

ORDINANCE NO. 21-04 OF 2021

AN ORDINANCE OF THE TOWNSHIP OF BERWICK, ADAMS COUNTY, PENNSYLVANIA, AMENDING AND SUPPLEMENTING THE BERWICK TOWNSHIP ZONING ORDINANCE,

BE IT ENACTED, ADOPTED, AND ORDAINED by the Township of Berwick, Adams County, Pennsylvania, by the Berwick Township Board of Supervisors, and it is hereby **ENACTED, ADOPTED, AND ORDAINED** by the authority of the same as follows:

SECTION 1: ADD DEFINITIONS TO SECTION 201

Section 201 shall be amended by adding the following definitions to read as follows.

CANDELA – The standard unit of luminous intensity in the International System of Units, and roughly equivalent to the luminous intensity of a single wax candle.

COMPONENT USE – One of a number of allowed uses that together comprise a principal use with a mix of uses or functions. For example, an individual retail store within a shopping center is considered to be a component use.

DWELL TIME – The duration or interval of time during which each individual message is displayed on an Electronic Billboard or an Electronic Message Center.

EAVE – The projecting lower edges of a roof overhanging the wall of a building.

ELECTRONIC MESSAGE CENTER – An element of a permanent sign that uses changing illumination to form a message wherein the message and the rate of change of such message is electronically programmed and can be modified by electronic processes. Illumination sources include, but are not limited to, light emitting diodes (LEDs), fiber optics, liquid crystal display (LCD), or other such forms of illumination.

Festoon Lights – Illumination comprised of a group of light bulbs hung or strung overhead or on a building or other structure.

INTERIOR LIGHTS – An illumination source placed inside a fixture, such as a sign, and projected through a translucent face to make the fixture visible.

NIT – A unit of measurement of luminance equal to one candela per square meter.

PRINCIPAL USE – The main or primary use of land or structures, as distinguished from an accessory use, as defined herein.

SIGN AREA – The entire area within a single continuous perimeter enclosing all elements of a sign, which form an integral part of the display, including the perimeter border, and calculated in the manner prescribed in this Ordinance.

SIGN FACE – The surface upon, against, or through which the components of the sign message are displayed or illustrated. Sign face does not include structural supports, architectural features of a building or sign structure, or nonstructural thematic or decorative trim, but does include the sign reveal or border.

SIGN HEIGHT – A measurement of the distance from the average grade below the sign to that portion of the sign the furthest distance from the ground.

SILL – A horizontal piece (such as a board) that forms the lowest component of a window frame.

VISIBILITY DISTANCE – For signs, the distance, measured along a roadway from which the sign is seen, at which the sign first becomes visible from an automobile using the roadway.

SECTION 2: AMEND EXISTING DEFINITION IN SECTION 201

Section 201 shall be amended by amending the following definition to read as follows.

SIGN – Any permanent or temporary structure, or part thereof, or any device attached, painted, or represented directly or indirectly on a structure or other surface that displays or includes any letter, word, insignia, flag, or representation used as, or which is used in the nature of an advertisement, announcement, visual communication, or direction, or is otherwise designed to attract the eye or bring the subject to the attention of the public.

AGRICULTURAL PRODUCTS SALE SIGN – A temporary, on-premise sign, either freestanding or attached, placed on the property during periods of time when agricultural products grown on the property are available for purchase.

ANIMATED SIGN – A sign that revolves, rotates, oscillates, swings, or otherwise moves by mechanical means; or a sign which uses flashes or other changes of lighting to depict action or to create a special effect or scene.

ATTACHED SIGN – A sign affixed to, or painted on, a building. Includes wall sign, projecting sign, awning sign, and canopy sign. Does not include roof sign.

AWNING SIGN – A sign affixed to or incorporated into a structure, where said structure is made of cloth, metal, or comparable material surrounding a metal frame attached to a building and projecting over a sidewalk or other thoroughfare, and which structure can be positioned flat against the building when not in use.

BANNER SIGN – A permanent or temporary, on-premise, attached sign, made of a flexible material such as plastic or vinyl, and used for short periods of time.

BILLBOARD SIGN – A permanent, off-premise, freestanding sign installed on a property by an entity other than the property owner, renter, or other occupant, and where the installing entity leases or rents said sign to another entity other than the property owner, renter, or other occupant.

BILLBOARD SIGN, ELECTRONIC – A Billboard Sign that uses changing illumination to form a message wherein the message and the rate of change of such message is electronically programmed and can be modified by electronic processes. Illumination sources include, but are not limited to, light emitting diodes (LEDs), fiber optics, liquid crystal display (LCD), or other such forms of illumination.

CANOPY SIGN – A sign affixed to or incorporated into a structure, where said structure is made of cloth, metal, or comparable material surrounding a metal frame and projecting over a sidewalk or other thoroughfare, and where said structure is attached to the ground.

COMPLEX SIGN – A permanent, on-premise, freestanding sign, erected at or near the primary driveway or similar entrance to a shopping center, office complex, industrial park, or similar facility, .

CONTRACTOR SIGN – A temporary, on-premise, freestanding sign, placed on the property during periods of time when a contractor is participating in a construction project on the property.

DEVELOPMENT ANNOUNCEMENT SIGN – A temporary on-premise sign, either freestanding or attached, erected at or near the primary entrance to a commercial, industrial, or residential development, or similar facility, and placed on the property during periods of time when a development is initially offered for sale, rent, or other occupation.

DIRECTION SIGN – A permanent on-premise sign, either freestanding or attached, that provides site navigation instruction for vehicles, bicyclists, pedestrians, or others moving on to, off of, and through the site.

DIRECTORY SIGN – COMPLEX – A permanent, on-premise, attached sign, erected at or near a building entrance, and placed on a building with multiple tenants or occupants.

ENTRANCE SIGN – A permanent, on-premise, freestanding sign, erected at or near driveway entrances and exits to commercial and comparable properties, and intended to identify the entrances and exists to such property.

FEATHER FLAG – A permanent or temporary, on-premise, freestanding sign, made of a flexible material, shaped like a feather, quill, sail, blade or teardrop, and mounted on a solid or flexible pole or cord.

FLAG – A permanent or temporary, on-premise, freestanding or attached sign, made of a flexible material such as cloth, and mounted either on a solid pole or affixed to another structure. Does not include government flags.

FREESTANDING SIGN – A sign that is supported by structures or support that are placed on, or anchored in, the ground and that are independent from any building or other structure. Includes pole signs and monument signs.

GARAGE SALE SIGN – A temporary on-premise sign, either freestanding or attached, placed on the property during periods of time when the short term sale of personal goods by the occupant is being conducted. Garage sale signs includes sign for yard sales.

GOVERNMENT SIGN – A sign placed by a governmental unit and designed to identify a governmental use, property, or purpose. Includes, but is not limited to, traffic signs, street signs, and signs identifying governmental offices and facilities.

GRAND OPENING SIGN – A temporary, on-premise sign, either freestanding or attached, and placed on the property during periods of time when a use of property initially begins operations.

INCIDENTAL SIGN – A permanent on-premise sign, either freestanding or attached, that provides information regarding a property or use of a property, and that includes no commercial message or logo. Includes, but is not limited to, signs conveying message such as "enter," "open," "closed," "rest rooms," "no trespassing," "warning," hours of operation, accessible parking spaces, and similar messages.

INDIVIDUAL BUSINESS SIGN – A permanent on-premise sign, either freestanding, attached, or entrance, placed on a property occupied by a business, commodity, industry, or other similar activity.

INDIVIDUAL BUSINESS SIGN – COMPLEX – A permanent, on-premise, wall sign, placed at the location of a specific business, commodity, industry, or similar activity within a shopping center, office complex, industrial park, or similar facility.

MEMORIAL / HISTORIC SIGN – A permanent sign, either freestanding or attached, placed on a property with an identified or interpreted historic resource by a unit of government or other organization.

MONUMENT SIGN – A type of freestanding sign attached to the ground by means of a base of solid appearance, where the width of such base is equal to or greater than the width of the sign face.

OFF-PREMISE SIGN – A sign that is not related to and does not reflect the use or activity conducted on the property where the sign is erected.

OFF-PREMISE DIRECTION SIGN – A temporary, off-premise sign, either freestanding or attached, that is placed on a property or properties nearby to a property upon which a special event is scheduled to occur.

ON-PREMISE SIGN – A sign that is related to or reflects the use or activity conducted on the property where the sign is erected.

OPEN HOUSE SIGN – A temporary sign, located either on-premise or off-premise, and either freestanding or attached, placed during periods of time where visitors may visit real estate offered for sale, rent, or other availability without scheduling an appointment.

PERMANENT SIGN – A sign intended to be displayed for an unlimited period of time.

POLE SIGN – A type of freestanding sign attached to the ground by means of a pole, column, or similar structure of a width that is less than the width of the sign face.

POLITICAL SIGN – A temporary sign, either freestanding or attached, either on-premise or off-premise, placed during the electoral season.

PORTABLE SIGN – A temporary, off-premise, freestanding sign that is movable and not permanently attached to a structure or to the ground.

PROJECTING SIGN – An attached sign affixed to the wall of a building at any angle to the wall other than parallel.

PUBLIC / SEMI-PUBLIC USE SIGN – A permanent on-premise sign, either freestanding or attached, and placed on a property where public or semi-public uses or entities perform public or semi-public services in accordance with applicable governmental regulations. Includes signs for schools, parks, fire stations, police stations, churches, service clubs, public utilities, and telephone companies.

REAL ESTATE SIGN – A temporary on-premise sign, either freestanding or attached, placed on a property during periods of time when the property is offered for sale, rent, or other occupation.

RESIDENTIAL DEVELOPMENT SIGN – A permanent, on-premise, freestanding sign, erected at or near the primary street or driveway entrance to a residential development.

RESIDENTIAL OWNER SIGN – A permanent on-premise sign, either freestanding or attached, that identifies the owner and/or address of a residential property.

ROOF SIGN – A sign erected on, affixed to, or painted on a roof, or otherwise above the eave, of a building.

SANDWICH BOARD SIGN -- A temporary, on-premise, freestanding sign consisting of two vertically oriented panels and supported by an A-shaped frame or structure connected with hinges at the top.

SPECIAL EVENT SIGN – A temporary on-premise sign, either freestanding or attached, and placed on an property during an event or activity, such as an auction, flea market, festival, carnival, meal, or fund-raising event, on a site and that exceeds or is in addition to the typical or everyday use or activity of a site. Such events do not include "sales."

TEMPORARY SIGN – A sign intended to be displayed for a defined limited period of time.

WALL SIGN – A sign attached parallel to but within six (6) inches of, or painted on the surface of, a wall, and which placement is limited such that the sign face is encompassed by the wall of the building. Does not include roof sign.

SECTION 3: REPLACE THE TERM "BUILDING" WITH THE TERM "STRUCTURE" IN SECTION 500.C

In Section 500.C, the term "Building" shall be replaced with the term "Structure."

SECTION 4: AMEND SECTION 500.D TO ENSURE CONSISTENT APPLICABILITY TO ALL NONCONFORMING STRUCTURES

Section 500.D shall be amended to read, in its entirety, as follows.

D. Extension or Expansion: A nonconforming structure, other than a nonconforming sign, may be extended or expanded in accordance with the following requirements.

(1) The extension or expansion of the structure may result in additional nonconforming structure footprint, provided the following standards are achieved.

(a) The maximum amount of additional nonconforming structure footprint shall be the lesser of the following:

[1] An increase of one hundred percent (100%) of the nonconforming portion of the total existing structure footprint.

[2] An increase of two thousand (2,000) square feet of additional nonconforming structure footprint.

(b) The extension or expansion of the structure shall not encroach beyond the furthest extent of the current nonconformity.

(c) The maximum amount of additional nonconforming structure footprint to be authorized shall be calculated based on the structure footprint on the day the structure became a nonconforming structure. The maximum amount of additional nonconforming structure footprint shall be cumulative, regardless of the number of individual extensions or expansions proposed for a specific structure.

(d) No part of the extension or expansion of the nonconforming portion of the structure shall violate the clear sight distance requirements of the Berwick Township Subdivision and Land Development Ordinance.

(2) The extended or expanded structure shall continue to comply with all dimensional standards and other regulations of the Ordinance with which the existing structure currently complies.

SECTION 5: AMEND SECTION 502 TO INCLUDE PROVISIONS FOR THE USE OF SIGNS FOR NONCONFORMING USES

Section 502 shall be amended by adding Subsection F to read as follows.

F. Authorization of Signs on Properties with Non-Conforming Uses

(1) Signs shall be permitted on a property occupied by a non-conforming use provided that the signs comply with the sign regulations of the zoning district where the non-conforming would be a permitted use.

(2) Where a nonconforming use would be a permitted use in more than one (1) zoning district, the most restrictive sign regulations in terms of sign area, number of signs, and related standards shall be applied.

(3) The installation of signs on a property occupied by a non-conforming use shall not be considered to be an extension or expansion of the nonconforming use.

SECTION 6: AMEND ARTICLE 8 TO PROVIDE UPDATED SIGN REGULATIONS TO REPLACE CURRENT SIGN REGULATIONS

Article 8 – Sign Regulations shall be amended to read, in its entirety, as follows.

§ 800: Purpose

The purpose of this Article is to establish minimum standards for signs within Berwick Township. Further, the sign regulations of this Article are intended to achieve the following objectives.

- A. Place reasonable standards on the erection and maintenance of signs within Berwick Township.
- B. Promote the safety, welfare, and convenience of use of rights-of-way, relative to signs, while maintaining and enhancing the rural character of the Berwick Township.
- C. Promote commerce while identifying places of business and cultural and social activity in a visually attractive manner compatible with the rural character of Berwick Township.
- D. Avoid excessive use of large or multiple signs, so that permitted signs can provide identification and direction while minimizing clutter, confusion, and hazardous distractions to motorists and pedestrians.

§ 801: General Regulations

A. *Zoning Permits Required:* No sign shall be erected, enlarged, or relocated until a Zoning Permit for doing so has been issued by the Zoning Officer, or unless specifically exempted from permitting by Section 802 below. Signs or sign components specifically referenced in Section 803 shall not be permitted. Applications shall be on forms provided by the Township. All applications shall include a scale drawing specifying dimensions, materials, illumination, letter sizes, colors, location on land or buildings, means of installation on land or building, and all other relevant information.

B. *Determination of Area*

- (1) The area of any sign shall be related to the sign face, including any border framing the sign face as well as any decorative attachments.
- (2) Where a sign consists of individual letters or symbols attached to a building, wall, or window, the sign area shall be considered to be the smallest rectangle or other regular geometric shape which encompasses all of the letters and symbols.
- (3) Where a sign has two (2) or more faces, the area of all sign faces shall be included to determine the sign area, with the following exceptions.
 - (a) For freestanding signs and projecting signs, where the sign faces are parallel or close to parallel such that only one (1) sign face is legible at any one (1) time, and where the sign faces are no more than twelve (12) inches apart at their closest point, the sign area shall be equal to the area of one (1) sign face if the two sign faces are of equal size.

(b) For freestanding signs and projecting signs where the sign faces are parallel or close to parallel such that only one (1) sign face is legible at any one (1) time, and where the sign faces are no more than twelve (12) inches apart at their closest point, the sign area shall be equal to the area of the larger sign face if the two sign faces are of unequal size.

(c) For Sandwich Board Signs, the sign area shall be equal to the area of one (1) sign face of the two sign faces are of equal size or shall be equal to the area of the larger sign face if the two sign faces are of unequal size.

C. Sign Location and Placement

(1) No sign shall be located so as to interfere with required intersection sight distances as set forth by the Berwick Township Subdivision and Land Development Ordinance.

(2) No sign shall be located within the intersection clear sight triangle as set forth by the Berwick Township Subdivision and Land Development Ordinance.

(3) No sign, other than Governmental Signs and projecting signs installed over public sidewalks, as regulated by this article, shall be located within the right-of-way of any public or private street.

(4) No sign, other than projecting sign, shall project over a public sidewalk or path. Where a projecting sign extends over a public sidewalk or path, the projecting sign shall be erected such that the lowest point of the sign is located no less than eight (8) feet above the public sidewalk or path.

(5) No projecting sign shall project more than three (3) feet from the wall to which the sign is mounted.

(6) Wall signs shall be installed parallel to the wall to which such signs are mounted. No part of any wall sign shall extend more than twelve (12) inches from the wall to which the sign is mounted.

(7) Signs, including advertisements, bills, notices, cards, and posters, shall not be painted, pasted, branded, stamped, or in any manner placed on or attached to an tree, street light, or utility pole.

D. Illumination

(1) Flashing, rotating, festoon, and intermittent lights shall not be permitted, except for public service information including time, date, temperature, weather, or traffic conditions.

(2) Signs may be interior lighted with non-glaring lights or may be illuminated by floodlights or spotlights shielded so there is no direct light transmitted to other properties or public rights-of-way.

E. Construction and Maintenance: Sign shall be constructed of durable materials, maintained in good condition, and not allowed to become dilapidated.

§ 802: General Regulations by Zoning District

The following standards shall define, by Zoning District, the total number of signs per property, the cumulative area of signs per proposed, and related standards that shall be applied on an individual property basis.

A. Applicability: The standards of Section 802 are applied according to the following parameters.

1. Sign Types: Section 802 shall be applied to all freestanding signs for which issuance of a Zoning Permit is required in accordance with Section 803, with the exception of Billboard Signs and Electronic Billboard Signs. Billboard Signs and Electronic Billboard Signs shall not contribute to the cumulative sign authorization for a given property.

2. Property and Use of Property: Section 802 shall be interpreted as establishing the cumulative standards for freestanding signs for the property and the established principal use of the property. Where a property contains more than one (1) principal use, Section 802 shall be interpreted as establishing the cumulative standards for freestanding signs for each principal use of a property.

3. Signs Associated with Multiple Uses: Freestanding signs associated with a property developed with multiple component uses shall be handled exclusive of the cumulative standards of this section. Freestanding signs for a property developed with multiple component uses include Sign Types P-8A, P-8B, and P-9 as defined and authorized in Table 803-1.

B. Requirements: The following general standards for each zoning district are hereby established as follows.

1. EC District

a. Maximum Cumulative Sign Area: Three Hundred (300) square feet.

b. Maximum Total Number of Signs: Ten (10).

2. HC District

- a. Maximum Cumulative Sign Area: Three Hundred (300) square feet.
 - b. Maximum Total Number of Signs: Ten (10).
3. LMU District
 - a. Maximum Cumulative Sign Area: Two Hundred (200) square feet.
 - b. Maximum Total Number of Signs: Eight (8).
 4. R-3 District
 - a. Maximum Cumulative Sign Area: One Hundred (100) square feet.
 - b. Maximum Total Number of Signs: Six (6).
 5. R-1 and R-2 Districts
 - a. Maximum Cumulative Sign Area: Forty (40) square feet.
 - b. Maximum Total Number of Signs: Four (4)
 6. RC and RR Districts
 - a. Maximum Cumulative Sign Area: Fifty (50) square feet.
 - b. Maximum Total Number of Signs: Five (5).

§ 803: Signs Permitted by Type and Zoning District

A. Permanent Signs: Types of permanent signs authorized in Berwick Township, the zoning districts where such permanent signs are authorized, and whether such permanent signs require the issuance of a Berwick Township Zoning Permit, are defined in Table 803-1.

B. Temporary Signs: Types of temporary signs authorized in Berwick Township, the zoning districts where such temporary signs are authorized, and whether such temporary signs require the issuance of a Berwick Township Zoning Permit, are defined in Table 803-2.

§ 804: Sign Regulations

The following regulations shall be applied to the specific sign types listed.

A. Public / Semi-Public Use Signs

1. Maximum Number Permitted: One (1) per lot frontage.
2. Maximum Sign Area: Cumulative of twenty (20) square feet for all permitted signs.
3. Standards for Freestanding Signs: The following standards shall be applied to freestanding signs.
 - a. Maximum Setback from Street Right-of-Way: Ten (10) feet.
 - b. Maximum Sign Height: Ten (10) feet.
4. Standards for Attached Signs: The following standards shall be applied to attached signs.
 - a. Maximum Sign Height: Height of building.

B. Memorial / Historic Signs

1. Maximum Number Permitted: One (1) per event.
2. Maximum Sign Area: Six (6) square feet.

Table 803-1: Permanent Signs

Sign Type	Zoning District								Standards
	RC	RR	R-1	R-2	R-3	LMU	HC	EC	
Permanent									
P-1	PN	PN	PN	PN	PN	PN	PN	PN	
P-2	PP	PP	PP	PP	PP	PP	PP	PP	Section 804.A
P-3	PP	PP	PP	PP	PP	PP	PP	PP	Section 804.B
P-4	PN	PN	PN	PN	PN	PN	PN	PN	Section 804.C
P-5	PN	PN	PN	PN	PN	PN	PN	PN	Section 804.D
P-6	PN	PN	PN	PN	PN	PN	PN	PN	Section 804.E
P-7A	PP	PP	PP	PP	PP	PP	PP	PP	Section 804.F
P-7E	PP	PP	PP	PP	PP	PP	PP	PP	Section 804.G
P-7F	PP	N	N	N	PP	PP	N	N	Section 804.H
P-8A	N	N	N	N	PP	N	PP	PP	Section 804.I
P-8B	N	N	N	N	N	N	PP	PP	Section 804.J
P-8C	N	N	N	N	PP	N	PP	PP	Section 804.K
P-9	PP	PP	PP	PP	PP	PP	N	N	Section 804.L
P-10A	N	N	N	N	N	N	PP	PP	Section 804.M
P-10B	N	N	N	N	N	N	PP	PP	Section 804.N
P-11	PP	PP	PP	PP	PP	PP	PP	PP	Section 804.O
P-12	PN	PN	PN	PN	PN	PN	PN	PN	Section 804.P
P-13	PP	PP	PP	PP	PP	PP	PP	PP	Section 804.Q
P-14	PP	PP	PP	PP	PP	PP	PP	PP	Section 804.R

Legend

Zoning District

Rural Conservation	RC
Rural Residential	RR
Residential Low Density	R-1
Village Residential Density	R-2
Residential Community	R-3
Limited Mixed-Use	LMU
Highway Commercial	HC
Employment Center	EC

Abbreviations – Sign Authorization

PP	Sign Permitted / Zoning Permit Required
PN	Sign Permitted / Zoning Permit Not Required
N	Sign Not Permitted

Abbreviations – Sign Types

P-1	Governmental Sign
P-2	Public / Semi-Public Use Sign
P-3	Memorial / Historic Sign
P-4	Residential Owner Sign
P-5	Incidental Sign
P-6	Directional Sign
P-7A	Individual Business Sign – Attached
P-7E	Individual Business Sign - Entrance
P-7F	Individual Business Sign – Freestanding
P-8A	Directory Sign – Complex
P-8B	Complex Sign
P-8C	Individual Business Sign - Complex
P-9	Residential Development Sign
P-10A	Billboard Sign
P-10B	Electronic Billboard Sign
P-11	Electronic Message Center
P-12	Flag
P-13	Feather Flag
P-14	Banner Sign

Table 803-2: Temporary Signs

Sign Type	Zoning District								Standards
	RC	RR	R-1	R-2	R-3	LMU	HC	EC	
Temporary									
T-1A	PN	PN	PN	PN	PN	PN	PN	PN	Section 804.S
T-1B	N	N	N	N	N	PP	PP	PP	Section 804.T
T-2	PN	PN	PN	PN	PN	PN	PN	PN	Section 804.U
T-2A	PN	PN	PN	PN	PN	PN	PN	PN	Section 804.V
T-3	PP	PP	PP	PP	PP	PP	PP	PP	Section 804.W
T-4	PP	PP	PP	PP	PP	PP	PP	PP	Section 804.X
T-5	PN	N	N	N	N	PN	N	N	Section 804.Y
T-6	PN	PN	PN	PN	PN	PN	PN	PN	Section 804.Z
T-7	PP	PP	PP	PP	PP	PP	PP	PP	Section 804.AA
T-8	PN	PN	PN	PN	PN	PN	PN	PN	Section 804.BB
T-9A	PN	PN	PN	PN	PN	PN	PN	PN	Section 804.CC
T-9B	PP	PP	PP	PP	PP	PP	PP	PP	Section 804.DD
T-10	N	N	N	N	PN	PN	PN	PN	Section 804.EE

Legend

Zoning District

Rural Conservation	RC
Rural Residential	RR
Residential Low Density	R-1
Village Residential Density	R-2
Residential Community	R-3
Limited Mixed-Use	LMU
Highway Commercial	HC
Employment Center	EC

Abbreviations – Sign Types

T-1A	Contractor Sign – Small
T-1B	Contractor Sign – Large
T-2	Real Estate Sign
T-2A	Open House Sign
T-3	Development Announcement Sign
T-4	Grand Opening Sign
T-5	Agricultural Products Sale Sign
T-6	Off-Premise Direction Sign
T-7	Special Event Sign
T-8	Garage Sale Sign
T-9A	Political Sign – Small
T-9B	Political Sign – Large
T-10	Sandwich Board Sign

Abbreviations – Sign Authorization

PP	Sign Permitted / Zoning Permit Required
PN	Sign Permitted / Zoning Permit Not Required
N	Sign Not Permitted

3. Standards for Freestanding Signs: The following standards shall be applied to freestanding signs.

a. Maximum Setback from Street Right-of-Way: Five (5) feet.

b. Maximum Sign Height: Ten (10) feet.

C. Residential Owner Signs

1. Maximum Number Permitted: One (1) per dwelling unit.

2. Maximum Sign Area: Three (3) square feet.

3. Standards for Freestanding Signs: The following standards shall be applied to freestanding signs.

a. Maximum Setback from Street Right-of-Way: Five (5) feet.

b. Maximum Sign Height: Six (6) feet.

D. Incidental Signs

1. Standards for Freestanding Signs: The following standards shall be applied to freestanding signs.

a. Maximum Sign Area: Two (2) square feet.

b. Maximum Setback from Street Right-of-Way: Five (5) feet.

c. Maximum Sign Height: Six (6) feet.

2. Standards for Attached Signs: The following standards shall be applied to attached signs.

a. Maximum Sign Area: Two (2) square feet.

b. Maximum Sign Height: Height of building.

E. Directional Signs:

1. Maximum Number Permitted: One (1) per lot frontage.

2. Standards for Freestanding Signs: The following standards shall be applied to freestanding signs.

a. Maximum Sign Area: Two (2) square feet.

- b. Maximum Setback from Street Right-of-Way: Two (2) feet.
 - c. Maximum Sign Height: Six (6) feet.
2. Standards for Attached Signs: The following standards shall be applied to attached signs.
- a. Maximum Sign Area: Two (2) square feet.
 - b. Maximum Sign Height: Height of building.

F. Individual Business Signs – Attached

- 1. Maximum Number Permitted: One (1) per lot frontage.
- 2. Maximum Sign Area:
 - a. R-1 and R-2 Districts: Two (2) square feet.
 - b. RC, RR, R-3, and LMU Districts: Twenty (20) square feet.
 - c. HC and EC Districts: Fifty percent (50%) of the total area of the wall to which the sign is attached provided, however, that the sign area shall not exceed One Hundred Fifty (150) square feet.
- 3. Maximum Sign Height: Height of building.

G. Individual Business Signs – Entrance

- 1. Maximum Number Permitted: One (1) per side or rear entrance.
- 2. Maximum Sign Area: Six (6) square feet.
- 3. Maximum Sign Height: Height of side or rear entrance.

H. Individual Business Signs – Freestanding

- 1. Maximum Number Permitted: One (1) per lot frontage.
- 2. Maximum Sign Area:
 - a. R-1 and R-2 Districts: Two (2) square feet.
 - b. RC, RR, R-3, and LMU Districts: Twenty (20) square feet.

c. HC and EC Districts: One (1) square foot per Two and One-Half (2.5) feet of lot frontage provided, however, that the sign area shall not exceed One Hundred Fifty (150) square feet.

3. Maximum Setback from Street Right-of-Way: Ten (10) feet.

4. Maximum Sign Height

a. R-1 and R-2 Districts: Six (6) feet.

b. RC, RR, R-3, and LMU Districts: Ten (10) feet.

c. HC and EC Districts: Twenty-five (25) feet.

I. Directory Sign – Complex

1. Maximum Number Permitted – One (1) per entrance.

2. Maximum Sign Area: Six (6) square feet.

3. Maximum Sign Height: Height of entrance.

J. Complex Sign

1. Standards for Freestanding Signs

a. Maximum Number Permitted – One (1) per lot frontage.

b. Maximum Sign Area: One Hundred Fifty (150) square feet.

c. Maximum Setback from Street Right-of-Way: Fifteen (15) feet.

d. Maximum Sign Height: Fifteen (15) feet.

2. Standards for Attached Signs

a. Maximum Number Permitted – One (1) per lot frontage.

b. Maximum Sign Area: Seventy-five (75) square feet.

c. Maximum Sign Height: Height of building.

K. Individual Business Sign – Complex

1. Maximum Number Permitted – One (1) per business.

2. Maximum Sign Area
 - a. R-3 District: Five percent (5%) of the ground floor area of the wall to which the sign is attached provided, however, that the sign area shall not exceed Twenty (20) square feet.
 - b. HC and EC Districts: Twenty (20) square feet.
3. Maximum Sign Height
 - a. R-3 District: Base of the second floor window sill, parapet, eave, or building façade in the case of a building with two or more stories. Height of building in the case of a single story building.
 - b. HC and EC Districts: Height of building.

L. Residential Development Sign

1. Maximum Number Permitted: One (1) per street entrance to the development.
2. Maximum Sign Area: Thirty (30) square feet.
3. Maximum Setback from Street Right-of-Way: Twenty (20) feet.
4. Maximum Sign Height: Ten (10) feet.

M. Billboard Sign

1. Maximum Number Permitted: One (1) per lot.
2. Maximum Sign Area: Three hundred (300) square feet.
3. Maximum Dimensions
 - a. Vertical Dimension: Ten (10) feet.
 - b. Horizontal Dimension: Thirty (30) feet.
4. Minimum Setbacks
 - a. Street Right-of-Way: Thirty (30) feet.
 - b. Side and Rear Property Lines: Fifty (50) feet.
5. Maximum Sign Height: Forty (40) feet.

6. Other Standards

- a. No billboard sign shall contain more than one (1) sign face in any direction.
- b. No billboard sign shall be permitted to be erected on the roof of any building.
- b. No billboard sign shall be permitted to be erected within one thousand (1,000) feet of another billboard sign.
- c. No billboard sign shall be permitted to be erected within one thousand (1,000) feet of a residential use or of any property within the RC, RR, R-1, R-2, R-3 or LMU Districts.
- d. No billboard sign shall be illuminated in such a manner that it interferes with the effectiveness of or that obscures an official traffic sign, device, or signal.
- e. No billboard sign shall obstruct the vision of motorists or of adjoining commercial or industrial uses which depend on visibility for identification.

N. *Electronic Billboard Sign*

1. Electronic Billboard Signs shall be subject to all of the requirements of Section 803.M regarding Billboard Signs.
2. In addition, Electronic Billboard Signs shall be subject to the following regulations.
 - a. The Electronic Billboard shall not employ animated graphics or streaming video. The Electronic Billboard shall not employ text or images which flash, pulsate, move, or scroll. Each complete message must fit on one (1) screen.
 - b. Dwell Time: The minimum dwell time shall be based on the specific conditions at the proposed location of the Electronic Billboard. The minimum dwell time shall be eight (8) seconds or the time resulting from the following calculation, whichever is greater.
 - (1) Determine the greatest visibility distance along the road from which the Electronic Billboard becomes visible (in feet).

(2) Calculate the road speed limit in feet / second. To do this, multiply the road's posted speed limit (in miles / hour) by 5,280, then divide by 3,600.

(3) Divide the visibility distance, from Part (1) above, by the speed limit (in feet / second), from Part (2) above.

(4) Add ten percent (10%) to the time calculated in Part (3) above.

c. Message transitions on an Electronic Billboard shall occur instantly, and no transition graphics (for example, fades or dissolves) may be employed.

d. The Electronic Billboard shall be equipped with a default mechanism that will freeze the message when a malfunction in the electronic programming occurs.

e. Audio speakers on Electronic Billboards are prohibited.

f. Electronic Billboards shall not exceed a maximum illumination of five thousand (5,000) nits (candelas per square meter) during daylight hours and a maximum of two hundred fifty (250) nits (candelas per square meter) between dusk to dawn. The sign shall be equipped with an automatic dimmer control that produces a distinct illumination change from the higher allowed illumination level to the lower allowed illumination level for the time period between a half hour before sunset and a half hour after sunrise.

g. The owner of every Electronic Billboard shall coordinate with local authorities to display, when appropriate, emergency information important to the traveling public including, but not limited to Amber Alerts or alerts concerning terrorist attacks or natural disasters. Emergency information messages shall remain in the advertising rotation according to the protocols of the agency that issues the information.

3. Conversion of an existing Billboard Sign to an Electronic Billboard Sign may be permitted subject to the following regulations.

a. The existing Billboard Sign is conforming in all aspects to the standards of Sections 803.M.1 through 803.M.6. Under no circumstances will an existing, nonconforming Billboard Sign be permitted to be converted to an Electronic Billboard Sign.

b. The proposed Electronic Billboard Sign shall conform to the standards of Section 803.M.7.

O. *Electronic Message Center*

1. Where Permitted: An Electronic Message Center shall be incorporated as a component of an existing or proposed P-1, P-2, P-7A, P-7F, or P-8B sign.
2. Maximum Number Permitted: One (1) per lot.
3. Maximum Area: The Electronic Message Center component shall not exceed more than fifty percent (50%) of the total sign area of the sign into which the Electronic Message Center is being incorporated, or exceed fifty percent (50%) of the maximum permitted size of the permitted sign area for that sign type, whichever is less.
4. Other Standards
 - a. The Electronic Message Center shall not employ animated graphics or streaming video. The Electronic Message Center shall not employ text or images which flash, pulsate, move, or scroll. Each complete message must fit on one (1) screen.
 - b. Any message on an Electronic Message Center shall have a minimum dwell time of eight (8) seconds.
 - c. Message transitions on an Electronic Message Center shall occur instantly, and no transition graphics (for example, fades or dissolves) may be employed.
 - d. The Electronic Message Center shall be equipped with a default mechanism that will freeze the message when a malfunction in the electronic programming occurs.
 - e. Audio speakers on Electronic Message Centers are prohibited.
 - f. Electronic Message Centers shall not exceed a maximum illumination of five thousand (5,000) nits (candelas per square meter) during daylight hours and a maximum of two hundred fifty (250) nits (candelas per square meter) between dusk to dawn. The sign shall be equipped with an automatic dimmer control that produces a distinct illumination change from the higher allowed illumination level to the lower allowed illumination level for the time period between a half hour before sunset and a half hour after sunrise.
 - g. The owner of every Electronic Message Center shall coordinate with local authorities to display, when appropriate, emergency information important to the traveling public including, but not limited to Amber

Alerts or alerts concerning terrorist attacks or natural disasters.
Emergency information messages shall remain in the advertising rotation according to the protocols of the agency that issues the information.

P. Flag

1. Maximum Number Permitted: Three (3). Flags on residential property and under ten (10) square feet shall be exempt from this requirement.
2. Standards for Freestanding Signs.
 - a. Maximum Sign Area: Fifteen (15) square feet.
 - b. Minimum Setback from Street Right-of-Way: Five (5) feet.
 - c. Maximum Sign Height: Thirty (30) feet.
3. Standards for Attached Signs.
 - a. Maximum Sign Area: Fifteen (15) square feet.
 - b. Maximum Sign Height: Height of building.
4. Replacement: A flag shall be replaced once the flag becomes ripped or tattered.

Q. Feather Flag

1. Maximum Number Permitted: One (1) for every one hundred (100) feet of street frontage.
2. Standards
 - a. Maximum Sign Area: Twenty (20) square feet.
 - b. Minimum Setback from Street Right-of-Way: Five (5) feet.
 - c. Maximum Sign Height: Ten (10) feet.
 - d. Maximum Sign Width: Three (3) feet.
3. Placement: At the start of the business day. The feather flag shall be securely anchored.
4. Replacement: A feather flag shall be replaced once the feather flag becomes ripped or tattered.

5 Removal: At the end of the business day.

R. *Banner Sign*

1. Maximum Number Permitted: Two (2) displayed at any one time.
2. Standards
 - a. Maximum Sign Area: Twenty-five percent (25%) of the maximum sign area for attached signs within the underlying zoning district.
 - b. Maximum Sign Height: Height of building.
3. Duration: No banner sign may be displayed for a period of time exceeding sixty (60) consecutive days.
4. Removal: Should the applicant fail to remove a banner sign before the end of the permitted display period, the applicant's authorization to use banner signs shall be revoked by the Zoning Officer for a period of one (1) year.
5. Replacement: A banner shall be replaced once the banner becomes ripped or tattered.

S. *Contractor Sign – Small*

1. Maximum Number Permitted: One (1) for each separate firm involved in work on the site.
2. Standards for Freestanding Signs
 - a. Maximum Sign Area: Twelve (12) square feet.
 - b. Minimum Setback from Street Right-of-Way: Ten (10) feet.
 - c. Maximum Sign Height: Ten (10) feet.
3. Standard for Attached Signs.
 - a. Maximum Sign Area: Twelve (12) square feet.
 - b. Maximum Sign Height: Height of building.
4. Removal: Upon completion of work.

T. *Contractor Sign – Large*

1. Maximum Number Permitted: One (1) for each separate firm involved in work on the site.
2. Standards for Freestanding Signs
 - a. Maximum Sign Area: Thirty-two (32) square feet.
 - b. Minimum Setback from Street Right-of-Way: Ten (10) feet.
 - c. Maximum Sign Height: Ten (10) feet.
3. Standard for Attached Signs.
 - a. Maximum Sign Area: Thirty-two (32) square feet.
 - b. Maximum Sign Height: Height of building.
4. Removal: Upon completion of work.

U. Real Estate Sign

1. Maximum Number Permitted: One (1) per lot frontage.
2. Standards for Freestanding Signs
 - a. Maximum Sign Area
 - (1) Individual Residential Properties: Six (6) square feet.
 - (2) Properties of Three (3) acres or Less for Commercial, Industrial, or Residential Development: Six (6) square feet.
 - (3) Properties of More than Three (3) acres for Commercial, Industrial, or Residential Development: Thirty-two (32) square feet.
 - b. Minimum Setback from Street Right-of-Way
 - (1) Individual Residential Properties: Ten (10) feet.
 - (2) Properties of Three (3) acres or Less for Commercial, Industrial, or Residential Development: Ten (10) feet.
 - (3) Properties of More than Three (3) acres for Commercial, Industrial, or Residential Development: Twenty-five (25) feet.

- c. Maximum Sign Height: Ten (10) feet.
- 3. Standards for Attached Signs
 - a. Maximum Sign Area
 - (1) Individual Residential Properties: Six (6) square feet.
 - (2) Properties of Three (3) acres or Less for Commercial, Industrial, or Residential Development: Six (6) square feet.
 - (3) Properties of More than Three (3) acres for Commercial, Industrial, or Residential Development: Thirty-two (32) square feet.
 - b. Maximum Sign Height: Height of building.
- 4. Removal: Within one (1) week of date of sale, rent, or lease agreement.

V. *Open House Sign*

- 1. Maximum Number Permitted: For on-premise, one (1) per lot frontage. For off-premise, two (2) per open house event.
- 2. Standards for Freestanding Signs
 - a. Maximum Sign Area: Six (6) square feet.
 - b. Minimum Setback from Street Right-of-Way: Ten (10) feet.
 - c. Maximum Sign Height: Ten (10) feet.
- 3. Standards for Attached Signs
 - a. Maximum Sign Area: Six (6) square feet.
 - b. Maximum Sign Height: Height of building.
- 4. Placement: No more than three (3) days prior to the open house event. Off-premise signs shall only be placed with the authorization of the owner of the property on which the sign is placed.
- 5. Removal: No more than two (2) hours following the end of the open house event.

W. Development Announcement Sign

1. Maximum Number Permitted: One (1) per lot frontage.
2. Standards for Freestanding Signs
 - a. Maximum Sign Area: Thirty-two (32) square feet.
 - b. Minimum Setback from Street Right-of-Way: Twenty-five (25) feet.
 - c. Maximum Sign Height: Ten (10) feet.
3. Standards for Attached Signs
 - a. Maximum Sign Area: Thirty-two (32) square feet.
 - b. Maximum Sign Height: Height of building.
4. Removal: Within two (2) years of permit date.

X. Grand Opening Sign

1. Maximum Number Permitted: One (1) per lot frontage.
2. Standards for Freestanding Signs
 - a. Maximum Sign Area: Ten (10) square feet.
 - b. Minimum Setback from Street Right-of-Way: Twenty-five (25) feet.
 - c. Maximum Sign Height: Ten (10) feet.
3. Standards for Attached Signs
 - a. Maximum Sign Area: Ten (10) square feet.
 - b. Maximum Sign Height: Height of building.
4. Removal: Within one (1) month of permit date.

Y. Agricultural Products Sale Sign

1. Maximum Number Permitted: Two (2) per lot.

2. Standards for Freestanding Signs
 - a. Maximum Sign Area: Six (6) square feet.
 - b. Minimum Setback from Street Right-of-Way: Ten (10) feet.
 - c. Maximum Sign Height: Ten (10) feet.
3. Standards for Attached Signs
 - a. Maximum Sign Area: Six (6) square feet.
 - b. Maximum Sign Height: Height of building.
4. Placement: No more than one (1) week prior to the availability of the agricultural product for sale on the site.
5. Removal: No more than one (1) week following the date at which the agricultural product is no longer available for sale on the site for the previous growing season.

Z. *Off-Premise Direction Sign*

1. Standards for Freestanding Signs
 - a. Maximum Sign Area: Two (2) square feet.
 - b. Minimum Setback from Street Right-of-Way: Three (3) feet.
 - c. Maximum Sign Height: Three (3) feet.
2. Standards for Attached Signs
 - a. Maximum Sign Area: Two (2) square feet.
 - b. Maximum Sign Height: Height of building.
3. Placement: No more than one (1) week before the special event.
4. Removal: Within eight (8) days of sign placement.
5. Other Standards
 - a. Sign shall only be erected with the permission of the property owner.

- b. Sign placement shall be prohibited on traffic or utility poles.

AA. Special Event Sign

1. Maximum Number Permitted: One (1) per lot.
2. Standards for Freestanding Signs
 - a. Maximum Sign Area: Thirty-two (32) square feet.
 - b. Minimum Setback from Street Right-of-Way: Twenty-five (25) feet.
 - c. Maximum Sign Height: Ten (10) feet.
3. Standards for Attached Signs
 - a. Maximum Sign Area: Thirty-two (32) square feet.
 - b. Maximum Sign Height: Height of building.
4. Placement: No more than one (1) month before the special event.
5. Removal: No more than two (2) days following the special event.
6. Other Standards
 - a. No sign shall be permitted within ninety (90) days of a previous special event on the property.

BB. Garage Sale Sign

1. Maximum Number Permitted: Two (2) per lot.
2. Standards for Freestanding Signs
 - a. Maximum Sign Area: Six (6) square feet.
 - b. Minimum Setback from Street Right-of-Way: Five (5) feet.
 - c. Maximum Sign Height: Ten (10) feet.
3. Standards for Attached Signs
 - a. Maximum Sign Area: Six (6) square feet.

- b. Maximum Sign Height: Height of building.
- 4. Placement: No more than one (1) week before the garage sale.
- 5. Removal: Upon completion of the garage sale.

CC. Political Sign – Small

- 1. Standards for Freestanding Signs
 - a. Maximum Sign Area: Thirty-two (32) square feet.
 - b. Minimum Setback from Street Right-of-Way: Five (5) feet.
 - c. Maximum Sign Height: Ten (10) feet.
- 2. Standards for Attached Signs
 - a. Maximum Sign Height: Height of building.

DD. Political Sign – Large

- 1. Standards for Freestanding Signs
 - a. Sign Area: Any sign area greater than thirty-two (32) square feet.
 - b. Minimum Setback from Street Right-of-Way: Five (5) feet.
 - c. Maximum Sign Height: Ten (10) feet.
- 2. Standards for Attached Signs
 - a. Maximum Sign Height: Height of building.

EE. Sandwich Board Sign

- 1. Maximum Number Permitted: One (1) per lot frontage.
- 2. Standards
 - a. Maximum Sign Area: Eight (8) square feet.
 - b. Minimum Setback from Street Right-of-Way: Five (5) feet.
Where a Sandwich Board Sign is proposed to be placed on a sidewalk, including a sidewalk within a street right-of-way, such placement will be

permitted provided that there is five (5) feet of sidewalk width retained to allow for wheelchair and/or handicapped accessible access

- c. Maximum Sign Height: Four (4) feet.
- 3. Placement: At the start of the business day.
- 4. Removal: At the end of the business day.

§ 805: Prohibited Signs and Sign Components

The following types of signs and/or sign design features are prohibited in all districts.

- A. Flashing signs.
- B. Flashing and/or rotation lights.
- C. Signs using the words “stop,” “caution,” or “danger.” Signs using red, yellow, and/or green lights resembling traffic signals. Signs that resemble traffic control signs in terms of size, shape, or color.
- D. Revolving, rotating, or otherwise moving signs.
- E. Animated signs, where a component of the sign is designed to physically move.
- G. Portable signs, whether mounted on a trailer, vehicle, temporary base, or similar such device. A vehicle, painted or decorated so as to display an advertising or related message, and parked in a visible location, shall be considered a portable sign.
- H. Roof signs.
- I. Streamers, pennants, inflatable, or lighter than air signs.
- J. Strings or light bulbs, search lights, or other lighting intended to attract attention to a nonresidential use, other than traditional holiday decorations.

SECTION 7: REPEALER

All provisions of the Berwick Township Zoning Ordinance are hereby revised and amended, as necessary and appropriate, in order to insure and confirm consistency thereof with the provisions of the present Ordinance. Any Ordinance or Resolution, or any portion of any Ordinance or Resolution, or any portion of the Berwick Township Zoning Ordinance, which is inconsistent with the contents of the present Ordinance shall be, and the same is hereby, repealed insofar as the same is affected by or inconsistent with the provisions of the present Ordinance.

SECTION 8: SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed to be a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of the present Ordinance.

SECTION 9: EFFECTIVE DATE

The Ordinance shall be effective on and as of 12:00 AM, Sept. 18, 2021.

ENACTED AND ORDAINED into an Ordinance this 13th day of Sept., 2021.

ATTEST:

TOWNSHIP OF BERWICK
ADAMS COUNTY,
PENNSYLVANIA

BOARD OF SUPERVISORS OF
BERWICK TOWNSHIP

Jean A. Hawbaker

[Signature]

Earl Blade

V. Barry Cockey

Thomas M. Kinsler

[Signature]

