

Borough of Media, PA
Thursday, October 16, 2014

Chapter 311. ZONING

Article XIV. Sign Regulations

§ 311-88. Legislative intent.

The purpose of this article is to regulate the type and dimensions of signs in the various zoning districts of Media Borough; to recognize the commercial communication requirements of all sectors of the business community; to protect the public from damage or injury caused or attributable to distractions and obstructions caused by improperly designed or located signs, to safeguard property values; to promote the community environmental setting and preserve the distinctive appearance and historic character of the business district and other areas where the use of signs is necessary, and to assure the orderly development of signs in keeping with the architecture and design of structures in the Borough.

§ 311-89. Determination of size of signs.

The size of any sign shall be determined in accordance with the provisions of this article and the following requirements:

- A. When a sign consists of letters, numbers and/or logos and not a lettered board and such sign is erected on or attached to a building wall or other similar surface, the size of such sign shall be measured by the rectangle, triangle, square, or arc as measured by the area formed between the inside and outside radius of the arc formed by the extreme outside edge of the largest letters, numbers or logos contained in the sign.
[Amended 6-19-2003 by Ord. No. 974]
- B. When a sign consists of a lettered board and such sign is erected on or attached to a building, wall or other similar surface, the size of such sign shall be determined by calculating the area of the lettered board.

§ 311-90. Sign restrictions.

- A. Prohibited signs. It is unlawful to erect or maintain the following signs:
 - (1) Spinning, twirling, rotating or any other animated signs or objects used for

advertising purposes, whether containing a message or not, except for time and temperature signs.

- (2) Signs that emit sound, smoke or steam.
- (3) Signs that glare. A sign that can cause glare is prohibited except in accordance with the following:
 - (a) It must be so effectively shielded that glaring beams or rays of light are not directed to any portion of a public street.
 - (b) It must not be internally illuminated so as to obscure and detract from the adjoining properties or impair the vision of any motor vehicle driver, or otherwise interfere with a driver's operation of his motor vehicle.
- (4) Signs with prohibited words. No sign may use the words "stop," "look," "danger" or any other word, symbol or character which attempts or appears to attempt to direct the movement of traffic or which interferes with or resembles any official traffic sign, signal or device.
- (5) Signs placed on property without the permission of the owner or his agent.
- (6) Signs with obscene or prurient words, scenes or graphics.
- (7) Signs painted on buildings, or painted on or attached to trees, utility poles, fences, outdoor benches or similar natural or man-made features.
[Amended 8-15-1996 by Ord. No. 903]
- (8) Signs which obscure other signs or obstruct fire escapes, doors or windows.
- (9) Unsafe and damaged signs, including signs within the safety clearances of electrical and utility lines.
- (10) Projecting signs, roof signs or animated signs; provided, however, that projecting signs shall be permitted on properties fronting on the blocks of Orange Street, Veterans Square, Olive Street, Jackson Street and Monroe Street between Jasper Street and Baker Street and on the Plum Street Pedestrian Mall, subject to the provisions of § **311-92B(2)** and **E(2)(a)** of this chapter.
[Amended 8-16-2007 by Ord. No. 1035; 12-18-2008 by Ord. No. 1054]
- (11) Advertising cloth, paper or plastic banners or similar signs suspended or hung on any property, except for temporary banners which may be permitted through special permission of the Code Enforcement Officer and displayed only for a duration of 14 days.
[Amended 2-18-1993 by Ord. No. 857; 8-15-1996 by Ord. No. 903]
- (12) Wall bulletins or any other signs painted directly on the facade of any building or

structure.

[Amended 1-20-2000 by Ord. No. 940]

- (13) Signs or mobile stands which can be moved from place to place and thereby not permanently affixed to the ground.
- (14) Swinging or hanging signs.
- (15) Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying the signs. This does not apply to lettering on buses, taxis or vehicles operating in the normal course of business.
- (16) Off-premise signs, except as specifically permitted by this chapter.^[1]

[1]: *Editor's Note: Former Subsection 1.g, regarding "A" frame signs, which immediately followed this subsection, was deleted 8-15-1996 by Ord. No. 903.*

B. General restrictions and standards. The following restrictions shall apply to all permitted signs:

- (1) No sign other than exempt signs shall be erected within or over a public right-of-way or shall be of such character, form or shape as to confuse or dangerously distract the attention of the operator of a motor vehicle on a public street.
- (2) All signs and billboards constructed or erected under the provisions of this chapter shall comply with the standards set forth in the BOCA Code, as amended, and the National Electric Code, as amended, as well as all federal, state and local laws and regulations.
[Amended 1-20-2000 by Ord. No. 940]
- (3) All signs shall be constructed of durable, all-weather material and shall be solidly and firmly attached, supported and/or anchored.
- (4) Where an establishment moves from or vacates a particular address or premises, the owner of such building or premises shall within 30 days remove, or cause to be removed, any sign which was displayed by such establishment. However, this provision shall not apply where a new establishment at that address or location shall continue or assume the same name as the establishment which vacated the premises.
- (5) All signs shall be properly maintained. Exposed surfaces shall be clean and, if required, painted. Defective parts shall be replaced. The Code Enforcement Officer shall have the right to order the repair or removal of any sign which is defective, damaged or substantially deteriorated.
- (6) All permanent signs shall be integrated into the architectural design of the building on or adjacent to which they are placed.

- (7) Signs in Residential Districts, O-Office District and the MERC District shall be used for the purpose of identifying the occupant or activity and not for general advertising purposes.
- (8) Self-illuminating signs shall be prohibited in the Historic District.^[2]
[2]: *Editor's Note: Former Subsection 2.i, regarding awnings and canopies, which immediately followed this subsection, was deleted 8-15-1996 by Ord. No. 903.*

§ 311-91. Signs exempt from zoning regulations.

The following signs to the extent indicated are exempt from the requirements of this chapter, from the need to secure permits and from the allowable sign area requirements, except as specified below in this section:

- A. Official signs, including but not limited to route number, street name, traffic and parking, or other sign of the same character.
- B. Decorations for a recognized, officially designated holiday provided they do not create a traffic or fire hazard.
- C. Directional signs not exceeding two square feet.
- D. Memorial or historic markers where approved by the Planning Commission and when not more than six square feet in area.
- E. Nonilluminated nameplate signs not exceeding 90 square inches in size, provided that only one such sign per lot shall be exempted.
- F. Real estate rental or sale signs not exceeding six square feet provided they are removed within seven days after settlement or agreement for lease. Not more than one such sign may be erected per street frontage, except that real estate "open house" signs may be placed off the premises but shall be removed within 24 hours of such open house.
- G. Signs advertising the development, subdivision, major repair or renovation of the property, provided that:
 - (1) The size of such sign shall not exceed 12 square feet.
 - (2) Not more than one such sign shall be erected.
 - (3) No such sign shall be illuminated.
 - (4) All such signs shall be removed upon settlement of all lots or within seven days after the completion of the repairs or renovation.
- H. Political signs, provided they do not exceed six square feet and are removed within seven days after the election. Not more than two signs with an aggregate total of eight square

feet shall be permitted per street frontage.

- I. A governmental flag or insignia, provided that the area does not exceed 32 square feet.
- J. A legal notice (to be removed when legal requirements have been met).
- K. Public service information signs advertising the availability of rest rooms, telephones or similar public conveniences and signs advertising meeting times and places of nonprofit service or charitable organizations. Any such sign shall not exceed four square feet.
- L. A sign which is a permanent architectural feature or is of architectural significance to the building, such as a cornerstone or identifying letters carved into or embossed on a building, providing the letters are not made of a reflective material or contrast in color with the building.
- M. Temporary yard sale or garage sale signs, provided such signs:
 - (1) Do not exceed six square feet in area.
 - (2) Shall be removed within 24 hours after the sale.
- N. Trespassing signs or signs indicating the private nature of a driveway or premises, provided that the size of any such sign shall not exceed two square feet; an official sign indicating the premises is protected by burglar alarm.
- O. Signs of contractors, mechanics and artisans provided that:
 - (1) The size of any such sign shall not exceed six square feet.
 - (2) No such sign shall be illuminated.
 - (3) Such signs shall be removed within three days after the completion of the work.
 - (4) Not more than one such sign for each frontage shall be erected for any premises or lot.
- P. For sale or for lease/rent signs on vehicles, boats or trailers.
- Q. One or more signs applied to a window pane, giving store hours and credit cards, charge cards, debit cards and bank cards accepted, when the total area of such signs together does not exceed two square feet.
[Amended 8-15-1996 by Ord. No. 903]
- R. Barber poles, gasoline pricing and car wash signs. Changing of prices on pricing signs; business window signs advertising periodic sales and special events signs.
- S. Signs for street fairs and parades; school, church and periodic events signs.
- T. Identification signs for churches, schools or similar institutions provided that:

- (1) The area of one side of such sign does not exceed 12 square feet.
 - (2) No more than one such sign is erected for each street frontage.
- U. Menu boards, not exceeding six square feet, relating to, and on premises of eating or drinking establishments.

§ 311-92. Permitted signs for which a permit is required.

The following signs, as described under each district or group of districts below, are permitted, provided a sign permit has been obtained.

A. Signs in residential districts.

- (1) Permanent identification signs for apartment buildings with more than four units, provided that:
 - (a) The types of permanent signs permitted shall be wall signs and freestanding signs only.
 - (b) The size of such signs shall not exceed 12 square feet.
 - (c) Not more than one such sign shall be erected for each building or groups of buildings.
 - (d) No such sign shall be illuminated.
 - (e) All such signs shall be placed so that all portions including the overhang of the sign are within the lot line.
- (2) Signs identifying nonresidential uses where such uses are permitted as valid nonconforming uses provided that:
 - (a) The types of signs permitted shall be wall signs or freestanding signs only.
 - (b) The size of such sign shall not exceed six square feet.
[Amended 8-15-1996 by Ord. No. 903]
 - (c) Not more than one such sign shall be erected for each frontage.
 - (d) Such sign shall be designed so as to create a minimal impact on the residential district in which it is located. Illumination, if provided, shall be by indirect, white light only.

B. Signs in the O-Office District.

- (1) Any sign permitted in a residential district which applies to a use permitted in the O-Office District.

- (2) Permanent signs identifying an office or office related use. Such signs may identify the firm, the name, occupation or profession of practitioners, or type of business, profession or activity. In addition, projecting signs shall be permitted solely on properties fronting on the Plum Street Pedestrian Mall, which signs shall project towards the Plum Street Pedestrian Mall at a ninety-degree angle from the front building wall facing the Plum Street Pedestrian Mall.

[Amended 8-16-2007 by Ord. No. 1035]

- (a) The types of signs permitted shall be limited to wall signs, window signs and freestanding signs.
- (b) The total sign area of such signs shall not exceed an aggregate of nine square feet and no such individual sign shall exceed six square feet.
- (c) Not more than two such signs shall be erected for any office use or premises, except in the case of a corner property where three such signs may be erected.
- (d) Freestanding signs may be erected, provided they are placed not less than six feet from the street right-of-way line.
- (e) Signs which are to be illuminated shall be by means of external white light only, and shall be illuminated after dusk only.

C. Signs in the MERC District.

- (1) Signs identifying an educational, recreational or community use.
 - (a) The types of permanent signs permitted shall be wall signs and freestanding signs only.
 - (b) The size of such signs shall not exceed one square foot for each three lineal feet of building width.
 - (c) Not more than one such sign shall be erected for each building frontage.
 - (d) These signs shall be permitted in the following combinations only.
 - [1] Two wall signs.
 - [2] One wall sign and one freestanding sign.
- (2) Signs which are to be illuminated shall be by means of external white light only, and shall be illuminated only after dusk.

D. General regulations for signs in nonresidential districts.

- (1) Signs shall be permitted on not more than three sides of a detached corner property.

- (2) Where there is a wall sign at the front of a building and another wall sign at the side of a building, no freestanding sign shall be permitted on such property.
- (3) Business establishments, or other permitted nonresidential uses located exclusively above the ground floor, or below the ground floor, may utilize wall or window signs. The sign area for such establishment(s) shall be within the total allotted for the building in its zoning district. However, where an establishment(s) on the ground floor has fully used its allotted sign area at the time of the effective date of this chapter, an additional 10 square feet of sign area shall be permitted for establishments situated on an upper floor and 10 square feet for those below the ground floor when such establishments are initiated after the effective date of this chapter.
[Amended 8-15-1996 by Ord. No. 903]

(4) Requirements for freestanding signs shall be applied per deeded property.

(5) Requirements for wall signs shall be applied per street address.

E. Signs in the ROA District.

- (1) Any sign permitted in Residential or Office District which applies to a use permitted or existing in the ROA District. The requirements applicable to such signs shall be those of the Residential or Office District, whichever applies.
- (2) Signs advertising or identifying a commercial use or activity or advertising the product or service of the establishment.
 - (a) The types of signs permitted shall be limited to wall signs, window signs, A-frame signs and awning signs. However, other types of signs may be permitted when authorized as a special exception. In addition, projecting signs shall be permitted solely for properties fronting on the blocks of Orange Street, Veterans Square, Olive Street, Jackson Street and Monroe Street between Jasper Street and Baker Street and on the Plum Street Pedestrian Mall (each such street being referred to herein as a "north-south street"), which signs shall project towards the respective north-south street at a ninety-degree angle from the front building wall facing the north-south street.
[Amended 6-19-2003 by Ord. No. 974; 8-16-2007 by Ord. No. 1035; 12-18-2008 by Ord. No. 1054]
 - [1] At the front of a building, one square foot of sign area for every lineal foot of building width, up to 30 square feet may be provided.
 - [2] In the case of a corner property, a maximum sign area of 15 square feet may be provided at the side of a building.
 - [3] At the rear of a building, signs shall be wall signs only, and a maximum sign

area of 15 square feet may be provided on the rear of the building. The maximum sign area for the rear of the building may be increased to one square foot of sign area for each lineal foot of the rear building width for the use by right in question, up to a maximum of 30 square feet if the following conditions are present:

- [a] The sign is for a use by right as per Chapter **311** Section 38, and has a rear entrance for the use by right onto a public right-of-way or street and the rear entrance has undergone facade enhancement; or
- [b] The rear of the building extends to a sidewalk directly abutting the curblin, street, or alley, thereby forming a wall at the street, and the rear facade has undergone facade enhancement.

[4] The total sign area of any projecting sign on properties fronting on the blocks of Orange Street, Veterans Square, Olive Street, Jackson Street and Monroe Street between Jasper Street and Baker Street and on the Plum Street Pedestrian Mall shall not exceed six square feet per property. If such a projecting sign is installed, the actual total sign area of such projecting sign shall be deducted from the aggregate sign area permitted by **§ 311-92E(2)(a)[1]** hereof.

[Amended 8-16-2007 by Ord. No. 1035; 12-18-2008 by Ord. No. 1054]

- (b) Nonilluminated window signs are permitted at the front and side of a building and shall be exempt from dimensional limitations, except for window signs giving store hours and identifying charge cards accepted, which signs shall be limited to an aggregate area of two square feet, as per **§ 311-91Q**.
[Amended 8-15-1996 by Ord. No. 903]
- (c) Wall signs shall be limited in content to business name, address, telephone number or logos of the establishment.
[Amended 8-15-1996 by Ord. No. 903]
- (d) A-frame signs no larger than 30 inches by 48 inches may be displayed only while establishments adjacent thereto are open for business.
- (e) Opaque window signs; text or graphics.
[Added 1-17-2013 by Ord. No. 1101]

[1] A permanent opaque window sign shall not occupy more than 20% of the total area of the window area in which the sign is displayed. (See Drawing No. 1.)^[1] The entire background area of the sign shall be used in determining allowable coverage. Internally lit or neon "open" signs will count against the twenty-percent limit. Unlit "open" signs will not be counted against the twenty-percent limit.

[1]: *Editor's Note: Drawing No. 1 is on file in the Borough offices.*

[2] Text or graphics that are applied as individual entities to a windowpane that do not have the effect of obscuring sight into the building may cover up to 10% of the total area of the window area in which the sign is displayed. (See Drawing No. 1.)

(3) Signs identifying multi-tenant buildings.

(a) Such signs shall be wall signs only.

(b) The size of such signs shall not exceed one square foot of sign area for each lineal foot of the rear building width for the use by right in question, up to a maximum of 30 square feet at the front of the building and up to 15 feet where there is a rear entrance. The rear sign size may be increased to one square foot per one lineal foot of rear building width for the use by right up to a maximum of 30 feet at the rear of a building where there is a rear entrance if the provisions of Chapter **311**, Section 92, Subsection E(2)(a)(3) are met.
[Amended 6-19-2003 by Ord. No. 974]

(c) Only one such sign per street frontage shall be permitted.

(4) Signs identifying individual establishments in a multi-tenant building.

(a) Such signs shall be wall signs only.

(b) All individual establishments shall be listed on one sign.

(c) The size of such sign shall not exceed eight square feet.

F. Signs in the HBO District.

(1) Any sign permitted in Residential, Office, MERC and ROA Districts which sign applies to a use permitted or existing in the HBO District.

(a) Signs relating to residential, institutional or office uses shall comply with the sign standards for such signs in Residential, MERC or Office Districts.

(b) Signs relating to commercial uses shall be regulated by the sign standards of the HBO district listed in Subsection **F(2)**.
[Amended 8-15-1996 by Ord. No. 903]

(2) Signs advertising or identifying a commercial use or activity or advertising the product or service of the establishment.

(a) The types of signs permitted shall be limited to wall signs, awning (and/or canopy) signs, window signs, freestanding signs and directory signs. Other type of signs may be permitted only when authorized by special exception.

[Amended 8-15-1996 by Ord. No. 903]

- (b) The size of signs for commercial uses shall not exceed the following dimensions:

[1] At the front of a building, the area of freestanding signs shall not exceed 50 square feet. Only one such sign shall be permitted per deeded property.

[2] At the front of a building, the area of permitted signs, except freestanding signs, shall not exceed one square foot of sign area for every linear foot of building width, up to 50 square feet.

[Amended 8-15-1996 by Ord. No. 903]

[3] In the case of a corner property, the maximum sign area of 25 feet shall be permitted on a side of the building. If a freestanding sign exists at any location on the property, another sign will be permitted on this side of a building provided the total square footage of both signs does not exceed 50 feet.

[Amended 8-15-1996 by Ord. No. 903]

[4] At the rear of a building, a maximum sign area of 15 square feet shall be permitted.^[2]

[2]: *Editor's Note: Former Subsection 6.b.3, regarding window signs, which immediately followed this subsection, was deleted 8-15-1996 by Ord. No. 903.*

- (3) Signs identifying shopping centers or multi-tenant buildings and listing or identifying all the establishments of a shopping center or multi-tenant building.
- (a) The identification of shopping centers or multi-tenant buildings and the listing of all establishments in a shopping center or multi-tenant building shall be one sign.
- (b) Such sign shall be a freestanding sign.
- (c) Only one such sign per street frontage shall be permitted.
- (d) The size of such signs shall not exceed 50 square feet.
- (4) Signs identifying the individual establishments in a shopping center.
- (a) In addition to permitted signs identifying a shopping center and directory signs listing all the establishments in a shopping center, each establishment in such shopping center shall be permitted one additional sign affixed to the building.
- (b) Such signs shall be wall signs only.

- (c) Such individual signs shall not exceed 16 square feet.
 - (d) The design, lettering and type of sign shall be in keeping with a single, harmonious scheme for all businesses in the shopping center.
- (5) Notwithstanding anything in the Code to the contrary, remote change electronic digital display fuel price signs shall be permitted at gasoline stations so long as they comply with the following requirements:
[Added 6-21-2012 by Ord. No. 1093]
- (a) Such signs shall utilize LED digits to display price numbers;
 - (b) LED digits of each price line shall be one color: red, amber or green;
 - (c) LED arrays within the digits shall be designed such that if a group of LEDs go out, the correct numbers will continue to be legible;
 - (d) LED digits shall show static display only, flashing or moving action by digits is prohibited;
 - (e) LED light intensity shall be controlled automatically to dim or brighten in response to changing ambient light conditions;
 - (f) Signs shall also be equipped with LED light intensity limit via manual control;
 - (g) LED digits shall have a maximum brightness of 4,000 nits at maximum brightness level; and
 - (h) The LED digits shall not exceed 24 square feet in area.

G. Signs in the Industrial District.

- (1) Signs advertising or identifying an industrial use. Sign dimensions and other standards shall be those permitted in the HBO District.
- (2) Billboards, as defined herein, and digital billboard signs, as defined herein (For purposes of this § **311-92G(2)**, all references to “billboards” shall be deemed to also refer to and include digital billboard signs except where otherwise indicated.) in addition to other signs permitted in the district. Billboards shall be considered a sign and shall be subject to all relevant provisions of the Zoning Code relating to signs and in addition shall be subject to the following additional requirements and regulations.

[Added 1-20-2000 by Ord. No. 940; amended 6-21-2012 by Ord. No. 1095]

- (a) Location.

[1] The minimum front, side and rear yard requirements applying to a

principal use as designated within an industrial district shall apply to each structure. The maximum lot coverage as specified within the Zoning Chapter shall apply to any lot upon which a billboard structure is located and shall include any other structure or buildings on the same lot therewith. If the district in which the billboard is located abuts a residential district, the minimum set back for that residential district shall apply.

[2] No billboard shall be erected in such a manner as to block the view from the road or street of any existing business sign, logo sign, residential or nonresidential structure or limit or reduce the lighting and ventilation requirements under the Borough Building Code.

[3] Billboards shall be set back to the required distance for building located within said zoning district or a distance of not less than the minimum setback of adjoining properties or 25 feet, whichever is the greatest. All newly constructed billboards shall be of the single pole design.

(b) Size and height.

[1] A billboard shall have a maximum allowable gross surface area of 160 square feet per sign face. A billboard shall have a maximum of two sign faces per billboard structure, and the gross surface area of each sign face shall not exceed the 160 square foot maximum, provided that the billboard structure sign faces are placed back-to-back.

[2] No billboard's gross surface area shall exceed eight feet in total height or 20 feet in total length.

[3] A billboard structure shall have a maximum height above the curb or a roadway, from which it is intended to be viewed, of 35 feet; provided, however, that the height of a billboard structure oriented to a depressed roadway shall be measured from the grade at the base of the billboard.

[4] No billboard sign shall be more than 25 feet average to the bottom of the sign above the ground level immediately below and shall not in any way interfere with normal pedestrian or vehicular traffic.

(c) Construction methods. Billboards shall be constructed in accordance with the applicable provisions of all Borough codes. In addition:

[1] A billboard structure shall have a minimum of one vertical support being a minimum of 48 inches in diameter, with 1/2 inch wall or width, and without bracing or vertical supports.

[2] A billboard sign face shall be independently supported and have vertical supports of metal which are galvanized or otherwise treated to prevent

rust and corrosion.

- [3] One vertical support shall be capable of enabling the entire sign face to be able to withstand a minimum seventy-five-mile-per-hour wind load.
- [4] The entire base of the billboard structure shall be permanently landscaped with suitable shrubbery and/or bushes of minimum height of six feet placed in such a manner as to screen the foundation of the structure. A landscaping plan shall be submitted for review and approval by the Code Enforcement Officer. Said landscaping shall be maintained by the officer in an attractive and healthy manner in accordance with accepted conservation practices. Landscaping shall form a base and backdrop to the billboard sign when practical.
- [5] No bare cuts are permitted on a hillside, and all cuts or fills are to be permanently seeded or planted.
- [6] A billboard shall not be illuminated by artificial lighting; a digital billboard sign may be illuminated by artificial light. To prevent causing a distraction to passing vehicle traffic, the display face of a digital billboard, whether letters, images or other displays, shall not change more frequently than one time for every 60 seconds.
[Amended 6-21-2012 by Ord. No. 1095]
- [7] No billboard structure, sign face or display lighting shall move, flash or emit noise. No display shall cause distraction, confusion, nuisance or hazard to traffic, aircraft or other properties.
- [8] No billboard shall be constructed within the clear sight triangle of the public street or road on which it is situated and shall not in any manner obstruct or impede traffic safety, including ingress or egress.
- [9] Billboards shall maintain a lateral minimum spacing of 500 feet between billboard structures, measured in all directions.
- [10] Billboards may not be mounted on a roof, wall or face or other part of a building or any other structure, including trees.
- [11] Applicability of BOCA Standards. All sign standards herein shall exist in full force and effect in conjunction with all sign standards existing in the most recent edition of the BOCA Building Code, as amended. Whenever any conflict exists between this chapter and the BOCA Code, the more restrictive provisions shall have precedence.

(d) Maintenance requirements.

- [1] The billboard structure shall be entirely repainted every three years.
- [2] Every five years the owner of the billboard shall have a structural inspection made of the billboard by a qualified Pennsylvania registered structural engineer and shall provide to the Borough a certificate from the engineer or architect certifying that the billboard is structurally sound.
- [3] Annual inspections of the billboard shall be conducted by the Borough Code Enforcement Officer to determine compliance, and billboards found to be in violation of this section shall be brought into compliance within 30 days of notice or ordered removed upon proper notification by the Borough.
- [4] Billboards using removable paper or other materials shall be maintained in such a condition as to eliminate loose or frayed material protruding or hanging from the structure. The owner of such structure shall eliminate loose or frayed material within 15 days upon proper notification by the Borough.

§ 311-93. Freestanding signs.

- A. Each sign shall be placed so that all portions, including the overhang, are within the lot line.
- B. The height of freestanding signs shall be measured from the ground or sidewalk to the top of the sign. The maximum height of such signs shall be as follows:
 - (1) Residential, MERC, Office and ROA Districts: eight feet.
 - (2) HBO and Industrial Districts: 16 feet.
- C. Landscaping shall be provided around the base of each freestanding sign for not less than two feet in each direction from the base of the sign.

§ 311-94. Nonconforming signs.

- A. Any sign existing and lawful at the time this chapter becomes effective that does not conform to use, location, height or size regulations of this article shall be considered a nonconforming sign and may continue in its present location, except as modified in this section.
- B. Where the name of an establishment is changed, any nonconforming sign at such establishment must be removed and any new sign must conform to the provisions of this article.

- C. No nonconforming sign which has been damaged to more than 50% of its value or has been removed or discontinued for 60 days or longer shall be repaired, rebuilt or replaced, except as a conforming sign or when authorized as a special exception.
- D. If a nonconforming use of a building ceases or is discontinued for a continuous period of one year or more and such nonconforming use is deemed to be abandoned, any nonconforming sign on the premises shall also be considered to be abandoned and any subsequent signs erected or maintained on the premises shall be in conformity with the provisions of this chapter.
- E. Temporary movable freestanding signs, banners, streamers and similar types of prohibited signs shall be abated or removed within 90 days after the effective date of this chapter.

§ 311-95. Temporary signs/banners.

[Amended 2-18-1993 by Ord. No. 857]

Where temporary signs are not exempt from the requirements of this chapter in § **311-91**; they shall be permitted, provided that:

- A. They are placed so as not to obstruct vehicular or pedestrian traffic.
- B. A permit is obtained following the procedures set forth in § **311-96** of this chapter.
- C. Such signs shall only be used to promote special events such as sales, holiday sales events, etc. Any other use is specifically prohibited.
- D. The duration of such permit may not exceed 14 days.
[Amended 8-15-1996 by Ord. No. 903]
- E. The size of such sign shall not exceed 65% of the largest single sign allowed for a property or establishment as set forth in § **311-92** of this chapter.
- F. Only one such sign shall be permitted during any fourteen-day permit period.
[Amended 8-15-1996 by Ord. No. 903]
- G. No more than three permits within a one-year period shall be issued for any one property or establishment. Said permits will not be issued for consecutive fourteen-day periods. Furthermore, a period of at least 30 days must elapse between the issuance of permits to any one property or establishment.
[Amended 8-15-1996 by Ord. No. 903]
- H. Sign shall be removed immediately upon the expiration of the permit. Failure to remove a sign immediately upon the expiration of the permit shall result in the forfeiture of the establishment's ability to apply for and receive such a permit under this subsection for a

period of one year from the expiration of the permit. The forfeiture imposed by this subsection shall be in addition to any other penalty imposed by any other section of this article.

§ 311-96. Awnings and canopies.

[Added 8-15-1996 by Ord. No. 903]

- A. A permit shall be obtained from the Code Enforcement Officer for the erection, repair or replacement of any awning or canopy, following a review by the Planning Commission.
- B. Awning and canopies shall be designed and constructed to withstand wind or other lateral loads, and live loads as required by the BOCA Code, with due allowance for shape, open construction, and similar features that receive the pressure and loads.
- C. Canopies shall be constructed of a metal framework with an approved covering that is flame-resistant as determined by both the small-scale and large-scale tests in accordance with NFPA701, or that has a flame spread rating not greater than 25 when tested in accordance with ASTM 84.
- D. All awnings shall have a minimum clearance of seven feet from the sidewalk to the lowest part of the framework or any awning, except that the bottom of the valance of canvas awnings shall have a minimum clearance of six feet nine inches above the sidewalk.
- E. The horizontal position of a canopy framework shall not be less than eight feet, not more than 12 feet above the walking surface, and the clearance between the covering or valance and the walking surface shall not be less than seven feet.
- F. Retractable or fixed awnings are permitted to project up to four feet into a public right-of-way, provided they meet clearance requirements and are no closer than one foot to a curblin.
- G. No post of any canopy is permitted within the public right-of-way.
- H. All awnings and canopies shall have totally opaque covering material, with the sole exception of awnings in the HBO District which may have translucent material. It shall be required that down lighting be provided to illuminate any walking surface below an awning or canopy to a minimum light level of one footcandle, but the canopy or awning must have sufficient opacity to prevent this light from shining through the material.
- I. Lettering delineating the name of the establishment only, and logos shall be permitted only on the face of the awning or canopy that is parallel to the building facade. If such lettering, and/or logos, as determined by Article **XIV** shall be counted against the total allowable building signage for the district. In the event that the lettering is placed on a translucent awning and/or canopy, as allowed in the HBO District, the entire translucent

face of the awning, and/or canopy, parallel to the building shall be considered as a sign. If only the portion of the awning, and/or canopy, containing letters and/or logos is translucent, and the rest is opaque, then only the translucent portion shall be computed as sign area.

§ 311-97. Administration and enforcement.

- A. All signage shall be designed, manufactured and installed only by companies licensed by the Borough of Media. Borough Council shall establish reasonable standards for such sign licenses and list them on a license application form.

[Added 8-15-1996 by Ord. No. 903]

- (1) A signage license fee will be set by Borough Council. This fee will include Zoning Chapter book and updates as published, and any official design guidelines available.
 - (2) Any licensed company which installs a sign in violation of any regulation herein shall have license revoked by the Borough Council for not more than one year and/or a fine of not more than \$500. After one year's revocation, a sign company can reapply for a license.
- B. Permits, procedure and review by the Code Enforcement Officer. Except for exempt signs or unless otherwise specified in this article, no sign shall be erected, repaired or replaced in the Borough until a permit for such sign has been obtained in the following manner.
- (1) An application in writing shall be made to the Code Enforcement Officer by the sign maker or installer.
 - (2) The application submitted to the Code Enforcement Officer shall give the full particulars regarding size, shape, material and supports of the sign as well as a plan showing the location of the sign on the building or lot, the distance from the curblineline and the height of the sign. The application shall be sufficiently specific to enable the Code Enforcement Officer to determine if the sign complies with this Article as well as other local regulation relating to signs.
 - (3) If the person submitting the application is not the owner of the property, the written consent of the owner of the property on which the sign is located shall accompany the application.
 - (4) In the case of multi-tenant buildings applications for signs shall be submitted by the owner.
 - (5) All permanent signs must be designed by a recognized sign company.^[1]
- [1]: *Editor's Note: Former Subsections B(6), regarding review of applications by the Planning Commission, as amended, and B(7), regarding forwarding of sign information to the Planning Commission, as amended, which immediately followed*

this subsection, were repealed 4-21-2011 by Ord. No. 1084. This ordinance also provided for the redesignation of former Subsection B(8) as Subsection B(6).

- (6) Where a sign has been referred to the Art and Architectural Commission, the review and report of the Art and Architectural Commission shall include the evaluation of the lettering, coloring and design of signs, sign location, compatibility with building on or adjacent to which the sign shall be located and compatibility of the proposed sign with the architectural character of the buildings in the surrounding area.^[2]

[2]: *Editor's Note: Former Subsection B(9), regarding the review and report of the Planning Commission, which immediately followed this section, was repealed 4-21-2011 by Ord. No. 1084.*

- C. Except for exempt signs, whenever any sign is replaced by another sign, enlarged in any manner or altered, dismantled or damaged or otherwise destroyed to the extent of more than 50% of its value, a permit shall be required as provided in this section before the sign is replaced, enlarged, altered or replaced. However, no permit shall be required for additions, deletions or other changes in the names of practitioners on signs relating to professional or office uses.
- D. Permit fees. All applications for permits filed with the Code Enforcement Officer shall be accompanied by a permit fee according to a schedule of fees as established by Borough Council.
- E. Inspections. Any person installing, altering or relocating a sign for which a permit has been issued shall notify the Code Enforcement Officer upon completion of the work. The Code Enforcement Officer may require a final inspection, including an electrical inspection and inspection of the footings of freestanding signs.
- F. Violations.
- (1) When, in the opinion of the Code Enforcement Officer, there exists a violation of this article, the Code Enforcement Officer shall issue a written order to the alleged violator. Such order shall specify those sections of this article of which the individual may be in violation and shall indicate that the violator shall correct such violation within 30 days from the date of the order.
- (2) If, upon inspection, the Code Enforcement Officer finds that the sign is abandoned or structurally, materially or electronically defective, or in any way endangers the public, he shall issue a written order to the owner of the sign and the occupant of the premises stating the nature of the violation and require the owner and occupant to repair or remove the sign within seven days of the date of the order.
- (3) In cases of emergency the Code Enforcement Officer may, without notice, cause the immediate removal of a dangerous or defective sign. Signs removed in this manner must present a hazard to the public health, welfare and safety.

- G. Appeal from sign permit denial. An applicant whose application for a sign permit has been denied by the Code Enforcement Officer may appeal such decision to the Zoning Hearing Board for a variance. Such appeal must be filed with the Borough not later than 30 days after notice of denial.
- H. Penalties. In accordance with § **311-98**.
- I. Liability for damages. The provisions of this chapter shall not be construed to relieve or to limit in any way the responsibility or liability of any person, firm or corporation which erects or owns a sign for personal injury or property damage caused by the sign, and the provisions of this chapter shall not be construed to impose upon the Borough, its officers or its employees any responsibility or liability by reason of the approval of any sign under the provisions of this chapter.^[3]

[3]: *Editor's Note: Former Article XV, Design Guidelines and Architectural Review, which immediately followed this section, was deleted 8-15-1996 by Ord. No. 903.*