN AREA

(1)The space enclosed within the extreme edges of the sign for each sign face, not including the supporting structure or

(2) Where attached directly to a building wall or surface, the space within the outline enclosing all the characters of the words, numbers or design.

SIGN FACE. The entire display surface area of a sign upon, against or through which copy is placed.

ELECTRIC. Any sign containing electric wiring. This does not include signs illuminated by an exterior floodlight source.

FLASHING. Any illumined sign on which the artificial light is not maintained stationary or constant in intensity and color at all times when such sign is in use. For the purpose of this Article any moving illuminated sign, except digital billboards, must be considered a flashing sign.

FREESTANDING. A sign erected and maintained on a freestanding frame, mast or pole not attached to any building, and not including ground mounted signs.

GOVERNMENT SIGN. A government sign is a sign that is constructed, placed or maintained by the federal, state or local government or a sign that is required to be constructed, placed or maintained by the federal, state or local government either directly or to enforce a property owner's rights.

GROUND MOUNTED. A sign which extends from the ground, or has support which places the bottom of the sign less than two (2) feet from the ground.

HIGHWAY SIGN. A Freestanding sign, Integral Sign or Flat Mounted Sign that is erected and maintained within the view of motorists who are driving on a highway.

INTEGRAL. A sign that is embedded, extruded or carved into the material of a building façade. A sign made of bronze, brushed stainless steel or aluminum, or similar material attached to the building façade.

MARQUE. A canopy or covering structure bearing a signboard or copy projecting from and attached to a building.

ORIGINAL ART DISPLAY. A hand-painted work of visual art that is either affixed to or painted directly on the exterior wall of a structure with the permission of the property owner. An original art display does not include: mechanically produced or computer generated prints or images, including but not limited to digitally printed vinyl; electrical or mechanical components; or changing image art display

OUTDOOR ADVERTISING. A sign which advertises goods, products or services which are not sold, manufactured or distributed on or from the premises or facilities on which the sign is located.

PORTABLE SIGN. Any structure without a permanent foundation or otherwise permanently attached to a fixed location, which can be carried, towed, hauled or driven and is primarily designed to be moved rather than be limited to a fixed location regardless of modifications that limit its movability.

PROJECTING. A sign, other than a wall sign, which projects from and is supported by a wall of a building or structure.

ROOF SIGN. A sign located on or above the roof of any building, not including false mansard roof, canopy, or other fascia.

TEMPORARY. A banner, pennant, poster or advertising display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood or other like materials and that appears to be intended or is determined by the code official to be displayed for a limited period of time.

FLAT WALL(FAÇADE-MOUNTED). A sign affixed directly to or painted on or otherwise inscribed on an exterior wall and confined within the limits thereof of any building and which projects from that surface less than twelve (12) inches at all points.

DIGITAL BILLBOARD. A sign that is static and changes messages by any electronic process or remote control.

VEHICLE SIGN. Any sign attached to or displayed on a vehicle.

COMMERCIAL CENTER. A parcel of land wherein one or multiple structures are located, which is under common ownership and/or control and has multiple rental units located therein that are used for retail, commercial and/or professional purposes. Example: strip mall.

B. Prohibited Signs. Signs are prohibited in all Districts unless constructed pursuant to a valid Occupancy Permit, when required under this Code; and are otherwise authorized under this Code or as approved by the Zoning Hearing Board. In addition:

(1) A property owner may not accept a fee for posting or maintaining a sign allowed under §163-63C(2); and

(2) In residential zones or on property used for non-transient residential uses, commercial signs are prohibited, except for those properties on which a home occupation or a transient residential use has been approved.

C. Authorized Signs. The following signs are authorized in every District without the need to apply for and obtain an Occupancy Permit:

(1) Although these regulations do not apply to signs erected, maintained or posted by the State, federal or this government, these regulations clarify that Government signs are allowed in every zoning district. The following signs are also permitted:

(a) Traffic control devices, on private or public property, when erected and maintained to comply with the Pennsylvania standards for Traffic Control Devices, 67 Pa. Code Chapter 212.

(b) Each property owner must mark their property using numerals that identify the address of the property so that public safety departments can easily identify the address from the public street. Where required under this code or other law the identification must be on the public right of way frontage and may be on the principal building on the property. The size and location of the identifying numerals and letters if any must be proportional to the size of the building and the distance from the street to the building and in no case smaller than four inches per digit. In cases where the building is not located within view of the public street, the identifier must be located on the mailbox or other suitable device such that it is adjacent to the public right of way.

(c) Where a federal, state or local law requires a property owner to post a sign on the owner's property to warn of a danger or to prohibit access to the property either generally or specifically, the owner must comply with the federal, state or local law to exercise that authority by posting a sign on the property. Such signs should be large enough to adequately alert persons of the risk of or on the property and in such location to be readily visible to those approaching the condition of the property requiring said warning.

(d) A flag that has been adopted by the federal government, this State or the local government may be displayed as provided under the law that adopts or regulates

its use and as provided in §163-36C(4). Decoration flags serving no commercial purpose are also permitted.

(e) The signs described in Sub-sections 2, 3, and 4 herein, are an important component of measures necessary to protect the public safety and serve the compelling governmental interest of protecting traffic safety, serving the requirements of emergency response and protecting property rights or the rights of persons on property.

(2). Temporary Signs

(a) Generally.

[1] A property owner may place one temporary sign with a sign face no larger than six (6) square feet on the property at any time.

[2] One temporary sign per 0.25 acre of land may be located on the owner's property for a period of thirty (30) days prior to an election involving candidates for a federal, state or local office that represents the district in which the property is located or involves an issue on the ballot of an election within the district where the property is located, per issue and per candidate. Where the size of the property is smaller than 0.25 acres, these signs may be posted on the property for each principal building lawfully existing on the property.

[3] One temporary sign may be located on a property when:

[a] The owner consents and that property is being offered for sale through a licensed real estate agent;

[b] If not offered for sale through a real estate agent, when the sign is owned by the property owner and that property is offered for sale by the owner; and

[c] the sign must be removed five (5) days after the conveyance as been completed.

[4] One temporary sign may be located on the owner's property on a day when the property owner is opening the property to the public.

[5] For the purpose of decoration, during the 40 day period of December 1 to January 10, and within 30 days prior to and 10 days after any holiday, a property owner may place temporary signs on the property and may use lights between the hours of 8AM and 10PM to decorate the property even if the lights might be arranged to form a sign.

[6] Athletic Fields. Unlimited temporary signs may be located on athletic fields for a period of time no longer than one week prior to the commencement of an athletic league's season through to one week after the season is complete. Said athletic league must be registered to use the athletic field whereon it desires to place signs. If the signs are to be placed on Borough owned property, the signs must first be approved by appropriate Borough personnel, and the fees related to the placement of such signs on Borough property must be paid in an amount as set forth in the Borough's fee schedule. If any signs are altered or otherwise changed or damaged after Borough approval of the same, the Borough may remove said altered sign.

[7] When construction activities are taking place. Signs must be removed within five (5) business days of the conclusion of construction activities.

[8] The sign face of any temporary sign, unless otherwise limited herein, must not be larger than two (2) square feet.

(b) Lessors are treated as property owners for the purpose of this Section. If a property has multiple separate commercial or dwelling units, each such unit shall be considered a separate property.

(3) Signs not in an enclosed building and not exposed to view from a street or public right of way, public place or other property such as those not visible to a person from a public right of way, public place or other property.

(4) Flags as follows:

[a] Single-family Zoning Districts. In a single-family zoning district, two flags and one flagpole per premises. Each flag must be a maximum of 15 square feet in area. The flagpole must be a maximum of 20 feet in height or no higher than the highest point of the principal building's roof, whichever is lower. Flagpoles must be set back from all property lines and rights-of-way a distance greater than the height of the flagpole.

[b] Nonresidential Zoning Districts. In a non-residential zoning district, one flag per 25 feet of frontage on a right-of-way up to a maximum of six flags and four flagpoles per premises. Each flag may be a maximum of 24 square feet in area. Flagpoles must be a maximum of 25 feet in height but no higher than the highest point of the nearest principal building's roof on the premises. Flagpoles must be set back from all property lines and rights-of-way a distance greater than the height of the flagpole.

[c] Small flags at vehicle sales and service establishments. One small flag of no more than one square foot in area may be attached to vehicles lawfully, an in compliance with the Borough of South Greensburg Code, on display for sale or rent at vehicle sales, rental, and service establishments. Such flag must be no higher than two feet above the height of the vehicle as if it were displayed at grade level.

(5) Vehicle signs, being signs affixed to a vehicle to advertise a purpose, must be covered or otherwise obscured or relocated so as not to be visible from a public way, if the vehicle is parked on the same property for longer than 48 hours. Exempted from this requirement are vehicles with signs affixed thereto, and the vehicle is regularly operated and transported off premises for a commercial purpose.

D. Occupancy Permit required.

(1) In general. An Occupancy Permit is required prior to the display and erection of any sign except as provided in §163-35D(4) of this Article.

(2) Application for Occupancy Permit. Please refer to §163-38.

(3) Borough may revoke a sign permit under any of the following circumstances:

(a) The Borough determines that information in the application was materially false or misleading;

(b) The sign as installed does not conform to the Occupancy Permit application;

(c) The sign violates this Article IX, this Chapter 163, building code, or other applicable law, regulation, or ordinance; or

(d) The Borough determines that the sign is not being properly maintained or has been abandoned.

(4) Permits not required. A sign permit is not required for signs:

(a) Described in § 163-35C; or

(b) Official notices or advertisements posted or displayed by or under the direction of any public or court officer in the performance of official or directed duties; provided, that all such signs must be removed no more than ten (10) days after their purpose has been accomplished.

§163-37E. Specific Sign Regulations by District. The following sign regulations apply to all Use Districts as indicated.

A. Residential Districts

(1) Scope: This Section must apply to all Residential Districts.

(2) Size:

(a) When a sign is authorized on a property, the sign must not exceed 1 square foot in area. Where attached dwellings exist on a property the total square footage of signs must not exceed 1 square feet per dwelling unit and must not exceed a total of 12 square feet in area per structure.

(a) For Residential Developments (including subdivision identification) there may be no more than 2 signs with a cumulative total area of 48 square feet.

(3) Location: Permitted signs may be anywhere on the premises, except in a required side yard or within 5 feet of the boundary of a right-of-way.

(4) Height: The following maximum heights must apply to signs:

(a) If ground-mounted, the top must not be over 4 feet above the ground; and

(b) If building mounted, must be flush mounted and must not project above the roof line.

(6) Illumination: Illumination if used must not be blinking, fluctuating or moving. Illumination must be exterior by way of a fog lamp or other similar light source and may only shine directly upon the sign and upon the improvements within the premises. Any illumination of a sign in a residential district must cease at 9:00 PM. No internal illumination signs are permitted in a residential district

(7) The following signs are not allowed: Highway Signs, Portable Signs, Marquee Signs, Digital Billboard, Outdoor Advertising Sign, Projecting Sign and any sign illuminated internally.

B. Commercial Districts – C-1, Convenience Commercial

(1) Scope: This Section must apply to the C-1, Convenience Commercial, zone district.

(2) Number and Size:

(a) For each lot or parcel a sign no larger than twenty (20) square feet may be authorized.

(b) Two (2) or more lots or parcels having a combined linear frontage of at least 100 feet may combine their sign areas allowed by §163-37E(B)(2)(a) for the purpose of providing one common free-standing or ground-mounted sign. The sign must not exceed sixty (60) square feet.

(c) Corner Lots: Where a lot fronts on more than one street, only the square footage computed for each street frontage may face that street frontage. The square footage may not be combined, and used on one street frontage, towards a corner, or in any other manner.

(3) Commercial Centers may utilize a sign, free standing, ground-mounted, or otherwise, no larger than the size of 6 square feet per unit, plus 20 square feet, in said Commercial Center to advertise all tenants located therein, and the Individual businesses located therein are permitted a face building mounted sign within the size requirements of §163-37E(B)(2).

(4) Highway Signs: Highway signs, including Digital Billboards and Outdoor Advertising Signs, may be permitted in parcels in the C-1 Districts only to the extent that said parcels share a boundary with the right of way of Route 30 and/or the exit and entrance ramps to Route 30. Such signs are not permitted in any other portion of the C-1 District. Such signs may not exceed 300 square feet per face, nor may the face exceed a length of 30 feet or a height, excluding foundation and supports, of 12 feet. Back-to-back, multiple signs on one freestanding pole, double-faced or Vtype sign shall be considered as one sign.

(5) Types of Signs and Location:

(a) Flat Wall Signs may be located on any wall of the building.

(b) Freestanding Signs must have a minimum clearance of eight (8) feet six (6) inches above a sidewalk and fifteen (15) feet above driveways or alleys.

(c) One Freestanding or Ground-Mounted sign per lot or parcel, except as provided in §163-37E(B)(3), may be located anywhere on the premises except as follows:

[1] A ground-mounted sign must not be located in a required side yard, rear yard or within five (5) feet of a street right-of-way.

[2] A freestanding sign must not be located in a required side or rear yard. A freestanding sign may project up to the street right-of-way provided there is a minimum ground clearance of eight (8) feet six (6) inches, and provided sign is set back from the roadway a minimum of 5 feet from a public or privately maintained roadway or a distances as required by the Pennsylvania standards for Traffic Control Devices, 67 Pa. Code Chapter 212, whichever requires a larger distance.

(d) Marquee Signs or signs located on or attached to marquees must have a minimum clearance of not less than eight (8) feet six (6) inches (8' 6"). Marque signs are excepted from §163-37E(B)(2), and may not exceed seventy-five (75) square feet. The maximum vertical dimension of signs must be determined as follows:

Height above Grade Vertical	Dimension
8' 6" up to 10'	2' 6" high
10' up to 12'	3' high
12' up to 14'	3' 6" high
14' up to 16'	4' high
16' and over	4' 6" high

(e) Wall signs must not extend above the top of a parapet wall or a roofline at the wall, whichever is higher.

(f) Highway signs, permitted pursuant to §163-37E(B)(4), including digital billboards and outdoor advertising signs, may be allowed anywhere on the premises except in a required side yard, rear yard or within twenty (20) feet of a right-of-way.

(g) No portion of a highway sign, including digital billboards and outdoor advertising signs, may be located within three hundred (300) linear feet of the property line of a parcel with a residential land use designation or residential use that fronts on the same street and within the line of sight of the billboard face.

(6) Height:

(a) Ground-mounted signs must not exceed four (4) feet in height from ground level.

(b) Freestanding signs must not exceed twenty-eight (28) feet in height from ground level.

(c) Highway signs, including digital billboards, must not exceed thirty-five (35) feet in height from ground level.

(7) Content:

(a) Any of the signs pursuant to this §163-37E(B) may be changeable copy signs.

(b) The primary identification sign as allowed under §163-36C(1)(b) for each dwelling unit must contain its street number. The street number must be clearly visible from the street right-of-way.

(8) Illumination: Must be as provided in §163-37E(F)

C. Commercial Districts – C-2, General Commercial

(1) Scope: This Section must apply to the C-2, General Commercial, zone district.

(2) Number and Size:

(a) For each lot or parcel a sign no larger than sixty (60) square feet may be authorized.

(b) Two (2) or more lots or parcels having a combined linear frontage of at least 100 feet may combine their sign areas allowed by §163-37E(C)(2)(a) for the purpose of providing one common free-standing or ground-mounted sign. The sign must not exceed one hundred and eighty (180) square feet.

(c) Corner Lots: Where a lot fronts on more than one street, only the square footage computed for each street frontage may face that street frontage. The square footage may not be combined, and used on one street frontage, towards a corner, or in any other manner.

(3) Commercial Centers may utilize a sign, free standing, ground-mounted, or otherwise, no larger than the size of 6 square feet per unit, plus 20 square feet, in said Commercial Center to advertise all tenants located therein, and the Individual businesses located therein are permitted a face building mounted sign within the size requirements of §163-37E(C)(2).

(4) Highway Signs: Highway signs, including Digital Billboards and Outdoor Advertising Signs, may be permitted in parcels in the C-2 Districts only to the extent that said parcels share a boundary with the right of way of Route 30 and/or the exit and entrance ramps to Route 30. Such signs are not permitted in any other portion of the C-2 District. Such signs may not exceed 300 square feet per face, nor may the face exceed a length of 30 feet or a height, excluding foundation and supports, of 12 feet. Back-to-back,

multiple signs on one freestanding pole, double-faced or Vtype sign shall be considered as one sign.

(5) Types of Signs and Location:

(a) Flat Wall Signs may be located on any wall of the building.

(b) Freestanding Signs must have a minimum clearance of eight (8) feet six (6) inches above a sidewalk and fifteen (15) feet above driveways or alleys.

(c) One Freestanding or Ground-Mounted sign per lot or parcel, except as provided in §163-37E(C)(3), may be located anywhere on the premises except as follows:

[1] A ground-mounted sign must not be located in a required side yard, rear yard or within five (5) feet of a street right-of-way.

[2] A freestanding sign must not be located in a required side or rear yard. A freestanding sign may project up to the street right-of-way provided there is a minimum ground clearance of eight (8) feet six (6) inches, and provided sign is set back from the roadway a minimum of 5 feet from a public or privately maintained roadway or a distances as required by the Pennsylvania standards for Traffic Control Devices, 67 Pa. Code Chapter 212, whichever requires a larger distance.

(d) Marquee Signs or signs located on or attached to marquees must have a minimum clearance of not less than eight (8) feet six (6) inches (8' 6"). Marque signs are excepted from §163-37E(C)(2), and may not exceed seventy-five (75) square feet. The maximum vertical dimension of signs must be determined as follows:

Height above Grade Vertical	Dimension
8' 6" up to 10'	2' 6" high
10' up to 12'	3' high
12' up to 14'	3' 6" high
14' up to 16'	4' high
16' and over	4' 6" high

(e) Wall signs must not extend above the top of a parapet wall or a roofline at the wall, whichever is higher.

(f) Highway signs, permitted pursuant to §163-37E(C)(4), including digital billboards and outdoor advertising signs, may be allowed anywhere on the premises except in a required side yard, rear yard or within twenty (20) feet of a right-of-way.

(g) No portion of a highway sign, including digital billboards and outdoor advertising signs, may be located within three hundred (300) linear feet of the property line of a parcel with a residential land use designation or residential use that fronts on the same street and within the line of sight of the billboard face.

(6) Height:

(a) Ground-mounted signs must not exceed four (4) feet in height from ground level.

(b) Freestanding signs must not exceed twenty-eight (28) feet in height from ground level.

(c) Highway signs, including digital billboards, must not exceed thirty-five (35) feet in height from ground level.

(7) Content:

(a) Any of the signs pursuant to this §163-37E(C) may be changeable copy signs.

(b) The primary identification sign as allowed under §163-36C(1)(b) for each dwelling unit must contain its street number. The street number must be clearly visible from the street right-of-way.

(8) Illumination: Must be as provided in §163-37E(F).

D. M General Industrial District

(1) Scope: This section shall apply to the M General Industrial District

(2) Illumination: Must be as provided in Section §163-37E(F)

(3) Number and Size:

(a) One (1) sign for each street frontage, each with a maximum area of five (5) percent of the total square footage of the face of the building facing that street frontage shall be permitted.

(b) One freestanding or ground-mounted sign not exceeding six (60) square feet per lot or parcel shall be permitted

(c) A maximum of two (2) signs of three hundred (300) square feet per face may be permitted for industrial parks or complexes. At least one such sign must be erected at the entrance to the park.

(4) Types of Signs and Location: As provided in §163-37E(C)(5), with the exception that Highway Signs are permitted in M District without a geographical limitation.

E. Supplemental Criteria in all Districts

(1) Temporary Signs. Temporary signs are subject to the following standards, unless specifically addressed elsewhere in this Section:

(a) All temporary signs on a single parcel (a piece of real estate with its own tax map number) may not exceed a total of sixteen (16) square feet in area;

(b) Must not be located within any public right-of-way;

(c) Must only be located on property that is owned, or otherwise lawfully possessed, by the person whose sign it is, and must not be placed on any utility pole, street light, traffic sign or traffic sign post, similar object, or on public property;

(d) Must not be illuminated except as allowed in §163-37E(F), based on the district in which the sign is located; and

(e) Must be removed within fourteen (14) days after the conclusion of event which is the basis for the sign under § 163-36C(2), or if a different standard is required in §163-36C(2), that different standard is controlling and the sign must be removed within the time period required by that Section.

(2) Bench Signs: On street benches provided:

(a) The benches must not be higher than three (3) feet above ground;

(b) Limited to twelve (12) square feet in area;

(c) The benches are not located closer than five (5) feet to any street right-of-way line;

(d) Benches are located in a manner not to obstruct vision;

(e) Must be included as part of the total permitted sign area of the premise on which it is located.

(3) Integral Signs: There are no restrictions on sign orientation including whether it is freeway-oriented. Integral sign must not exceed seventy-two (72) square feet per façade. Integral signs may be illuminated externally but must not be illuminated internally.

(4) Private Traffic Direction: Illumination of signs erected as required by the Pennsylvania standards for Traffic Control Devices, 67 Pa. Code Chapter 212, must be in accordance with §163-37E. Horizontal directional signs flush with paved areas are exempt from these standards.

(5) Original Art Display: Original art displays are allowed provided that they meet the following requirements:

(a) May be located in the C-1 Convenience Commercial District and the C-2 General Commercial District;

(b) Must not be placed on a dwelling;

(c) Must not extend more than six (6) inches from the plane of the wall upon which it is painted or to which it is affixed;

(d) Must be no more than sixty-four (64) square feet in size, per parcel;

(e) Compensation will not be given or received for the display of the original art or the right to place the original art on site, unless an artist is paid for their time in painting the sign; and

(f) Must not be illuminated.

(6) Athletic Field Signage. Permanent signage is permitted on parcels housing athletic fields, provided that they meet the following requirements:

(a) Illumination: Must be as provided in §163-37E(F). Additionally, the sign may only be illuminated during the time that a game or community event is being held, plus an additional period of two hours prior to the same. The illumination must terminate by 9:30 PM.

(b) The property may contain one freestanding sign not to exceed 120 square feet and twenty feet in height.

(c) There shall be no limit to the number of signs affixed to fences, dugouts, and other structures constructed for the sole purpose of athletic competitions or public community gatherings.

F. Illumination. No sign may be erected or maintained which, by use of lights or illumination, creates a distracting or hazardous condition to a motorist, pedestrian or the general public. In addition:

(1) No exposed reflective type bulb, par spot or incandescent lamp, which exceeds twenty-five (25) Watts, may be exposed to direct view from a public street or highway, but may be used for indirect light illumination of the display surface of a sign.

(2) When neon tubing is employed on the exterior or interior of a sign, the cap of such tubing must not exceed three hundred (300) milliamperes rating for white tubing or one hundred (100) milliamperes rating for any colored tubing.

(3) When fluorescent tubes are used for the interior illumination of a sign, such illumination must not exceed:

(a) Within Residential Districts: Interior illumination of a sign shall not be permitted in any Residential Districts.

(b) Within land use districts other than Residential: Illumination equivalent to eight hundred (800) milliampere rating tubing behind a Plexiglas face spaced at least nine (9) inches, center to center.

(4) Digital billboards must:

(a) Display only static messages that remain constant in illumination intensity and do not have movement or the appearance or optical illusion of movement;

(b) Not operate at an intensity level of more than 0.3 foot-candles over ambient light as measured at a distance of one hundred and fifty (150) feet. The same must be proven by the applicant to the satisfaction of the Borough through the use of a report of a qualified engineer;

(c) Be equipped with a fully operational light sensor that automatically adjusts the intensity of the billboard according to the amount of ambient light;

(d) Change from one message to another message no more frequently than once every ten (10) seconds and the actual change process is accomplished in two (2) seconds or less;

(e) Be designed to either freeze the display in one static position, display a full black screen, or turn off in the event of a malfunction; and

(f) Not be authorized until the Code Official is provided evidence that best industry practices for eliminating or reducing uplight and light trespass were considered and built into the digital billboard.

G. Prohibited Signs. The following signs or lights are prohibited which:

(1) Are of a size, location, movement, coloring, or manner of illumination which may be confused with or construed as a traffic control device or which hide from view any traffic or street sign or signal;

(2) Contain or consist of banners, posters, pennants, ribbons, streamers, strings of light bulbs, spinners, or other similarly moving devices or signs which may move or swing as a result of wind pressure. These devices when not part of any sign are similarly prohibited, unless they are permitted specifically by other legislation;

(3)Have blinking, flashing or fluttering lights or other illuminating devices which exhibit movement, except digital billboards as permitted pursuant to this Code;

(4) Are roof signs except as allowed in §163-37D(4);

(5) Are freeway-oriented signs except as allowed as Highway signs;

(6) Would be an Original Art Display but does not have the permission of the owner of the property on which it is located or is graffiti; or

(7) Are portable signs that do not comply with the location, size or use restrictions of this Code.

H. Procedures. Applications for a sign Occupancy Permit must be processed through §163-38.

I. Nonconformity and Modification.

(1) Signs lawfully in existence, or an occupancy permit was applied for and in compliance with the Code, on the date the provisions of this Code were first advertised as a Pending Ordinance, which do not conform to the provisions of this Code, but which were in compliance with the applicable regulations at the time they were constructed, erected, affixed, maintained, or applied for must be regarded as nonconforming.

(2) Signs which were nonconforming to the Borough of South Greensburg Code and Zoning Ordinance at the time the sign was constructed, and which do not conform to this Code and Ordinance, must be removed immediately.

I. Compliance. Any sign which is altered, relocated, replaced or otherwise modified in any manner, must be brought immediately into compliance with all provisions of this Chapter 163.

§163-38. Sign Occupancy Permit.

An occupancy permit shall be secured for the establishment, major alteration or the moving of any sign, as the same is required by §163-37. Signs exempted from the Occupancy Permit requirement by the terms and provisions of §163-37, shall not be required to obtain an Occupancy Permit. An Occupancy Permit shall not be issued unless the sign and application are in complaint with this Chapter 163 of the Borough of South Greensburg Code. An Occupancy Permit shall terminate automatically for nonuse as provided in §163-40.

SECTION 4. The Borough of South Greensburg Mayor, Council President, and any appropriate Borough employees are hereby authorized to take any and all action necessary to carry into effect the provisions of this Ordinance, including the purchase and installation of appropriate signs.

SECTION 5. All other Ordinances inconsistent herewith are repealed.

ORDAINED AND ENACTED into an Ordinance of the Borough of South Greensburg this 9th day of July, 2018, by the Council for the Borough of South Greensburg.

ATTEST:

By: _____
Michele ~~Dutch~~ Dusch, Secretary

BOROUGH OF SOUTH GREENSBURG

By: _____
Clentin C. Martin, President of Council

Examined and approved this _ day of _____, 2018

By: _____
Kevin Fajt, Mayor