

ARTICLE 2100
Signs

§ 208-2101. Purpose.

Marshall Township has determined that the control of signage associated with various land USES in the TOWNSHIP is an essential part of protecting the health, safety and welfare of TOWNSHIP residents. This determination has been made based on the desire to minimize traffic hazards from SIGNS which distract a driver's attention from the road. It cannot be disputed that a SIGN's whole purpose is to call attention to themselves and to the extent they are successful, a motorists powers of observation are diverted from those things which he may injure or which may bring injury to him. Additionally, the TOWNSHIP recognizes that appearance of the TOWNSHIP helps drive its economy, and so it is important to protect that appearance. These regulations are specifically intended to achieve this objective.

It is also important to note that the provisions contained herein are not intended to regulate any type of speech and shall be applied to all advertising displays regardless.

Furthermore, it should also be noted that both the PLANNING COMMISSION and BOARD OF SUPERVISORS have taken great time and effort to design the provisions contained in this Article of the Zoning Ordinance to ensure that competing interests have been balanced without eliminating the opportunity for outdoor advertising in Marshall Township. To that end, the purpose of the following sections is to establish minimum regulations for the display of SIGNS.

§ 208-2102. Scope and applicability.

- A. In all ZONING DISTRICTS within Marshall Township, SIGNS may be erected, altered, maintained, used, removed or moved only when in compliance with the provisions of this Article and any and all other ordinances and regulations of the TOWNSHIP relating to the erection, alteration, maintenance, use, removal or moving of SIGNS or similar devices.

§ 208-2103. Permit required.

- A. Except as otherwise provided in §§208-2105 and 208-2106, no SIGN may be constructed, erected, moved, enlarged, illuminated or substantially altered except in accordance with the provisions of this chapter and in accordance with a SIGN permit issued by the Township Zoning Officer. Repainting or changing the message of a SIGN shall not, in and of itself, be considered a substantial alteration.
- B. Sign permit applications and SIGN permits shall be governed by the same provisions of this chapter applicable to ZONING PERMITS.
- C. Unless specifically exempted in this Article, a separate permit shall be required for the erection, structural repair or alteration of any SIGN regulated in this chapter. Each application for a SIGN permit shall be accompanied by a drawing to scale showing the design proposed, the size, character and color of letters, lines and symbols, method of illumination, the exact location of the SIGN in relation to the BUILDING and property and details and specifications for CONSTRUCTION. A fee in accordance with the Township Fee Schedule, as amended, shall accompany each application.

2. In the case of a LOT occupied or intended to be occupied by multiple business enterprises (e.g., a SHOPPING CENTER), SIGN permits shall be issued in the name of the LOT OWNER or his agent rather than in the name of the individual business enterprise requesting a particular SIGN. The TOWNSHIP may assist the OWNER by suggesting a formula whereby the maximum square footage of SIGN area allowed on the LOT may be allocated equitably among all tenants, but the TOWNSHIP shall be responsible for enforcing only the provisions of this chapter and not the provision of any allocation formula, lease or other private restriction.

§ 208-2104. Prohibited SIGNS.

- A. The following SIGNS are not permitted under this article. Such signs include, but are not limited to:
 1. AWNING SIGN
 2. ROOF SIGN
 3. PORTABLE SIGN
 4. PENNANTS AND STREAMERS
 5. CANOPY SIGN
 6. ADVERTISING VEHICLE
 7. PROJECTION SIGN (except as permitted in §208-905 for TC District)
- B. No sign shall be erected in the township that:
 1. Obstructs the sight triangle distance at an intersection along a public right-of-way.
 2. Tends by its location, color, shape, message or nature to be confused with or obstruct the view of traffic signs or traffic signals by motorists or pedestrians.
 3. Uses admonitions such as stop, go, slow, danger, etc., which might be confused with traffic signals.
- C. Novelty signs, including but not limited to object (i.e., tires, automobiles, food products, etc.), pennants, banners and balloons shall not be permitted.

§ 208-2105. Exempt SIGNS.

- A. The following SIGNS are exempt from regulation under this chapter unless more specific provisions contained in this Article indicate otherwise:
 1. One (1) RESIDENTIAL SIGN not exceeding two (2) square feet in area that is customarily associated with RESIDENTIAL USE.
 2. Signs erected by or on behalf of or pursuant to the authorization of a governmental body,

- including legal notices, identification and informational SIGNS and traffic, DIRECTIONAL or regulatory SIGNS.
3. Official SIGNS of a noncommercial nature erected by public utilities.
 4. FLAGS or insignia of any governmental or nonprofit organization when not displayed in connection with a commercial promotion or as an advertising device.
 5. Signs directing and guiding traffic on a public property that do not exceed four (4) square feet each and that bear no COMMERCIAL MESSAGE.
 6. Displays, including lighting, erected in connection with the observance of holidays. Such SIGNS shall be removed within fifteen (15) DAYS following the holidays.
 7. No trespassing or no hunting SIGNS, without limitation on number or placement, limited in area to two (2) square feet.

§ 208-2106. Certain TEMPORARY SIGNS: permit exemptions subject to additional regulations.

- A. The following TEMPORARY SIGNS are permitted without a permit. However, such SIGNS shall conform to the requirements set forth below as well as all other applicable requirements of this chapter:
 1. In residential zones, SIGNS containing the message that the real estate on which the SIGN is located (including BUILDINGS) is for sale, lease or rent, together with information identifying the OWNER or agent. Such SIGNS shall be removed immediately after sale, lease or rental.
 - (a) In residential zones, such SIGNS may not exceed four (4) square feet in area. For LOTS of less than five (5) acres, a single SIGN on each STREET FRONTAGE may be erected. For LOTS or parcels five (5) acres or more in area and having a STREET FRONTAGE in excess of four hundred (400) feet, one (1) additional sign not exceeding twelve (12) square feet in area may be erected.
 - (b) In non-residential zones, such SIGNS may not exceed thirty-two (32) square feet in area and eight (8) feet in height. There shall not be more than one (1) temporary commercial real estate sign for each lot or site except that where a lot abuts two (2) or more STREETS, an additional SIGN oriented to each abutting STREET shall be permitted. Such SIGNS shall only be located upon the premises for sale, lease or rent or for which they are advertising. Such SIGNS shall be located a minimum of ten (10) feet from any STREET right of way and adjacent property lines.
 2. CONSTRUCTION SITE identification SIGNS not exceeding thirty-two (32) square feet in area erected on the SITE during the period of CONSTRUCTION which announce the name of the OWNER or DEVELOPER, contractor, architect, landscape architect, planner or engineer. Such SIGNS shall not be illuminated and shall be removed upon completion of CONSTRUCTION.
 3. Signs attached temporarily to the interior of a building window or glass door. Such SIGNS, individually or collectively, may not cover more than thirty-five percent (35%) of the surface area of the transparent portion of the window or door to which they are attached.

4. Any INCIDENTAL SIGN advertising the sale of the FARM products grown or produced on the premises in any ZONING DISTRICT wherein an agricultural USE is permitted, provided that such SIGN shall not exceed twelve (12) square feet in area and shall be at least fifty (50) feet from the nearest intersection of a STREET, road or highway and at least twenty (20) feet from the nearest property line. Such SIGN shall not be illuminated.
5. One (1) bulletin board and SIGN for a church, SCHOOL, community or other public or semipublic institution building on the property on which located, provided that the area of such bulletin board or SIGN shall not exceed fifteen (15) square feet in area, nor be located closer than twenty-five (25) feet to any property line.
6. TEMPORARY SIGN of mechanics, painters and other artisans, provided that such SIGN shall be erected only on the property where such work is being performed, shall not exceed four (4) square feet and shall be removed promptly upon completion of the work.

§ 208-2107. Determining number of SIGNS.

- A. For the purpose of determining the number of SIGNS, a SIGN shall be considered to be a single display surface or display device containing elements organized, related and composed to form a unit.
- B. A two-sided or multisided SIGN shall be regarded as one (1) SIGN so long as:
 1. With respect to a V-type SIGN, the angle of the V shall not exceed thirty degrees (30°); and
 1. With respect to double-faced (back-to-back) SIGNS, the distance between the backs of each face of the SIGN shall not exceed two (2) feet.

§ 208-2108. Computation of SIGN area.

- A. The surface area of a SIGN shall be computed by including the entire area within a single, continuous, rectilinear perimeter of not more than eight (8) straight lines or a circle or an ellipse enclosing the extreme limits of the writing, representation, emblem or other display, 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, but not including any supporting framework or bracing that is clearly incidental to the display itself.
- B. If the SIGN consists of more than one (1) section or module, all of the area, including that between sections or modules, except air space, shall be included in the computation of the SIGN area.
- C. With respect to two-sided, multisided or three-dimensional SIGNS, the SIGN surface area shall be computed as described in Subsections A and B by including the total of all sides designed to attract attention or to communicate information that can be seen at any one (1) time by a PERSON from one (1) vantage point. Without otherwise limiting the generality of the foregoing:
 1. The SIGN surface of a double-faced, back-to-back SIGN shall be calculated by using the area of only one (1) side of such SIGN, so long as the distance between the backs of such SIGN does not exceed two (2) feet.

2. The SIGN surface area of a double-faced SIGN constructed in the form of a V shall be calculated by using the area of only one (1) side of such SIGN (the larger side if there is a size difference), so long as the angle of the V does not exceed thirty degrees (30°) and at no point does the distance between the backs of such sides exceed five (5) feet.
3. Signage on gas canopies will be computed as part of the allowable FREESTANDING SIGN surface area.

§ 208-2109. General requirements applicable in all DISTRICTS.

- A. At the intersection of any state or federal highway with a major or secondary STREET, the SETBACK of any FREESTANDING SIGN shall not be less than one hundred (100) feet from the established RIGHT-OF-WAY of the intersection.
- B. No SIGN may extend above any parapet or be placed upon any roof surface, except that for purposes of this section, roof-surfaces constructed at an angle of seventy-five degrees (75°) or more from horizontal shall be regarded as wall space. This subsection shall not apply to displays, including lighting, erected in connection with the observation of holidays on the roofs of residential STRUCTURES.
- C. No SIGN attached to a BUILDING may project outward more than twelve (12) inches from the building wall.
- D. No SIGN or supporting STRUCTURE may be located in or over any public RIGHT-OF-WAY, except for the following:
 1. Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information and direct or regulate pedestrian or vehicular traffic.
 2. Bus stop signs erected by a public transit company.
 3. Informational signs of a public utility regarding its poles, lines, pipes or facilities.
 4. Emergency warning signs erected by a governmental agency, a public utility company or a contractor doing authorized or permitted work within the public right-of-way.
 5. Projecting signs permitted under §208-905.
 6. Any signs erected in violation of this provision shall be deemed a hazard and shall be removed without notice at cost to the owner.
- E. No sign which emits smoke, visible vapors or particles, sound or odor shall be permitted.
- F. No sign shall be erected containing information on it which states or implies that a property may be used for any purpose not permitted under the provisions of this chapter in the zoning district in which the property to which the sign relates is located.
- G. Any sign located along the right-of-way of a state or federal highway shall comply with any more restrictive requirements of the state or federal government relating thereto.

- H. All distances provided for this Article shall be measured along straight lines between signs and from the near edge to near edge of the sign or sign structure.
- I. Signs, whether permanent or temporary, other than municipal, county or state signs or official traffic control devices, shall not be erected within or overhang any approved site easements, nor shall any sign be located so as to constitute a traffic hazard.
- J. Advertising signs, except temporary real estate signs and nonconforming business signs as permitted under § 208-2106, shall not be permitted in any residential district in the township.
- K. Signs where permitted shall be erected or placed in conformity with the side and rear yard requirements of the district in which it is located.

§ 208-2110. Permitted SIGNS; SIGN area, height, and setback requirements.

- A. The following provisions identify the types of SIGNS, number of SIGNS, SIGN surface area, and SIGN setbacks permitted by general specific ZONING DISTRICT classifications.

- 1. Commercial and industrial DISTRICT SIGNS.

- (a) WALL SIGNS.

Each individual commercial or industrial establishment shall be permitted multiple WALL SIGNS. The projection of the WALL SIGNS shall not exceed one (1) foot measured from the face of the BUILDING. The area of all permanent WALL SIGNS or BUILDING SIGNS for any single business enterprise shall be limited according to the area of the building facade or part of BUILDING occupied by such enterprise. For the purposes of this section, area shall be measured along the building face nearest parallel to the STREET LINE.

- (i) For LOTS located along one (1) public street:
The total area of all WALL SIGNS shall be limited to fifteen percent (15%) of the facade fronting the STREET not to exceed seventy (70) square feet. No individual WALL SIGN shall exceed fifty (50) square feet.
 - (ii) In the case of a CORNER LOT that has at least one hundred fifty (150) feet of frontage on two (2) intersecting public streets:
WALL SIGNS can be placed on either façade fronting on a STREET. The total area of all WALL SIGNS (on both facades) shall be limited to fifteen percent (15%) of the area of one (1) of the building's facades fronting the STREET but shall not exceed seventy (70) square feet. No individual WALL SIGN shall exceed fifty (50) square feet.
 - (iii) In the case of a double FRONT LOT that has at least one hundred fifty (150) feet of frontage on two (2) public streets that do not intersect at the LOT'S boundaries:
WALL SIGNS can be placed on either façade fronting on a STREET. The total area of all WALL SIGNS (on both facades) shall be limited to fifteen percent (15%) of the area of one (1) of the building's facades fronting the STREET but

shall not exceed seventy (70) square feet. No individual WALL SIGN shall exceed fifty (50) square feet.

(b) FREESTANDING SIGNS.

In a commercial or industrial DISTRICT, each parcel upon which a commercial or industrial USE is located shall be permitted one (1) permanent FREESTANDING SIGN.

- (i) If the parcel’s frontage is less than two-hundred (200) feet, the parcel shall be permitted one (1) GROUND/MONUMENT SIGN.
- (ii) If the parcel’s frontage is two-hundred (200) feet or greater, the parcel shall be allowed either one (1) ground/monument sign or one (1) pole/pylon sign.
- (iii) Freestanding signs shall be limited to thirty-five (35) square feet except as provided for in § 208-2112 for corner lots or for sites with multiple uses. The height of freestanding signs shall not exceed twenty-five (25) feet or the main cornice line of the building, whichever is more restrictive. To encourage the reduction in height of freestanding signs, an increase of twenty percent (20%) of the sign area will be allowed if a freestanding sign is not more than seven (7) feet in height. Such signs shall be located a minimum distance from the right-of-way line or adjoining lot line according to the chart for allowable increases. Such signs shall be located a minimum distance of fifty (50) feet from any residential or conservation district. Freestanding signs shall be supported by one (1) or more columns or uprights which are firmly embedded in the ground. Exposed guy wires, chains or other connections shall not be made a permanent support of the freestanding sign.

Chart for allowable increases: **[Amended 5/12/2008 by Ord. No. 389]**

SIGN Height (feet)	Minimum Setback (feet)	Maximum Area (sq. ft.) excluding bonuses in §208-2111
7 OR LESS	10	42 (includes 20% bonus)
7.01-10	15	35
10.01-15	20	35
15.01-25	25	35

(c) DIRECTIONAL SIGNS.

Two (2) DIRECTIONAL SIGNS may be erected at each DRIVEWAY serving a LOT, regardless of the number of PRINCIPAL USES upon the LOT. The surface area of any one (1) DIRECTIONAL SIGN shall not exceed four (4) square feet and in no event shall be higher than six (6) feet. Any DIRECTIONAL SIGN must be landscaped in conformity with the grounds of adjacent property and may not obstruct ingress or egress to premises or vision at intersections or curves. Such SIGNS may be located up to but not within the STREET RIGHT-OF-WAY, must be set back ten (10) feet from any adjoining LOT LINE and, further, may not be located within fifty (50) feet of a residential DISTRICT.

(d) TEMPORARY SIGNS.

Signs indicating that a special event such as a grand opening, fair, carnival, circus, festival or similar event is to take place on the LOT where the SIGN is located. Such SIGNS shall require a permit and may be erected a maximum of two (2) times during a twelve (12) month period for up to two (2) weeks at a time. No SIGN shall be greater than twenty-four (24) square feet.

2. Residential DISTRICT SIGNS.

(a) HOME OCCUPATION SIGNS.

HOME OCCUPATIONS for which a SIGN is required by county, state or federal regulations, one (1) SIGN, a maximum of four (4) square feet in SIGN area, is permitted.

(i) Signs for HOME OCCUPATIONS shall be set back a minimum of ten (10) feet from any STREET RIGHT-OF-WAY LINE or adjoining LOT LINE.

(ii) Signs for HOME OCCUPATIONS shall not be illuminated.

(b) WALL SIGNS.

For NONRESIDENTIAL USES other than HOME OCCUPATIONS in residential DISTRICTS, one (1) building or WALL SIGN is permitted for a single LOT.

(i) The area of all permanent building or WALL SIGNS for any single business enterprise shall be limited to ten percent (10%) of the area of the building facade of the BUILDING occupied by such enterprise. In no instance shall the SIGN area exceed forty (40) square feet.

a. For the purposes of this section, the area of the building facade shall be measured along the building face nearest parallel to the STREET LINE. In the case of a CORNER LOT, either frontage may be used in determining area, but the frontage selected shall be considered the front wall of the BUILDING for the purposes of determining the maximum area of the SIGN.

b. Projections of building or WALL SIGNS shall not exceed one (1) foot measured from the face of the main wall of the BUILDING.

(c) FREESTANDING SIGNS.

For NONRESIDENTIAL USES other than HOME OCCUPATIONS in residential DISTRICTS, one (1) permanent FREESTANDING SIGN is permitted for a single LOT.

(i) FREESTANDING SIGNS are limited to fifteen (15) square feet in SIGN area. The height of FREESTANDING SIGNS shall not exceed six (6) feet or the main cornice line of the BUILDING, whichever is more restrictive. Such SIGNS shall be located a minimum distance of twenty (20) feet from the STREET RIGHT-OF-WAY LINE or adjoining LOT LINE.

(d) DIRECTIONAL SIGNS.

One (1) DIRECTIONAL SIGN may be erected at each DRIVEWAY serving a LOT, regardless of the number of PRINCIPAL USES upon the LOT.

- (i) The surface area of any one (1) DIRECTIONAL SIGN shall not exceed four (4) square feet and in no event shall be higher than six (6) feet. Any DIRECTIONAL SIGN must be landscaped in conformity with the grounds of adjacent property and may not obstruct ingress or egress to premises or vision at intersections or curves. Such SIGNS may be located up to but not within the STREET RIGHT-OF-WAY and must be set back ten (10) feet from any adjoining LOT LINE.

§ 208-2111. Bonus SIGN area.

- A. To encourage design excellence, the maximum SIGN area for commercial businesses, (not including HOME OCCUPATIONS) and industries may be increased by the percentages herein. A separate bonus is granted for compliance with each of the criteria and the bonuses are cumulative, but the bonus percentage is based on the original SIGN area. In no instance shall the bonus increase in SIGN area exceed thirty percent (30%) of the area permitted absent the bonus.

1. FREESTANDING SIGNS.

The area of FREESTANDING SIGNS may be increased as follows:

- (a) Ten percent (10%) when the SIGN is constructed of solid wood.
- (b) Twenty percent (20%) when the SIGN is installed in a landscaped planter having an area twice the area of the resultant SIGN.
- (c) Ten percent (10%) when the SIGN is not designed or used with illumination.

2. WALL SIGNS.

The area of WALL SIGNS may be increased as follows, but only if the projection does not exceed twelve (12) inches:

- (a) Twenty percent (20%) when all lettering and background is uniform in style and color for SIGNS in a SHOPPING CENTER or for any three (3) consecutive separate ESTABLISHMENTS.
- (b) Ten percent (10%) if the SIGN is not designed or used with any illumination.
- (c) Ten percent (10%) if the SIGN design compliments and utilizes the architectural details of the facade.

§ 208-2112. Number of FREESTANDING SIGNS.

- A. Except as authorized by this section, no LOT or parcel may have more than one (1) FREESTANDING SIGN.

- B. If a commercial or industrial USE is located on a CORNER LOT that has at least one hundred fifty (150) feet of frontage on each of the two (2) intersecting public STREETS, then the DEVELOPMENT may have not more than one (1) FREESTANDING SIGN along each side of the DEVELOPMENT bordered by such STREETS. However, in such cases the total FREESTANDING SIGN area shall be limited to fifty (50) square feet for both SIGNS and no one (1) SIGN shall exceed thirty-five (35) square feet.
- C. If a DEVELOPMENT is located on a LOT that is bordered by two (2) public STREETS that do not intersect at the LOT'S boundaries (double FRONT LOT), then the DEVELOPMENT may have not more than one (1) FREESTANDING SIGN on each side of the DEVELOPMENT bordered by such STREETS. However, in such cases the total FREESTANDING SIGN area shall be limited to fifty (50) square feet for both SIGNS and no one (1) SIGN shall exceed thirty-five (35) square feet.
- D. A FREESTANDING SIGN to be used on a parcel of commercial or industrial property with multiple USES and a name distinct from that of any occupant, such as a SHOPPING CENTER, shall be permitted a FREESTANDING SIGN area of one hundred (100) square feet which shall be used only to identify the center and/or as a register to identify the multiple USES. Where such USE has over one thousand (1,000) feet of total STREET FRONTAGE, the allowable signage may be divided between two (2) freestanding STRUCTURES.

§ 208-2113. Entrance identification SIGNS.

- A. Identification SIGNS for SUBDIVISIONS containing more than twenty (20) homes and MOBILE HOME PARKS shall be permitted, provided that:
 - 1. The size of any such SIGN shall not exceed twenty (20) square feet nor exceed eight (8) feet in height above finished grade;
 - 2. Not more than one (1) such SIGN is placed on any premises held in single and separate ownership or developed as a unit, unless such property fronts upon more than one (1) STREET, in which event one (1) such SIGN may be erected on each frontage;
 - 3. Said SIGNS may only be located on the premises that they identify; and
 - 4. Such SIGN shall not obstruct vision at road intersections and shall be landscaped in keeping with adjacent property.

§ 208-2114. Highway SIGNS.

- A. A LOT which has a minimum of five hundred (500) feet of frontage on an interstate, as defined and designated by this chapter, shall be permitted one (1) HIGHWAY SIGN, in addition to any other SIGN or SIGNS permitted by Article 2100.
- B. A HIGHWAY SIGN shall be a FREESTANDING SIGN and shall be no more than fifty (50) square feet in area for each two hundred and fifty (250) feet of interstate frontage of the LOT on which it is to be located. A HIGHWAY SIGN shall be no higher than six (6) feet in height from adjacent ground level, except when the total area of the HIGHWAY SIGN is more than one hundred (100) square feet, it may be no more than twelve (12) feet in height. HIGHWAY SIGNS may be generally illuminated or spotlighted.

- C. When more than one (1) LOT is to be subdivided or developed as part of a larger DEVELOPMENT, there shall be permitted to that DEVELOPMENT either:
1. No more than one (1) HIGHWAY SIGN for each interstate upon which the DEVELOPMENT fronts; or
 2. One (1) sign for each two hundred and fifty (250) feet of frontage on an interstate, provided that the combined sign area thereof shall not exceed the total sign face area which would otherwise be permitted by this section.

§ 208-2115. OFF-PREMISES DIRECTIONAL SIGNS for commercial or industrial USES.

- A. DIRECTIONAL OFF-PREMISES SIGNS. Not more than one (1) in number for each LOT occupied by a business which is located in the TOWNSHIP shall be permitted in commercial or industrial DISTRICTS, subject to the following provisions:
1. Such SIGNS shall not exceed twenty (20) square feet in area nor twenty-five (25) feet in height and shall contain no more than the names, address, nature of the business, the distance to the business and a directional arrow.
 2. Such SIGNS shall be located a minimum distance of ten (10) feet from the RIGHT-OF-WAY of any road or STREET and twenty-five (25) feet from any adjoining property.
 3. The minimum distance between an OFF-PREMISES SIGN and any existing SIGN shall be two hundred (200) feet.
 4. No OFF-PREMISES SIGN may be located within three hundred (300) feet of any existing DWELLING, SCHOOL or church.
 5. Application for an OFF-PREMISES SIGN permit shall be accompanied by a notarized statement of permission granted by the OWNER of the property on which the SIGN is to be located.
 6. No OFF-PREMISES SIGN shall be erected at an "intersection" here defined as within the first one hundred (100) feet of any intersecting road RIGHTS-OF-WAYS. [**Amended 5/12/2008 by Ord. No. 389**]
- B. An off-premises sign to be used to serve multiple uses (a group of commercial or industrial uses) which are located on one (1) lot shall be subject to all the provisions of § 208-2110.A.1 except that such signs shall be permitted a maximum sign area of fifty (50) square feet. [**Amended 9-29-2008 by Ord. No. 393**]
- C. Inasmuch as off-premises signs for multiple uses rely on a group of commercial or industrial businesses, it shall be the responsibility of the business to:
1. Provide to the township a signed lease of the property on which the sign is to be located; and

2. Provide to the township a signed agreement of all the qualifying business desirous of participation in the proposed sign.
 - (a) A qualifying business shall be one (1) which is located within one-half (1/2) mile of the intersection, have no direct access to Route 19 and be located on the same side of Route 19 as the proposed SIGN.
 - (b) The agreement shall be reviewed by the Township Solicitor and contain as a minimum the following:
 - (i) The signatures of all qualifying businesses who desire to participate and attachments, in writing, from all other qualifying businesses who do not desire to participate.
 - (ii) Provisions for construction, maintenance and removal.
 - (iii) A breakdown as to the cost of participation to the various businesses.
 - (iv) Provision for inclusion of additional qualifying businesses in the future and a formula for determining cost of inclusion.

§ 208-2116. SIGN illumination; SIGNS containing lights.

- A. Unless otherwise prohibited by this chapter, signs may be illuminated if such illumination is in accordance with this section.
- B. No sign within one hundred fifty (150) feet of a residential zone may be illuminated between the hours of 12:00 midnight and 6:00 a.m.
- C. Lighting directed toward a sign shall be shielded so that it illuminates only the face of the sign and does not shine directly into a public right-of-way or residential premises.
- D. Except as herein provided, internally illuminated signs are not permissible in any residential districts, and where permissible, internally illuminated freestanding signs may not be illuminated during hours that the business or enterprise advertised by such sign is not open for business or in operation. This subsection shall not apply to the following types of signs:
 1. Signs that constitute an integral part of a vending machine, telephone booth, device that only indicates the time, date or weather conditions or similar device whose principal function is not to convey an advertising message.
 2. Signs that do not exceed two (2) square feet in area and that convey the message that a business enterprise is open or closed or that a place of lodging does or does not have a vacancy.
- E. Subject to Subsection G, illuminated tubing or strings of lights that outline property lines, sales areas, rooflines, building walls or corners, doors, windows or similar areas are prohibited.
- F. Subject to Subsection G, no sign may contain or be illuminated by flashing or intermittent lights or lights of changing degrees of intensity, except those portions of a sign indicating the time, date or weather conditions.
- G. Subsections E and F do not apply to temporary signs erected in connection with the observance of holidays.

§ 208-2117. Miscellaneous restrictions and prohibitions.

- A. No sign may be located so that it interferes with the view necessary for motorists to proceed safely through intersections or to enter onto or exit from public streets or private roads.
- B. Signs that revolve or are animated or that utilize movement or apparent movement to attract the attention of the public are prohibited. The restriction of this subsection shall not apply to signs indicating the time, date or weather conditions.
- C. No sign may be erected so that by its location, color, size, shape, nature or message it would tend to obstruct the view of or be confused with official traffic signs or other signs erected by governmental agencies.
- A. Freestanding signs shall be securely fastened to the ground or to some other supportive structure.
- B. ELECTRONIC CHANGEABLE COPY SIGNS are permitted, with the following restrictions:
 - 1. Electronic Changeable Copy Signs are limited to 50% of the total area of the sign, or 25 square feet in area, whichever is more restrictive;
 - 2. Messages shall not change at a frequency of more than once every 15 minutes (time, temperature, and date signs may change more frequently, but must do so on a separate portion of the changeable copy area of the sign). The time interval used to change from one complete message to another complete message or display shall be maximum of one (1) second. There shall not be any appearance of a visual dissolve or fading, in which any part of one electronic message or display appears simultaneously with any part of a second message or display.

§ 208-2118. Maintenance of SIGNS; permits.

- A. All signs and all components thereof, including, without limitation, supports, braces and anchors, shall be kept in a state of good repair.
- B. If a sign other than a billboard advertises a business, service, commodity, accommodation, attraction or other enterprise or activity that is no longer operating or being offered or conducted, that sign shall be considered abandoned and shall, within one hundred eighty (180) days after such abandonment, be removed.
- C. If the message portion of a sign is removed, leaving only the supporting shell of a sign or the supporting braces, anchors or similar components, the owner of the sign or the owner of the property where the sign is located or other person having control over such sign shall, within one hundred eighty (180) days of the removal of the message portion of the sign, either replace the entire message portion of the sign or remove the remaining components of the sign. This subsection shall not be construed to alter the effect of § 208-2502, which prohibits the replacement of a nonconforming sign, nor shall this subsection be construed to prevent the changing of the message of a sign. **[Amended 9-29-2008 by Ord. No. 393]**
- D. A continuing sign permit shall lapse automatically if not renewed or if the business license for the premises lapses, is revoked or is not renewed. A sign permit shall also lapse if the business activity on the premises is discontinued for a period of one hundred eighty (180) days or more and is not renewed within thirty (30) days of a notice from the township to the last permittee, sent to the premises, that the sign permit will lapse if such activity is not renewed.

§ 208-2119. Removal or ABANDONMENT of SIGNS.

A. Removal of sign.

The Zoning Officer may order the removal of any sign erected or maintained in violation of this Article. He shall give thirty (30) days' notice, in writing, to the owner of such signs or of the building, structure or premises on which such sign is located to remove the sign or to bring it into compliance. Upon failure to comply with this notice, the Zoning Officer or duly authorized representative may remove the sign at cost to the owner. The Zoning Officer may remove a sign immediately and without notice, at cost to the owner, if, in his opinion, the condition or location of the sign is such as to present an immediate threat to the safety of the public.

B. Abandoned signs.

1. A SIGN shall be removed by the OWNER or lessee of the premises upon which the SIGN is located when the business which it advertises is no longer conducted on the premises. If the OWNER or lessee fails to remove it, the Zoning Officer shall give the OWNER thirty (30) DAYS' written notice to remove it. Upon failure to comply with this notice, the Zoning Officer or his duly authorized representative may remove the SIGN at cost to the OWNER.⁵⁹
2. Where a successor to a defunct business agrees to maintain the SIGNS as provided in this Article, this removal requirement shall not apply.

§ 208-2120. Unlawful cutting of trees or shrubs.

A. No PERSON may, for the purpose of increasing or enhancing the visibility of any SIGN, damage, trim, destroy or remove any trees, shrubs or other vegetation located:

1. Within the right-of-way of any public street, road or bufferyard unless the work is done pursuant to the express written authorization of the township or other agency having jurisdiction over the streets.
2. On property that is not under the ownership or control of the person doing or responsible for such work, unless the work is done pursuant to the express authorization of the person owning the property where such trees or shrubs are located.
3. In any area where such trees or shrubs are required to remain under a permit issued under this chapter.

§ 208-2121. Political Signs.

- A. POLITICAL SIGNS shall not exceed fifteen (15) square feet in area nor shall these SIGNS exceed six (6) feet in height and shall be setback from the STREET RIGHT-OF-WAY a minimum of ten (10) feet.

59 **Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art I.**