

**TIONESTA BOROUGH
FOREST COUNTY, PENNSYLVANIA**

SIGN ORDINANCE AMENDMENT

ORDINANCE NO. 295

WHEREAS, pursuant to the provisions set forth in the Municipalities Planning Code (53 P.S. §10101), the Borough of Tionesta has the authority to impose restrictions on signs located within the Borough; and

WHEREAS, the Tionesta Borough Council (“Borough Council”) previously adopted Ordinance No. 201 on July 14, 1992, said Ordinance being known as the Tionesta Borough Sign Ordinance; and

WHEREAS, Borough Council subsequently amended Ordinance No. 201 by adopting Ordinance No. 265 on November 16, 2011; and

WHEREAS, the Tionesta Borough Council finds it necessary and appropriate to further amend Ordinance No. 265 to more clearly set forth Council’s intentions with regard to signs which are located within the Borough.

NOW THEREFORE, BE IT ENACTED AND ORDAINED, by the Borough Council of the Borough of Tionesta that Ordinance No. 265 is hereby amended to read as follows:

INTENT

It is the intent of this article to regulate all signs within the Borough to ensure that they are appropriate for their respective principal uses and in keeping with the appearance of the affected property and surrounding environment and to protect the public health, safety, morals and general welfare. In addition, the intent of this section is to:

- A. Encourage good design in the context of the overall image and visual environment of the Borough.
- B. Enhance the appearance of the business community, taking into account the nature of the use, and thus stimulate as well as protect the economic vitality of the Borough.
- C. Provide for signage which is adequate but not excessive and which displays a message through use of pictures, symbols and logos for rapid comprehension by the public.
- D. Prohibit the erection of signs in such numbers, sizes, designs and locations as may create a hazard to pedestrians and motorists.

- E. Avoid excessive competition for large or multiple signs, so that permitted signs provide adequate identification and direction while minimizing clutter, unsightliness and confusion.
- F. Allow for the coordination of signs to reflect the character of the architecture, landscape and visual themes which the Borough is supporting.
- G. Promote signs which are designed utilizing clear, crisp lettering and bold, uncomplicated symbols which will identify a business or activity efficiently and also enhance the area where they are located as well as the general appearance of the street or Borough.
- H. Prevent sign overload and excessively large signs which creates a visually chaotic and competitive situation within the Borough.

DEFINITIONS

As used in this article, the following terms shall have the meanings indicated unless otherwise expressly stated:

DIRECTIONAL SIGN: A sign designating points of ingress and egress to a property, normally located at such points of ingress and egress.

FREESTANDING SIGN: A sign and supporting structure which is secured in the ground and independent of any building, fence or other support. Freestanding signs shall be constructed so that the maximum height from mean grade to the lowest area of the sign face does not exceed eight (8) feet. No portion of any free-standing sign shall be located within 5 feet of any lot line. For the purpose of this definition, "freestanding signs" may consist of the following:

- A. **GROUND SIGN:** A sign designed to be viewed at eye level or below within the immediate vicinity and which is intended to be designed and viewed as an architecturally unified and proportional element.
- B. **POLE SIGN:** A sign which is detached from a building and supported by no more than two poles or other structural supports which are architecturally dissimilar to the design of the sign.

INTERNALLY ILLUMINATED SIGN: A sign which incorporates the flashing, scrolling of text or graphics or signs with internal moving illumination which varies in intensity or color which includes, but is not limited to, time and temperature signs.

MOVABLE SIGN: A sign capable of being readily moved or relocated, including portable signs mounted on a chassis and wheels or supported by legs.

TEMPORARY SIGN: Any sign erected for a period of time not to exceed 30 days in any one calendar year which may include, but is not limited to: signs capable of being readily moved or relocated, including portable signs mounted on a chassis and wheels or supported by legs and Civic Event Signs that are posted to promote and advertise an activity sponsored by the school district, church, public agency, civic or charitable association or other similar noncommercial organization.

WINDOW SIGN: Any business sign which is placed inside or upon a window for the primary purpose of being viewed by the general public from the exterior of the premises. Temporary show window displays shall not be included within this definition.

SECTION 1

The following sign regulations shall be observed in all Districts:

A. The following signs shall be permitted in all Districts:

(1) Temporary signs (including banners to be hung above the street) announcing a campaign, drive or event of a civic, philanthropic, educational or religious organization, shall be erected no more than 14 days prior to the event, unless there is a conflict with a previously scheduled event; provided that such sign shall not exceed 32 square feet in area (except banners hanging over the street shall not exceed 60 square feet) and shall be removed within 48 hours following the event, campaign or drive. Additionally, in accordance with Pennsylvania Department of Transportation requirements, the sponsoring agency must request, in writing, that Council pass a resolution approving the installation of a banner above the street; said request shall be accompanied with the following information:

(a) Banner location, including state route number (or street name). Note that the minimum clearance above the roadway shall be 17 feet 6 inches.

(b) Size and description of the banner(s), including the message(s), name of the event(s) and sponsoring organization(s). Events must relate to a national, state, regional or local function or charitable affair.

(c) Approximate date(s) of installation and removal.

(d) Acknowledgment that no more than 20% of the message will relate to naming or advertising a commercial product, enterprise, business or company regardless of whether they are sponsoring the event or the banner installation.

(2) Signs offering the sale or rental of the premises upon which the sign is erected, provided that the area of any such sign shall not exceed six square feet and not more than one such sign shall be placed on the property unless such property fronts on more than one street, in which case one sign may be erected on each street frontage. No permit shall be required to erect such signs.

(3) Temporary signs of contractors, developers, architects, engineers, builders and artisans, erected and maintained on the premises where the work is being performed, provided that the area of such sign shall not exceed 32 square feet; and, provided, that such sign shall be removed upon completion of the work. No permit shall be required to erect such signs.

(4) Trespassing signs, signs indicating the private nature of a road, driveway or premises, signs controlling fishing or hunting on the premises, provided that the area of such sign shall not exceed four square feet. No permit shall be required to erect such signs.

- B. No signs shall be permitted within street lines, except those of a duly constituted governmental body, including traffic signs and similar regulatory notices.
- C. Directional signs, not exceeding two square feet in area per use, premises or establishment, and used for the direction and protection of the public, shall be presented to Borough Council for approval.
- D. No sign shall project more than 12 inches from the building facade to which it is attached, except that signs may project at ninety-degree angles in Business Districts as provided in Section 3E.
- E. No sign that is a part of, or is supported by a building shall be erected upon the roof of such building, nor shall such sign extend above the height of the building.
- F. Signs may be lighted externally with nonglaring lights or may be illuminated externally by shielded floodlights. Lighting shall be screened from adjacent properties. No lights of intermittent, flashing, scrolling or animated types shall be permitted in the Residential Districts. All lighted signs must be approved by the Borough's Uniform Construction Code enforcement officer.
- G. No signs shall be permitted which are posted, stapled or otherwise attached to public utility poles or trees.
- H. All signs, except Temporary Signs, shall be constructed of durable material and kept in good condition and repair.

- I. Nonconforming signs, once removed, shall be replaced only with conforming signs. Nonconforming signs may be repainted or repaired, providing such repainting or repairing does not exceed the dimensions of the existing sign or cause the sign to be noncompliant with any other provisions of this Ordinance.
- J. Window Signs, moving or not moving, lighted or not lighted, are permitted only in Business or Industrial Districts and, if lighted, must be turned off at close of business or no later than 10:00 pm, whichever is earlier, and may be turned on at sunrise.

SECTION 2

In addition to those signs which are permitted under Section 1, above, in Residential Districts, the following signs shall be permitted:

- A. Home occupation or nameplate sign displaying the name and address of the occupant or the profession or activity of the occupant of a dwelling unit, provided that not more than one such sign shall be erected for each permitted use; and, provided, that the area of each such sign shall not exceed two square feet; and, provided, that each such sign shall be fixed flat on the main wall of such building or may be erected in the front yard in the manner provided for herein for Freestanding Signs, but not within 10 feet of a street line; and that no such signs shall be lighted or illuminated.
- B. Sign, bulletin board, announcement board or identification sign for schools, churches, hospitals, multifamily dwellings or other principal uses and buildings other than dwellings on the same lot therewith for the purpose of displaying the name of the institution and its activities or services, provided that the area of any such sign shall not exceed 12 square feet and not more than one such sign shall be erected on any one street frontage. In the event that said signs, bulletin boards, announcement boards or identification signs are lighted or illuminated, the provisions set forth herein shall apply.

SECTION 3

In Business Districts, the following regulations shall apply and signs shall be permitted:

- A. Signs shall contain no information or advertising for any product or service not sold or processed on the premises.
- B. Signs directing patrons, members or audience to temporary exhibits, shows or events and signs erected in conjunction with a political election,

provided that such sign shall not exceed six square feet; said signs shall be removed within 48 hours after the date of the exhibit, show, event or election; shall not be posted earlier than two weeks before the date of the exhibit, show or event; and, in the event of political signs, shall not be posted earlier than one month prior to an election.

- C. Signs in Business Districts shall be limited in size to two square feet for each lineal foot of horizontal building facade length, but not to exceed an aggregate area of 60 square feet.
- D. Temporary Signs, Movable Signs, and special temporary promotional devices, such as banners or pennants, provided that where such signs are outside of a building, they shall remain on display for a period not to exceed 30 consecutive days. Notwithstanding the foregoing, civic event groups may use special temporary promotional devices to promote community events that can be changed to promote each event in an ongoing manner. The display may physically remain in the same place, but the message must vary.
- E. Signs attached to a wall which projects in such a manner that the faces of the sign form an angle of 90 degrees with the wall shall be permitted in Business Districts, subject to the following regulations:
 - (1) Such signs shall not project more than six feet from the wall.
 - (2) Only one such sign shall be permitted per premises, and only in lieu of other signs, except premises that have more than one street bordering the premises (example: a corner lot), then one sign for each street shall be allowed and the sign area for each street may be computed separately.
 - (3) There shall be a minimum height of 10 feet from the curb level to the bottom of the sign.
 - (4) Signs shall have a maximum area of 16 square feet on each face.
- F. Freestanding Signs provided that said signs:
 - (1) Shall be limited to two square feet for each lineal foot of horizontal building facade length, but not to exceed an aggregate area of 60 square feet.
 - (2) Shall be constructed of durable material and kept in good condition and repair.
 - (3) May be lighted with nonglaring lights or may be illuminated by shielded floodlights. Lighting shall be screened from adjacent properties.

No lights of intermittent, flashing or animated types shall be permitted in the Residential Districts. All lighted signs must be approved by the Borough's Uniform Construction Code enforcement officer.

4. The height of free-standing signs from curb level to the top of the sign shall not exceed 14 feet.

G. Internally Illuminated Signs provided that:

1. Signs which incorporate the flashing of text or graphics; or signs with moving illumination which vary in intensity or color (including time and temperature signs) shall be allowed provided the following requirements are met:

(a) No such signs shall be erected within 50 feet of nor be visible from any property or building used in whole or in part for residential purposes nor be erected within 50 feet of nor visible from any Residential District or boundary line of any Residential District.

(b) Internally Illuminated Signs must face parallel to the street and may not be placed perpendicular to any street.

(c) No Internally Illuminated Sign shall be so bright so as to cause glare or impairment of vision of the driver of any motor vehicle or interfere with the driver's ability to see or read an official traffic sign, device or signal, in the sole discretion of Borough Council, the Borough's Zoning Officer, or the Borough's Uniform Commercial Code Enforcement Officer.

(d) All Internally Illuminated Signs must be turned off no later than 10:00 p.m. and may be turned on at sunrise.

(e) All Internally Illuminated Signs must be approved by the Borough's Uniform Construction Code enforcement officer.

SECTION 4

- A. In the Industrial District, advertising signs, Internally Illuminated Signs (pursuant to the restrictions set forth in Section 3.G above) and business signs are permitted provided that such signs shall not exceed an aggregate area of 60 square feet. All Internally Illuminated Signs must be approved by the Borough's Uniform Construction Code enforcement officer.
- B. Also, in the Industrial District, Temporary Signs, Movable Signs, and special temporary promotional devices, such as banners or pennants, provided that where such signs are outside of a building, they shall remain on display for a period not


to exceed 30 consecutive days. Notwithstanding the foregoing, civic event groups may use special temporary promotional devices to promote community events that can be changed to promote each event in an ongoing manner. The display may physically remain in the same place, but the message must vary.

SECTION 5

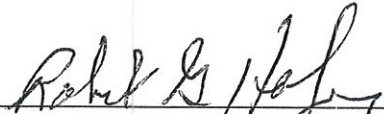
Violations and Penalties. Any person who fails to comply with any or all of the requirements of this article or who fails to or refuses to comply with any notice, order or direction of the Borough's Zoning Officer made hereunder shall be guilty of an offense and, upon conviction thereof, shall pay a fine to the Borough of Tionesta of not less than \$100 nor more than \$500 plus costs of prosecution, including reasonable attorney's fees. Each day during which any violation of this article continues shall constitute a separate offense and shall be punishable as such.

ORDAINED AND ENACTED by the Council of the Borough of Tionesta, this 7th day of May, 2019.

ATTEST:

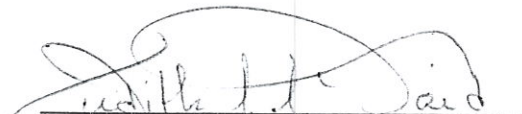

Cynthia S. Crytzer, Secretary

BOROUGH OF TIONESTA

BY: 
Robert G. Holzer, Council President

EXAMINED AND APPROVED BY ME this 7th day of May, 2019.

Seal


Judith M. McDaid, Mayor