**SMITHFIELD TOWNSHIP**

**MONROE COUNTY,**

**COMMONWEALTH OF PENNSYLVANIA**

**ORDINANCE NO. ____**

AN ORDINANCE OF SMITHFIELD TOWNSHIP, COUNTY OF MONROE, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE TOWNSHIP CODE OF ORDINANCES OF SMITHFIELD TOWNSHIP, CHAPTER 27-ZONING TO SET FORTH UPDATED REGULATIONS ON SIGNAGE AND REPEAL ALL PARTS OF ORDINANCE INCONSISTENT HEREWITH.

WHEREAS, the Township of Smithfield (hereinafter “Township”) is a Second Class Township located within the County of Monroe, Commonwealth of Pennsylvania, with an office address of 1155 Red Fox Road, East Stroudsburg, PA 18301; and,

WHEREAS, the Township has adopted a Zoning Ordinance found in the Township Code of Ordinances, Chapter 27, (hereinafter "Ordinance"); and,

WHEREAS, the Ordinance contains definitions and regulations for signage; and,

WHEREAS, the Township is of the opinion that these definitions and regulations require substantive updates; and,

WHEREAS, the updates shall include revisions to the provisions governing Prohibited Signs; Registration of Signs; Regulations on Nonconforming Signs; Revocation of Sign Permits and the removal of unsafe, unlawful, and abandoned signs; Limited-Duration Signs; Temporary Signs; Signs permitted within the R-1, R-2, and R-C Zoning Districts; a Substitution Clause, and also to ensure that related sections of the Ordinance are updated for accuracy and alignment with the amendments set forth herein; and,

WHEREAS, pursuant to the Pennsylvania Municipalities Planning Code, the Smithfield Township Board of Supervisors has conducted a public hearing pursuant to public notice concerning the proposed amendments to the Smithfield Township Code of Ordinances; and

WHEREAS, after holding a public hearing, the Smithfield Township Board of Supervisors desires to ordain and adopt the amendments to the Smithfield Township Code of Ordinances, as set forth hereinafter; and

WHEREAS, this ordinance serves as an amendment to the Township's existing Code of Ordinances, and is consistent with the Pennsylvania Second Class Township Code and the Pennsylvania Municipalities Planning Code.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of Smithfield Township, Monroe County, Pennsylvania, as follows:

**SECTION 1:** Article 10, Section 1002 of Chapter 27 - Other Words, shall be amended by adding the following definitions:

**ABANDONED SIGN:** A sign which has not identified or advertised a current business, service, owner, product, or activity for a period of at least 180 days, in the case of off-premises signs, or at least 360 days in the case of on-premises signs.









**BANNER FLAG:** Banner flags are temporary signs often designed for commercial promotion, intended to attract attention to a business, event, product, or service. These flags are typically made of cloth, vinyl, or similar flexible materials. They are usually mounted on poles, stands, or brackets and are often designed to be portable and temporary. For traditional flags, see “Standard Flag”.










**INFLATABLE SIGN:** A sign that is an air-inflated object, which may be of various shapes, made of flexible fabric, resting on the ground or structure and equipped with a portable blower motor that provides a constant flow of air into the device.







**LIMITED DURATION SIGN:** A non-permanent sign that is displayed on private property for more than 30 days, but not intended to be displayed for an indefinite period. Limited duration signs may include signs related to construction, signs denoting an architect, engineer or contractor placed on premises where repair or renovation is in progress. See regulations located in §27-504(1)(O) .








**NONCONFORMING SIGN:** A sign that was legally erected and maintained at the effective date of this Ordinance, or amendment thereto, that does not currently comply with sign regulations of this Chapter.

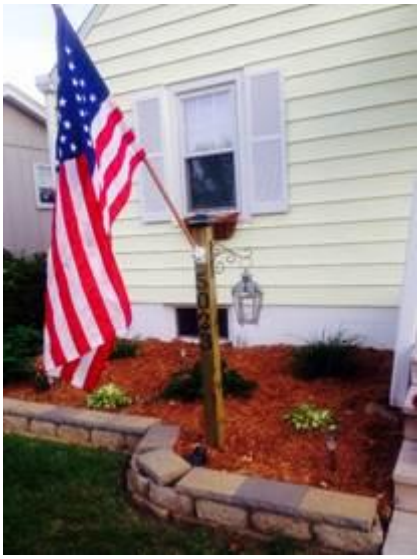
**NON-PERMANENT SIGN:** A sign that is not affixed to the ground or a structure in a permanent manner and does not require building or construction activity for installation or removal, including signs that are designed to be temporary, movable, or easily relocated.

**NUISANCE:** The unreasonable, unwarrantable or unlawful use of public or private property which causes injury, damage, hurt, inconvenience, annoyance or discomfort to any person in the legitimate enjoyment of their reasonable rights of person or property.

**SNIPE SIGN**: A sign tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, public benches, streetlights, traffic control devices, or other objects; or placed on any public property, within the public right-of-way, or on private property without the permission of the property owner. Includes any unauthorized or illegally posted signs, flyers, posters, or advertisements affixed to utility poles, light poles, traffic control devices, trees, fences, or other public infrastructure within the Township's jurisdiction. This definition includes, but is not limited to, lost pet signs, promotional signs, real estate signs, political signs, and sale notices.




**STANDARD FLAG:** A printed or painted cloth, plastic, canvas, or other like material with distinctive colors, patterns, or symbols attached to a pole. Often used for the display of identity, representation, or affiliation with a nation, state, municipality, or organization. These flags are generally displayed permanently or for extended periods and are typically mounted on non-portable flagpoles.








**UNLAWFUL SIGN:** Any sign erected, installed, or maintained in violation of the signage regulations of this Chapter.

**UNSAFE SIGN:** An unsafe sign shall mean any sign which, in the determination of Smithfield Township, has become structurally unsound, is in danger of collapse, poses electrical or lighting hazards, creates visual obstructions or distractions to motorists or pedestrians, exhibits significant deterioration or neglect, is a hazard, or otherwise constitutes a nuisance, as defined herein. This may include, but is not limited to, signs with visible structural damage or corrosion; loose, missing, or weakened fasteners; damaged or exposed electrical components; excessive glare or light trespass; leaning or unstable supports; cracked or eroded foundations; or surfaces that are broken, warped, or rotted. Any sign erected, installed, or maintained in violation of the provisions of this Chapter may also be deemed unsafe.






**VEHICULAR SIGN (signs placed on or affixed to vehicles):** Signs placed on or affixed to vehicles and/or trailers which are parked on a public right-of-way, public property or private property, so as to be visible from a public right-of-way where the apparent purpose is to advertise a product or direct people to a business or activity located on the same or nearby property, and is otherwise not incidental to the vehicle's

primary purpose. This does not include magnetic or painted signage, applied to vehicles used on a daily basis to conduct normal day-to-day business.







**SECTION 2.** Article 10, Section 1002 of Chapter 27 – Other Words, shall be amended by repealing the present definitions of “Banner” and “Temporary Sign” and replacing those definitions in their entirety with the following:

**BANNER**: Any cloth, bunting, plastic, paper, or similar non-rigid material attached to any structure, staff, pole, rope, wire, or framing which is anchored on two or more edges or at all four corners. Banners are temporary in nature and do not include flags.




**TEMPORARY SIGN:** A non-permanent sign erected, affixed, or maintained on a premises for a short, usually fixed, period of time. These types of signs may include notices of special events, festivals, yard sales, grand openings, special promotions to the public of temporary, short-term events or the temporary promotion of a newly established business. See regulations in §27-504(1)(I).







**SECTION 3:** Section §27-504(1)(N) in the Smithfield Township Zoning Ordinance, entitled "Prohibited Signs" shall be amended to add new subsections 11 through 19 as follows:

11. Abandoned signs.

12. Snipe signs.

13. Inflatable signs, with the exception of balloons used in temporary, non-commercial situations.

14. Signs which prevent free ingress or egress from any door, window, fire escape, or that prevent free access from one part of a roof to any other part. No sign other than a safety sign shall be attached to a standpipe or fire escape.

15. Signs which emit smoke, visible vapors, particulate matter, sound, odor or contain open flames.

16. Signs containing mirrors.

17. Signs erected without the permission of the property owner, with the exception of those authorized or required by local, state, or federal government.

18. Signs that exhibit statements, words, or pictures of obscene or pornographic subjects.

19. Any sign that promotes illegal activity.

20. Signs that have been determined by Smithfield Township to be a nuisance.

**SECTION 4.** Section § 27-504(1)(B) of Chapter 27 – shall be repealed and replaced in its entirety as follows:

B. Registration of Signs and Regulations on Nonconforming Signs.

All signs, except Temporary Signs under §27-504(1)(I), provided they meet the criteria for temporary signs, and signs exempt from permit requirements under §27-504(1)(F), shall be registered with the Township Zoning Office.

Signs legally in existence at the time of the adoption of this Chapter, which do not conform to the requirements of this Chapter, shall be considered nonconforming signs.

1. All permanent signs and sign structures shall be brought into conformance with the sign regulations when and if the following occurs:

a. The sign is removed, relocated, or significantly altered. Significant alterations include changes in the size or dimension of the sign. Changes to the sign copy or the replacement of a sign face on a nonconforming sign shall not be considered a significant alteration.

b. If more than 50% of the sign area is damaged, it shall be repaired to conform to this Chapter.

c. An alteration in the structure of a sign support.

d. A change in the mechanical facilities or type of illumination.

e. The property on which the nonconforming sign is located submits a subdivision or land development application requiring municipal review and approval.

f. The property on which the nonconforming sign is located undergoes a change of land use requiring the issuance of a new occupancy permit.

2. Prior to the events listed in §27-504(1)(B)(1), nonconforming signs may be repainted or repaired up to 50% of the sign area, the sign copy may be changed, and sign faces may be replaced provided that these actions do not increase the dimensions of the existing sign, and do not in any way increase the extent of the sign's non-conformity.

3. Nonconforming signs shall be exempt from the provisions of §27-504(1)(B)(1)., under the following conditions:

a. The nonconforming sign is of a historic and/or unique nature or type by virtue of its architectural value or design as determined by the National Park Service, Pennsylvania Historical and Museum Commission, or local nonprofit (501c3) historical organization.

b. When a nonconforming sign is required to be moved because of public right of way improvements.

c. The Township Zoning Officer shall issue a permit for each new sign replacing a non-conforming sign removed for public right of way improvements upon receipt of a new application consistent with the informational requirements of this Chapter, provided the new sign (s) are no more non-conforming than the removed sign(s).

**SECTION 5:** Section §27-504(1)(G) in the Smithfield Township Zoning Ordinance, shall be repealed and replaced in its entirety as follows:

**(G) Revocation of Sign Permits; Removal of Unsafe, Unlawful, and Abandoned signs.**

1. **Revocation of Sign Permits:**

Whenever, upon inspection of any sign that has been issued a permit - as specified in this chapter - it is determined that conditions or practices exist which are in violation of any provision of this Chapter, or of any regulations adopted pursuant hereto, the Zoning Officer shall give notice in writing to the person to whom the permit was issued, advising them that unless such conditions are corrected within the period of time specified in the notice, the sign permit shall be revoked. At the end of such period such sign shall be reinspected and, if such conditions have not been corrected, the Zoning Officer shall revoke the permit and give notice in writing of such revocation to the person to whom the permit is issued.

2. **Removal of Unsafe, Unlawful, and/or Abandoned Signs.**

**a. Removal of unlawful non-permanent signs:**

i. Township employees, the Zoning Officer, and Township-affiliated third-party contractors are authorized to remove any unlawful non-permanent signs, including but not limited to any unlawful temporary signs.

ii. Notification Process. The removal of unlawful non-permanent signs is authorized without prior notice to the sign owner, and the Township shall not be responsible for any damages resulting from the removal of said signs.

iii. Sign Impoundment. Any unlawful non-permanent sign removed by the Township shall be impounded for a period of ten (10) calendar days. In the event that any sign is not claimed within 10 days, the Zoning Officer shall have the authority to dispose of such sign.

iv. Sign Impoundment Recovery Fee. The owner of an impounded sign may recover the same upon payment of a fee set from time to time by Resolution of the Board of Supervisors, prior to the expiration of the ten-day impoundment period.

v. The Township reserves the right to impose fees to be established by the Township from time to time for entities or businesses that are determined to be repeat offenders, as established by resolution.

**b. Removal of Abandoned Signs:**

Any sign, whether existing on or erected after the effective date of this Chapter, which advertises a business no longer being conducted or a product no longer being offered for sale in or from the premises on which the sign is located or the sign indicates, shall be removed or refaced within 90 days upon the cessation of the business or sale of the product by the owner, agent or person having the beneficial interest in the building or premises on which the sign is located. If the Zoning Officer finds that any sign advertising a business no longer being conducted or a product no longer being offered for sale in or from the premises on which the sign is located has not been removed or refaced within 90 days upon the cessation of the business or sale of the product, the Zoning Officer shall give written notices to the owner, agent or person having the beneficial interest in the building or the premises on which the sign is located. The sign shall be removed or refaced within thirty-five (35) days of the date of notice from the Zoning Officer.

If the sign is not removed or refaced after the conclusion of the thirty-five (35) days period, the Zoning Officer is hereby authorized to remove /reface or cause the removal or refacing of the sign at the expense of the owner, agent or person having the beneficial interest in the building or premises on which the sign is located. This may involve issuance of a lien on the property.

**c. Removal of all other Unlawful and/or Unsafe Signs.**

i. Upon written notice by Smithfield Township, the owner, person, or firm maintaining a sign shall remove any sign when it becomes unsafe, is in danger of falling, or it is determined by Smithfield Township to be a nuisance, or it was unlawfully created, established, installed, built or erected in violation of any of the provisions of this Chapter. When given notice, the property owner shall make modifications to the sign within thirty-five (35) days of the date of notice so as to comply with the provisions in this Chapter, or otherwise remove the sign.

ii. Smithfield Township may remove or cause to be removed unsafe or unlawful signs at the expense of the owner and/or lessee in the event that the owner of the person or firm maintaining the sign has not complied with the terms of the notice within thirty-five (35) days of the date of the notice.

iv. Where the owner of the property on which an unsafe or unlawful sign is located fails to remove such sign within the time frames noted in this section, Smithfield Township may remove or replace such sign. Any expense directly incurred in the removal of such a sign shall be charged to the owner of the property. Where the owner fails to pay, Smithfield Township may file a lien upon the property for the purpose of recovering all reasonable costs associated with the removal of the sign. All reasonable costs associated with the removal of the sign including witness costs, court costs and attorney's fees as shall be applicable.

**d. Notices for modification and/or removal of signs**

Any notices shall be provided to the owner of the property where the sign is located as listed in the assessment records. Failure to receive notice due to outdated or incorrect records shall not excuse noncompliance, and notice shall be deemed served five (5) business days after mailing, regardless of actual receipt, unless returned as undeliverable. In the event of immediate danger, Smithfield Township may remove the sign immediately upon the issuance of notice to the owner, person, or firm maintaining the sign.

**3. Training Protocol.**

The Board of Supervisors may establish by resolution from time to time, a formal training protocol to ensure consistency and competency among designated Zoning Officer(s).

**SECTION 6:** Section §27-504(1)(O) entitled “Limited Duration Signs” in the Smithfield Township Zoning Ordinance, shall be established as follows:

(O) Limited Duration Signs.

1. General Provisions

a. Limited duration signs, as defined in this Chapter, located on private property are subject to the regulations set forth below.

b. Unless otherwise stated below, the requirements listed below shall apply to both commercial and non-commercial signs.

c. Limited Duration Signs require a permit, see §27-504(1)(O)(3) of this Chapter.

d. Limited duration signs include, but are not limited to construction signs, non-illuminated signs denoting the architect, engineer or contractor placed on premises where construction, repair or renovation is in progress, which signs shall not exceed 24 square feet in area.

e. All nonconforming Limited Duration signs must be permanently removed within 90 days of the effective date of this Ordinance, unless specific approval is granted as provided for herein.

2. Size and Number.

a. R-E Resort District, ED Economic Development District and M-1 Industrial Districts:

i. Large Limited Durations Signs: One (1) large limited duration sign is permitted per property in R-E Resort District, ED Economic Development District and M-1 Industrial Districts. If a property is greater than five (5) acres in size and has at least 400 feet of street frontage or has more than 10,000 square feet of floor area, one (1) additional large, limited duration sign may be permitted so long as there is a minimum spacing of 200 feet between the two (2) large limited duration signs.

1. Large limited duration signs may be freestanding signs or wall signs. Each large limited duration sign shall have a maximum area of sixteen (16) square feet, and large limited duration signs that are freestanding shall have a maximum height of eight (8) feet.

ii. Small Limited Duration Signs: In addition to the large limited duration sign(s) outlined above, one (1) small limited duration sign is permitted per property in R-E Resort District, ED Economic Development District and M-1 Industrial Districts. If a property is greater than five (5) acres in size and has at least 400 feet of street

frontage or has more than 10,000 square feet of floor area, one (1) additional small sign may be permitted.

1. Small limited duration signs may be freestanding signs or wall signs. Each small limited duration sign shall have a maximum area of six (6) square feet, and small limited duration signs that are freestanding shall have a maximum height of six (6) feet.

b. R-1 Low Density Residential District; R-2 Medium Density Residential District; R-C Residential Conservation Districts.

i. Large Limited Duration Sign: One (1) large limited duration sign is permitted per property if property is 5+ acres with 400+ ft. of street frontage or has > 10,000 square feet of floor area.

1. Large limited duration signs may be freestanding signs or wall signs. Each large limited duration sign shall have a maximum area of sixteen (16) square feet, and large limited duration signs that are freestanding shall have a maximum height of eight (8) feet.

ii. Small Limited Duration Sign: One (1) small limited duration sign is permitted per property.

1. Small limited duration signs may be freestanding signs or wall signs. Each small limited duration sign shall have a maximum area of six (6) square feet. Small limited duration signs that are freestanding shall have a maximum height of six (6) feet.

3. Permit Requirements.

a. A permit for a limited duration sign is issued for one (1) year and may be renewed annually.

b. One (1) sign is allowed per permit. An applicant may request up to two (2) permits per address, but is subject to the size and number requirements set forth in this section.

c. An application for a limited duration sign permit must include:

I. A description of the sign indicating the number, size, shape, dimensions, and colors of the sign, and the expected length of time the sign will be displayed

II. A schematic drawing of the site showing the proposed location of the sign in relation to nearby building and streets;

d. Renewal is not automatic and may be denied by the Board of Supervisors based on the following criteria:

(i) The sign is unsightly due to fading, discoloration, stains, or deterioration of materials.
(ii) The sign is in disrepair, including torn, frayed, broken, or missing elements.
(iii) The sign poses a safety hazard due to instability, obstruction of visibility, or violation of setback requirements.
(iv) The sign is a public nuisance by reason of excessive size, clutter, offensive content, or persistent complaints from the public.
(v) The sign negatively impacts the character, aesthetics, or visual harmony of the surrounding community.
(vi) The activity or condition for which the sign was originally permitted is no longer temporary in nature or has continued significantly beyond one year.

e. Upon expiration or denial of a renewal, the sign must be removed within seven (7) calendar days.

4. Installation and Maintenance.

a. All limited duration signs must be installed such that following a review of relevant data and/or in alignment with regulations of Smithfield Township building official, they do not create a safety hazard.

b. All limited duration signs must be made of durable materials and shall be well-maintained.

c. Limited duration signs that are frayed, torn, broken, or that are no longer legible will be deemed unmaintained and required to be removed, or may be removed by the township at their discretion and at the expense of the property owner, see §27-504(1)(G).

5. Illumination: Illumination of any limited duration sign is prohibited.

6. Vehicular Signs are strictly prohibited as limited duration signs.

7. Summary Table for Limited Duration Signs.

| | Limited Duration Signs | |
|---|---|---|
| | R-E Resort District, ED Economic Development District and M-1 Industrial Districts | R-1 Low Density Residential District; R-2 Medium Density Residential District; R-C Residential Conservation Districts. |
| Large Limited Duration Signs (max area 16 sq. ft. per side) | Number: 1 per property; 2 if property is 5+ acres with 400+ ft. of street frontage or has > 10,000 square feet of floor area.<br><br>Height: Maximum 8 ft. | Number: 1 per property if property is 5+ acres with 400+ ft. of street frontage or has > 10,000 square feet of floor area.<br><br>Height: Maximum 8 ft. |
| Small Limited Duration Signs (max area 6 sq. ft. per side) | Number: 1 per property; 2 if property is 5+ acres with 400+ ft. of frontage or has > 10,000 square feet of floor area.<br><br>Height: Maximum 6 ft. | Number: 1 per property<br><br>Height: Maximum 6 ft. |

**SECTION 7:** Section §27-504(1)(I) in the Smithfield Township Zoning Ordinance, shall be repealed and replaced in its entirety as follows:

(I) Temporary Signs

1. General Provisions: These signs are intended to notify and/or promote to the public of temporary, short-term events or newly established business, and are not intended as more permanent advertising and or promotion of commercial activity that would otherwise fall under regulations for other allowable signage regulations. Temporary Signs are non-permanent signs, are temporary in construction and use non-permanent materials (e.g., no concrete footings) and do not meet the criteria necessary for a building permit.

2. Unless otherwise stated below, the requirements listed below shall apply to both commercial and non-commercial signs.

3. Permission: The party posting the temporary sign shall obtain permission from the property owner and is solely responsible for obtaining the permission of the property owner before posting their temporary sign.

4. Installation and Maintenance.

a. All temporary signs must be installed so that, at the sole discretion of the Smithfield Township building official, they do not create a safety hazard.

b. All temporary signs must be made of durable materials and shall be well-maintained.

c. Temporary signs that are frayed, torn, broken, or that are no longer legible will be deemed unmaintained and required to be removed and may be confiscated by the Township.

5. Illumination: Illumination of any temporary sign is prohibited.

6. Vehicular Signs are strictly prohibited as temporary signs.

7. Temporary signs shall not be attached to fences, trees, utility poles or the like; and, further provided, that such signs are not placed or in any manner create a hazard or disturbance to the health and welfare of the general public.

8. Duration and Removal:

a. Temporary signs may be displayed up to a maximum of 30 consecutive days, no more than two (2) times per year.

b. Smithfield Township or the property owner may confiscate signs installed in violation of this chapter, as specified in §27-504(1)(G) of this Part. Neither Smithfield Township nor the property owner is responsible for notifying sign owners of confiscation of an illegal temporary sign.

c. Confiscated signs will be handled as specified in §27-504(1)(G) of this Part.

9. All nonconforming Temporary Signs must be permanently removed within 90 days of the effective date of this Ordinance, unless specific approval is granted as provided for herein.

10. Municipal Notification: Temporary signs are exempt from the standard permit requirements but the date of erection of a temporary sign must be written in legible ink on the sign.

11. Size and Number.

a. R-E (Resort), ED Economic Development District and M-1 Districts:

i. Large Temporary Signs: One (1) large temporary sign is permitted per property in all non-residential districts. If a property is greater than five (5) acres in size and has at least 400 feet of street frontage or has more than 10,000 square feet of floor area, one (1) additional large temporary sign may be permitted so long as there is a minimum spacing of 200 feet between the two (2) large temporary signs.

1. Large temporary signs may be freestanding signs, wall signs, or banners. Each large temporary freestanding or wall sign shall have a maximum area of 16 square feet per side, and each large temporary banner shall have a maximum area of 32 square feet per side. Large temporary signs that are freestanding shall have a maximum height of eight (8) feet, and banners shall hang at a height no greater than 24 feet.

ii. Small Temporary Signs: In addition to the large temporary sign(s) outlined above, one (1) small temporary sign is permitted per property in all non-residential districts. If a property is greater than five (5) acres in size and has at least 400 feet of street frontage or has > 10,000 square feet of floor area, one (1) additional small sign may be permitted so long as there is a minimum spacing of 200 feet between both sets of small temporary signs.

1. Small temporary signs may be freestanding signs or wall signs. Each small temporary sign shall have a maximum area of six (6) square feet per side and a maximum height of six (6) feet.

iii. Banner flags. Banner Flags shall have a maximum height of twelve (12) feet, with no more than two (2) banner flags permitted per lot, and a maximum total size of thirty-six (36) square feet for both sides.

b. R-1 Low Density Residential District; R-2 Medium Density Residential District; R-C Residential Conservation Districts:

i. Large Temporary Signs: One (1) large temporary sign is permitted per residential property if property is 5+ acres with 400+ ft. of street frontage or has > 10,000 square feet of floor area.

1. Large temporary signs may be freestanding signs, wall signs, or banner signs. Each large temporary freestanding or wall sign shall have a maximum area of sixteen (16) square feet per

side, and each large temporary banner shall have a maximum area of thirty-two (32) square feet per side. Large temporary signs that are freestanding shall have a maximum height of eight (8) feet, and banners shall hang at a height no greater than twenty-four (24) feet.

ii. Small Temporary Signs: One (1) small temporary sign is permitted per residential property.

1. Small temporary signs may be freestanding signs or wall signs. Each small temporary sign shall have a maximum area of six (6) square feet for each side, and small temporary signs shall have a maximum height of six (6) feet.

12. With the exception of Political Signs, per sub-section H: Signs Permitted in All Districts, as well as signs for emergency management service companies, non-profit organizations, Township functions and community events, and unless otherwise provided herein, the following shall apply:

a) no freestanding temporary sign shall be erected nearer than 10 feet to any street right-of-way and 10 feet to any lot line or attached to any building, if closer.
b) temporary promotional signs shall be located on the same lot as the business being promoted.

| | Temporary Signs | |
|---|---|---|
| | R-E (Resort), ED Economic Development District and M-1 District | R-1 Low Density Residential District; R-2 Medium Density Residential District; R-C Residential Conservation District |
| Large Temporary Signs (max area: 32 sq. ft. per side for banner, 16 per side square feet for all other signs); 36 sqft total for banner flags. | Number: 1 per property; 2 if property is 5+ acres with 400+ ft. of street frontage, or has > 10,000 square feet of floor area. No more than 2 banner flags per lot.<br><br>Height:<br><br>*Ground:* Maximum 8 ft.<br><br>*Banner:* Maximum 24 ft.<br><br>Banner flags: Maximum 12ft. | Number: 1 per property if property is 5+ acres with 400+ ft. of street frontage or has > 10,000 square feet of floor area.<br><br>Height:<br><br>*Ground:* Maximum 8 ft.<br><br>*Banner:* Maximum 24 ft.<br><br>No banner flags. |
| Small Temporary Signs (max area: 6 sq. ft. per side) | Number: 1 per property; 2 if property is 5+ acres with 400+ ft. of street frontage, or has > 10,000 square feet of floor area.<br><br>Height: Maximum 6 ft. | Number: 1 per property<br><br>Height: Maximum 6 ft. |

**SECTION 8:** Section §27-504(1)(J) in the Smithfield Township Zoning Ordinance, shall be repealed and replaced in its entirety as follows:

J. Signs Permitted in R-1 Low Density Residential District; R-2 Medium Density Residential District; R-C Residential Conservation Zoning Districts:

1. One home, residence, name, address, and/or professional occupation sign not exceeding two square feet in area shall be permitted per single-family dwelling.

2. Premises signs advertising commercial agricultural operations, including crop farming and animal husbandry, on an active farm upon which said operations are conducted, provided that there shall be not more than two separate signs with a total aggregate area not exceeding 24 square feet.

3. Not more than two signs indicating only the name of an active farm and not exceeding a total area of 12 square feet. Directional signs indicating the location of an active farm not exceeding three square feet per sign.

4. One premises sign advertising a permitted customary home occupation (no-impact home-based business), provided that such sign shall not exceed four square feet in area. One premises sign advertising a permitted professional office or studio provided such sign shall not exceed four square feet for each office or studio.

5. Notwithstanding any provision to the contrary, when a property in a residential district (R-1 Low Density Residential District; R-2 Medium Density Residential District; R-C Residential Conservation Zoning Districts) is primarily utilized for a commercial purpose, by conditional use, continuation of a preexisting nonconforming use, or a use variance, the user will have the same rights to sign permits and sign installations applicable in the ED Economic Development District, subject to the following:

A. If the commercial purpose is a new conditional use, the approval of any new signs shall be included in the conditional use process.

B. If the commercial purpose is a preexisting conditional use, a nonconforming use, or is being established by use variance and the applicant wishes to install a new sign, they must apply for Conditional Use for any commercial sign. The conditional use criteria in § 27-706 and § 27-704, shall be applied. In addition, at the discretion of the Supervisors, conditions may be applied on square footage, height, setbacks, number, and illumination of signs.

C. For a preexisting nonconforming sign that is affiliated with an existing conditional use, nonconforming use, or use variance, the sign shall be permitted, as consistent with the criteria in § 27-504(1)(B).

6. The requirements for yards and setbacks which apply to the structure of any lot shall apply to all signs as permitted in this Section.

**SECTION 9:** Section §27-504(1)(P) in the Smithfield Township Zoning Ordinance, shall be established as follows:

(P) Substitution Clause.

Notwithstanding any provision of this chapter to the contrary, to the extent that this Chapter allows a sign containing commercial copy, it shall allow a non-commercial sign to the same extent. The non-commercial message may occupy the entire sign area or any portion thereof, and may substitute for or be combined with the commercial message. The sign message may be changed from commercial to non-commercial, or from one noncommercial message to another, as frequently as desired by the sign's owner, provided that the sign is not prohibited and the sign continues to comply with all requirements of this Chapter.

**SECTION 10:** Section §27-504(1)(H)(1) entitled "Construction signs" in the Smithfield Township Zoning Ordinance, shall be repealed and replaced in its entirety as follows:

See §27-504(1)(O) for regulations on Limited Duration signs.

**SECTION 11: Section** §27-504(1)(H)(5) is hereby established as follows:

Standard Flags.

**SECTION 12:** Section §27-504(1)(K)(9)(b) entitled "Temporary Signs" in the Smithfield Township Zoning Ordinance, shall be repealed and replaced in its entirety as follows:

See §27-504(1)(O) for regulations on Limited Duration Signs.

**SECTION 13:** Section §27-504(1)(K) in the Smithfield Township Zoning Ordinance, shall be re-named in title as follows:

Signs Permitted in the ED Economic Development District.

**SECTION 14:** Section §27-504K(1)(K)(1)(d)(1) in the Smithfield Township Zoning Ordinance, shall be repealed and restated in its entirety as follows:

All freestanding premises signs within the ED Economic Development District shall be located on the property of the business or institution to which the sign refers.

**SECTION 15:** Section §27-504(1)(N)(6)(d)) in the Smithfield Township Zoning Ordinance, shall be repealed and restated in its entirety as follows:

In the event the prohibition of multi-vision, otherwise known as multi-message, or variable signs is adjudicated to be invalid, the following provision shall become effective at the time that the adjudication of invalidity becomes final: Multi-vision, otherwise known as multi-message, or variable signs shall be prohibited in all districts other than M-1 industrial or ED Economic Development. No such sign shall be in excess of 300 square feet. Each such sign shall have only one face. Such sign shall comply with all other provisions of Township ordinances.

**SECTION 16:** Section §27-50(1)(E)(3) in the Smithfield Township Zoning Ordinance, shall be repealed in its entirety.

**SECTION __. Severability.** In the event any provision, section, sentence, clause, or part of this Ordinance shall be held invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of this Township that such remainder shall be and shall remain in full force and effect.

**SECTION __. Repealer.** All other ordinances or parts of ordinances inconsistent herewith shall be and the same expressly are repealed

**SECTION __. Effective Date.** This Ordinance shall become effective five days after the date of enactment as provided by law.

ADOPTED this _____day of _____ by the Board of Supervisors of the Township of Smithfield, Monroe County, Pennsylvania.

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