

ORDINANCE NO. 750

AN ORDINANCE OF THE BOROUGH OF MONROEVILLE REGULATING THE CONSTRUCTION AND USE OF SIGNS WITHIN THE BOROUGH OF MONROEVILLE, SUPERSEDING ARTICLE XIV OF ORDINANCE NO. 375, ORDINANCE NO. 251, AND ORDINANCE NO. 329.

BE IT ORDAINED AND ENACTED by the Borough of Monroeville, in Council assembled, as follows:

Section 1. Scope: Article XIV of Ordinance No. 375, adopted December 18, 1962, as amended by Ordinance No. 472, adopted April 1, 1965, shall be hereby amended by the substitution of the sections, set forth in Section 2 of this Ordinance. Ordinance No. 251, adopted December 20, 1960, and Ordinance No. 329, adopted February 28, 1962, are superseded by this Ordinance where in conflict with the terms herein.

Section 2. Revised Article XIV: Article XIV of Ordinance No. 375, known as the Zoning Ordinance, shall be as follows:

Section 1400 Definitions: The term "Sign" mean and include every sign, billboard, ground sign, wall sign, roof sign, illuminated sign, projecting sign, temporary sign, marquee, awning and canopy containing lettering or other advertising and shall include any announcement, declaration, demonstration, display illustration, or insignia used to advertise or promote the interests of any person, firm, partnership, association, corporation, company or organization of any kind when the same is placed out of doors in view of the general public. The term "Sign" shall further include all articles, matters or devices, whether or not containing lettering or advertising material, which have as their major purpose the attraction of patrons or calling attention to the business premises. When such articles are arranged in series or strings, such as strings of pennants, each of such articles or pennants shall be treated as a separate sign.

1400-2 Ground Sign shall mean a sign placed on the ground with main supports planted firmly into the ground, and not attached to any building.

1400-3 Wall Sign shall mean a sign placed against and permanently attached to, or painted directly on the wall surface of a building.

1400-4 Roof Sign shall mean a sign erected, constructed and maintained wholly upon or over the roof of any building.

1400-5 Projecting sign shall mean a sign attached to a building and extending away or hanging from the surface or portion of the building to which it is attached at a ninety (90) degree angle.

1400-6 Wall plaque shall mean a wall sign protruding no more than 1-1/2" from the surface to which it is attached and having no sharp edges which may be hazardous to pedestrians.

1400-7 Illuminated Sign shall mean any sign which has characters, letters, figures, designs, or outline illuminated by electric lights or luminous tubes either as a part of the sign proper or directed at the sign.

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1400-8 Temporary Sign shall mean any sign, banner, pennant, valance, or advertising display constructed of cloth, canvas, light fabric, cardboard, wall board, or other light material, with or without frame, displayed for a period not exceeding one (1) week excluding signs for businesses permitted under Section 1604.2, a.1. Temporary Signs shall be permitted to advertise grand openings, distress sales, change in ownership; or temporary businesses which have been approved by the Planning Commission or the Zoning Hearing Board.

1400-9 Off-site Directional Sign shall mean a ground sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered elsewhere than on the premises where the signs are displayed. Directional signs are limited to those businesses having 50 or more on-site employees, or groups of 10 or more businesses having a common name, i.e. Shopping Centers, Industrial Parks. Where a business is part of a shopping center, or an industrial park, containing three (3) or more businesses, directional signs shall be limited to the common name of the overall development. The directional signs shall be erected, owned, and maintained by the Borough of Monroeville, and will be of standard size and design.

1400-10 Marquee signs shall mean signs placed on the edge of any hood or awning of permanent construction projecting from the wall of a building above an entrance to the building, and not having supports to the ground or sidewalk.

1400-11 Awning or canopy signs shall mean any structure made of cloth, fiberglass, or metal frame attached to a building and containing lettering or other advertising material; or any structure made of cloth, fiberglass, or metal with metal frames attached to a building, and carried by a frame supported by the ground or sidewalk and containing lettering or other advertising matter.

1400-12 Square-foot area of sign shall be computed as a rectangular area including all portions of the face of the sign.

1400-13 The term "wall" shall include the parapet above any wall of a building; and the term "roof" shall include the upper surface of building extensions of permanent construction having structural supports to the ground and protruding over pedestrian cartways. The above may be used as a sign base provided their structural strength can be clearly demonstrated.

1400-14 Structural Trim shall mean the molding, battens, cappings, latticing and platforms which are attached to the sign structure.

1400-15 Erect shall mean to build, construct, attach, hang, place, suspend, or affix and shall also include the painting of wall signs.

1400-16 Grand opening shall mean when a new business holds its initial opening: or when an existing business comes under new management.

1401 "S", "R1", and "R2" Districts: In the "S" Conservancy District

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and the "R1" and "R2" One Family Residence Districts, only the following exterior signs shall be permitted:

1401-1 Signs permitted under General Sign Provisions, Section 1405.

1401-2 A sign not exceeding one and one-half (1-1/2) square feet in area, used to display and identify only the name of the individual, profession, organization, or institution occupying the premises.

1401-3 A bulletin board for each street frontage not exceeding thirty (30) square feet in area, indicating the services of an educational, philanthropic or religious institution including the institution name, if desired.

1401-4 A sign not exceeding twelve (12) square feet in area, unlighted, appertaining only to the rental, lease, or sale of the property on which it is displayed.

1402 "R3" District: In the "R3" Multiple-Family Residence District, only the following exterior signs shall be permitted.

1402-1 Signs permitted in "S", "R1", and "R2" Districts.

1402-2 A sign for each street frontage not exceeding twelve (12) square feet in area in connection with a multiple-family dwelling, a hospital, or sanitarium, a funeral home, or a tourist home, used to identify only the name of the structure.

1403 "C", "L", "M1", "M1A" and "M2" Districts: In the "C1" Neighborhood Shopping District, the "C2" Community Business District, the "L" Special Use District, the "M1" Planned Light Industrial District, the "M1A" Planned Special Industrial District and the "M2" Heavy Industrial District.

1403-1 Signs permitted in "S" and "R" Districts.

1403-2 A sign which directs attention to a business commodity, service, or entertainment, conducted, sold, or offered upon the premises, including "Ground Signs", "Wall Signs", "Wall Plaques", "Roof Signs", "Projecting Signs", "Temporary Signs", "Marquees", and "Awnings and Canopies" as described in the "Sign Ordinance."

1403-3 In the M2 District, only, Ground Signs, advertising a business commodity, service, or entertainment, conducted, sold, or offered on property other than that on which the sign is located, may be erected; provided that the sign shall be setback a minimum of forty (40) feet from the street right-of-way line, and two hundred (200) feet from any building or other sign so defined, on the same side of the public right-of-way. They shall have a maximum area of one square foot for every foot of property frontage on the public right-of-way, but in no case greater than three hundred (300) square feet.

1403-4 Signs permitted in the "M1A" Planned Special Industrial District shall be limited to those provided in Section A-1106.4.

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1404 Height, Size, Quantity and Location Requirements:

1404-1 (a) Wall signs shall be attached to a wall of a building at a height of not less than eight (8) feet above the sidewalk or ground nor shall any wall sign cover wholly or partially any wall opening, nor project beyond the ends or top of the wall to which it is attached.

In the case of illuminated wall signs with integral illumination and/or electrical fixtures the minimum height above sidewalk or ground shall be ten (10) feet.

(b) The exterior face of any wall sign shall not protrude more than twelve (12) inches from the wall to which it is attached.

1404-2 (a) Wall plaques shall be wall signs extending no more than one and one-half ($1\frac{1}{2}$) inches from the walls to which they are attached. The edges of wall plaques shall be rounded, tapered, or treated in any other manner, satisfactory to the Zoning Officer, that will render them harmless to pedestrians.

(b) There shall be no minimum height above ground level for wall plaques.

(c) Wall plaques shall have a maximum size of 32 square feet.

1404-3 (a) No roof sign shall be placed in such manner as to prevent free passage from one part of said roof to any other part thereof or interfere with openings in said roof.

(b) Roof signs shall not be higher than fifteen (15) feet from the roof level (average height).

(c) The maximum area of a roof sign shall be not more than that permitted for a ground sign on the site, but in no case greater than 225 square feet.

(d) Roof signs fabricated from individual letters placed independently without background shall have their square foot area tabulated on the actual face surface of the letters.

1404-4 (a) The installation of all permanent ground signs shall be subject to the review and approval of the Planning Commission of the Borough of Monroeville. The building setback line shall be the location standard for ground signs. In reviewing ground sign locations the Planning Commission may allow lesser setbacks provided it is necessary in order to insure an adequate line of sight from the highway to the ground sign. In no case shall a setback of less than ten (10) feet from the street right-of-way line be permitted. Ground signs shall also be located a minimum of 5' from any building and ten (10) feet from any side property line. For signs over 10 square feet in area an additional one (1) foot of separation from adjacent side property lines shall be required for every ten (10) square feet of sign area.

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(b) Ground signs shall not be higher than twenty-four (24) feet from the street level upon which the sign faces.

(c) The square foot area of ground signs shall be limited to one (1) square foot of sign area for every one (1) lineal foot of property frontage on a public right-of-way; but no ground sign shall be permitted to exceed an area of two hundred twenty-five (225) square feet.

(d) The square foot of ground sign area permitted above may be divided between a maximum of two ground signs. The distance in lineal feet separating the two signs being a minimum distance equal to the square foot area of the larger sign.

(e) Properties having a fraction of one (1) foot over three hundred (300) feet in frontage may apply paragraph (c) to the additional one hundred (100) + feet.

(f) Sections (c), (d) and (e) may be applied to each street frontage of a particular property, i.e. double or triple-frontage properties.

(g) Rotating ground signs may be permitted on corner properties in lieu of other permitted ground signs on either street frontage. They shall be limited to one rotating sign per corner not greater in size than one hundred-fifty (150) square feet and subject to all other requirements for ground signs.

1404-5 (a) Projecting signs shall be attached to a building not less than eight (8) feet above ground level, or a pedestrian cartway.

(b) When extending over a vehicular cartway, the minimum height above ground or cartway shall be fifteen (15) feet. In the case of illuminated projecting signs with integral illumination and/or electrical fixtures the minimum height shall be ten (10) feet above ground level when not over a vehicular cartway.

(c) Projecting signs shall not protrude more than six (6) feet beyond the building line.

(d) Projecting signs shall be limited to a maximum area of thirty (30) square feet.

1404-6 (a) Directional signs shall be located only at, or near, the intersections of public streets.

(b) They shall be limited to a standard white on blue design, each approximately four (4) feet in length and eight (8) inches in height, bolted to permanent metal posts.

(c) Only one set of posts shall be permitted on each approach to the intersection of public streets, and a maximum of six (6) signs shall be attached to each set of posts.

(d) The directional signs shall be located on public right-of-way, or private property where necessary and with the written consent of the property owner, and shall not be placed in a manner obstructing the view of vehicular traffic, on the public right-of-way, or traffic attempting to gain access on said right-of-way from abutting private properties.

(e) All directional signs shall be owned and maintained by the Borough of Monroeville.

(f) The Borough of Monroeville shall not erect signs on an intersection approach if it is deemed a traffic hazard, or if existing signs make it impractical.

1404-7 (a) Temporary signs shall be located a minimum of ten (10) feet from any property or right-of-way lines, and shall comply with all other height and location requirements of the category of permanent signs which they emulate. Temporary signs must be located on the same lot as the use which they advertise.

(b) All temporary signs shall be attached to a building or the ground in a manner satisfactory to the Zoning Administrator.

(c) A maximum of five (5) temporary signs may be permitted on a property.

(d) Temporary signs shall be a maximum of thirty-two (32) square feet in area.

(e) The Sign Permit shall be attached to temporary signs for the duration of the permitted use and easily visible from the street.

1404-8 (a) Advertising on awnings and canopies shall be limited to the name of the owner and the business, industry, or pursuit conducted therein, painted or otherwise permanently placed in a space not exceeding eight (8) inches in height on the front and side portions thereof.

(b) No illuminated sign and/or electrical fixtures shall be permitted in awnings or canopies.

1404-9 (a) Signs shall be attached to the front and sides of marquees and shall not project beyond the edges of the marquee, nor extend more than ten (10) inches horizontally from the surface of the marquee.

1405 Material and Construction:

1405-1 All signs shall be securely built, constructed and erected:

(a) On the ground with posts sunk at least three (3) feet below the surface of the surrounding ground and grouted with concrete for its full depth, and shall be supported and braced by metal rods extending from the top thereof to a point in the ground at least a distance equal to one-half (1/2) of the height of the sign, measured from the base of the sign on the ground, or by some other method which provides equivalent support.

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(b) On a wall by non-corrosive metal anchors, bolts, or expansion screws at least one-half ($\frac{1}{2}$) inch in diameter and sunk into the wall at least five (5) inches. In no case shall any wall sign be secured with wire, strips of wood or nails.

(c) On a roof the sign shall be thoroughly secured to the building by iron or other metal anchors, bolts, supports, rods or braces. The bearing plates of the sign shall bear directly upon masonry walls and intermediate steel columns of the building. No roof sign shall be supported or anchored to the wooden framework of a building.

(d) As a projecting sign it shall be attached to masonry walls with non-corrosive expansion bolts of the proper size, the bolts to be extended through the wall with a proper size metal washer or plate on the inside of the wall. Signs not exceeding ten (10) square feet in area on one side, or fifty (50) pounds in weight may be attached to the wooden framework of the building but in no circumstances is it permitted to hang a sign by cables, wire or strings on the building.

(e) As a temporary sign it shall be made of rigid material or other light materials securely attached to the building or ground, and the erection should be in accordance with the above requirements, depending on the type of the temporary sign.

(f) The Zoning Administrator may require calculations by an architect or engineer certifying the stability of a sign, with reference to dead load and wind stress capabilities when a sign is over twenty-five (25) square feet in area, or in the case of a ground sign, whose height is greater than ten (10) feet; or a sign which weighs in excess of one-hundred (100) pounds.

(g) Any sign damaged by inclement weather shall have proven itself unsafe and may not be restored in kind without engineering data as required in Section (f) above.

1406 Illumination and Animation:

1406-1 All illuminated signs shall be inspected by the authorized electrical inspection agency of the Borough of Monroeville during construction to verify compliance with the adopted electrical code of the Borough of Monroeville.

1406-2 Signs may not be illuminated by goose neck reflectors which are attached to the sign.

1406-3 Illuminated signs shall be non-flashing and non-glaring, and shall be illuminated in a manner to prevent glare and reflection to a public street, or adjacent properties.

1406-4 All signs shall be non-animated with no exterior moving parts with exception of rotating signs as provided in Section 1404-4 (g).

1407 Maintenance:

1407-1 Any sign regulated by this ordinance shall be maintained in the proper structural and aesthetic condition by the owner or tenant.

1407-2 If a sign no longer advertises a bona fide business or other activity conducted on the premises, it shall be taken down and removed by the owner, tenant or by the person having the beneficial use of the sign and the building within ninety (90) days of the departure of the premises. After written notification from the Zoning Officer and upon failure to comply with such notice within the time specified in the order, the Borough will cause the removal of the subject sign, and any expense incidental there-to will be charged to the owner of the building or structure to which the sign is attached.

1407-3 If the Zoning Administrator shall find that any sign or other advertising structure regulated herein is unsafe, insecure, dilapidated, or is a menace to the public, or has been constructed or erected or is being maintained in violation of this ordinance, he shall give written notice to the permittee thereof. If the permittee fails to remove or alter the structure so as to comply with the standards herein set forth within ten (10) days after such notice, such sign or other advertising structure may be removed or altered to comply with the Zoning Administration at the expense of the permittee or owner of the property upon which it is located. The Zoning Officer shall refuse to issue a permit to any permittee or owner who refuses to pay costs so assessed. The Zoning Officer may cause any sign or other advertising structure which is an immediate peril to persons or property to be removed summarily and without notice. In the case of illegally erected temporary signs the Zoning Administrator may remove said signs after one (1) calendar day's notice. Temporary signs erected within the limits of a public right-of-way may be removed immediately without notice by the Zoning Administrator.

1407-4 The cost of maintenance work on directional signs shall be borne by the applicant who had initially requested the directional sign. Notice of intent to repair will be sent to the applicant for his review of the sign and his decision on having the sign removed or repaired.

1408 Obscene Advertisement:

1408-1 It shall be unlawful to display upon any sign or other advertising any obscene, indecent, or immoral matter. This shall include the non-repair of illegal acts of vandalism.

1409 General Sign Provisions:

1409-1 An erection permit shall be secured for the establishment, major alteration, or moving of any exterior sign (except real estate signs) one and one-half (1- $\frac{1}{2}$) square feet or more in area.

1409-2 No exterior sign established before the effective date of this ordinance shall be (except when ordered by an authorized public officer as a safety measure) altered in any respect, or moved, unless it be made to conform with the provisions of this ordinance.

1409-3 Any glass forming a part of any sign shall be safety glass

or plate glass at least one-fourth ($\frac{1}{4}$) inch thick.

1409-4 Signs of architects, contractors, engineers, mechanics, painters, not exceeding twelve (12) square feet in area may be erected and maintained during the period such persons are performing work on the premises on which such signs are erected, but shall be removed promptly upon completion of the work.

1409-5 The requirements of this article shall not be held to prohibit the erection of a marquee or canopy, provided it bears no sign other than an identification sign which does not project above or below the marquee or canopy, or project more than four (4) inches horizontally from the surface of said marquee canopy.

1409-6 Signs not to Constitute Traffic Hazard. No sign or other advertising structure as regulated by this ordinance shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision; or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of or be with any authorized traffic sign, signal or device; or which makes use of the words "Stop", "Look", "Drive-In", "Danger", or any other word, phrase, symbol or character in such manner as to interfere with, mislead or confuse traffic so that adequate sight distance should be preserved.

1409-7 A sign not expressly permitted is prohibited.

1409-8 On site directional signs shall not require a permit provided they do not contain advertising, and do not obstruct the line of vision of traffic entering or leaving a public street.

1410 Exemptions:

1410-1 The following signs are permitted in any district and no erection permit is required, provided that the rules of location and material as applicable to the type of sign are obeyed.

(a) Real Estate signs not exceeding twelve (12) square feet in area, which advertise the sale, rental or lease of the premises upon which the said sign is located.

(b) Professional name plates, not exceeding one (1) square foot in area.

(c) Bulletin boards not over twelve (12) square feet in area for public, charitable or religious institutions on their own property.

(d) Signs denoting the architect engineer or contractor in work upon the same property on which the construction is done - not exceeding twelve (12) square feet in area and for the period of construction only.

(e) Memorial signs and tablets when cut into any masonry surface or when constructed of bronze or other sculptured materials.

(f) Traffic and other governmental signs, legal notices, danger, and other non-advertising signs if they are approved by the Borough Council.

1411 Elimination of Non Conforming Signs: It is the intent of this section to recognize that the eventual elimination, as expeditiously as is reasonable, of existing signs that are not in conformity with the provisions of this Article, is as much a health, safety and welfare as is the prohibition of new signs that would violate the provisions of this Article.

1411-1 Within five (5) years of the date of the passage into law of this section of the Ordinance all non-conforming signs shall be removed or made to conform to the requirements of this ordinance.

1411-2 The owner of a sign however file a Certificate of Non-Conformance with the Borough of Monroeville stating the assessed valuation of his sign as verified by a company in the business of fabricating and erecting signs. The value of the sign may be amortized at the rate of two hundred (\$200.00) dollars per year. When the value of the sign under the above noted schedule is zero, the owner must remove or alter the sign to conform to the requirements of this ordinance. Certificates of Non-Conformance are to be filed within one year from the date of notification of non-conformance by the Zoning Officer. Failure to comply with the above will result in only Section 1411-1 being applicable.

1411-3 The Borough may require an independent assessment of the sign value by its own representative. Any discrepancies between the two assessments amounting to more than one (1) year of amortization will be presented to the Zoning Hearing Board and a decision rendered. When the discrepancy amounts to less than one (1) year, the longer period of time shall apply.

1411-4 It shall be the duty of the Zoning Officer to tabulate, within one (1) year of the date of this ordinance, all signs in the Borough of Monroeville which are non-conforming under the terms of this ordinance. He shall then notify the concerned property owner, by the mailing of a certified letter to his last known address, of the provisions of this section of the ordinance and the nature of the non-conformance of his sign.

1412 Erection Fees:

1412-1 A permit shall be obtained for the erection of all signs not exempted by this ordinance.

1412-2 For every permit issued hereafter for a permanent sign, the applicant shall pay an erection fee of one dollar (\$1.00) per square foot of sign area.

1412-3 Applicants for temporary signs shall pay a fee of one dollar (\$1.00) for each temporary sign up to ten (10) square feet in area, and twenty-five cents (\$.25) for every additional square foot over ten (10).

1412-4 The fee for the erection of directional signs shall be equal to the costs of the prepared signs plus the cost of the labor expended by the Borough of Monroeville in the erection thereof.

1413 Sign Construction License:

1413-1 Every person, firm or corporation engaged in the business of erecting, altering, repairing and/or maintaining signs, shall apply to the Borough Manager for licensing.

1413-2 The applicant for license shall file with the Borough Manager a certificate of standard form Contractor's Public Liability Insurance covering personal injuries with limits of not less than \$10,000 - \$20,000.

1413-3 Upon compliance with the provision for liability insurance and payment of the fee stipulated in this ordinance, the applicant shall be eligible to receive a Sign Construction License which shall be issued by the Borough Manager.

1413-4 A Sign Construction License shall authorize the holder thereof to engage in the business of sign construction from the date of issuance to the succeeding 31st day of December.

1413-5 Registration may be renewed for a period of one year upon application and payment of the fee stipulated in this ordinance, provided the liability insurance policy is kept in force for the ensuing year. Application shall be made before the first day of January. If the holder of a Sign Construction License does not apply for renewal within thirty (30) days after its expiration, the said registration shall not be subject to renewal.

1413-6 Any person, firm or corporation licensed under this section, who erects a sign which violates the provisions of this ordinance shall have their license revoked and be further prohibited from erecting signs in the Borough of Monroeville, until the improperly erected or located sign is made to conform to the provisions of this ordinance. Notice of revocation shall be sent by certified mail to the license-holder of record on the Sign Construction Permit application.

1413-7 The fee for obtaining a Sign Construction License shall be \$25.00. Each succeeding year the renewal fee shall be \$2.00, due each succeeding January 1st.

1413-8 Nothing in this ordinance shall be held to prohibit a property owner from erecting a sign on his property, provided, however, that a proper Sign Construction Permit shall be obtained for erecting the sign, and proper insurance certificates filed with the Borough Manager.

1414 Variances:

The Zoning Hearing Board shall have the power to vary the provisions of Article XIV of the Revised Zoning Ordinance. A variance may be granted when the Board has determined, to its satisfaction that:

(a) a/the sign could not be constructed elsewhere on the property or structure in a manner complying with the requirements of Article XIV;

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(b) a hardship exists, and that the hardship is unique to the instant property and not found to be commonly applied to other properties in the general area;

(c) the variance will not adversely affect adjacent properties in their right to adequate light and air;

(d) the variance would not affect the health, safety and general welfare of pedestrian and/or vehicular traffic;

(e) the variance considered is the minimum deviation from the ordinance required to grant relief to the applicant.

Section 3. Severability: If any section, sub-section, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, unlawful or invalid, such decision shall not affect the constitutionality, legality or validity of the remaining portions of this ordinance. The Council of the Borough of Monroeville declares that it would have passed this ordinance and any remaining section, sub-section, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses or phrases be declared unconstitutional, unlawful or invalid.

Section 4. Repealer: Any ordinance or part of ordinance in conflict with any of the provisions of this ordinance is hereby repealed to the extent of such conflicts.

ORDAINED AND ENACTED this 25th day of August, 1971.

ATTEST:

BOROUGH OF MONROEVILLE

S/ Carrol F. Pickens
Secretary

By S/ George C. Dale
President of Council

(SEAL)

S/ John J. Duncan
Mayor

Entered in Legal Book August 25, 1971.

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