

ARTICLE XI
Signs
[Amended 7-17-2018 by Ord. No. 548]

§ 155-19. Purpose.

The purpose of this article is to:

- A. Promote the safety of persons and property by providing that signs:
 - (1) Do not create traffic hazards by distracting or confusing motorists or impairing motorists' ability to see pedestrians, other vehicles or obstacles or to read traffic signs.
 - (2) Do not create a hazard due to collapse, fire, corrosion, decay or abandonment.
 - (3) Do promote the aesthetics, safety, health, general welfare and the assurance of protection of adequate light and air within the Township by regulation of the posting, displaying, erection, use and maintenance of signs.
- B. Promote the efficient transfer of public and commercial information through the use of signs.
- C. Protect the public welfare and enhance the overall appearance and economic value of the landscape and preserve the unique natural environment of the Township. It is also acknowledged that the Township's economic well-being is heavily dependent upon the resort and tourist industry, and the preservation of the environment as a matter of public policy and safety.
- D. Provide guidelines to bring all illegal signs into compliance.

§ 155-20. Definitions.

Words and terms used in this article shall have the meanings given in this section. Unless expressly stated otherwise, any pertinent word or term not part of this listing but vital to the interpretation of this article shall be construed to have their legal definition, or in absence of a legal definition, their meaning as commonly accepted by practitioners including but not limited to civil engineers, surveyors, architects, landscape architects, and planners.

A-FRAME OR SANDWICH BOARD SIGN — See "portable sign."

ABANDONED SIGN — A sign located on a property or premises that is vacant, and/or otherwise not in use, or which has not identified

or advertised a current business, service, owner, product, or activity for a period of six consecutive months or more, or a sign that is dilapidated or vandalized and not repaired within six consecutive months from the day of the damaging event, or for which no legal owner can be found, shall be considered abandoned, unless there is some specific action taken by the owner indicating to the Township otherwise during the six-month period.

ADDRESS SIGN — See Chapter 115, Signs for Building Numbers and Streets.

ALTERATION — Any structural change or repair of an existing sign.

ANIMATED SIGN — A sign depicting action, motion, or light or color changes through electrical or mechanical means.

AWNING — A cloth, plastic, or other nonstructural covering that projects from a wall for the purpose of shielding a doorway or window. An awning is either permanently attached to a building or can be raised or retracted to a position against the building when not in use.

AWNING SIGN — Any sign painted on, or applied to, an awning.

BACK-TO-BACK SIGN — A sign constructed on a single set of supports with messages visible on both sides, provided that the message boards shall be physically contiguous.

BALLOON SIGN — A balloon, tethered in a fixed location, which contains an advertisement message on its surface or attached to the balloon in any manner. See "inflatable sign."

BANNER — A long strip of cloth, bunting, plastic, paper or similar nonrigid material bearing a slogan or design hung in a public view or place. Banners are temporary in nature and do not include flags or feather flag signs.

BEACON LIGHTING — Any source of electric light, whether portable or fixed, the primary purpose of which is to cast a concentrated beam of light generally skyward as a means of attracting attention to its location rather than to illuminate any particular sign, structure, or other object.

BILLBOARD — See "off-premises sign."

BLADE SIGN — See "projecting sign."

BUILDING FRONTAGE — The maximum linear width or length, whichever is greater, of a building measured in a single straight line parallel, or essentially parallel, with the abutting public street or parking lot.

CALENDAR YEAR — The one-year period that begins on January 1 and ends on December 31.

CANOPY — A structure other than an awning made of fabric, metal, or other material that is supported by columns or posts affixed to the ground and may also be connected to a building.

CANOPY SIGN — A sign suspended from, attached to, supported from or forms a part of a canopy, provided that such sign shall not extend beyond the vertical or horizontal boundary of any canopy.

CARTWAY — The graded portion of a street or alley including the traveled way and shoulders.

CHANGEABLE COPY SIGN — A sign or portion thereof on which the copy or symbols change either automatically through electrical or electronic means or manually through placement of letters or symbols on a panel mounted in or on a track system. The two types of changeable-copy signs are manual changeable copy signs and changeable electronic variable message signs, which include message center signs, digital displays, and tri-vision boards.

CHANGEABLE ELECTRONIC VARIABLE MESSAGE (CEVM) SIGN — A sign in which light is turned on or off intermittently by any means, including any illuminated sign on which such illumination is not kept stationary or constant in intensity and color at all times when such sign is in use; including alternative sign displays of a digital or controlled light-emitting variety, including digital signs that may be scrolling message boards, liquid crystal display (LCD), or plasma display panels, electronic billboards, projection screens, or other emerging display types like living surfaces such as organic light-emitting diode (OLEDs), light emitting diode (LED), light emitting polymer (LEP) and organic electro-luminescence (OEL), that can be controlled electronically using a computer or other devices, allowing direct or remote access and control of graphic, text or content, and which may vary in intensity or color. A CEVM sign does not include a sign located within the right-of-way that functions as a traffic control device and that is described and identified in the Manual on Uniform Traffic Control Devices (MUTCD) approved by the Federal Highway Administration as the national standard (often referred to as digital, electronic, electronic graphic or similar). **[Amended 4-23-2019 by Ord. No. 549]**

CHANNEL LETTER SIGN — A sign consisting of fabricated or formed three-dimensional letters, individually applied to a wall, which may accommodate a light source.

CLEARANCE — The distance above the walkway, or other surface if specified, to the bottom edge of a sign. This term can also refer to a horizontal distance between two objects.

COMMERCIAL OR INDUSTRIAL CENTER — A premises on which there are two or more separate occupancies located within the same or an adjacent building or buildings on the same commercial or industrial plot of record.

CONSTRUCTION SIGN — Any sign temporarily erected and maintained on a particular premises while construction is taking place on said premises to identify the project designer, architect, contractor, developer, finance organization, subcontractor, and/or material's vendor, upon which property such individual or entity is furnishing labor, financing, material or other services. Also known as "project sign."

DIGITAL DISPLAY — The portion of a sign message made up of internally illuminated components capable of changing the message periodically. Digital displays may include but are not limited to LCD, LED, or plasma displays. Also see "changeable copy sign" and "changeable electronic variable message sign."

DILAPIDATED SIGN — Any sign which is a potential hazard to the public, structurally unsound, or more than 60% of entire structure is in need of substantial repair, painting or maintenance.

DIRECTIONAL SIGN —

- A. A sign, erected or permitted in the public right-of-way or on private property by Tobyhanna Township or by another governmental agency, to denote, by way of example but not limited to the following: the name of any thoroughfare or the route to any city, town, village, educational institution, public building, historic place, shrine or hospital, to direct and regulate traffic, or to denote any railroad crossing, bridge or other transportation company or public utility for the direction or safety of the public.
- B. A sign, notice or symbol for information relating to the Federal Aviation Agency, its agents or licensees as to locations, directions, landings and conditions affecting safety in aviation.

DIRECTORY SIGN — A sign that provides a listing of the names of businesses, activities, addresses, locations, uses or places within a building or complex of buildings for the purpose of giving directions, instructions or facility information and which may contain the name and logo of an establishment but no advertising copy.

DOUBLE-FACED SIGN — A sign with two faces which are usually, but not necessarily, parallel, or on which the angle created by the signs is not greater than 45°.

ELECTRICAL SIGN — An illuminated sign and/or sign structure in which electric wiring, connections and/or fixtures are used as part of the sign proper.

EXISTING SIGN — Any sign that was erected, mounted or displayed prior to the adoption of this article.

FACADE — The entire building wall, including street wall face, and parapet, fascia, windows and doors on any complete elevation, but excluding any roof or portion thereof.

FEATHER FLAG SIGN — A temporary vertical portable sign typically constructed of a single plastic or metal shaft driven into the ground for support or supported by means of an individual stand with an attached harpoon-style pennant that is vertically elongated and attached to the shaft used to draw attention to a commercial or noncommercial message. A feather flag is also known as concave, convex, angled, straight, teardrop, sail, bow flags.

FESTOON LIGHTING — A type of illumination comprised of either: a) a group of incandescent light bulbs hung or strung overhead or on a building or other structure, or b) light bulbs not shaded or hooded or otherwise screened to prevent direct rays of light from shining on adjacent properties or rights-of-way.

FLAG/FLAG SIGN — A device generally made of flexible material, using cloth, paper or plastic, typically oblong or square, attachable by one edge to a pole or rope and used as a symbol of a government, school or religion, and not containing a commercial message. The term "flag" does not include feather flag signs. For the purpose of this definition a flag may be used to promote a business to be open.

FLASHING SIGN — A sign whose artificial illumination is not kept constant in intensity at all times when in use and which exhibits changes in light, color, direction, or animation. This definition does not include electronic message centers signs or digital displays that meet the requirements set forth herein.

FLAT SIGN — See "wall sign."

FOOTCANDLE — A unit of incident light (on a surface) stated in lumens per square foot and measurable with an illuminance meter, a.k.a. footcandle or light meter. One footcandle is equal to one lumen per square foot.

FOOTLAMBERT — A unit of emitted light (from a surface) stated in lumens per square foot and measurable with an illuminance meter, a.k.a. footcandle or light meter. One footlambert is equal to one lumen per square foot.

FREESTANDING SIGN — A sign supported by a sign structure secured in or on the ground and which is wholly independent of any building, fence, vehicle or other support. Also see "pole" or "monument."

FRONTAGE — The length of the property line of any one parcel serving as a public right-of-way line. In the case of corner lots, the shorter of the two street lines shall be considered the frontage.

GOVERNMENT SIGN — Signs placed or erected by governmental agencies, fire, fire and rescue, ambulance or other similar organizations directly affiliated with Tobyhanna Township for the public interest, for control of traffic and for other regulatory purposes; street signs; warning signs; railroad-crossing signs; public service signs; signs indicating danger; and aids to service and safety which are erected by or for the government.

HEIGHT (OF SIGN) — The vertical distance measured from the average elevation of the nearest road center line, or the average grade at the sign location, to the top of the sign face or sign structure, whichever is greater.

HISTORIC DESIGNATION — Signs placed on an historic site or building identifying the area or structure as an historic landmark as designated by a local, state, or federal government. If said sign is a wall sign, it shall not exceed six square feet in area.

HISTORIC DISTRICT — A district or zone designated by a local, state, or federal government, within which buildings, structures, and/or appurtenances are deemed important because of their association with history, or because of their unique architectural style and scale.

HOLIDAY DECORATIONS — Signs or displays including lighting which are a nonpermanent installation celebrating national, state, and local holidays, religious or cultural holidays, or other holiday seasons (also known as "seasonal decorations").

ILLUMINATED SIGN — A sign with electrical equipment installed for illumination, either internally illuminated through its sign face by a light source contained inside the sign or externally illuminated by a light source aimed at its surface.

ILLUMINATION — A source of any artificial or reflected light, either directly from a source of light incorporated in or indirectly from an artificial source.

- A. EXTERNAL ILLUMINATION — Artificial light, located away from the sign, which lights the sign, the source of which may or may not be visible to persons viewing the sign from any street, sidewalk, or adjacent property.
- B. INTERNAL ILLUMINATION — A light source that is concealed or contained within the sign and becomes visible in darkness through a translucent surface. Message center signs, digital displays, and signs incorporating neon lighting shall not be considered internal illumination for the purposes of this article.
- C. HALO ILLUMINATION — A sign using a three-dimensional message, logo, etc., which is lit in such a way as to produce a halo effect (also known as "back-lit illumination").

INCIDENTAL OR INSTRUCTIONAL SIGN — A sign, generally informational, that has a purpose secondary and incidental to the use of the lot on which it is located, such as "no parking," "entrance," "loading only," "telephone" and/or similar directives and which may include a business logo or name.

INCIDENTAL WINDOW SIGN — Signs displayed in the window displaying information such as the business's hours of operation, credit institutions accepted, commercial and civic affiliations, and similar information. These signs shall be informational only and shall not contain a commercial message.

INFLATABLE SIGN — A sign whose dimensions are expanded or which is supported by gases or fluids contained within the sign, or sign parts, at a pressure greater than atmospheric pressure.

INGRESS/EGRESS SIGN — A sign which designates the direction of ingress or egress of a parking area or driveway, such as "in," "out," "one-way," "do not enter" or "no exit," and which may include a business logo or name.

INTERACTIVE SIGN — An electronic or animated sign that reacts to the behavior, electronic signals or electronic devices of motor vehicle occupants, pedestrians or the motor vehicle, except for the sign owner or agent.

LEGIBILITY — The physical attributes of a sign that allow for an observer's differentiation of its letters, words, numbers, or graphics.

LIGHT TRESPASS — Light emitted by a lighting installation, which extends beyond the boundaries of the property on which the installation is sited.

LIMITED DURATION SIGN — A nonpermanent sign that is displayed on private property for more than 30 days, but not intended to be displayed for an indefinite period.

LOT — A designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.

LUMINANCE — An objective measurement of the brightness of illumination, including illumination emitted by an electronic sign, measured in candles per square foot (cd/ft²). Also see "nit."

MANUAL CHANGEABLE COPY SIGN — See "changeable copy sign."

MARQUEE — Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building generally designed and constructed to provide protection from the weather.

MARQUEE SIGN — Any sign attached to a marquee for the purpose of identifying a use or product. If attached to a theater, performing arts center, cinema, or other similar use, it may also advertise films or productions.

MECHANICAL MOVEMENT SIGN — A sign having parts that physically move rather than merely appear to move as might be found in a digital display. The physical movement may be activated electronically or by another means, but shall not include wind-activated movement such as used for banners or flags. Mechanical movement signs do not include digital signs that have changeable, programmable displays.

MEMORIAL SIGN — A memorial plaque or tablet, including grave markers or other remembrances of persons or events, which is not used for a commercial message.

MENU SIGN — A sign for displaying the bill of fare available at a restaurant, or other use serving food, or beverages.

MESSAGE CENTER SIGN — A type of illuminated, changeable copy sign that consists of electronically changing alphanumeric text often used for gas price display signs and athletic scoreboards.

MESSAGE SEQUENCING — The spreading of one message across more than one sign structure.

MONUMENT SIGN — A freestanding sign with low overall height that stands directly on the ground or at ground level and which is generally supported by and integrated with a solid base, or what visually appears to be a solid base, where the entire bottom of the

sign visually appears to be affixed to the ground. Also known as "ground sign."

MOVING MESSAGE BOARD — Any electrical sign having a continuous message flow across its face by utilization of lights or other electrical or electronic impulses forming various words, figures or designs, excluding a time-and-temperature sign.

MULTITENANT SIGN — A freestanding sign used to advertise businesses that occupy a shopping center or complex with multiple tenants.

MURAL (or MURAL SIGN) — A large picture/image (including but not limited to painted art) which is painted, constructed, or affixed directly onto a vertical building wall, which may or may not contain text, logos, and/or symbols, but shall not contain a commercial message.

NEON SIGN — A sign illuminated by a neon tube, or other visible light-emanating gas tube, that is bent to form letters, symbols, or other graphics.

NIT — A term used to describe a metric unit of luminance defined as candela per square meter (cd/m²). The unit is based on the candela, the modern metric unit of luminous intensity, and the square meter.

NONCONFORMING SIGN — Any sign which was lawfully erected or displayed prior to the effective date of this article or any subsequent amendment hereto, but which fails to conform to all the provisions of this article.

OFF-PREMISES SIGN — An outdoor sign whose message directs attention to a specific business, product, service, event or activity, or other commercial or noncommercial activity, or contains a noncommercial message about something that is not sold, produced, manufactured, furnished, or conducted on the premises upon which the sign is located (also known as a "third-party sign," "billboard," or "outdoor advertising").

OFFICIAL TRAFFIC SIGN — Official highway route number signs, street name signs, directional signs and other traffic signs erected and maintained on public highways and roads in the interest of public safety or for the regulation of traffic.

ON-PREMISES SIGN — A sign whose message and design relate to an individual business, profession, product, service, event, point of view, or other commercial or noncommercial activity sold, offered, or conducted on the same premises where the sign is located.

PANEL — The primary surface of a sign upon which the message of the sign is carried.

PARAPET — A vertical false front or wall extension above the roofline.

PENNANT — A triangular or irregular piece of fabric or other material, commonly attached in strings or strands, or supported on small poles intended to flap in the wind.

PERMANENT SIGN — A sign attached or affixed to a building, window, or structure, or to the ground in a manner that enables the sign to resist environmental loads, such as wind, and that precludes ready removal or movement of the sign and whose intended use appears to be indefinite.

PERSONAL EXPRESSION SIGN — A sign that expresses an opinion, interest, position, or other noncommercial message.

POLE SIGN — A freestanding sign that is permanently supported in a fixed location by a structure of one or more poles, posts, uprights, or braces from the ground and not supported by a building or a base structure.

POLITICAL SIGN — A sign erected by a political candidate, group, advocate or agent thereof for the purpose of advertising a candidate or stating a position regarding an issue upon which the voters shall vote.

PORTABLE SIGN — A sign designed to be transported or moved and not permanently attached to the ground, a building, or other structure. Also see "sandwich board sign" and "vehicle sign."

PREMISES — Fully defined in 67 Pa. Code § 445.2, the property upon which the activity is conducted as determined by physical facts rather than property lines. It is the land occupied by the buildings or other physical uses that are necessary or customarily incident to the activity, including such open spaces as are arranged in connection with the buildings or uses.

PRIVATE DRIVE SIGN — A sign indicating a street or drive which is not publicly owned and maintained and used only for access by the occupants of the development and their guests.

PROJECT SIGN — See "construction sign."

PROJECTING SIGN — A building-mounted, double-sided sign with the two faces generally perpendicular to the building wall, which extends outward for more than 12 inches from the facade, not to include signs located on a canopy, awning, or marquee (also known as "blade sign"). Also see "shingle sign."

PUBLIC RIGHT-OF-WAY SIGN — The line where the property meets the public right-of-way for a street or other public way, provided that this definition shall not include unimproved alleys, easements or other similar uses.

PUBLIC SIGN — A sign erected or required by government agencies or utilities, including traffic, utility, safety, railroad crossing, and identification signs for public facilities.

PUBLIC WAY — Any street, highway, road, path or right-of-way, whether privately or publicly owned, which is designed or used for vehicular or pedestrian traffic either by public right or custom or by invitation to the public of two or more common owners, including unimproved alleys and easements.

PUMP TOPPER SIGN — A double-sided sign, either made of plastic or aluminum that is mounted on top of a fuel pump by either metal or plastic framing which can be changed periodically via inserts that advertises store products, fuel pricing or danger warnings.

REAL ESTATE SIGN — A temporary sign erected by the owner or his agent advertising the real property upon which the sign is located for rent, for lease or for sale.

REFLECTIVE SIGN — A sign containing any material or device which has the effect of intensifying reflected light.

RESIDENTIAL NAME-AND-ADDRESS SIGN — One freestanding or wall sign per unit, with an area not exceeding three square feet, which identifies the name of the occupant and/or street address of the dwelling unit. See also Chapter 115.

REVOLVING SIGN — A sign which revolves in a circular motion (rotating) rather than remaining stationary on its supporting structure.

ROOF — The exterior upper covering of a building or portion of a building.

ROOF SIGN — A sign erected over or on, and wholly or partially dependent upon, the roof of any building for support, or attached to the roof in any way, not to extend above the roof's highest point.

ROTATING SIGN — Any sign which revolves around one or more fixed axes.

SANDWICH BOARD SIGN — A type of freestanding, portable, temporary sign consisting of two faces connected and hinged at the top and whose message is targeted to pedestrians. See "portable sign" (also known as "A-frame sign").

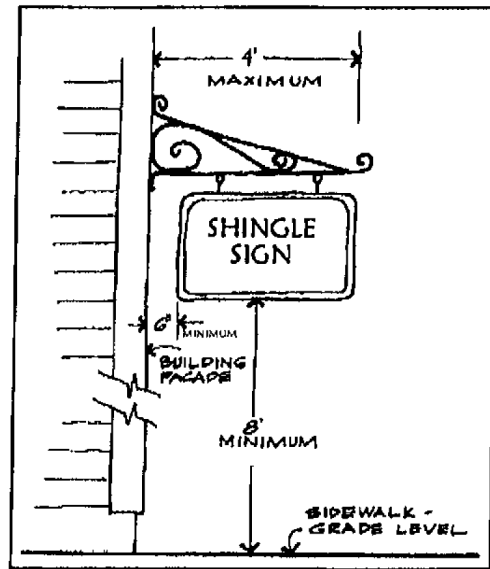
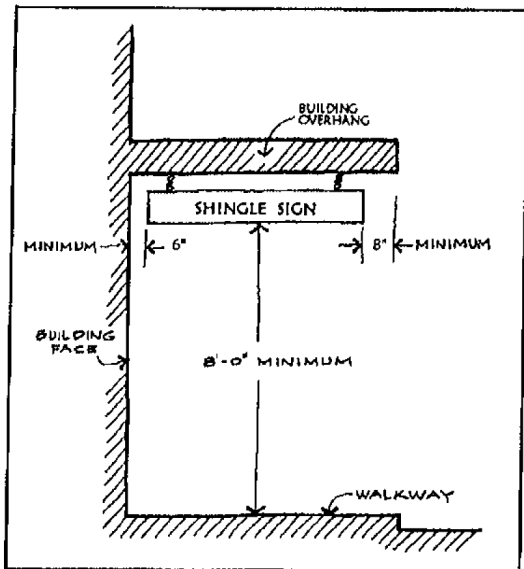
SCOREBOARD — A sign contained within an athletic venue and intended solely to provide information to the attendees of an athletic event.

SECURITY SIGN — An on-premises sign regulating the use of the premises, such as a "no trespassing," "no hunting," or "no soliciting" sign (also known as "Warning sign").

SERIAL SIGNS — A series of temporary signs erected for the purpose of designating the location of or directing the public to a particular property or activity.

SHIELDED — The description of a luminaire from which no direct glare is visible at normal viewing angles, by virtue of its being properly aimed, oriented, and located and properly fitted with such devices as shields, barn doors, baffles, louvers, skirts, or visors.

SHINGLE SIGN — A sign, other than a wall sign, that is supported from a bracket or other mounting device attached directly to the building, or a sign that is suspended from the underside of a building overhang.



SIGN — Any object, device, display or structure or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images, excluding national or state

flags, window displays, graffiti, athletic scoreboards or the official announcement or signs of government.

SIGN AREA —

- A. The area of a sign shall include all lettering, wording, and accompanying designs and symbols, together with the background, whether open or enclosed, on which they are displayed (but not including any supporting framework and bracing incidental to the display itself).
- B. Where the sign consists of individual letters or symbols attached to a building, wall or window, the area shall be considered to be that of the smallest rectangle or other regular geometric shape which encompasses all of the letters and symbols.
- C. In computing square foot area of a double-faced sign, only one side shall be considered. If the interior angle formed by the two faces of the double-faced sign is greater than 45°, then both sides of such sign shall be considered in calculating the sign area.
- D. The size of any sign shall be computed by multiplying its greatest height by its greatest length exclusive of supporting structures, unless the supporting structure is illuminated or is in the form of a symbol or contains advertising copy. In the case of signs that have no definable edges, such as raised letters attached to a building facade, the sign shall be that area within a single, continuous perimeter enclosing the extreme limits of the actual message or copy area.

SIGN FACE — The part of the sign that is or can be used for the sign area. The sign area could be smaller than the sign face.

SIGN HEIGHT — See "height of sign."

SIGN STRUCTURE — A supporting structure erected, used or intended for the purpose of identification or attracting attention, with or without a sign thereon, situated upon or attached to the premises, upon which any sign may be fastened, affixed, displayed or applied; provided, however, that this definition shall not include a building, fence, wall or earthen berm.

SNIPE SIGN — A sign tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, public benches, streetlights, or other objects, or placed on any public property or in the public right-of-way or on any private property without the permission of the property owner (also known as "bandit sign").

SPECIAL EVENT — Gathering of individuals generally lasting from a few hours to a few days designed to celebrate, honor, discuss, teach

about, encourage, observe or influence human endeavors. A special event includes but is not limited to firework displays, carnivals, circus, bazaar, parades, fairs, or any assembly, gathering, activity or meeting. This does not include sidewalk sales where merchandise normally sold indoors is transferred from indoors to outdoors for sale. Yard sales, garage sales and similar activities are not regarded as special events.

SPECIAL EVENT SIGN — A sign that carries a message regarding a special event or function that is of general interest to the community.

STOREFRONT — The exterior facade of a building housing a commercial use visible from a street, sidewalk, or other pedestrian way accessible to the public and containing the primary entrance to the commercial establishment. Also see "facade."

STREAMERS — A display made of lightweight, flexible materials, consisting of long, narrow, wavy strips hung individually or in a series, with or without a logo or advertising message printed or painted on them and typically designed to move in the wind.

STREET FRONTAGE — The side or sides of a lot abutting on a public street or right-of-way.

STREET POLE BANNER — A banner suspended above a public sidewalk and attached to a single street pole. These signs shall not contain any commercial advertising.

SWINGING SIGN — A sign installed on an arm, mast or spar, which sign is not permanently fastened to an adjacent wall, porch ceiling, overhang, canopy or upright pole. Also see "shingle sign."

TEMPORARY SIGN — Any sign intended to be erected or displayed for a limited period as hereinafter set forth in § 155-36.

TIME-AND-TEMPERATURE SIGN — An electrical sign utilizing lights, which periodically display the current time and temperature.

TRAFFIC DIRECTION/SAFETY SIGN — A sign consisting of written directions and/or an arrow or arrows and is designed, sized and erected solely for the purpose of vehicular or pedestrian traffic direction or safety.

TRAVELED WAY — That part of the roadway provided for the movement of vehicles, exclusive of shoulders and auxiliary lands.

TRI-VISION BOARDS — An outdoor unit with a slatted face that allows three different copy messages to revolve at intermittent intervals.

VEHICLE SIGN — Any sign affixed to a vehicle and used in such a manner that the carrying of such sign or signs is no longer incidental

to the vehicle's primary purpose, but becomes the primary purpose itself. Vehicle signs shall be prohibited in Tobyhanna Township.

VENDING MACHINE SIGN — A sign displayed on a vending machine indicating the name of the product being sold and/or the price of such product.

VIDEO SIGN — A sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames which mimic the illusion of motion, including but not limited to moving objects, moving patterns or bands of light, or expanding and contracting shapes and/or fade, dissolve, travel or scrolling features. "Video signs" include projected images or messages with these characteristics onto buildings or other objects, including electronic graphic signs. "Video signs" shall not include LED gas price illuminations.

WALL SIGN — A building-mounted sign which is either attached to, displayed on, or painted on an exterior wall in a manner parallel with the wall surface, extending not more than 12 inches from the facade of a building. A sign installed on a false or mansard roof is also considered a wall sign (also known as: "fascia sign," "parallel wall sign," or "band sign." Also see "flat sign").

WINDOW SIGN — Any sign that is applied, painted, or affixed to a window, or placed inside a window, within three feet of the glass, facing the outside of the building, and easily seen from the outside. Customary displays of merchandise or objects and material behind a store window are not considered signs.

§ 155-21. Illegal signs.

The following signs are illegal and subject to removal and disposition by the Zoning Officer pursuant to this chapter (see §§ 155-47 through 155-50):

- A. Any sign unlawfully erected or unlawfully existing prior to the effective date of this article which remains in noncompliance with this article and any amendment hereto.
- B. Any sign unlawfully erected or unlawfully existing subsequent to the effective date of this article or any amendment hereto and which remains in noncompliance with this article and any amendment hereto.

- C. Any nonconforming sign which fails to comply with the specific provisions regarding maintenance or continuation of nonconforming signs in this article and any amendment hereto.

§ 155-22. Prohibited signs.

- A. Except as may be hereinafter specifically permitted, it shall be unlawful after the effective date of this article or any amendment hereto for a person to erect, place or use within the Township any of the following signs:
- (1) Snipe signs.
 - (2) A sign which contains any moving, flashing or animated lights, visible moving or movable parts, or giving the appearance of animation, not including CEVM signs or barber pole signs.
 - (3) Vehicle signs (see § 155-20, Definitions).
 - (4) Any sign which emits a sound, odor or visible matter.
 - (5) Any sign which obstructs free ingress to or egress from a required door, fire escape or other required exit.
 - (6) Any sign and/or sign structure that obstruct the view of, may be confused with or purports to be a governmental traffic directional or safety sign.
 - (7) Any sign or sign structure (other than a freestanding) that extends above the parapet, building roofline or canopy (provided it is lower than the roofline) against which the sign is located.
 - (8) Any sign using the words "stop" or "danger" or any other word, phrase, symbol or character in a manner that misleads, confuses or distracts a vehicle driver.
 - (9) Moving-message signs, except time and temperature.
 - (10) Except as otherwise provided, no sign, whether temporary or permanent, except one erected by a public agency, is permitted within any traveled way.
 - (11) Any sign containing any obscene word, statement or picture of obscene or pornographic subjects.
 - (12) Any sign painted on or attached to trees, fence posts or other natural features or telephone or utility poles, or painted on

the roofs of buildings, visible from any public thoroughfare; does not include § 155-25D.

(13) Any abandoned or dilapidated sign that is not brought into conformance with this article.

(14) Any inflatable sign.

(15) Any neon sign, except as a window sign, as permitted.

(16) All bus shelter commercial signs, except as conditional uses.

(17) Serial signs.

(18) Video sign that is visible from any public and/or private road, highway, and/or street within Tobyhanna Township.

(19) Feather flags.

B. It shall be unlawful, after the effective date of this article, for a person to erect or place within an RR, R-1, R-2, C, BV or OS District a billboard or other off-premises sign; provided, however, that off-premises signs identifying public service, religious or civic club organizations, not exceeding nine square feet, are permitted within an RR, R-1, R-2, C, BV or OS District.

§ 155-23. Nonconforming billboards and other nonconforming off-premises signs.

A. Abandonment and discontinuance. When a nonconforming use of a billboard or other off-premises sign is discontinued or abandoned for six consecutive months or more, or when such a nonconforming sign that is damaged, in disrepair or vandalized and not repaired within six consecutive months from the date of the damaging event, such a sign shall be considered abandoned, unless there is some specific action taken by the owner indicating to the Township otherwise during the above-referenced six-month period, and once abandoned the sign shall not thereafter be used except in conformity with the provisions of this article. When a nonconforming sign has no known legal owner it shall also be considered abandoned for purposes of this article.

B. Damage and destruction.

(1) When an existing nonconforming billboard or other nonconforming off-premises sign is destroyed or damaged as a result of natural disaster or tortious conduct so that less than 50% of the sign remains intact, the sign may be repaired or replaced only in conformance with the provisions of this

article. Determination of the remaining percentage of the nonconforming billboard or the nonconforming off-premises sign shall be based on the cost of repair versus replacement.

- (2) When an existing nonconforming billboard or other nonconforming off-premises sign needs repainting and/or repair and 50% or more of the sign remains intact (based on the cost of repair versus replacement), such sign may be repainted or repaired, provided that such repainted or repaired sign does not exceed the dimensions of the existing sign.
- C. Any nonconforming sign in zoning districts RR, R1, R2, OS, or BV may not be converted to a CEVM sign.
 - (1) Any nonconforming billboard or other off-premises sign may not be converted to a CEVM sign.

§ 155-24. Sign permit required; fee.

- A. No sign or sign structure shall be erected, displayed, moved, relocated or altered, unless specifically exempted pursuant to §§ 155-25, 155-26, until an application has been filed, a permit fee has been paid and a sign permit issued by the Zoning Officer pursuant to this article. The permit fee shall be established by the Board of Supervisors by resolution.
- B. A sign application must be made if a transfer of ownership, or dismantling or removal of sign occurs and a new sign is replaced in the same location.

§ 155-25. Signs exempt from permit requirement.

No zoning permit is required for the following signs, but such signs shall be subject to all other provisions of this article:

- A. Notice of meetings for civic and religious groups.
- B. "NO TRESPASSING," "NO HUNTING," "NO FISHING," "NO LOITERING" and similar signs not exceeding four square feet in sign area.
- C. Official sign or notice issued by any court, public agency or officer.
- D. Political signs.
- E. Private street or road name sign or a traffic directional, incidental, instructional, ingress or egress sign that does not

exceed four square feet in sign area, unless otherwise required by law.

- F. Sandwich board sign (also known as A-frame sign).
- G. Signs advertising the sale or lease of property upon which they are located.
- H. Signs for roadwork.
- I. Special event signs, provided that all other applicable Township permits are secured.
- J. Traffic, directional or warning sign erected or authorized by any public agency.
- K. Volunteer organizations directly affiliated with the Tobyhanna Township Board of Supervisors.
- L. Yard sale and garage sale signs not to exceed five square feet per sign area, provided all other applicable Township permits are secured.

§ 155-26. Sign alterations, replacement or repairs exempt from permit requirement.

A permit is not required prior to engaging in sign alterations, replacement or repairs if such alterations, replacement or repairs do not involve an increase in size and involve only:

- A. The changing of copy on a lawfully existing changeable-copy sign.
- B. The repainting or refinishing of a lawfully existing sign.

§ 155-27. Setback from cartway.

- A. In order to provide room for future improvements and to provide proper sight distances, all signs shall be set back at least 10 feet from the cartway, provided appropriate sight distance is achieved.
- B. In addition, no sign or portion thereof shall be erected, maintained or permitted within the cartway of any street, road, highway or other public way other than an unimproved alley or easement. For purposes of this section, a sign or portion thereof shall be considered to be within the cartway if it extends within the vertical plane extending upward from the public cartway line as defined in this article.

§ 155-28. Sign illumination.

If illuminated, signs shall be illuminated only by and shall not exceed the following means:

- A. By an uncolored, primary source, steady and stationary light shielded and directed solely at the sign or from within the sign.
- B. Light sources to illuminate signs shall be shielded from all adjacent residential buildings and streets and shall not be in excess of 0.5 footcandle 10 feet beyond the sign and/or 0.2 footcandle at the property lines of such use and shall not cause hazardous glare to pedestrians or vehicle drivers or create a nuisance to adjacent residential districts.
- C. Illumination shall be effectively controlled to limit intensity and/or brilliance to avoid glare that impairs the vision of a driver of a vehicle. Any illumination of the sign shall not interfere with the effectiveness of, or obscure, an official traffic sign, device or signal.
- D. Hours of operation.
 - (1) Signs in zones other than C and CI may be illuminated from 5:00 a.m. until 11:00 p.m., or 1/2 hour past the close of business of the facility being identified or advertised, whichever is later.

§ 155-29. Material and style.

- A. Signs shall not have light-reflecting backgrounds but may use light-reflecting lettering.
- B. All sign faces shall be measured as referred to in the definition of "sign area" in § 155-20.
- C. It is recommended that material and construction will generally conform to local aesthetic conditions to ensure continuity and compatibility with the rural nature of the Township.

§ 155-30. Permitted signs, dimensions and quantity in RR, R-1, R-2 and OS Districts.

Signs in the RR, R-1, R-2 and/or OS Districts shall be limited to and shall comply with the following:

- A. Entrance signs, listing the name of and indicating the entrance to a residential development, at each entrance to such development, provided that in no case shall more than two such signs be within

350 feet of each other. Said sign height shall not exceed eight feet above the average elevation of the nearest public highway or average grade at the sign location, whichever is greater, and shall be at least 10 feet from the property line or cartway line, and no more than 80 square feet in sign area, except when on both sides of an entrance where each side may have a sign not to exceed 80 square feet in sign area.

- B. One freestanding sign stating the name of the occupant(s) for each single-family dwelling unit. Such sign shall not exceed three square feet in sign area and shall be at least five feet from any property line or cartway line.
- C. One on-premises freestanding sign shall be permitted per parcel with a nonresidential use located thereon, not to exceed 20 square feet in sign area, and one on-premises wall sign shall be permitted per nonresidential use, not to exceed 10 square feet in sign area. Said freestanding and wall signs shall comply with the following restrictions:
 - (1) Said signs may be illuminated in accordance with this article, but such illumination shall not go beyond the sign area of the sign being illuminated. See § 155-28.
 - (2) Said signs shall be at least 10 feet from any property line or cartway line.
 - (3) All on-premises freestanding sign proposed for nonresidential uses within the RR, R-1, R-2 and/or OS Zoning Districts shall consist of a unified and coordinated design and shall be low-level monument signs not to exceed six feet in height. When there are multiple uses on one parcel of land in such zoning districts, such multiple uses shall utilize one combined low-level monument sign to include all the proposed uses on the property, parcel and/or tract of land.

§ 155-31. Open/closed signs permitted.

Every nonresidential use shall be permitted to have one open/closed sign, in addition to the other signs permitted under this article, and such a sign shall comply with all of the following restrictions:

- A. The open/closed sign shall not exceed two square feet in sign area.
- B. Such a sign shall only contain the message "open/closed" to indicate the nonresidential use is open or closed for business.

- C. The open/closed sign shall be affixed to the structure housing the nonresidential use on the property or the approved freestanding sign.
- D. The open/closed sign shall reflect the actual operational status of the business.
- E. No open/closed sign shall be of the type and/or material of any sign that is prohibited in this article.
- F. Flag signs are subject to the following restrictions:
 - (1) Shall only contain the message "open" and shall be removed at the close of business each day.
 - (2) Shall not exceed 12 square feet in sign area, with no side exceeding five linear feet.
 - (3) Shall be affixed to the structure housing the nonresidential use on the property or the approved freestanding sign.
- G. Electronic open/closed signs shall only be permitted in the window of said use, except in RR, R-1, R-2 and OS Districts where they are not permitted.

§ 155-32. Permitted on-premises signs, dimensions and quantity in C and CI Districts.

On-premises signs in the C or CI District shall be limited and subject to the following restrictions and/or regulations:

- A. Obstruction. All signs shall be erected so as not to obstruct or impair driver vision at business ingress/egress points of driveways and intersections.
- B. Interior window signs that comply with this article may be displayed, provided that the total sign area is no more than 50% of the area of a window. Exterior window signs are prohibited.
- C. Wall sign, facade sign or roof sign. Each use within the C and/or CI Zoning Districts is permitted one wall, facade or roof sign subject to the restrictions set forth below. Developments that, because of their composition, may qualify for more than one of the below categories may select the single category that provides them with the largest sign area, but in no case may such developments utilize more than one of the following categories. The below categories shall not be cumulative.

- (1) One wall sign, facade sign or roof sign stating the name of or describing the use or activity within the building or portion of the building on which the sign is superimposed for each business activity. Said sign may be illuminated as permitted in this article and the area in square feet of the sign shall be restricted and calculated in the following manner:

Distance from Street Cartway Line (feet)	Percentage of Facade/Wall Area That May Be Covered by Signs
10 to 50	5% of facade/wall area exposed to street
51 to 150	10% of facade/wall area exposed to street
151 or greater	15% of facade/wall area exposed to street

- (2) The maximum size of a roof sign shall not exceed two feet in height and 1/2 the distance of the wall face frontage (for that specific store) in length and shall not extend above the roof line.

D. Freestanding sign. Each use within the C and/or CI Zoning Districts is permitted two on-premises freestanding signs per premises per road and shall not be less than 660 feet apart and shall also be subject to the restrictions set forth below. Developments that, because of their composition, may qualify for more than one of the below categories may select the single category that provides them with the largest sign area, but in no case may such developments utilize more than one of the following categories. The below categories shall not be cumulative.

- (1) Commercial development consisting of retail and nonresidential uses, either exclusively or mixed with residential uses, which contains more than 100,000 square feet of floor space. Said signs shall not have more than a total of 120 square feet of sign area per sign.
- (2) Commercial development consisting of retail and nonresidential uses, either exclusively or mixed with residential uses, which contains 100,000 square feet or less, but more than 40,000 square feet, of floor space. Said signs shall not have more than a total of 80 square feet of sign area per sign. If the commercial use herein is mixed with

residential use that exceeds 500 dwelling units, the provisions of § 155-30 shall apply to said development.

- (3) Commercial development consisting of retail and nonresidential uses, either exclusively or mixed with residential uses, which contains 40,000 square feet or less, but more than 2,500 square feet, of floor space. If only one freestanding sign is to be erected, then said sign shall not have more than a total of 80 square feet of sign area per sign. If two freestanding signs are to be erected, then said signs shall not have more than a total of 40 square feet of sign area per sign. If the commercial use herein is mixed with residential use which exceeds 300 dwelling units, the provisions of § 155-30 shall apply.
- (4) A commercial development consisting of retail and nonresidential uses which contains 2,500 square feet or less of floor space shall be permitted one freestanding sign. Said sign shall not have more than a total of 40 square feet of sign area, except as here below:
 - (a) If an applicant in this category shall waive the right to have a freestanding sign, the applicant shall be permitted to exceed the wall sign or facade sign limitations of this section by 50%.
 - (b) If an applicant in this category shall waive the right to have a wall sign, facade sign and roof sign, the applicant shall be permitted to exceed the freestanding sign limitations of this section by 50% of the permitted size of a wall sign, facade sign or roof sign.
- (5) All on-premises freestanding signs proposed for properties and/or uses within the C and/or CI Zoning Districts shall consist of a unified and coordinated design. When there are multiple uses on one parcel of land in such zoning districts, such multiple uses shall, unless it is unreasonable given the layout of the property and/or uses, utilize one combined freestanding sign to include all the proposed uses on the property, parcel and/or tract of land, subject to the size restrictions set forth in this section.
- (6) Height. The maximum height of any freestanding sign shall not exceed 20 feet above the average elevation of the nearest public highway or average grade at the sign location, whichever is greater. However, the maximum height of a freestanding sign used for the purpose of advertising the sale

of motor vehicle fuel to the public, that is located within 1/2 mile of an interstate, shall not exceed 80 feet.

- (7) Width. The maximum width of the entire sign structure shall not exceed 20 feet.
- E. Awning signs. A nonresidential use in the C and/or CI District shall be permitted one awning sign per entrance and exit to the principal structure and/or building housing such use, not to exceed 20 square feet or 20% of the awning area, whichever is greater, and identifying the use by providing only the use name and/or logo.
- F. Canopy signs. A nonresidential use shall be permitted one canopy sign per canopy, not to exceed six feet in length and 18 inches in height, placed entirely under or on a canopy (marquee), provided that such sign shall not extend beyond the vertical or horizontal boundary of any canopy, identifying and/or incidental to the occupancy.
- G. Shingle sign. Nonresidential uses located within the C or CI Zoning Districts shall be permitted one shingle sign subject to the following restrictions and regulations:
- (1) A shingle sign shall not exceed four square feet in sign area.
 - (2) Shingle signs shall be limited to two sign faces.
 - (3) No portion of a shingle sign shall be less than eight feet nor exceed 10 feet above the pedestrian walkway.
 - (4) No portion of a shingle sign shall project above the top of an eave or parapet.
 - (5) The bracket or other mounting device of a shingle sign shall be attached directly to the building or structure.
 - (6) A shingle sign shall maintain at least 10 feet of separation from another shingle sign.
 - (7) Shingle signs shall be located as close as practical to the use's entrance.
 - (8) Shingle signs shall not be more than six inches or less than one inch thick.

§ 155-33. Changeable electronic variable message (CEVM) signs.

A. Location.

- (1) CEVM freestanding, monument, and wall signs are permitted only as specified in the Resort Overlay District, the Planned Commercial Retail Entertainment Dining District (PCRED) and as specifically permitted in other districts as adopted. CEVM signs and are not permitted in other districts.
- (2) CEVM signs shall not be located within 100 feet of a residential use if the CEVM sign area is greater than 16 square feet.
- (3) CEVM materials and style must conform to standards set for the district.

B. Refer to below for additional requirements, including but not limited to display cycles, animation, brightness, interference, malfunction, maintenance, permitting, Code compliance.

C. Additional CEVM sign regulations.

- (1) Display cycles. Messages may not change more than once every minute unless as otherwise specified for a District.
- (2) Animation.
 - (a) Streaming video, or text or images, which flash, pulsate, move, or scroll, are prohibited.
 - (b) The sign shall not display flashing, blinking and/or other moving lights and/or signals.
 - (c) The message shall change without any of the following: fading in or out; scrolling; blinking; sudden bursts of light or sound; and/or the appearance of video, graphics or animation.
 - (d) No red, green, or yellow lights shall be permitted such that the display looks like a traffic signal.
 - (e) There shall be no illumination by any flashing, intermittent, or moving light or lights.
- (3) Brightness.
 - (a) The sign shall utilize a nonglare face combined with flat-colored borders to minimize the reflection of the sun or vehicle headlights. The sign shall have dark backgrounds and light letters, rather than light backgrounds and dark letters, to help reduce glare.

- (b) All CEVM signs shall be equipped with ambient light monitors and automatic brightness level controls to reduce light levels at night, and under cloudy or other darkened conditions shall at all times allow such monitor to automatically adjust the brightness level of the CEVM sign based on ambient light conditions so as to minimize and keep consistent sign brightness.
 - (c) The maximum brightness levels for such signs shall not exceed 5,000 nits when measured from the sign's face at its maximum brightness during daylight hours.
 - (d) The maximum brightness levels for such signs shall not exceed 150 nits when measured from the sign's face at its maximum brightness between sunset and sunrise, at those times as determined by the National Weather Service.
 - (e) In no case shall light exceed 0.2 footcandle at boundary line of residential property.
- (4) Interference.
- (a) No electronic sign shall be erected or maintained in such a manner as to obscure or otherwise physically interfere with an official traffic sign, signal or device, or to obstruct or physically interfere with the driver's view of approaching, merging or intersecting traffic.
 - (b) No messages shall be displayed that are intended to be and/or that result in a dangerous distraction to drivers.
- (5) Malfunction. All CEVM signs shall contain a default design that shall include a safety feature that enables the sign to turn off completely in the event the display panel or device malfunctions.
- (6) Maintenance.
- (a) Every sign permitted by this article must be constructed of durable materials and kept in good condition and repair at all times, and in such safe condition that they shall not be a danger to the public health safety.
 - (b) No rubbish or debris shall be permitted near any billboard sign, especially when such rubbish or debris might constitute a fire hazard.
 - (c) All billboard signs shall be kept free from all hazards.

(7) Permit required.

- (a) A complete application for a sign permit shall be submitted to the Zoning Officer on a form supplied by the Township.
- (b) No sign or sign structure shall be erected, displayed, moved, relocated, replaced or altered, until an application has been filed, a permit fee has been paid and a sign permit issued by the Zoning Officer. The permit fee shall be established by the Board of Supervisors by resolution.
- (c) Any CEVM billboard sign hereafter erected or used shall conform to the provisions of this article and other provisions of the Township.
- (d) Applicants for a building permit for a CEVM billboard must submit to the Building Code Official a building and electrical permit application and sealed plans prepared by a licensed professional structural engineer verifying that the billboard meets or exceeds industry standards and building code and electrical codes approved by the Township.

(8) Miscellaneous.

- (a) The sign owner or lessee may be requested by local government officials, county, state and federal emergency management centers a display for emergencies such as Amber Alerts, weather alerts and/or public announcements.
- (b) On-premises and storefront signs shall only advertise for the location they are on.
- (c) The sign shall comply with all other requirements, regulations and ordinances of Tobyhanna Township and any and all applicable federal or state rules or regulations including but not limited to PennDOT. CEVM materials and style must conform to standards set for the district.

§ 155-34. Other district-specific regulations.

- A. Resort Overlay sign regulations. Resorts and gaming resorts shall be permitted the following signage, provided that all of the following signage and any other exterior signage in a resort or gaming resort shall be set forth on a master signage plan which

shall depict all exterior signs situate in a resort or gaming resort. The master signage plan shall specify the area, dimensions, height, illumination, and any other features of the signage in the resort or gaming resort. The master signage plan shall be submitted by the developer of a resort or gaming resort as part of the preliminary land development plan for the gaming resort in question. Resorts or gaming resorts may install the following types of signs subject to the following delineated design standards:

(1) Freestanding signs.

- (a) A maximum of two freestanding signs located on the property of a resort or gaming resort contiguous with the right-of-way of an interstate or state highway.
- (b) Each of said freestanding signs shall have a maximum sign area of 600 square feet and a maximum height of 40 feet above the average elevation of the nearest public highway or average grade at the sign location, whichever is greater.
- (c) A resort or gaming resort may also have one freestanding ground sign having a maximum sign area of 300 square feet per sign and a maximum height not to exceed 30 feet above the average elevation of the nearest public highway or average grade at the sign location, whichever is greater for each driveway/access road entrance to a resort or gaming resort up to a maximum of two such signs.
- (d) Each freestanding sign shall comply with the applicable setback standards set forth in the Tobyhanna Township Zoning Ordinance.
- (e) Any applicable setback standards set forth in the applicable rules and regulations of the Pennsylvania Department of Transportation and/or any applicable federal law including, without limitation, the Highway Beautification Act of 1965, as amended, is the responsibility of the applicant.

(2) Wall signs. One square foot of sign for each linear foot of building wall area exposed to a street frontage or public way with no limit on the number of signs.

- (3) Directional signage. Directional signage shall not exceed 10 square feet per sign with no limit on the number of directional signs.
- (4) CEVM sign.
 - (a) One CEVM sign shall be permitted per entrance in association with and as part of a resort use within the Commercial (C) or Commercial Industrial (CI) Zoning District only and shall be located on the property wherein the resort use is located.
 - (b) Such CEVM signs shall only advertise the related resort use wherein the sign is located, and/or a municipal and/or other governmental message as set forth in this section.
 - (c) Only two CEVM signs shall be permitted for each resort use. In no event shall a resort use have more than two CEVM signs. Any such CEVM sign shall be considered one of the permitted freestanding signs under § 155-32. Each CEVM sign shall be subject to and comply with all of the height, width and setback restrictions set forth in § 155-32 and § 155-27 relating to freestanding signs. Each resort use shall be limited to two such CEVM signs.
 - (d) Each CEVM sign shall be permitted to have two sides, and each side shall be limited to a maximum sign area of 600 square feet (i.e., the total sign area of both sides of an CEVM sign shall not exceed 1,200 square feet as per § 155-20, Definitions "sign area").
 - (e) In addition, each CEVM sign shall comply with the following specific restrictions:
 - [1] The sign shall be located a minimum of 500 feet from any residential boundary.
 - [2] Off-premises advertising shall be prohibited.
 - [3] The sign shall be a freestanding sign and, when possible, installed as a monument sign.
 - [4] Refer to CEVM § 155-33 for additional requirements, including but not limited to display cycles, animation, brightness, interference, malfunction, maintenance, permitting, Code compliance.
 - [5] Roof sign:

Building Height (feet)	Maximum Height of Sign (feet)	Maximum Size of Sign (square feet)
0 to 20	6	100
20 to 40	8	200
40 +	10	400

B. Blakeslee Village sign regulations BV-1 and BV-2. Permanent identification signs.

(1) Freestanding sign. All freestanding signs shall be of a monument style.

(a) Number: Commercial development consisting of retail and nonresidential uses, either exclusively or mixed with residential uses shall be allowed one freestanding sign per public right-of-way frontage so long as the lot is at least 100 feet in width.

(b) Size: The area of the freestanding sign shall be no larger than 75 square feet per side and shall not exceed a maximum height of 10 feet. Said sign shall be mounted to a monument base not less than three feet in height on two column support posts either six feet by six feet or four feet by four feet, not to exceed a maximum height of 13 feet.

(c) Location: No freestanding sign shall project into, over or otherwise encroach upon a public right-of-way. All freestanding signs must maintain a setback of 20 feet measured from the public right-of-way.

(d) Illumination: Freestanding signs may be internally illuminated. Illuminated signs shall have an opaque background with only letters and logo illuminated. Sign illumination may not exceed two footcandles measured five feet from the sign and must use soft white lighting; blue LED lighting is discouraged.

(e) Material: The monument base of the sign must be constructed of a brick, stone or wood base and/or framed with heavy timber. Such sign must be compatible and harmonious with the materials of the building identified by the sign.

- (f) Color: Colors should be of natural tone and must be compatible and harmonious with the colors of the building identified by the sign.
 - (g) Landscaping: Decorative landscaping must surround the sign.
- (2) Wall or facade sign.
- (a) Single or multitenant businesses shall be permitted one wall sign per store frontage or, with frontage of main point of ingress/egress into the commercial development, such stores that have two entrances shall be permitted to have two wall signs providing that the sizes and material are exactly the same.
 - (b) Size: For a single-tenant business the maximum area for wall signage may not exceed 1.0 square foot per linear foot of the principal structure's frontage. For a multitenant business, the wall sign may not exceed 1.0 square foot per linear foot of each store frontage. Area of wall signs shall include text and logos. The maximum area of a wall sign is 200 square feet; the minimum area is 20 square feet. The dimensional height of a wall sign shall not exceed seven feet.
 - (c) Material: The use of raised or recessed letters/symbols, borders and framing is encouraged. Such sign must be compatible and harmonious with the materials of the building identified by the sign.
 - (d) Color: Colors should be of natural tone and must be compatible and harmonious with the colors of the building identified by the sign.
 - (e) Illumination: Wall signage may have internally illuminated face lit channel letters, spot lighting or similar forms of illumination.
 - [1] Internally illuminated signs shall have an opaque background with only letters and logo illuminated. Sign illumination may not exceed two footcandles measured five feet from the sign and must use soft white lighting; blue LED lighting is discouraged.
 - [2] Externally lit signs must use downward facing lighting and must use soft white lighting; blue LED lighting is discouraged.

(3) Awning sign.

- (a) Single or multitenant businesses shall be permitted one awning sign per store frontage or, with frontage of main point of ingress/egress into the commercial development, such stores that have two entrances shall be permitted to have two awning signs providing that the sizes and material are exactly the same.
- (b) Awning signs are to be used in lieu of a wall sign.
- (c) Size: not to exceed 20 square feet or 20% of the awning area, whichever is greater, and identifying the business use by providing only the use name and/or logo.
- (d) Material: Fire-resistant canvas awnings may be used. Plastic awnings are prohibited.
- (e) Color: Colors should be of natural tone and must be compatible and harmonious with the colors of the building identified by the sign.

(4) Shingle sign.

- (a) Single or multitenant businesses shall be permitted one shingle sign per store frontage or, with frontage of main point of ingress/egress into the commercial development, such stores that have two entrances shall be permitted to have two shingle signs providing that the sizes and material are exactly the same.
- (b) Size: shall not exceed four square feet in sign area and shall be limited to two sign faces. Shingle signs shall not be more than six inches or less than one inch thick.
- (c) Location: No portion of a shingle sign shall be less than seven feet nor exceed 10 feet above the pedestrian walkway. No portion of a shingle sign shall project above the top of an eave or parapet. Shingle signs shall be located as close as practical to the use's entrance. A shingle sign shall maintain at least 10 feet of separation from another shingle sign. Shingle signs suspended from the underside of a building overhang shall be centered under the overhang.
- (d) Mounting: The bracket or other mounting device of a shingle sign shall be attached directly to the building. The

use of black metal brackets and/or framing is recommended.

- (e) Sandblasted wood is encouraged for all shingle signs. Alternate materials are acceptable; however, must be compatible and harmonious with the colors and materials of the building identified by the sign.
 - (f) Illumination: Internal illumination of a shingle sign is strictly prohibited.
- (5) Window sign.
- (a) To identify the uses occupying the portion of the building and are limited to first-floor windows only.
 - (b) Sign area: The sign area of each window sign shall not exceed four square feet, or 1/3 of the window in which it is displayed, whichever is less.
 - (c) Sign placement: The window sign shall be painted, applied or etched onto the window.
 - (d) Illumination: Illumination of window signs is strictly prohibited.
- (6) Temporary signs (including A-frame or sandwich board signs): refer to § 155-36.
- (7) In addition to the prohibited signs listed in § 155-22, the following types of signs are strictly prohibited in the Blakeslee Village District:
- (a) Pennants, balloons and commercial flags.
 - (b) Banners except as other provided in the master signage plan of the BV District.
 - (c) Changeable copy signs.
 - (d) CEVMS signs.
- (8) In addition to the signage permitted above, a master signage plan must be included with all land development applications in the BV districts. The below signage would be allowed in a master signage plan and must adhere to the following criteria.
- (a) Directory signage.

- [1] No larger than three feet six inches wide by seven feet six inches long.
- [2] May be internally illuminated.
- (b) Vehicular directional.
 - [1] No larger than five feet wide by five feet six inches long.
 - [2] May be internally illuminated.
- (c) Parking signage.
 - [1] No larger than two feet wide by eight feet high. Double-faced blade signs may be illuminated.
 - [2] Only one blade sign shall be used at the entrance of a parking garage.
- (d) Pedestrian directional.
 - [1] No larger than three feet high by two feet wide.
 - [2] Wall-mounted shingle sign with street names and changeable panels.
 - [3] Mounting: bracket or mounting device shall be attached directly to the building. The use of black metal brackets and/or framing is recommended.
 - [4] Sandblasted wood is encouraged. Alternate materials are acceptable; however, must be compatible and harmonious with the colors and materials of the building identified by the sign.
- (e) Pedestrian street arch: see BV District Sign Style Illustrations Article VI, Attachment 1.¹
- (f) Banner concept.
 - [1] Typical banner concepts for events and holidays located within the Blakeslee Village District to be changed seasonally.
 - [2] Banners shall be no greater than two feet wide by five feet high.
 - [3] Only single banners are permitted per light pole.

1. Editor's Note: The BV District Sign Style Illustrations are on file in the Township offices.

[4] Banner shall be secured and mounted on only a black iodized light pole and should be attached by both ends of the banner. The mounting hardware and brackets should be designed to flex with heavy wind loads.

- (9) Material. The use of raised or recessed letters/symbols, borders and framing is encouraged. Such sign must be compatible and harmonious with the materials of the buildings and surrounding area.
- (10) Color. Colors should be of natural tone and must be compatible and harmonious with the colors of the buildings and surrounding area.
- (11) Illumination. Signage may have internally illuminated face lit channel letters, spot lighting or similar forms of illumination.
- (12) Internally illuminated signs shall have an opaque background with only letters and logo illuminated. Sign illumination may not exceed two footcandles measured five feet from the sign and must use soft white lighting; blue LED lighting is discouraged.
- (13) Externally lit signs must use downward-faced lighting and must use soft white lighting; blue LED lighting is discouraged.

NOTE: See BV District Sign Style Illustrations Article VI, Attachment 1.²

§ 155-35. Billboards and/or other off-premises signs in CI Districts.

Billboards and other off-premises signs are permitted only in the CI District, subject to the following restrictions:

- A. Height. The maximum height of any billboard or other off-premises sign shall not exceed 25 feet above the average elevation of the nearest public highway or the average grade of the sign location, whichever is greater.
- B. The bottom edge of any sign face shall not be less than six feet in height above the average elevation of the nearest public highway or the average grade of the sign location, whichever is greater.

2. Editor's Note: The BV District Sign Style Illustrations are on file in the Township offices.

- C. Area. The sign area of any billboard or other off-premises sign shall not exceed 200 square feet (see Definitions, "sign area," for details).
- D. Distance. No billboard shall be erected or displayed within 1,000 feet from any other billboard sign on the same side of the street or highway.

§ 155-36. Temporary signs and standards.

The following types of signs are classified as temporary signs:

A. Banner signs.

- (1) Purpose. Banner days are for the purpose of allowing businesses and organizations to advertise and promote special events, community activities, and celebrations throughout the calendar year. The permitted banners may convey a noncommercial or commercial message displayed on the banner. The banner days may be used all at once, multiple or single days throughout the year.
- (2) Location.
 - (a) Banners are allowed in all zoning districts.
 - (b) No banner shall be located so as to obstruct or impair driver vision at business ingress/egress drive points and at intersections.
 - (c) No banner shall be located on a utility pole or within 10 feet of the cartway.
 - (d) Banners must be adequately secured to either a structure or the ground and cannot be displayed on vehicles.
 - (e) Banners must comply with American Disabilities Act (ADA) regulations.³
- (3) Size. The total area of banner shall not exceed 40 square feet and 20 square feet per sign face.
- (4) Height. The maximum height of a banner shall not exceed the height of the building or 24 feet, whichever is less.
- (5) Maximum number per property.

3. Editor's Note: See 42 U.S.C. § 12101 et seq.

- (a) One banner sign shall be permitted per occupant per property except as limited in Subsection A(5)(b) below.
 - (b) Properties that have multiple tenants may display multiple banners up to a total of 80 square feet of banners at any one given time.
- (6) Time limits.
- (a) Permittees shall be entitled to use banners for not more than 50 days per calendar year. They can be used all at once, multiple or single days throughout the year.
 - (b) New businesses during the first 12 months of operation are allowed an additional 20 banner days.
- (7) Permit required.
- (a) A banner is subject to the permit requirements and fees shall be set by the Board of Supervisors.
 - (b) A complete application for a sign permit shall be submitted to the Zoning Officer on a form supplied by the Township.
- (8) Violations. Per Zoning Chapter, §§ 155-47 through 155-50.
- B. Sandwich board signs (A-frame signs).
- (1) Location.
- (a) Sandwich board signs (A-frame signs) are allowed in Commercial (C), Commercial/Industrial (C/I) and Blakeslee Village 1 and 2 districts.
 - (b) The sandwich board sign (A-frame sign) shall not be displayed within a driveway sight triangle, and shall not hinder nor obstruct the viewing of any motorist entering or exiting a driveway.
 - (c) The sandwich board sign is not allowed within the right-of-way and shall be within 10 feet of the building.
 - (d) A minimum clear sidewalk width of 36 inches shall be maintained if the sandwich board sign (A-frame sign) is placed on the sidewalk.
 - (e) Pedestrian safety shall be preserved through the placement or securing the sign to permit safe and

adequate crossing of streets, entry and exit to and from buildings, cars and buses, and access to curb ramps.

- (f) Sandwich board signs shall be weighted, temporarily secured, or strategically placed so as to avoid being carried away by high winds.
 - (g) Sandwich board signs must comply with American Disabilities Act (ADA) regulations.⁴
- (2) Size. Sandwich board signs shall not exceed 42 inches in height and 25 inches in width. Dimensions include the sign face and sign structure.
 - (3) Maximum number per property.
 - (a) Properties that have multiple tenants may display multiple sandwich board signs on the property. In the case of multiple tenants, no more than one sign per 40 feet of building facade shall be allowed.
 - (b) Businesses located on the first floor of any building shall be permitted one sandwich board sign. In the case of multiple tenants, no more than one sign per 40 feet of building facade shall be allowed.
 - (4) Display/time limit.
 - (a) The sandwich board sign shall only be displayed during operating business hours and must be removed at the close of business.
 - (b) No off-premises advertising is permitted.
 - (c) Illuminated or animated sandwich board signs are prohibited.
 - (5) Materials and style. The sign must be constructed of materials with a smooth finished appearance. Rough-cut plywood is not acceptable. The sign frame shall be painted or stained wood or anodized aluminum or steel or plastic. Windblown devices, including balloons, may not be attached or otherwise part of the sign. The lettering should have a professionally finished appearance; a "yard sale" or "graffiti" look with hand-painted lettering is not permitted; however, chalkboard signs shall be permitted. The written message of the sign should be kept to the minimum necessary to

4. Editor's Note: See 42 U.S.C. § 12101 et seq.

communicate the name of the business or a special message of the business. Signs must be maintained in good repair.

(6) Violations. Per Zoning Chapter, §§ 155-47 through 155-50.

C. Other temporary signs.

(1) Types.

(a) Signs for road work under construction.

(b) Local subdivision or development signs.

(c) Signs advertising the sale or lease of property upon which they are located (also known as real estate signs) shall comply with the following:

[1] Residential: One residential real estate sign not exceeding nine square feet in sign area and, if freestanding, not exceeding four feet in height shall be permitted. Property with two or more roadway frontages shall be permitted one additional sign per frontage. Such residential real estate signs must be removed within 14 days after completion of the sale or lease.

[2] Commercial: One commercial real estate sign not exceeding 32 square feet in sign area and, if freestanding, not exceeding four feet in height shall be permitted within the C and CI Districts only. Property with two or more roadway frontages shall be permitted one additional sign per frontage. Such commercial real estate signs must be removed within 14 days after completion of the sale or lease.

[3] Must comply with standards set in § 155-29, Material and style.

(d) Political signs.

(e) Signs advertising farm products grown on premises and sold there, provided that said sign area shall not exceed 32 square feet and shall be erected only during the seasonal sales period.

(f) Special event signs.

(g) Project and construction signs: see below Subsection C(5)(a).

(h) Yard sale and garage sale signs.

[1] A maximum of two signs not exceeding five square feet in sign area and, if freestanding, not exceeding four feet in height shall be permitted on the property at which the sale is taking place. Signs must be removed at the end of the sale. Such signs shall not be placed on utility poles, trees, poles or other similar posts within the cartway.

[2] Must comply with other standards set in Tobyhanna Township Municipal Code Chapter 82.

(2) Location.

(a) Temporary signs are permitted in all zoning districts.

(b) No temporary sign shall be located so as to obstruct or impair driver vision at business ingress/egress driveway points and at intersections.

(c) No temporary sign shall be located nearer than 100 feet to any church, cemetery, public building or historic site or district unless such sign advertises an event on the church, cemetery, public building or historic site or district.

(d) No temporary sign shall be located on a utility pole or within 10 feet of the cartway.

(e) Special event signs are permitted in the public right-of-way.

(3) Size. The total area of temporary signs shall not exceed 40 square feet and 20 square feet per sign face, except as noted in Subsections B(2) and C(1)(b), (e), and (h).

(4) Height. The maximum height of temporary signs shall not exceed eight feet, while the lower edge shall not exceed four feet in height from the average grade.

(5) Time limits.

(a) Project signs and construction signs. A sign for work under construction may be erected upon the issuance of a building permit on the construction site during the construction and shall be removed within seven days following the issuance of the certificate of occupancy. One such temporary freestanding sign may be erected during

construction only. Said sign shall not be illuminated, and shall be at least 10 feet from any property line. For every 300 feet of frontage on a road existing prior to said construction, one additional sign may be erected.

- (b) Signs announcing the subdivision of land. Temporary signs announcing the subdivision of land may be erected on the land being developed and shall be removed when 100% of the development of lots are conveyed, or for a term not to exceed three years, whichever comes first.
 - (c) Signs advertising the sale or lease of property shall be removed within 14 days after the closing or completion of the transaction advertised.
 - (d) Special event signs may be erected no sooner than 14 days preceding a special event and shall be removed within 48 hours following the special event. The same or similar special event shall not be advertised more frequently than 12 times per calendar year.
- (6) Permits. Unless specifically exempted pursuant to §§ 155-25 or 155-26, a temporary sign is subject to the permit requirement of § 155-24.

§ 155-37. Freestanding directory signs for multiple uses.

A multiple-use retail shopping, business, office or professional center with more than three uses shall be allowed to have one low-level monument directory sign subject to the following restrictions:

- A. The directory sign shall contain directory information only, and shall not exceed a sign area of 20 square feet.
- B. Such signs may only be located on the premises where such use is conducted and shall only list the names of businesses, addresses, uses or places within a building or complex of buildings for the purpose of giving directions, instructions and/or facility information and which may contain the name of an establishment but no advertising copy.
- C. The directory sign shall not exceed eight feet in height.
- D. The name of a particular use can encompass no more than 20% of the sign area.
- E. The directory sign shall be located within the interior of the parcel and/or multiuse development.

§ 155-38. Gasoline filling stations.

In addition to the requirements in Zoning Chapter § 155-88, the following shall apply:

- A. Petroleum product pumps and dispensers which are within view of a public way shall be permitted to display information required by law and, in addition, the brand name and type of product being dispensed and sold on the premises. Sign area may not exceed two square feet.
- B. Premises which dispense retail petroleum products by pump shall be permitted one additional double-faced sign on the premises announcing the price per gallon of no more than four products with characters not exceeding 12 inches in height. The sign shall be considered as part of the freestanding sign area allowance.
- C. A gasoline filling station use shall be permitted one canopy sign per side wherein the gasoline filling station is located. Each canopy sign shall not exceed six feet in length and 18 inches in height and shall be affixed to and/or a part of the canopy, and shall not extend beyond the vertical or horizontal boundary of any canopy.
- D. A gasoline filling station may use pump toppers to advertise store products, sales and gasoline prices and can be changed periodically. Pump toppers signs shall have a maximum sign standard no greater than 12 inches by 20 inches.

§ 155-39. Flags.

No flag, except a governmental flag, shall be allowed unless specifically permitted in this article. There shall be no restrictions as to time, location or size with respect to the display of a governmental flag.

§ 155-40. Defaced signs.

When any sign is defaced or when the message on any sign is obscured by graffiti, such graffiti shall be removed and the sign returned to its original condition within 45 days of written notice from the Zoning Officer.

§ 155-41. Identification of new freestanding sign locations.

The location for a new freestanding sign shall be clearly identified by a white stake(s) visible above ground line at each location at which a support pole will be embedded in the ground.

§ 155-42. Application for sign permit.

A complete application for a sign permit shall be submitted to the Zoning Officer on a form supplied by and in a manner acceptable to the Township. Applicant is responsible to comply with any pertinent state or federal requirements.

§ 155-43. Issuance and contents of permit.

- A. Upon compliance with the provisions of this article, the Zoning Officer shall make a decision to issue, deny or issue with conditions a permit for such sign or sign structure within 10 business days of receipt of a complete permit application.
- B. The Zoning Officer may revoke a sign permit at any time if the application submitted contains false or misleading information or if the work being done on the premises differs from the contents of the application or if the application and/or actual installation of the sign is otherwise inconsistent with the Zoning Ordinance.

§ 155-44. Expiration of sign permit.

A sign permit shall authorize construction of the sign for a period of 90 days from the date of its issuance, as noted on the permit. Unless a thirty-day extension is granted by the Zoning Officer for good cause, failure to erect or complete the otherwise approved work related to the permitted sign within such ninety-day period shall result in the expiration of such permit.

§ 155-45. Sign inspection; fees.

Within 10 working days of completion of the approved work related to a permitted sign, the permittee and/or sign contractor shall notify the Zoning Officer, in writing, that such sign is ready for a final inspection. The Zoning Officer shall conduct the final inspection within 10 business days for the purpose of verifying that the sign is in compliance with the requirements of the permit and all other provisions of this article. In the event that such final inspection indicates noncompliance and an additional final inspection is required, the fee for each such additional final inspection shall be as set from time to time by resolution of the Board of Supervisors.

§ 155-46. Display of permit.

- A. Display of permit tag. Following completion of satisfactory final inspection, the Zoning Officer shall issue and affix a permit tag to the sign.

- B. Relocation of permit tag or sign. Under no circumstances may the permit tag be moved from one sign to another, nor may the sign to which it is attached be relocated to another location without the consent of the Zoning Officer and, if appropriate, the filing of a new permit application.
- C. Transfer of ownership; dismantling or removal of sign. In the case of ownership transfer, provided that no changes are made to the sign, or if a permitted sign is dismantled or removed, the Zoning Officer shall be notified.
- D. Lost or illegible permit tag. If a permit tag is defaced, destroyed or otherwise becomes illegible through normal wear or an act of vandalism, a replacement application shall be submitted to the Zoning Officer and a replacement permit issued at no cost to the applicant.

§ 155-47. Violation notice.

The Zoning Officer shall have the authority to issue a sign violation notice and shall be empowered to enter upon the premises of any person subject to this article for the purpose of enforcing the provisions herein.

§ 155-48. Violation procedure.

When a sign is in violation of the terms of this article, the Zoning Officer shall use the following procedure: Notice of violation. The Zoning Officer shall attach a notice of violation to the face of the illegal sign and shall also serve a copy of the notice of violation, by personal service or by certified mail, return receipt requested, to the owner of record of the premises on which the violation has occurred. It shall be unlawful for any person other than the Zoning Officer to remove the notice of violation from the sign. The notice shall include at least the following:

- A. The name of the owner of record and any other person against whom the municipality intends to take action.
- B. The location of the property in violation.
- C. The specific violation, with a description of the requirements which have not been met, citing in each instance the application provisions of this chapter.
- D. The date before which the steps for compliance must be commenced and the date before which the steps must be completed.

- E. That the recipient of the notice has the right to appeal to the Zoning Hearing Board within a prescribed period of time, in accordance with procedures set forth in this chapter.
- F. That failure to comply with the notice within the time specified, unless extended by appeal to the Zoning Hearing Board, constitutes a violation, with possible sanctions clearly described.

§ 155-49. Impoundment of signs.

- A. The Zoning Officer or designated agent of the Township shall have the authority, after compliance with the applicable violation procedures, to remove all illegal temporary, movable and/or portable signs without further notice and to impound them for a period of 10 days, and thereafter dispose of them.
- B. The owner of a sign impounded may recover the same upon payment of a fee as set from time to time by resolution of the Board of Supervisors, plus costs of removal and storage for each sign, prior to the expiration of the ten-day impoundment period. In the event that any sign is not claimed within 10 days, the Zoning Officer shall have the authority to dispose of such sign.

§ 155-50. Violations and penalties.

In addition to the remedies provided above, in the event that the owner does not comply with the notice of violation within the prescribed time, the Zoning Officer shall be authorized to file a civil and/or criminal complaint against the owner on account of any violation(s) of this article and/or to institute other legal proceedings for the abatement of such violation(s). Each day that a violation is continued shall constitute a separate offense punishable by a fine not to exceed \$500, plus reasonable attorney fees and court costs actually incurred by Tobyhanna Township, provided that the owner is determined to be guilty of the violation(s).

§ 155-51. through § 155-53. (Reserved)