

Borough of Berwick

ORDINANCE 2016-02

AN ORDINANCE BY THE BOROUGH OF BERWICK IN COLUMBIA COUNTY, PENNSYLVANIA. SETTING RULES & REGULATIONS FOR THE POSTING OF SIGNS IN THE BOROUGH OF BERWICK

BE IT ORDAINED AND ENACTED by the Borough of Berwick Council and it is hereby ordained and enacted by the authority of the same as follows:

SECTION 1. TYPE AND USE OF SIGNS

All signs shall be classified according to type and use as provided herein:

- A. IDENTIFICATION SIGN: A sign that communicates the name and/or address of an occupant or a permitted home occupation upon the zoning lot on which the sign is located.
- B. BUSINESS SIGN: A sign which communicates information concerning a business, profession, commodity, service, entertainment or development which is sold, offered, prepared, manufactured or conducted upon the zoning lot where the sign is located.
- C. BILLBOARD OR OFF PREMISE ADVERTISING SIGN: A sign which communicates information concerning a subject, business, profession, activity, commodity, service, entertainment or development not related to, sold, offered, prepared or manufactured on the zoning lot where the sign is located.
- D. REAL ESTATE SIGN: A temporary sign, having an area not greater than eight (8) square feet in which advertises the sale, rental or development of the premises upon which the sign is located.
- E. CONSTRUCTION SIGN: A temporary sign erected on the premises on which construction is taking place, indicating the names of the firm or firms performing the construction activities, including names of any architectural firms and engineering firms associated with the project.
- F. SUBDIVISION/DEVELOPMENT ADVERTISING SIGN: A temporary real estate sign, not greater than sixty (60) square feet in area, which advertises the sale of property within an approved subdivision or planned residential development.
- G. SUBDIVISION/DEVELOPMENT IDENTIFICATION SIGN: A sign that displays the name of a subdivision and/or development at an entrance to the site upon which the subdivision and/or development is located.

- H. INSTITUTIONAL SIGN: A sign which identifies a use pertaining to a school, park, church, hospital or other institution of a similar public or semipublic nature. ON-SITE DIRECTIONAL AND/OR OFF SITE DIRECTIONAL.
- I. INFORMATIONAL SIGN: A sign commonly associated with, and limited to, information and directions necessary for visitors entering or exiting a property, including signs marking entrance and exits, parking areas, circulation direction, restrooms and pick-up and delivery areas. Such signs shall contain no advertising material.
- J. EVENT SIGNS: A temporary sign advertising private not-for-profit events, fundraisers such as picnics, bazaars, gaming events, arts and crafts shows, and similar types of fund-raising activities.
- K. POLITICAL SIGNS: A temporary sign advertising political events or candidates.
- L. YARD SALE SIGNS: A temporary sign advertising residential yard or garage sales.

SECTION 2. CONSTRUCTION TYPES

All signs shall be classified according to construction types as provided herein:

- A. FREESTANDING SIGN: A sign not attached or applied to a principal building but supported by another structure, including structures designed for the sign itself and accessory structures.
- B. WALL SIGN: A sign attached, painted or affixed to the wall of a principal structure or accessory structure, not projecting over any public right-of-way and not extending more than two (2) feet from the building or structure.
- C. PROJECTING SIGN: A sign, which projects outward or extends more than two (2) feet from the building or structure.

SECTION 3. PERMITTED SIGNS BY ZONING DISTRICT

The establishment, erection or reconstruction of any sign shall be in accordance with the regulations as set forth herein:

- A. IDENTIFICATION SIGN: Such signs shall be permitted in all zoning districts.
- B. BUSINESS SIGNS: Such signs shall be permitted in a C-1, C-2, C-3, C-4, I-1 and 1-2 Zoning Districts.
- C. REAL ESTATE SIGNS: Such signs shall be permitted in all zoning districts.
- D. SUBDIVISION/DEVELOPMENT ADVERTISING SIGNS: Such signs shall be permitted in all zoning districts.

- E. SUBDIVISION/DEVELOPMENT IDENTIFICATION SIGNS: Such signs shall be permitted in all zoning districts.
- F. CONSTRUCTION SIGNS: Such signs shall be permitted in all zoning districts.
- G. INSTITUTIONAL SIGNS: Such signs shall be permitted in all zoning districts.
- H. ON-SITE DIRECTIONAL AND/OR INFORMATIONAL SIGN: Such signs shall be permitted in all zoning districts.
- I. BILLBOARD SIGNS: Such signs shall be permitted in the I-1 and 1-2 zoning districts.
- J. EVENT SIGNS: Such signs shall be permitted in all zoning districts.
- K. POLITICAL SIGNS: Such signs shall be permitted in all zoning districts.
- L. YARD SALE SIGNS: Such signs shall be permitted in all zoning districts.

SECTION 4. AREA, HEIGHT AND SET BACK REQUIREMENTS

The establishment, erection or reconstruction of permitted signs shall be governed by the following regulations:

- A. **IDENTIFICATION SIGN**: An identification sign shall not exceed two (2) square feet in area. Such a sign shall be setback not less than three (3) feet from the front lot line. The maximum height of an identification sign, if free standing, shall not exceed eight (8') feet in height, or if attached to a building shall not be higher than the first story of the building to which it is attached.
- B. **BUSINESS SIGN**: A business sign shall not exceed the square feet of area for the following Zoning Districts:
 - C-1 - Twelve (12) square feet (3x4 ft.)
 - C-2 - Sixty (60) square feet
 - C-3 - Thirty-five (35) square feet
 - C-4 - Eighty (80) square feet
 - I-1- Eighty (80) square feet
 - I-2 - Eighty (80) square feet

In cases of an integrated grouping of commercial or industrial uses which may include a shopping center and/or industrial park, one (1) sign shall be permitted on the lot, that indicates the name of the development and/or the names of the business establishments located therein. Only one (1) such sign shall be permitted on the lot and such sign shall not exceed two hundred (200) square feet in area. The maximum height of such sign shall not exceed twenty (20) feet. Such signage shall be in addition to that permitted for each individual business establishment located therein.

The following setback requirements shall apply to signage:

- C-1 - Ten (10) feet from any public right-of-way.
- C-2 - Ten (10) feet from any public right-of-way.

- C-3 - Zero (0) feet from any public right-of way. (No signage or portion thereof shall be located within and/or overhanging into the public right-of-way.
 - C-4 - Ten (10) feet from any public right-of-way.
 - I-1 - Ten (10) feet from any public right-of-way.
 - I-2 - Ten (10) feet from any public right of-way.
 - If an existing building has a front yard setback that is less than ten (10) feet, the sign shall be attached flat against the building as a wall sign.
- C. REAL ESTATE SIGN: A temporary real estate sign shall not exceed eight (8) square feet in area and shall be located on the same lot on which the property is offered for sale or rental. The sign shall be setback not less than ten (10) feet from the front lot line and shall be removed from the premises within thirty (30) days after the sale or rental of the property.
- D. SUBDIVISION/DEVELOPMENT ADVERTISING SIGN: A subdivision/development advertising sign shall be considered a temporary real estate sign and shall not exceed twenty (20) square feet in area. The sign shall be located on the same property on which lots and/or homes in the subdivision are offered for sale. Not more than one (1) sign shall be erected in any subdivision, and such signs shall be setback not less than fifteen (15) feet from the front lot line. The sign shall be removed from the premises within thirty (30) days after the last lot and/or home is sold.
- E. SUBDIVISION/DEVELOPMENT IDENTIFICATION SIGN: A subdivision/development identification sign shall not exceed ten (10) square feet in area. Not more than one sign shall be erected at any entrance point to a subdivision/development. Such signs shall be set back not less than ten (10) feet from the front lot line.
- F. CONSTRUCTION SIGN: A construction sign shall not exceed twenty (20) square feet in area and shall be located upon the same property on which the construction activity is being conducted. An individual sign for each firm performing work upon the property shall be permitted. No sign shall be located within a public right-of-way or less than ten (10) feet from any public right-of-way. All construction signs shall be temporary in nature and removed within thirty (30) days following the completion of construction activity.
- G. INSTITUTIONAL SIGN: An institutional sign for public and semipublic facilities, such as schools, churches, hospitals, libraries, colleges or other institutions of a similar nature shall not exceed fifty (50) square feet in area. The maximum height of such signs shall not exceed the maximum height restriction established for a principal structure in the district in which the sign is located. An institutional sign shall be not less than ten (10) feet from the front lot line.
- H. ON-SITE DIRECTIONAL AND/OR INFORMATIONAL SIGN: An on-site directional and/or informational sign shall not exceed six (6) square feet in area. A front, rear or side yard setback of not less than five (5) feet shall be required for such signs. The maximum height of such signs shall not exceed six (6) feet.

- I. BILLBOARD SIGN OR OFF PREMISE ADVERTISING SIGN: The following regulations shall apply to any billboard and/or off-premise advertising sign. The advertising surface area of any panel shall not exceed 300 square feet and not more than one double-faced panel shall be permitted on the same structure or standard.
- Such a sign shall not be located within one hundred (100) feet of any residential district.
 - Such signs shall be setback not less than one hundred (100) feet from the centerline of any public right-of-way.
 - Such signs shall not be attached to a building nor shall such signs be permitted to project above the maximum height limitation for the zoning district in which it is located.
- J. EVENT SIGNS: An event sign shall not exceed twelve (12) square feet in area. Such signs shall not be attached to any tree, utility pole or structure within a public right-of-way. Such signs shall not be posted more than ten (10) days in advance of the scheduled event and shall be removed within five (5) days following the event.
- K. POLITICAL SIGNS: A political sign shall not exceed six (6) square feet in area. Such signs shall not be attached to any tree, utility pole or structure within a public right-of-way. Such signs shall not be posted more than forty-five (45) days in advance of the scheduled event and shall be removed within thirty (30) days following the event.
- L. YARD SALE SIGNS: A yard sale sign shall not exceed six (6) square feet in area. Such signs shall not be attached to any tree, utility pole or structure within a public right-of-way. Such signs shall not be posted more than two (2) days in advance and shall be removed at the close of the yard/garage sale activates.

SECTION 5. NUMBER OF SIGNS

Excluding on-site directional and/or informational signs, not more than one (1) sign shall be permitted on any property located in any zoning district. In the case of a property located upon a corner lot, a total of two (2) signs may be permitted.

SECTION 6. AREA COMPUTATION OF SIGNS

The area of a sign shall be construed to include all lettering, wording and accompanying design and symbols, together with the background including border and trim, whether open or enclosed on which they are displayed, but not including any supporting framework and bracing which are incidental to the display itself Window signs shall not be included for the purpose of calculating the maximum area of signage permitted for a given property. Computation of the area for particular signs shall be in accordance with the following regulations:

- A. WALL SIGN: For a sign painted upon or applied to a building, the area shall be considered to include all lettering, wording and accompanying design or symbols together with any backing associated with the sign.

B. SEPARATE SYMBOLS: Where the sign consists of individual letters or symbols attached to or painted on a surface; building or wall, the area shall be considered to be that of the smallest rectangle or other shape which encompasses all of the letters and symbols.

C. DOUBLE-FACE SIGN: With the exception of a billboard, when computing the area of a double-face sign, only one sign shall be considered, provided both faces are identical.

D. CYLINDRICAL SIGN: The area of a cylindrical sign shall be computed by multiplying one-half (1/2) of the circumference by the height of the sign.

SECTION 7. VERTICAL CLEARANCE

A freestanding sign and a projecting sign shall have a vertical distance of not less than nine (9) feet as measured from the lowest edge or point of the sign to the highest ground elevation located beneath the sign.

SECTION 8. PROHIBITED SIGNS

The following types of signs shall not be permitted in any zoning district:

- A. Signs which are located in such a position which endangers vehicular and/or pedestrian traffic by obscuring the site distance.
- B. Signs which by design and/or location may be confused with traffic signs or signals.
- C. Any sign located in or extending into a public right-of-way, including sidewalk areas, except an official street sign or traffic control sign.
- D. Any freestanding or projecting sign within an area bounded by the intersection of two (2) public or private streets, for a distance of twenty (20) feet along the centerline of the right-of-way of such streets from the point of their intersection.
- E. Freestanding or projecting signs over any type of public right-of-way, including sidewalk areas.
- F. Sequential, flashing or oscillating signs.
- G. Signs which due to their construction and/or location would constitute a hazard or a potential danger to the community.

SECTION 9. PERMITS REQUIRED

Permit shall be required for the erection, alteration or relocation of any sign. Real estate signs and construction signs shall be exempt from securing a permit.

SECTION 10. MEANS OF APPEAL

Any person directly affected by a decision of the code enforcement officer under this ordinance shall have the right to appeal to the code appeals board provided that a written application for appeal is filed within ten (10) days a violation notice was served. The appeal application shall be available at City Hall. The completed appeal application, along with the fee, shall be submitted to City Hall and an appeal hearing shall be scheduled with sixty (60) days.

SECTION 11. VIOLATIONS AND PENTALIES.

- A. Failure to comply with this ordinance may result in a violation letter and or a non- traffic citation being issued.
- B. Any person who shall violate any provision of this article shall, upon conviction, be sentenced to pay a fine of not less than \$25 nor more than \$300, or in default of the payment of such fine, then to imprisonment for not more than 30 days.
- C. Each day's continuance of a violation of this article shall constitute a separate offense.

REPEALER

All Ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

SECTION II

The provisions of this Ordinance, as far as they are the same as those of ordinances in force immediately prior to the enactment of this Ordinance, are intended as a continuation of such ordinances and not as new enactments. The provisions of this Ordinance shall not affect any such suit or prosecuting pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any ordinance repealed by this ordinance.

SECTION III

The provisions of this Ordinance are severable, and if any provision shall be held to be unconstitutional, illegal, or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as a legislative intent that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid provision not been included herein.

EFFECTIVE DATE. This Ordinance shall become effective thirty (30) days after passage of this Ordinance.

BOROUGH OF BERWICK ANIMALS INSIDE THE BOROUGH OF BERWICK

ORDINANCE 2016-03

ORDAINED AND ENACTED THIS 16TH DAY OF MAY, 2016

ATTEST:

BOROUGH OF BERWICK:

DEBRA FORCE, Borough Manager

ALVIN HILL, President of Council

TIM BURKE, Mayor



SETTLED 1786
BOROUGH OF BERWICK
CITY HALL
1800 NORTH MARKET STREET
BERWICK, PENNSYLVANIA 18603-3792
TELEPHONE: 570-752-2723 FAX: 570-752-2726

EVENT SIGN PERMIT APPLICATION AND PERMIT

Event Sign Permit No. _____

Applicant Name: _____

Address: _____

Work Phone: _____ **Cell Phone:** _____

Name of Organization or Event: _____

Address of Organization or Event: _____

Approximate Sign Size: _____

Wording on Sign: _____

Location of Each Sign: _____

Anticipated Time Period of Signs Being Displayed: _____

THE FOLLOWING REGULATIONS SHALL APPLY TO ALL EVENT SIGNS:

1. All signs placed on Borough property shall have the approval by Borough of Berwick Council or the Borough Manager.
2. Signs shall not be placed within a street right-of-way, nor shall they be placed upon any tree, utility pole or structure alongside any street, road, highway or grass plots along Market Street.
3. Signs shall not exceed six (6) square feet in area.
4. Signs shall not be posted not more than ten (10) days in advance of the scheduled event and shall be removed within five (5) days following the event.

I hereby certify that the proposed temporary event sign named private not-for-profit events, social and public events, fundraisers such as picnics, bazaars, gaming events, arts crafts shows, and similar types of fund-raising activities and that I have been authorized by them to make this application and we agree to all applicable laws of the Borough of Berwick. I further understand that any violation of the above listed regulations could result in a non-traffic citation being filed at/with the local magistrates.

Applicant Signature: _____

Date: _____

Official Approval: _____

Date: _____



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BOROUGH OF BERWICK
 CITY HALL
 1800 NORTH MARKET STREET
 BERWICK, PENNSYLVANIA 18603-3792
 TELEPHONE: 570-752-2723 FAX: 570-752-2726

POLITICAL SIGN PERMIT APPLICATION AND PERMIT

Political Sign Permit No. _____

Applicant Name: _____

Address: _____

Work Phone: _____ **Cell Phone:** _____

Name of Candidate or Political Event: _____

Address of Candidate or Political Event: _____

Approximate Sign Size: _____

Wording on Sign: _____

Location of Each Sign: _____

Anticipated Time Period of Signs Being Displayed: _____

THE FOLLOWING REGULATIONS SHALL APPLY TO ALL POLITICAL SIGNS:

1. All signs placed on Borough property shall have approval by Borough of Berwick Council or the Borough Manager.
2. Signs shall not be placed within a street right-of-way, nor shall they be placed upon any tree, utility pole or structure alongside any street, road, highway, or grass plots along Market Street.
3. Signs shall not exceed six (6) square feet in area.
4. Signs shall not be posted more than forty (45) days in advance of the scheduled event and shall be removed within thirty (30) days following the event.

I hereby certify that the proposed temporary political sign named individual, candidates, political party or organization sponsoring a social function and that I have been authorized by them to make this application and we agree to all applicable laws of the Borough of Berwick. I further understand that any violation of the above listed regulations could result in a non-traffic citation being filed at/with the local magistrates.

Applicant Signature: _____

Date: _____

Official Approval: _____

Date: _____