

## ARTICLE VI

### SIGNS

#### SECTION 600: THE PURPOSES, ORGANIZATION, AND APPLICABILITY OF THIS ARTICLE

The purposes of this article are the following: to encourage the effective use of signs as a means of communication in the Borough of Emsworth, to maintain and enhance the Borough's aesthetic environment and its ability to attract sources of economic development and growth, to improve pedestrian and traffic safety, to minimize the possible adverse effect of signs on nearby public and private property, and to enable the fair and consistent enforcement of this article's provisions.

*Section 605, "Computations,"* explains how to calculate sign areas, sign heights, and maximum total permitted sign areas for lots. These items are used throughout this article, and thus, *Section 605* applies to all regulated signs. *Section 610, "Signs Allowed on Private Property With and Without Permits,"* addresses and exclusively applies to regulated signs on private property: stating what kinds of signs are allowed in each zoning district, when zoning and occupancy permits are needed for a sign, how much total permitted sign area each lot may have, how many individual signs each lot may have, what dimensions each sign may be, where each sign may be located on its lot, and what characteristics each sign may have.

*Section 615, "Design, Construction, and Maintenance,"* sets design, construction, and maintenance requirements for all regulated signs. *Section 620, "Signs in the Public Right-of-Way,"* addresses and exclusively applies to regulated signs in public right-of-ways: stating what kinds of signs are allowed there, when signs may be forfeited to the Borough, and when occupancy permits are required for signs in this location. *Section 625, "Signs that are Exempt from the Requirements of this Article,"* lists which signs are not regulated by this article. *Section 630, "Prohibited Signs,"* explains what kind of signs are prohibited from the Borough. *Section 635, "Occupancy Permits for Temporary Signs on Private Property,"* provides some rules for temporary signs on private property that *Section 610* requires to have occupancy permits. *Section 640, "Abandoned Signs,"* explains when abandoned signs must be removed.

A nonconforming sign is defined as a sign that (1) was legally established before the effective date of this ordinance's enactment (see *Section 118, "The Effective Date of This Ordinance's Enactment"*), and (2) does not conform the requirements of *Section 605 ("Computations")*, *Section 610 ("Signs Allowed on Private Property With and Without Permits")*, *Section 620 ("Signs in the Public Right-of-Way")*, or *Section 630 ("Prohibited Signs")*. *Section 645, "Nonconformities,"* addresses and exclusively applies to nonconforming signs: explaining how they are to receive nonconforming status, how they are to be maintained, how they are to be brought into conformance, and when they must be removed.

*Article VI* applies to all signs located in the Borough of Emsworth.

#### SECTION 605: COMPUTATIONS

- A. How to Compute the Sign Area of Individual Signs:** The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass 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, bracing, or decorative fence or wall when such fence or wall otherwise meets the provisions of this ordinance and is clearly incidental to the display itself.



- B. How to Compute the Sign Area of Multifaced Signs:** The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than 42 inches apart, the sign area shall be computed by the measurement of one of the faces.
- C. How to Compute Sign Height:** The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of (1) existing grade prior to construction or (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the lot, whichever is lower.
- D. How to Compute the Maximum Total Permitted Sign Area for a Lot:** The permitted sum of the area of all individual signs on a lot shall be computed by applying the formula contained in *Table "B" of Section 610 ("Signs Allowed on Private Property With and Without Permits")* to the lot frontage, building frontage, or wall area, as appropriate, for the zoning district in which the lot is located. Lots fronting on two or more streets are allowed the permitted sign area for each street frontage. However, the total sign area that is oriented toward a particular street may not exceed the portion of the lot's total sign area allocation that is derived from the lot, building, or wall area frontage on that street.

## SECTION 610: SIGNS ALLOWED ON PRIVATE PROPERTY WITH AND WITHOUT PERMITS

Signs are allowed on private property in the Borough of Emsworth in accordance with, and only in accordance with, *Table "A"* below. If the letter "P" appears for a sign type in a column of this table, such a sign is allowed on private property in the zoning district represented by that column without any of the permits mentioned in the paragraph below. If the letter "S" appears for a sign type in a column of this table, such a sign is allowed on private property in the zoning district represented by that column only after the permits required in the paragraph below have been obtained for the sign. If the letter "N" appears for a sign type in a column of this table, such a sign is not allowed on private property in the zoning district represented by that column.

If *Table "A"* requires a sign of the "temporary" sign type to have permits in a particular zoning district, an occupancy permit must be obtained for that sign before it may be erected. If *Table "A"* requires a sign of any other sign type to have permits in a particular district, a zoning permit must be obtained for that sign before it may be erected, and an occupancy permit must be obtained for that sign immediately after it is erected. *Section 148 ("Zoning Permits")* explains how to obtain a zoning permit, while *Section 151 ("Occupancy Permits")* explains how to get an occupancy permit.



Table A: Permitted Signs on Private Property

Sign Type	R-1	R-2	R-3	C-1	C-2	LI	O/C
<b>FREESTANDING</b>							
Residential <sup>19</sup>	P	P	P	P	P	N	N
Other	N	N	S	S	S	S	S
Incidental <sup>20</sup>	N	N	S	P	P	P	P
<b>BUILDING</b>							
Banner <sup>21</sup>	N	N	N	S	S	S	N
Building Marker <sup>22</sup>	P	P	N	P	P	P	P
Canopy	N	N	N	S	S	S	N
Identification <sup>23</sup>	P	P	P	P	P	P	P
Incidental <sup>24</sup>	N	N	P	P	P	P	P
Marquee	N	N	N	S	S	N	N
Plaza	N	N	N	S	P	S	N
Projecting	N	N	N	S	S	S	N
Residential <sup>25</sup>	P	P	P	P	P	N	N
Roof	N	N	N	N	N	N	N
Roof, Integral	N	N	N	N	S	N	N
Suspended	N	N	N	S	S	N	N
Temporary <sup>26</sup>	N	N	N	S	S	S	S
Wall	N	N	N	S	S	S	N
Window	N	N	N	S	S	S	N

<sup>19</sup>No commercial messages are allowed on these signs except for a commercial message drawing attention to an activity legally offered on the premises.

<sup>20</sup>No commercial messages of any kind are allowed on these signs unless the involved message is not legible from any location off the involved lot.

<sup>21</sup>Must be removed 45 days after permit approval.

<sup>22</sup>This may include only the building's name, the building's date of construction, or historical data on a historic site. Such signs must be cut or etched into masonry, bronze, or similar material.

<sup>23</sup>Only the address and name of the occupant is allowed on such a sign.

<sup>24</sup>No commercial messages are allowed on these signs if the messages are legible from a location off of the involved lot.

<sup>25</sup>No commercial messages are allowed on such a sign except for one that draws attention to an activity legally offered on the premises.

<sup>26</sup>A temporary sign on private property may stand for no more than 30 days, and must adhere to the requirements of Section 635, "Occupancy Permits for Temporary Signs on Private Property." A temporary sign in a public right of way must have an occupancy permit, may stand for no more than 60 days, and must adhere to the requirements of Section 620, "Signs in the Public Right-of-Way."



Table A: Permitted Signs on Private Property							
Sign Type	R-1	R-2	R-3	C-1	C-2	LI	O/C
<b>MISCELLANEOUS</b>							
Banner <sup>27</sup>	N	N	N	N	S	S	N
Flag <sup>28</sup>	P	P	P	P	P	P	P
Portable	N	N	N	N	N	N	N

Any sign designated by an "S" or "P" in Table "A" shall be allowed on private property only if...

- A. the sum of the area of all building and freestanding signs on the lot conforms with the maximum permitted sign area as determined by the formula for the zoning district in which the lot is located as specified in Table "B" below;

Table B: Maximum Total Sign Area per Lot							
	R-1	R-2	R-3	C-1	C-2	LI	O/C
The maximum total area of all signs on a lot -- except incidental signs, building marker signs, identification signs, and flags <sup>29</sup> shall not exceed the lesser of the following:							
total square feet	2	2	40	16 <sup>30</sup>	80	200	20
percentage of the ground floor area of the lot's principal building	NA	NA	2%	2%	5%	2%	NA
square feet of signage per linear foot of street frontage	NA	NA	2.0	2.0	6.0	NA	.5

<sup>27</sup>No commercial messages are allowed on banners if the messages are legible from a location off of the involved lot.

<sup>28</sup>This category includes the flags of the United States, the states themselves, local governments, foreign nations having diplomatic relations with the United States, institutions, businesses, and any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction -- provided that the involved flag shall not exceed 60 square feet in area and shall not be flown from a pole that is more than 40 feet tall. Any flag that does not meet these requirements shall be considered a banner sign by this ordinance.

<sup>29</sup>This category includes the flags of the United States, the states themselves, local governments, foreign nations having diplomatic relations with the United States, institutions, businesses, and any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction -- provided that the involved flag shall not exceed 60 square feet in area and shall not be flown from a pole that is more than 40 feet tall. Any flag that does not meet these requirements shall be considered a banner sign by this ordinance.

<sup>30</sup>Plaza signs may contain a 16 square foot area containing the plaza, office park, development, etc. name and an additional combined 16 square foot area available for identification of the establishments occupying the plaza.



B. the size, location, and number of signs on the lot conform with the requirements of *Table "C"* and *Table "D"* below, which establish permitted sign dimensions by sign type;

Table C: Number, Dimensions, and Locations of Signs							
Sign Type	R-1	R-2	R-3	C-1	C-2	LI	O/C
Individual signs shall not exceed the applicable maximum number, dimensions, or setbacks shown on this table and on TABLE "D."							
<b>FREESTANDING</b>							
Area (in sq. ft.)	2	2	40	16	40	100	20
Height (in feet)	5	5	10	12	20	20	10
Setback (in feet) from all lot lines <sup>31</sup>	2	2	3	3	3	5	2
Number permitted per lot per foot of street frontage <sup>32</sup>	1 per 10	1 per 10	1 per 15	1 per 10	1 per 15	1 per 20	1 per 15
<b>BUILDING</b>							
Area (max. sq. ft.)	2	2	NA	NA	NA	NA	10
Wall area (percent) <sup>33</sup>	NA	NA	10%	10%	10%	5%	NA

Table D: Number and Dimensions of Certain Individual Signs by Sign Type				
Sign Type	Number Allowed	Maximum Sign Area	Vertical Clearance from Sidewalk, Private Drive, or Parking	Vertical Clearance from Public Street
No sign shall exceed any applicable maximum numbers or dimensions shown on this table. Likewise, no sign shall encroach on any applicable minimum clearances shown on this table.				
<b>FREESTANDING</b>				
Residential, Other, and Incidental	see Table "C"	see Table "C"	NA	NA
<b>BUILDING</b>				
Banner	1 per building	24 ft.	9 ft.	12 ft.
Building Marker	1 per building	4 sq. ft.	NA	NA
Canopy	1 per building	25% of the canopy's vertical surface	9 ft.	12 ft.

<sup>31</sup>In addition to the setback requirements of this table, no sign shall be located closer than 10 feet to an intersection between public and/or private roads and/or driveways unless that sign allows a clear view between the intersecting roads and/or driveways at all heights between 3 and 10 feet.

<sup>32</sup>Lots fronting on two or more streets are allowed the permitted signage for each street frontage. However, this signage cannot be accumulated and used on one street in excess of that allowed for lots with only one street frontage.

<sup>33</sup>The percentage figure here shall be interpreted as a maximum percentage of the area of the wall of which such a sign is a part or to which each sign is most nearly parallel.



**Table D: Number and Dimensions of Certain Individual Signs by Sign Type**

Sign Type	Number Allowed	Maximum Sign Area	Vertical Clearance from Sidewalk, Private Drive, or Parking	Vertical Clearance from Public Street
Identification	1 per building	NA	NA	NA
Incidental	NA	NA	NA	NA
Marquee	1 per building	NA	9 ft.	12 ft.
Plaza <sup>34</sup>	1 per development	32 sq. ft.	9 ft.	12 ft.
Projecting	1 per building	40 sq. ft.	9 ft.	12 ft.
Residential	see <i>Table "C"</i>	NA	NA	NA
Roof	NA	NA	NA	NA
Roof, Integral	2 per principal building	NA	NA	NA
Suspended	1 per entrance	NA	9 ft.	NA
Temporary	see <i>Section 635</i>	NA	NA	NA
Wall	NA	NA	NA	NA
Window	NA	25% of the window's total area	NA	NA
<b>MISCELLANEOUS</b>				
Banner	NA	NA	9 ft.	12 ft.
Flag	NA	60 sq. ft.	9 ft.	12 ft.
Portable	1 where allowed	20 sq. ft.	NA	NA

C. the size location, and number of signs on the lot conform with any additional limitations listed in *Table "A"* above; and

D. the characteristics of the sign conform with the limitations of *Table "E"* below, and with any additional limitations listed in *Table "A."*

**Table E: Permitted Sign Characteristics by District**

Sign Type	R-1	R-2	R-3	C-1	C-2	LI	O/C
In this table, "P" signifies that the characteristic is allowed in the column's zoning district, while "N" signifies that the characteristic is not allowed.							
Animation	N	N	N	N	P	N	N
Changeable Copy	N	N	N	N	P	N	N
Internal Illumination	N	N	P	P	P	P	N
External Illumination	N	N	P	P	P	P	N
Exposed Bulbs or Neon Illumination	N	N	N	N	P	N	N

All permitted signs must follow the requirements of *Section 615, "Design, Construction, and Maintenance."*

<sup>34</sup>A plaza sign located in the C-1 district may contain a 16 square foot area containing the plaza, office park, development, etc. name and an additional combined 16 square foot area available for identification of the establishments occupying the plaza.



## SECTION 615: DESIGN, CONSTRUCTION, AND MAINTENANCE

Except for banners, flags, temporary signs, and window signs conforming in all respects with the requirements of this ordinance, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or other structural element. Furthermore, all signs shall be maintained in good structural condition, in compliance with all applicable building and electrical codes.

A sign that conforms with the requirements of *Section 605 ("Computations")*, *Section 610 ("Signs Allowed on Private Property With and Without Permits")*, *Section 620 ("Signs in the Public Right-of-Way")*, and *Section 630 ("Prohibited Signs")* may be (1) repaired, (2) repainted, (3) removed for repair and then re-mounted, or (4) replaced with an identical sign without any permits. Note that this ordinance considers replacing a sign with a non-identical sign to be the same as erecting a new sign. Thus, such a replacement may or may not require a zoning and/or an occupancy permit, depending on the type and location of the involved sign.

## SECTION 620: SIGNS IN THE PUBLIC RIGHT-OF-WAY

### A. Sign Types Allowed in Public Right-of-Ways:

1. The following kinds of permanent signs are allowed in public right-of-ways: (1) public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, and/or 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 other facilities; and (4) awning, projecting, and suspended signs projecting over a public right-of-way in conformity with the requirements of *Table "A."*
2. Temporary signs for which an occupancy permit has been issued according to the requirements of *letter "C"* below are allowed in public right-of-ways only if they contain no commercial messages and are no more than two square feet in area.
3. Emergency warning signs are allowed in public right-of-ways if they are erected by a governmental agency, a public utility company, or a contractor doing authorized or permitted work within the public right-of-way.

**B. Forfeiture of Signs Located in Public Right-of-Ways:** Any sign installed or placed on public property, except in conformance with the requirements of this article, shall be forfeited to the Borough and subject to confiscation. The Borough shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of the sign.

**C. Occupancy Permits for Temporary Signs in the Public Right-of-Way:** All temporary signs that are to be located in the public right-of-way must obtain an occupancy permit via the requirements of *Section 151, "Occupancy Permits."* These permits shall be issued for such signs in accordance with the provisions below.

1. An occupancy permit issued for a temporary sign in a public right-of-way shall be valid for 60 days, after which the sign must be removed. No more than three permits for temporary signs shall be issued to an applicant in any calendar year. For any sign containing the name of a political candidate, the candidate shall be deemed to be the applicant.
2. Up to 20 identical temporary signs may be erected in a public right-of-way under a single occupancy permit.



3. In addition to any fees for the involved occupancy permit, the applicant shall post a bond of \$25 for each permitted temporary sign in a public right-of-way. This bond shall be held to ensure the removal of the sign, and shall be refundable upon its removal. The bond on any such sign that is not removed within 75 days of the issuance of the involved occupancy permit shall be forfeited to the Borough, and shall be used to recover the costs of removing and disposing of the sign.

## SECTION 625: SIGNS THAT ARE EXEMPT FROM THE REQUIREMENTS OF THIS ARTICLE

The following kinds of signs are exempt from the requirements of this article:

- A. any public notice or warning required by a valid and applicable federal, state, or local law, regulation, or ordinance;
- B. any sign that is inside a building, not attached to a window or door, or not legible from a distance of more than 3 feet beyond the lot line of the involved lot or parcel;
- C. works of art that do not include a commercial message;
- D. signs on the scoreboard or outfield fence of an athletic field;
- E. holiday lights and decorations with no commercial message; and
- F. traffic control signs on private property, such as "STOP," "YIELD," and similar signs, the face of which meet the Pennsylvania Department of Transportation standards and which contain no commercial message of any sort.

## SECTION 630: PROHIBITED SIGNS

All signs that are not expressly permitted under this ordinance or exempted from its regulations by *Section 625 ("Signs that are Exempt from the Requirements of this Article")* are prohibited from the Borough of Emsworth. Such signs include, but are not limited to beacons, pennants, strings of lights that are not permanently mounted to a rigid background (except those exempted under *Section 625*) inflatable signs, and tethered balloons.

## SECTION 635: OCCUPANCY PERMITS FOR TEMPORARY SIGNS ON PRIVATE PROPERTY

Where *Table "A" of Section 610 ("Signs Allowed on Private Property With and Without Permits")* requires occupancy permits to be obtained for temporary signs on private property, these permits shall be obtained in accordance with the provisions below.

- A. **Terms:** An occupancy permit for a temporary sign on private property shall be valid for 30 days, after which the sign must be removed.
- B. **The Maximum Number of Occupancy Permits for Temporary Signs:** Only three occupancy permits for temporary signs on private property shall be issued to the same applicant on the same lot in any calendar year.
- C. **The Requirements of Section 610:** All temporary signs on private property are subject to the requirements of *Section 610, "Signs Allowed on Private Property With and Without Permits."*



## SECTION 640: ABANDONED SIGNS

If a conforming use has been discontinued for a total of 12 months within an 18 month period, then all signs that are related to that use -- as well as any structures that support these signs -- shall be known as **"abandoned signs."** Likewise, if a nonconforming use has been abandoned as described in *Section 154 ("Nonconformities," letter "D," number "4")*, then all signs that are related to that use -- as well as any structures that support these signs -- shall be known as **"abandoned signs."** All abandoned signs shall be removed at the expense of their owners. If such a sign is not removed, the Zoning Officer shall enforce the requirements of this section via the procedure given in *Section 160, "Enforcement."*

## SECTION 645: NONCONFORMING SIGNS

### A. Applicability: The requirements of this section only apply to nonconforming signs.

A nonconforming sign is defined as a sign that (1) was legally established before the effective date of this ordinance's enactment (see *Section 118, "The Effective Date of This Ordinance's Enactment"*), and (2) does not conform the requirements of *Section 605 ("Computations")*, *Section 610 ("Signs Allowed on Private Property With and Without Permits")*, *Section 620 ("Signs in the Public Right-of-Way")*, or *Section 630 ("Prohibited Signs")*. Because nonconforming signs are not illegal, they have a right to temporarily remain in place and to be maintained. However, they must adhere to the requirements of this section.

### B. Phasing Out Nonconforming Signs: So long as it does not threaten the public health or welfare, a nonconforming sign may temporarily maintain its nonconforming characteristic or characteristics. However, all nonconforming signs that are not temporary shall be brought into conformance with the requirements of *Sections 605, 610, 620, and 630* within 10 years of the effective date of this ordinance's enactment (see *Section 118, "The Effective Date of This Ordinance's Enactment"*). All nonconforming temporary signs shall be brought into conformance with the requirements of *Sections 605, 610, 620, and 630* within 60 days of the effective date of this ordinance's enactment (see *Section 118, "The Effective Date of This Ordinance's Enactment"*).

### C. Nonconforming Status: The following rules apply to or concern all nonconforming signs.

1. The Zoning Officer shall keep and maintain a list of all nonconforming signs that exist in the Borough on the effective date of this ordinance's enactment (see *Section 118, "The Effective Date of This Ordinance's Enactment"*) and on the effective dates of any relevant amendments to either this ordinance or its map.
2. The owner of a nonconforming sign may obtain a "certificate of nonconformity" from the Borough's Zoning Officer. This certificate shall state that the sign may continue to be used until a date that is 60 days from the effective date of this ordinance's enactment (see *Section 118*) in the case of temporary signs, or a date that is 10 years from the effective date of this ordinance's enactment in the case of non-temporary signs.
3. Aggrieved parties and the involved landowner may both appeal the Zoning Officer's determination of whether or not a sign is nonconforming according to the rules of *Section 169, "Appealing the Determination of a Municipal Officer."*
4. Any sign that was illegally erected or painted under a previous zoning ordinance or land use regulation shall remain illegal under this ordinance, even if it conforms to this ordinance's regulations.



5. Any sign that becomes a nonconforming sign due to an amendment made after the effective date of this ordinance's enactment shall be subject to the regulations of this section.

**D. Maintaining Nonconforming Signs:** The following rules apply to all nonconforming signs.

1. If any nonconforming sign deteriorates to an unsightly or hazardous condition, the owner of that sign shall repair, repaint, remove, or replace it. If the Borough Zoning Officer finds that a such a sign has not been repaired, repainted, removed, or replaced, he or she shall enforce this requirement via the procedures given in *Section 160, "Enforcement."*
2. A nonconforming sign may be (1) **repaired**, (2) **repainted**, or (3) **removed for repair and then re-mounted** without obtaining any zoning or occupancy permits.

**E. Replacing Nonconforming Signs:**

1. Within the periods established under *letter "B"* above, a nonconforming sign may be replaced with an identical nonconforming sign if the use that the sign relates to (1) has not changed since the original sign was constructed or painted, and (2) has not been discontinued for a total of 12 months within an 18 month period or abandoned as described in *Section 154 ("Nonconformities"), letter "D," number "4."* Otherwise, the nonconforming sign may only be replaced with a new, conforming sign.
2. Replacing a temporary nonconforming sign with an identical temporary nonconforming sign does not require any permits. However, replacing a non-temporary, nonconforming sign with an identical non-temporary, nonconforming sign requires both a zoning permit and an occupancy permit. *Section 148 ("Zoning Permits")* explains how to obtain a zoning permit, while *Section 151 ("Occupancy Permits")* explains how to get an occupancy permit. Note that this ordinance considers replacing a nonconforming sign with a non-identical sign to be the same as erecting a new sign. Thus, such a replacement may or may not require a zoning and/or an occupancy permit, depending on the type and location of the involved sign.

**F. Enlarging, Relocating, or Altering Nonconforming Signs:**

1. A nonconforming sign shall not be enlarged or relocated within the Borough.
2. A nonconforming sign shall not be altered in any aspect except (1) to make safety improvements, (2) to keep the sign maintained in accordance with the requirements of this section or other Borough ordinances, or (3) to bring the sign into conformance with the requirements of this ordinance.

**G. Bringing a Nonconforming Sign into Conformance:** If a nonconforming sign is altered so that it becomes a conforming sign, it shall not be subsequently altered back to a nonconforming state. Likewise, if a nonconforming sign is replaced with a conforming sign, that conforming sign shall not be subsequently replaced with another nonconforming sign.

**H. Abandoned Nonconforming Signs:** If a conforming use has been discontinued for a total of 12 months within an 18 month period, then all nonconforming signs that are related to that use -- as well as any structures that support these signs -- shall be known as "**abandoned nonconforming signs.**" Likewise, if a nonconforming use has been abandoned as described in *Section 154 ("Nonconformities"), letter "D," number "4,"* then all nonconforming



signs that are related to that use -- as well as any structures that support these signs -- shall be known as "**abandoned nonconforming signs.**" All abandoned nonconforming signs shall be removed at the expense of their owners. If such a sign is not removed, the Zoning Officer shall enforce this requirement via the procedures given in *Section 160, "Enforcement."*



signs that are related to that use -- as well as any structures that support these signs -- shall be known as **"abandoned nonconforming signs."** All abandoned nonconforming signs shall be removed at the expense of their owners. If such a sign is not removed, the Zoning Officer shall enforce this requirement via the procedures given in *Section 160, "Enforcement."*

**ANIMATED SIGN** - Any sign that uses movement or change of lighting to depict action or create a special effect or scene.

**BANNER** - Any sign of lightweight fabric or similar material that is permanently mounted to a pole or building by a permanent frame at one or more edges. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banners.

**BUILDING MARKER** - Any sign indicating the name and date of a building, as well as incidental information about its construction, which is cut into a masonry surface or made of bronze or other permanent material.

**BUILDING SIGN** - Any sign attached to any part of a building, as contrasted to a freestanding sign.

**CANOPY SIGN** - Any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.

**CHANGEABLE COPY SIGN** - A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or surface of the sign. A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign for the purposes of this ordinance. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a "time and temperature" portion of a sign and not a changeable copy sign for the purposes of this ordinance.

**FREESTANDING SIGN** - Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.

**INCIDENTAL SIGN** - A sign, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as "no parking," "entrance," "loading only," "telephone," and other similar directives. No sign with a commercial message legible from a position off the lot on which the sign is located shall be considered incidental.

**MARQUEE SIGN** - Any sign attached to or made a part of a marquee. A permanent roof-like structure or canopy of rigid materials supported by and extending from the facade of a building.

**NONCONFORMING SIGN** - A nonconforming sign is defined as a sign that (1) was legally established before the effective date of this ordinance's enactment (see Section 118, "The Effective Date of This Ordinance's Enactment"), and (2) does not conform the requirements of Section 605 ("Computations"), Section 610 ("Signs Allowed on Private Property With and Without Permits"), Section 620 ("Signs in the Public Right-of-Way"), or Section 630 ("Prohibited Signs").

**PENNANT** - Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string-- usually in series -- and designed to move in the wind.

**PLAZA SIGN** - Any sign located on a lot designated as a plaza. A freestanding, externally or internally illuminated, permanent structure whose purpose is to identify the plaza name and the names of the individual occupants.



**PORTABLE SIGN** - Any sign not permanently attached to the ground or another permanent structure, or a sign designed to be transported. This includes, but is not limited to, signs designed to be transported by means of wheels; signs converted to A- or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.

**PROJECTING SIGN** -- Any sign affixed to a building or wall in such a manner that its leading edge extends more than six inches beyond the surface of such building or wall. A projecting sign incorporates a heavy, integral, steel frame and mounting bolts or steel supports that completely penetrate the building wall. These "through bolts" or supports must be attached to heavy, horizontal, steel braces on the inside wall surface to enable the sign to resist wind force.

**RESIDENTIAL SIGN** - Any sign located in a district zoned for residential uses that contains no commercial message except one advertising goods or services legally offered on the premises where the sign is located.

**ROOF SIGN** - Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.

**ROOF SIGN, INTEGRAL** - Any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six inches.

**SIGN** - Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

**SUSPENDED SIGN** - A sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

**TEMPORARY SIGN** - Any sign that is used only temporarily and is not permanently mounted. Regardless of any temporary characteristics they may have, residential signs shall not be classified as temporary signs for the purposes of this ordinance.

**WALL SIGN** - Any sign attached parallel to, but within six inches of, a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.

**WINDOW SIGN** - Any sign, pictures, symbol, or combination thereof designed to communicate information about an activity, business, commodity, event, sale, or service that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.