

**HOWE TOWNSHIP
PERRY COUNTY, PENNSYLVANIA**

ORDINANCE NO.: 24-01

**AN ORDINANCE OF HOWE TOWNSHIP AMENDING
ARTICLE XIV, ENTITLED, "SIGNS," OF THE HOWE
TOWNSHIP ZONING ORDINANCE BY DELETION OF
THE CURRENT LANGUAGE OF ARTICLE XIV IN ITS
ENTIRETY AND REPLACING IT WITH THE ATTACHED
DOCUMENT AS THE NEW ARTICLE XIV – SIGNS**

WHEREAS, the Howe Township Zoning Ordinance presently contains Article XIV – Signs, which regulates the location, construction, repair and types of signs within Howe Township; and

WHEREAS, the Board of Supervisors desires to amend Article XIV by deleting the current language of Article XIV in its entirety and replacing it with a new Article XIV as set forth in the attached Exhibit "A", which document is incorporated herein by reference; and

WHEREAS, a public hearing was duly advertised and conducted on January 4, 2024, in accordance with law in order to hear public comment on this proposed Ordinance; and

WHEREAS, upon consideration of the proposed ordinance and public comment, as well as the comments of the Perry County Planning Commission and the Howe Township Planning Commission, the Board of Supervisors of Howe Township, Perry County, Pennsylvania has determined that the adoption of this amendment to the Zoning Ordinance is the best interests of the health, safety and welfare of the residents of Howe Township.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Howe Township, Perry County, Pennsylvania, and it is hereby enacted and ordained by and through the authority of the same, as follows:

SECTION 1. The current language of Article XIV – Signs is hereby deleted in its entirety and is hereby replaced with the attached Exhibit "A," which document is incorporated herein by reference.

SECTION 2. All other portions of the Zoning Ordinance shall remain unchanged hereby.

SECTION 3. This Ordinance shall become effective as provided by law.

EXHIBIT A

ARTICLE XIV - SIGNS

Section 1401. STATEMENT OF INTENT

The purpose of this Article is to promote and preserve the public health, general welfare, and safety of citizens of Howe Township by regulating signs of all types. It is intended to protect property values; to create a more attractive community; to regulate the potentially deleterious impact of signs within the Township; to insure the compatibility of signs with adjacent and nearby land uses; to limit the aesthetic impact that a multitude of clustered signs has on the Township and the surrounding community; and to reduce distractions and obstructions that may contribute to traffic accidents. In addition to the above, this Article is an exercise of the Township's zoning and police power in accordance with the following objectives:

1. To control the size, location, and illumination of signs in the Township in order to reduce hazards to pedestrian and vehicular traffic.
2. To encourage signs which are well-designed and pleasing in appearance, and to provide latitude for variety, in order to enhance the economic value, promote local business interests, as well as the preservation and enhancement of the visual character of properties within the Township.
3. To establish standards designed to encourage signs that are compatible with their surroundings, appropriate to the type of activity to which they pertain, expressive of the identity of individual proprietors, and legible in the circumstances in which they are seen; and to prohibit the erection of signs that do not meet these criteria.
4. To establish requirements for compliant signage when a new occupant or use is proposed on a property.
5. To prohibit the construction of and require the removal of signs that constitute a hazard or a blighting influence.

Section 1402. EXEMPT SIGNS

The following signs are exempt from the permit requirements of this Ordinance since such signs are deemed not to create nuisance situations that would threaten the health, safety, or welfare of persons in the Township. However, all owners of such signs must still comply with all applicable standards of this Ordinance, including the responsibility for maintenance of signs in good and safe repair.

1. Governmental Signs, being those established by duly constituted governmental authorities or bodies, including but not limited to, traffic regulation signs, public notice signs and other signs required to be maintained or posted by law or government order, rule, or regulation.
2. Traffic regulation signs in private parking lots.

3. Signs indicating the prohibition or control of fishing, hunting, trespassing, etc.; or signs indicating the private nature of a road, provided the area of any such sign does not exceed four (4) square feet. Such signs may be placed along property lines or road frontages at a maximum frequency of one (1) sign every seventy-five (75) feet.
4. Signs with an area not exceeding one (1) square foot, bearing the address or the names of the occupants of a residence with characters not exceeding four (4) inches in height.
5. Signs with an area not exceeding two (2) square feet, bearing the address or the name of a home occupation with characters not exceeding four (4) inches in height.
6. Flags, except that flags larger than forty (40) square feet shall require a permit.
7. Directional signs advertising the availability of restrooms, telephones, or similar public convenience, per Section 1404.1.A.
8. One (1) or more signs applied to a windowpane giving store hours or the name or names of credit or charge institutions, when the total area of any such sign or all signs together does not exceed six (6) square feet.
9. An Identification Sign, being defined as a sign which is a permanent architectural feature of a building, or structure such as a cornerstone, or identifying letters carved into or embossed on a building, provided the letters are not made of a reflective material or contrast in color with the building and including historic structure identification signs not exceeding four (4) square feet in area.
10. Temporary yard sale or garage sale signs provided such signs do not exceed four (4) square feet in area and shall be removed within twenty-four (24) hours of the conclusion of such sale and limited to one (1) sign per property.
11. Signs advertising the meeting places and times of nonprofit service, governmental, religious, educational, and charitable organizations provided that each sign does not exceed eight (8) square feet in area and do not advertise any commercial establishment, activity, organization, product, goods or services. Such signs shall be limited to two (2) per property.
12. Address signs, not more than one (1) for each non-residential principal building or use on a premises and not exceeding one hundred sixty (160) square inches in area and displaying only the numerical address designation of the premises upon which they are maintained.
13. Non-commercial signs relating to ideological, religious, or political thought provided they do not exceed twelve (12) square feet in area.

14. Special event temporary signs, including portable signs and banners, that identify a parade, festival, fund drive or similar occasion, where such signs are of general benefit to the Township residents or for public convenience, necessity, or welfare. Special event temporary signs shall be permitted for one (1) period of fourteen (14) days and removed within two (2) days of the date or conclusion of the applicable event. Such signs may not exceed twelve (12) square feet in area and shall not be greater than eight (8) feet in height. No more than four (4) off-premises special event temporary directional signs may be placed within the Township by any one establishment, and no more than one (1) at anyone (1) intersection. No such sign may be erected, placed, installed, or maintained without the written permission of the owner of the real property involved.
15. Temporary signs of contractors, architects, mechanics, and artisans placed on the property where the contracted work is occurring. These signs shall have an area no greater than twelve (12) square feet in area and shall be removed upon completion of the project.
16. Temporary real estate signs placed on the property to be sold, rented, or developed, limited to one (1) sign per street frontage. Such signs shall be removed within five (5) days after transactions are completed and shall be a maximum eight (8) square feet in area. No off-premises real estate directional signs shall be permitted.
17. Temporary political campaign signs, a maximum twelve (12) square feet in area. Such signs that are located off a resident's property or are located within public rights-of-way, to the extent that the sign advertises a political candidate or election, must be removed within fourteen (14) days after such election.
18. Directional signs located within a tract undergoing development, indicating the route to the sales office, model home, construction trailer, etc. These signs shall be a maximum eight (8) square feet in area.
19. Temporary signs intended to announce sales, special events or the like. They shall not exceed twenty-five (25) percent of the total area of the side of the building or window where they are placed.
20. Signs announcing seasonal, temporary business (e.g., farm products sales from temporary stands, Christmas tree sales, etc.), limited to a single sign on a property and displayed only during the sale period, not exceeding sixty (60) consecutive days. Such signs may not exceed twelve (12) square feet in area.
21. Emergency warning signs erected by a public utility, pipeline company, or contractor doing such work authorized or permitted by such utility or company.

Section 1403. PROHIBITED SIGNS

The following signs, because their inherent characteristics could threaten the health, safety, or welfare of persons in the Township, are unlawful and prohibited:

1. Signs which use the words "Stop", "Look", "Danger", or any other word, place, symbol, or character which attempts or appears to attempt to direct the movement of traffic, or which interferes with, imitates, or resembles any official traffic sign, signal; or device within seventy-five (75) feet of a public right of way or within two hundred (200) feet of a traffic control device.
2. Any banner sign or sign of any other type across a public street without the prior written approval of the Township or PennDOT, as applicable.
3. Any suspended sign which is either a pennant that blows in the wind or a spinner which spins in the wind, except when located inside a temporary fairground in conjunction with a special event.
4. Except for traffic control signals, signs displaying red, yellow, or green lights within seventy-five (75) feet of a public right of way or two hundred (200) feet of a traffic control signal.
5. Notices, placards, bills, cards, posters, advertisements, or other signs mounted or placed in any fashion upon a lamppost, electric light, telephone or other utility pole, hydrant, planter box, trash receptacle or upon any pier or column located on or along the public roads of the Township or PennDOT, or any such signs mounted or placed in any fashion upon a rock, tree, or any other natural feature. Exceptions are as authorized or required by law, or when exempt in accordance with Section 1402.3.
6. Except as otherwise provided herein, any sign with flashing, revolving, moving, sound producing or animated parts, components or displays, including any sign which has the capability of motion in whole or in part, with the exception of signs that display time and or temperature exclusively.
7. Any sign depicting lewd, vulgar, indecent, or obscene advertising matter displayed in any manner.
8. Any sign which obscures or interferes with the line of sight at any street intersection or traffic signal or at any other point of vehicular access to a street.
9. Any sign erected within the right of way of any public or private street except those signs described in Section 1402.1.
10. Any sign erected or maintained so as to prevent free ingress or egress from any driveway, accessway, door, window or fire escape.

11. Any portable sign (including vehicle signs), except for sign permitted in Section 1402.15, 1402.16, 1402.17, 1402.21 and 1404.4.
12. Any sign, or any portion thereof, which extends above the roofline on any building on a property or which is attached or mounted or painted on a roof.
13. Billboard signs, except as provided in the Commercial (C) Zoning District (limited to those properties with frontage on Pennsylvania Route 34 (Red Hill Road) and U.S. Hwy. 22/322) and permitted pursuant to Sections 1405 and 1406 herein.
14. No sign of any kind shall be attached to a standpipe or fire escape.
15. Off-premises signs, except as permitted in Sections 1402.10 and 1404.1.B.

Section 1404. SIGNS BY TYPE AND CONSTRUCTION

As referenced in this Article, an "on-premises sign" is a sign that directs attention to a business, commodity, service, entertainment, institution, or other permitted use which is offered on the same premises where the sign is located. As referenced in this Article, an "off-premises sign" is a sign that directs attention to a business, commodity, service, entertainment, institution, or other permitted use which is offered on a property other than the property on which the sign is located.

The following types of signs are permitted, being subject to compliance with the provisions and criteria of this Article XIV:

1. Directional Sign. A sign either mounted on a building or a ground sign intended to provide information for pedestrian or automobile traffic within or exterior to a property.
 - A. Directional signs are intended to give direction to parking areas, service entrances, restroom facilities and the like within a property.
 - B. Off-premises directional signs of a public or quasi-public nature shall be a maximum of three (3) square feet in area. No advertising shall be contained on such signs other than the following for the purposes of indicating:
 - (1) The name or location of a town, village, hospital, community center, school, place of worship or the name or place of meeting of a governmental, civic, or service body.
 - (2) Where specifically approved by the Board or installed by the Township, descriptive signs designating the location and nature of historic districts and listing the historic and commercial buildings or locations within such districts.

2. Ground Sign. Any sign erected on an independent structure so that the structure is the main support of the sign or erected directly on the ground surface or any sign which is not supported by any part of a building. Ground Signs shall be subject to the following requirements:

A. Except as provided in Sections 1404.2.H and 1405, a Ground Sign shall be fifteen (15) square feet or less and shall have a height of no more than eight (8) feet (with such height being calculated pursuant to Section 1406.4).

B. No more than one (1) Ground Sign shall be permitted on each road frontage of a property.

C. No Ground Sign shall project to a point nearer than fifteen (15) feet from the edge of the cartway of a road or closer to the road than five (5) feet outside of the street right-of-way line, whichever provides the greater setback from the road. Where compliance with this standard would obstruct safe sight distances, further setback shall be required.

D. No ground sign shall be erected closer to any residence, public park, church, school, or public playground than allowed by the side or rear yard building setback set forth in the applicable Zoning District.

E. No Ground Sign shall shine or reflect light into adjacent residences and any off-sign lights must be directed at the Ground Sign only.

F. All poles or columns that support ground signs shall be made of masonry, metal or if wood, be fabricated from cedar or redwood. All such poles or columns shall be embedded in the ground at least three (3) feet six (6) inches unless the Zoning Officer directs otherwise.

G. Directory Sign. A Ground Sign for shopping centers, industrial parks, and office campuses where the names of interior tenants or owners are identified.

Directory Sign, Small. A directory sign having an area thirty-five (35) square feet or less and having a maximum height of no more than fifteen (15) feet. Small directory signs may be used for multiple-occupant non-residential developments exceeding 25,000 square feet floor area with over 300 feet of road frontage.

Directory Sign, Large. A directory sign having an area sixty-four (64) square feet or less in size and having a maximum height of no more than twenty-five (25) feet. Large directory signs may be used for shopping centers with floor areas in excess of 30,000 square feet, industrial parks with floor areas in excess of 50,000 square feet, and office parks with floor areas in excess of 30,000 square feet.

1. Such signs shall be limited in number to one (1) per frontage on a public street where there is no other ground sign.

2. Such signs may list only a name, address, logo, and primary product or service of each firm or business, and the name of the center, park, or campus.

3. All poles or columns that support directory signs shall be made of masonry, metal or if wood, be fabricated from cedar or redwood. All such poles or columns shall be embedded in the ground at least three (3) feet six (6) inches unless the Zoning Officer directs otherwise.

H. **Billboard.** A Billboard is defined as a form of a Ground Sign that exceeds the area and height regulations set forth in Section 1404.2.A. The erection and maintenance of Billboards shall be subject to the provisions set forth in Sections 1405 and 1406 herein. Each different display face of a Billboard shall constitute a separate Billboard. Billboards shall be freestanding and self-supporting. No part or portion of a Billboard shall be attached or connected to any other building or structure.

3. **Fascia Sign.** A sign to identify a service or other activity carried out within the building attached to a wall or to a canopy or attached to an extension to a building or an "island facility" such as in an automotive service station to identify the type of service available. Fascia signs shall face the street, an interior court or parking area.

A. Fascia signs shall not project more than eight (8) inches horizontally from the building wall or canopy. The Fascia Sign must be so located that the lower edge is a minimum of eight (8) feet above grade in any case where projection from the wall is greater than three (3) inches.

B. No more than one (1) sign shall be permitted per wall except for a multi-tenant building where each individual use shall be permitted one sign.

C. Fascia signs shall not exceed seven (7) square feet in area for each five (5) lineal feet of building front wall and in no case shall exceed twenty (20) feet in width or six (6) feet in height. Further, such signs may not extend beyond two (2) feet inside the edge of a canopy or marquee or the limit of any wall.

D. No fascia sign shall extend above the top of the wall upon which it is mounted.

4. **Portable Sign.** Any outdoor advertising display which is movable from one location to another, and which is not attached to a fixed structure or does not have permanent supports embedded in the ground. A maximum of one portable sign may be placed on a property, and only as allowed in accordance with Sections 1402.10, 1402.11, 1402.15, 1402.16, 1402.17 and 1402.21. The term portable sign shall include an outdoor advertising display located in or on a vehicle, except where:

A. The vehicle occupies a paved parking space on the property;

- B. Such sign merely identifies the vehicle as belonging to such business by displaying the name, address and/or telephone number of such business and/or identifying the type of product or service offered by such business, and is painted on or attached to the vehicle;
 - C. The primary use of such vehicle is for the transportation of persons or products or the delivery of services in connection with such business; and
 - D. Such vehicle is currently Commonwealth of Pennsylvania licensed, Commonwealth of Pennsylvania inspected and is in operable condition.
5. Projecting Sign. A sign mounted on a building so that its principal face is at an angle of forty-five degrees (45°) or more to the building wall and having not more than two faces visible. Projecting signs may identify buildings or uses where lots are limited in setback or yard area so that ground signs are not appropriate.
- A. Projecting signs shall be so located upon the buildings that the lower edge is a minimum of ten (10) feet above grade. Projecting signs may extend a maximum of four (4) feet from the building wall, provided that no sign shall project to a point nearer than twelve (12) feet from the edge of the paved roadway or over the street line.
 - B. No projecting sign shall extend above the top of the wall upon which it is mounted.
 - C. One (1) projecting sign shall be permitted per premises.
6. Wall Sign. A sign attached or painted on a building wall, not located on the entrance facade or fascia of a building. Wall signs may be used to identify single occupancy buildings with no provision for a fascia sign.
- A. Wall signs shall not exceed seven (7) square feet in area for each five (5) lineal feet of building wall and shall not exceed seven (7) feet in height and twenty (20) feet in width.
 - B. Wall signs shall not project more than ten (10) inches from the building wall and must be so located that the lower edge is a minimum of eight (8) feet above grade in any case where projection from the wall is greater than three (3) inches.
 - C. No more than one (1) wall sign shall be permitted per wall.
 - D. No wall sign shall extend above the top of the wall upon which it is mounted or within two (2) feet inside the edges of the same.
7. Window Sign. A temporary sign contained inside of a building which is visible from the sidewalk or parking area providing notification of products for rental or sale or special events and having one face visible.

Section 1405 BILLBOARDS & ELECTRONIC SIGNS

1. Intent. The intent of this Section is to provide opportunity for Billboards as a Conditional Use to be heard by the Howe Township Board of Supervisors, and to:
 - A. Support the First Amendment rights of advertisers to promote legal products and services while retaining the sense of community and protecting the character of the Township;
 - B. Ensure that billboard advertising is provided for in the Township and located safely and appropriately where it can be viewed by the traveling public with the least distraction and degradation to the public safety;
 - C. Provide billboard advertising in a manner demonstrated to be compatible with the historic, natural and rural character of the Township in terms of size, location, visual prominence from areas other than the adjacent highway, and materials and finishes used in construction;
 - D. To prevent Billboards from having a negative impact on neighborhoods (particularly residentially zoned or used properties) in terms of visual blight, light pollution, or decreased property value;
 - E. To prevent Billboards from having a negative impact on designated historic sites or structures in terms of visual blight, light pollution, or decreased property value;
 - F. To advance the mission of the International Dark-Sky Association and maintain the Township's nighttime environment by reducing light pollution through lighting practices that provide:
 - (1) energy savings resulting in economic and environmental benefits;
 - (2) superb nighttime ambience and quality of life;
 - (3) conservation of nocturnal wildlife and ecosystems;
 - (4) safeguarding of scientific and educational opportunities such as astronomy;
 - (5) preservation of cultural heritage and inspiration for the arts;
 - (6) increased visibility, safety, and security at night by reducing glare; and
 - (7) protection of human health.

2. Definitions.

A. Billboard. A form of a Ground Sign as defined and described in Section 1404.2.H.

B. Billboard Structure. The framework, support, display face(s) and electrical components of the billboard.

C. Display Face. The face of a Billboard, including copy, insignia, background, border, and trim. The measurement shall be determined by the smallest rectangle inclusive of all letters and images. The structural support shall be excluded from the area calculations if it is not used to directly express or convey a commercial or non-commercial message.

D. Electronic Sign/Billboard. A Sign and/or Billboard capable of displaying text, graphics, symbols, or images that can be electronically or mechanically changed by remote or automatic means; or with content that may be changed by electronic process through the use of light or lights, including, but not limited to, light emitting diodes (LED), liquid crystal display and plasma image display.

E. Message Sequencing. A single message or advertisement for a product, event, commodity, or service that is divided into segments and presented over two (2) or more successive display phases of a sign, or across two (2) or more individual signs.

F. Change Interval. The "Change Interval" is defined as the time period in which the display of an Electronic Sign/Billboard must remain static and during which the display may not transition to display another advertisement.

G. Transition Interval. The "Transition Interval" is defined as the time period in which the display of an Electronic Sign/Billboard transitions to another display.

3. Criteria for Billboards.

Billboards shall only be permitted through a Conditional Use approval, subject to the applicant establishing compliance with the following criteria, together with all applicable criteria contained herein and the criteria set forth in Zoning Ordinance Section 1102:

A. Billboards may only be erected and maintained in the Commercial (C) Zoning District, limited to those properties with frontage on Pennsylvania Route 34 (Red Hill Road) and U.S. Hwy. 22/322.

B. Size. The Display Face of a Billboard shall not exceed fifty (50) square feet in area unless the applicant can establish before the Zoning Hearing Board that the content of the Billboard could not be read from any point along the road frontage and that the permitted size is not adequate for the conveyance of any advertising messages to passing motorists. If the applicant is able to establish the above, then the Billboard shall not be permitted to exceed 300 square feet in area but shall be no

larger than is necessary to be read and conveyed to passing motorists. If present, non-display physical borders around the display image shall not exceed six (6) inches on a side.

C. Billboards shall be setback a minimum of three hundred (300) feet from any other Billboard.

D. All Billboards must be set back at least five hundred (500) feet from all street intersections, measured from the point of intersection of the center lines of the intersecting streets.

E. Setback from Residential Dwelling Unit. Except as governed by a greater setback required herein, all Billboards must be setback a minimum of 150 feet from the boundary of the R1, R2, R3, A and CF Zoning Districts and from the boundary of any property on which a residential dwelling unit is situated. Moreover, the applicant must establish that the Billboard will be screened such that the face of the Billboard will not be visible from an existing residential dwelling unit. With respect to such setback as applied from any existing residential dwelling unit, the 150-foot setback may be reduced if the owner of such dwelling unit agrees in writing to the placement of such Sign as memorialized by an easement filed with the Perry County Recorder of Deeds.

F. The Applicant shall bear the burden of establishing that the proposed Billboard will not create a substantial public health, welfare, or safety concern.

G. The Billboard Structure shall be screened with vegetation. In no case shall the supporting structure be designed to increase the apparent size of the Billboard or to otherwise increase its visual prominence.

H. The Applicant shall be required to submit an attestation from a structural engineer, registered in Pennsylvania, to certify that the proposed Billboard is properly constructed pursuant to all applicable codes, to certify the viability of the construction of the foundation and erection of the structure for the proposed Billboard. The Applicant shall further submit a report from an engineer to demonstrate sufficient wind tolerances of the proposed Billboard.

I. The Applicant shall submit a plan prepared by a landscape architect showing landscaping proposed to be installed to screen and buffer the Billboard. Existing vegetation on and around the proposed Billboard shall be preserved to the greatest extent possible. All proposed landscaping shall comply with the requirements of the Township's Zoning Ordinance and Subdivision and Land Development Ordinance. Applicants shall submit a visual survey from mutually agreed upon vantage points in order to support the proposed landscaping plan's mitigation of visual impacts.

J. All Billboards shall be serviced by underground electrical wiring.

K. Billboards shall be properly and adequately secured to prevent unauthorized

access, with such features as a locked ladder way.

4. Criteria for Electronic Signs/Billboards.

In addition to the above criteria in subsection (3) and the criteria set forth in Section 1406, the following criteria shall apply to Electronic Signs/Billboards, which shall only be permitted by Conditional Use pursuant to the applicant establishing the following criteria:

A. Electronic Signs/Billboards may only be erected and maintained in the Commercial (C) Zoning District, limited to those properties with frontage on Pennsylvania Route 34 (Red Hill Road) and U.S Hwy. 22/322.

B. Electronic Signs/Billboards may not contain any fading; flashing; modulating; scrolling; moving lights; text or graphics; any full-motion video; or any visible change during the Change Interval period.

C. Change Interval. Electronic Signs/Billboards must provide a minimum Change Interval of at least eight (8) seconds.

D. Transition Interval. Electronic Signs/Billboards must provide a maximum Transition Interval of one (1) second.

E. Illumination shall be automatically controlled so that at no point on the Electronic Sign/Billboard shall the luminance exceed 100 cd/m^2 with a full-white board face after sunset.

F. The Electronic Sign/Billboard shall contain a default mechanism that will freeze the sign display in one (1) position if a malfunction occurs or shut down and show "full black" on the display.

G. The applicant shall establish compliance with (and submit all evidence as required under) Section 1405.3. The size of any proposed Electronic Billboards shall only be as permitted under Section 1405.3.

H. Message sequencing shall be prohibited.

I. No Electronic Sign/Billboard shall shine or reflect light into adjacent residences.

Section 1406. GENERAL STANDARDS APPLICABLE TO ALL SIGNS

1. Illumination and Screening. In addition to the illumination provisions specifically provided for in Sections 1404 or 1405, the following illumination standards shall apply. All illuminated signs shall be constructed to the standards of the National Fire Protection Association (NFPA). Illumination may be direct (giving forth light from

the interior of the sign through translucent material) or indirect provided that the light source is directed upon the sign. The lighting source shall not be directly visible from any street or sidewalk, nor from any other normal vantage point. Lighting shall not shine directly on abutting properties, or within the normal line of vision of the public when using streets or sidewalks. No sign shall be placed or illuminated in such a position that it will cause any danger to pedestrians or vehicular traffic. No sign shall be utilized in a manner that produces a noxious glare at or beyond the boundaries of the lot on which it is located. No direct beams of light shall be directed toward adjacent properties or public roads, and all light sources shall be shielded and screened from adjoining residential properties.

All Billboards must comply with Howe Township Zoning Ordinance Article XVII (General Regulations & Design Standards) and Section 1711 (Lighting), as may be amended from time to time. The provisions of Article XVII, Section 1711 are expressly incorporated into this provision as if the same were set forth at length herein.

Applications for the lighting or relighting of Signs and Billboards (including Electronic Signs/Billboards) using external light sources shall be accompanied by a point-by-point plot of initial vertical illuminance on the Sign or Billboard face, catalog cuts of proposed fixtures and any glare reduction devices and a description of lamps, mounting locations, aiming angles and proposed hours of operation and method for automatically extinguishing the lighting by the required hour.

2. Maintenance. Every sign shall be constructed of durable materials, using non-corrosive fasteners, and shall be structurally safe and erected or installed in strict accordance with the Township Building Code and always maintained in a safe condition and good repair. Specifically, no sign shall be maintained within the Township in such a state of disrepair as to have the appearance of neglect or which is rotting or falling down, which is illegible or has loose parts, separated from original fastenings.

3. Height. Except as specifically referenced in Sections 1402 - 1405, the height of any sign shall not exceed thirty (30) feet. The height of a sign (excepting Wall Signs) shall be defined as the vertical distance measured from the sign's highest point to the ground surface, or the vertical distance measured from the grade of the cartway nearest to the sign to its highest point of the sign, whichever is lesser. The highest point in the case of a sign shall include the supporting structure.

4. Setbacks – Street Intersections. At all street intersections, no sign, except traffic control signs, school warning signs, and similar signs as provided for by other portions of this Chapter shall be permitted within a clear sight triangle. Such triangles shall be established from a distance of seventy-five feet (75') from the point of intersection of the centerlines of the intersection streets, except that a clear sight triangle of two hundred feet (200') shall be provided for all intersections with or of arterial highways. In addition, sight distance shall meet the requirements of PennDOT Publication 201, Engineering and Traffic Studies, Section 201.6.16.

5. Setbacks - Road Right of Way. Signs shall be setback from the right of way a minimum of twenty (20) feet; a distance equivalent to 1.1 times the height of the Billboard; or the minimum front building setback set forth in the underlying Zoning District; whichever is greater. No part of a Billboard shall be setback more than sixty (60) feet from the nearest street right of way.

6. Setbacks – Building. In addition to any setback requirements set forth in Sections 1404 or 1405, Ground Signs shall be set back from any building a minimum of 100 feet or 1.1 times the height of the sign from any building, whichever is greater.

7. Signs shall be subject to all applicable rear and side yard building setbacks. No portion of any sign shall project over a lot line, and in no case shall be within a setback area from the rear or side yards equivalent to a distance of 1.1 times the height of the sign, unless the owner of the property over which the sign projects agrees in writing to such sign and unless an easement is filed with the Perry County Recorder of Deeds to permit such encroachment.

8. A sign permit applicant must obtain all necessary outside agency approvals prior to erection of a sign, including, but not limited to approval from the Pennsylvania Department of Transportation, as may be required. The applicant is required to provide the Township with any such agency approvals prior to the issuance of a permit for a sign. PennDOT and any outside agency approval shall not constitute Township approval.

9. The owner and/or operator of any Sign permitted under Sections 1404 and 1405 above shall provide (and maintain with) the Township with their current address and contact information.

Section 1407. REMOVAL OF SIGNS

1. Unsafe Signs. All Signs and Billboards shall be properly and regularly maintained and shall at all times be kept in a safe and operational manner. Whenever a sign becomes structurally unsafe or endangers the safety of a building or premises or endangers the public safety, the Zoning Officer shall give written notice to the owner of the premises on which the sign is located that such sign be made safe or removed within five (5) days, unless the Zoning Officer shall deem appropriate a more extended period for compliance.

2. Abandoned Signs. A sign structure which has been discontinued for a period of 90 consecutive days (in that no advertising content or message has been displayed on the sign within such time), shall be presumed to be abandoned. In such an instance, the Township Zoning Officer may provide written notice to the landowner, directing that the landowner/sign owner advise as to its intent to continue the use of the sign. The notice shall advise the Zoning Officer within thirty (30) days' receipt of such notice (unless extended in writing by the landowner/sign owner that, if the landowner/sign owner fails to provide written notice to the Zoning Officer) of its intent to continue the use of the sign, then the sign shall be construed to be abandoned by the Township

and the permit for the same shall be revoked. If the landowner/sign owner provides written notice of the intent to continue the use of the sign, then the permit for such sign shall remain in effect (unless and until a future Abandonment Notice is transmitted to the landowner/sign owner pursuant to this Section). If the landowner fails to do so, then the Zoning Officer shall issue a notice to the landowner/sign owner to revoke the permit for the sign and such sign may not be considered to be nonconforming with respect to any past or future zoning ordinance amendments.

The Township may then take any and all actions pursuant to this Ordinance and otherwise pursuant to the law (including, but not limited to an injunction.

3. Nonconforming-Signs. All existing signs which do not conform to the requirements of this Article, but which have predated the adoption of this Ordinance or have valid permits issued by the Township, shall be nonconforming. Any lawful nonconforming sign may remain in place while maintained in good condition and not abandoned, provided that such nonconforming sign may not be changed, expanded or altered in size, dimension, location or use. Once a sign is removed and abandoned for any reason, the replacement sign must comply with all the provisions of this Article XIV.

Section 1408. PERMITS AND INSPECTIONS

1. Any sign to be erected in the Township that is not exempt under Section 1402 shall require a permit. No sign shall hereafter be erected or altered until such time as the Zoning Officer issues a permit.

2. No permit to erect a sign shall be issued until the required fee has been paid to the Zoning Officer, which fee shall be established by resolution of the Board of Supervisors.

3. Application for a sign permit shall be made in writing to the Zoning Officer and shall contain all information necessary to determine whether the proposed sign, or the proposed alterations, conform to all the requirements of this Ordinance. All applications for sign permits shall be accompanied by plans or diagrams to scale and shall show the following:

A. Exact dimensions of the lot, including any right-of-way lines, or building upon which the sign is to be erected;

B. Exact size, dimension, and location of the said sign on the lot or building together with its type, construction, materials to be used, and the manner of installation;

C. Any other lawful information that may be required of applicant by the Zoning Officer; and

D. The Zoning Officer shall inspect and approve the installation of all signs and shall make periodic inspections to determine conformity of the signs to these regulations.

ENACTED AND ORDAINED by the Board of Supervisors of Howe Township, Perry County, Pennsylvania, this 4th day of January, 2024.

ATTEST

Nancy Carigioli
Secretary

HOWE TOWNSHIP

By: Dale W. Beaver (SEAL)
Chairman

By: Charles W. Beard
Vice-Chairman

By: Steve A. Smith
Member