

ORDINANCE NO. 3 – 2012

AN ORDINANCE OF THE TOWNSHIP OF STROUD, MONROE COUNTY, PENNSYLVANIA, SETTING FORTH AN AMENDMENT TO THE STROUD TOWNSHIP ZONING ORDINANCE, AS HERETOFORE AMENDED, AMENDING ARTICLE IX, ENTITLED “SIGNS AND STREET GRAPHICS”, BY AMENDING SECTION 9.200 TO ADD THE DEFINITIONS OF “L.E.D. SIGN”, “MENU BOARD”, VARIOUS TYPES OF MENU BOARDS, AND “FUEL DISPENSING EQUIPMENT SIGN”, AMENDING DEFINITIONS UNDER SECTION 9.220 ENTITLED “CHANGEABLE SIGN”, SECTION 9.256 ENTITLED “MULTI-MESSAGE SIGN”, SECTION 9.271 ENTITLED “POLITICAL SIGN”, SECTION 9.277 ENTITLED “PUBLIC USE AND INFORMATION SIGN”, SECTION 9.293 ENTITLED “VEHICULAR DIRECTORY SIGN”, AMENDING SECTIONS 9.601 (c) and (d), AMENDING SECTION 9.815, AMENDING SCHEDULE VII, AMENDING SECTION 9.1038 ENTITLED “ITEMS OF INFORMATION”, AMENDING SECTIONS 9.1220, 9.1230, 9.1235, 9.1253, 9.1272, 9.1282, 9.1336 (a) and (b), AND BY ADDING NEW SECTIONS 9.1134, 9.1256, 9.1284 ENTITLED “MENU BOARDS”, 9.1285 ENTITLED “FUEL DISPENSING EQUIPMENT SIGN”, AND 9.1286 ENTITLED “TOWNSHIP PROPERTY SIGNS”.

WHEREAS, Section 1506 of the Second Class Township Code, Act of May 1, 1933, P.L. 103, No. 69, as amended by the Act of November 9, 1995, P.L. 350, No. 60, found at 53 P.S. 66506, entitled “General powers”, authorizes the board of supervisors to make and adopt ordinances necessary for the proper management, care and control of the township, and the maintenance of the health and welfare of the township and its citizens; and

WHEREAS, Section 1516 of the said Second Class Township Code, found at 53 P.S. 66516, entitled “Land Use Regulations”, authorizes the board of supervisors to plan for the development of the township through zoning, subdivision and land development regulations under the Act of July 31, 1968 (P.L. 805, No. 247), known as the “Pennsylvania Municipalities Planning Code”; and

WHEREAS, Section 609 of the Pennsylvania Municipalities Planning Code, Act of July 31, 1968, P.L. 805, No. 247, as amended and reenacted by the Act of December 21, 1988, P.L. 1329, No. 170, found as 53 P.S. 10609, entitled “Enactment of Zoning Ordinance Amendments”, sets forth provisions for the enactment of amendments to zoning ordinances pursuant to certain procedural formalities; and

WHEREAS, it is the desire of the Board of Supervisors to amend the Sign Regulations in the Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of Stroud Township, Monroe County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same:

SECTION 1: The following definitions are hereby added to Section 9.200:

(a) **L.E.D. Sign** - A sign made or illuminated, in whole or in part, with light emitting diodes.

(b) **Menu Board** - Menu Board means a permanently installed sign affixed to a pole, post or column, or to a wall of a principal building or accessory structure, consisting of a list of products and/or services offered for sale and/or pictorial display of product offered for sale which may include the price of products and/or services, which list and/or pictorial display is posted on the premises of a business near the point of ordering. For the purpose of Article IX, Menu Boards consist of the following types:

(1) **Parking Stall Menu Board** - Parking Stall Menu Board means a Menu Board located immediately adjacent to a vehicle parking stall on the premises of a business utilizing drive-in parking stalls where customers remain seated in a vehicle.

(2) **Pedestrian Menu Board** - Pedestrian Menu Board means a Menu Board permanently installed on a principal building or accessory structure for the purpose of providing product and/or service information to pedestrian patrons of a business. For the purpose of Article IX, a fuel dispensing equipment sign, such as gas pump signage, which is not an Incidental Sign, shall be classified as a Pedestrian Menu Board.

(3) **Drive-Through Menu Board** - Drive-Through Menu Board means a Menu Board used solely for drive-through service at a business where customers remain seated in a vehicle occupying a drive-through service lane to the point of a drive-through service window or other service area of a business.

(4) **Preview Menu Board** - Preview Menu Board means a Menu Board which contains a limited list of products and/or services and/or pictorial display of products offered on a Drive-Through Menu Board of a business. A Preview Menu Board abuts a drive-through service lane and precedes the Drive-Through Menu Board for the purpose of expediting the ordering of products and/or services from the Drive-Through Menu Board.

(c) **Fuel Dispensing Equipment Sign** – Fuel Dispensing Equipment sign means a permanently installed sign affixed to, or integrated into, an enclosure containing fuel dispensing equipment, such as a gasoline pump.

SECTION 2: The first phrase of the fourth sentence of **Section 9.110 Purpose** is hereby amended to provide as follows:

It is further the purpose of this article to: 1) reduce traffic hazards caused by distracting and confusing signs and street graphics, and 2) minimize public safety hazards caused by signs, or parts thereof, that can become projectiles or falling objects from natural causes such as wind, ice or thermal changes;

SECTION 3: Section 9.220, entitled “Changeable Sign”, is hereby amended to provide as follows:

9.220 Changeable Sign - A sign with the capability of content change by means of manual or remote input, including signs which are:

Manually activated. Changeable sign whose message copy or content can be changed manually.

Electrically activated. Changeable sign whose message copy or content can be changed by means of remote electrically energized on-off switching combinations of alphabetic, numeric, graphic and/or pictographic components arranged on a display surface. Illumination may be integral to the components, such as characterized by lamps or other light-emitting devices; or it may be from an external light source designed to reflect off the changeable component display. For the purpose of Article IX, an Electronic Message Sign and a Multi-Message Sign shall be classified as Electrically-activated Changeable Signs.

SECTION 4: Section 9.256, entitled “Multi-Message Sign”, is hereby amended to provide as follows:

9.256 Multi-Message Sign - An off-premise electrically-activated changeable sign that uses mechanical movement to allow for the display of more than one sign copy, usually, but not necessarily, by rotation or revolution of sign components and may be referred to as trivision or variable message signs.

SECTION 5: Section 9.271, entitled “Political Sign”, is hereby amended to provide as follows:

9.271 Political Sign – Any and all political signs and graphics used or intended to be used for the display of any announcement, advertisement, or notice of any individual or slate of candidates for any public office, erected by a person or entity other than by a property owner or tenant of a property in question.

SECTION 6: Section 9.277, entitled “Public Use and Information Sign”, is hereby amended to provide as follows:

9.277 Public Use and Information Sign - Signs and street graphics installed by an authorized representative of Stroud Township, Commonwealth of Pennsylvania or agency thereof, or United States Federal Government or agency

thereof. Public use and information signs include, but are not limited to, street signs, traffic control signs, public notification signs, and any other sign required by the Township to provide services to its residents. Public Use and Information Signs also include, but are not limited to, off-premises signs located in the public right-of-way that are constructed and erected by a governmental agency stated in this definition at the request of an advertiser to direct motorists or pedestrians to a specific location.

SECTION 7: Section 9.293, entitled “Vehicular Directory Sign”, is hereby amended to provide as follows:

9.293 Vehicular Directory Sign – A sign containing one or two sides which displays smaller signs, often of equal size, to provide directions to motorists within a non-residential lot, development or site.

SECTION 8: Section 9.601 (c) and (d) respectively are hereby amended to provide as follows:

(c) Electrically-activated Changeable Signs and Flashing Signs, except as otherwise provided in Article IX.

(d) Manually-activated Changeable Signs, except for Bulletin Boards and Ground Signs for fuel service stations and movie theaters, Projecting Signs, and businesses utilizing one or more drive-through service lanes or drive-in parking stalls where menu boards are installed at the point of ordering.

SECTION 9: Section 9.815 is hereby amended to provide as follows:

9.815 Neon and L.E.D. Signs

SECTION 10: Schedule VII under On-Premise Signs and Street Graphics is hereby amended to add the following sign types and amend Neon Sign to Neon and LED Signs:

Sign Type	0-1&S-1	R-1, R-2, & R-3	C-1	C-2	C-3	C-4	M-1	EP-1	EP-2
ON-PREMISE SIGNS AND STREET GRAPHICS									
Parking Stall Menu Board	N	N	P	P	P	N	P	P	P
Drive-Through Menu Board	N	N	P	P	P	N	P	P	P
Pedestrian Menu Board	N	N	P	P	P	P	P	P	P
Preview Menu Board	N	N	P	P	P	N	P	P	P
Fuel Dispensing Equipment Sign	N	N	N	P	N	N	N	C	N
Neon and L.E.D. Signs	N	N	P	P	P	P	P	P	P

SECTION 11: Section 9.1038, entitled “Items of Information”, is hereby amended to provide as follows:

9.1038 Items of Information - All signs are entitled to display up to ten (10) Items of Information per sign face. Notwithstanding the foregoing: (i) if the name of the use occupying the building and its premises contains more than ten (10) items, the name and one use within the non-residential building may be displayed on each sign face; and (ii) the restrictions set forth in this Section 9.1038 shall not apply to Pedestrian Information Sign Plazas, Vehicular Directory Signs, Parking Stall Menu Boards, Pedestrian Menu Boards, Preview Menu Boards, Drive-Through Menu Boards, Interior Signs, Shopping Cart Corral Signs, Electrically-activated Changeable Bulletin Boards, and Construction Signs for non-residential developments, lots or sites for three (3) or more tenants where the gross leasable area is 10,000 square feet or greater.

SECTION 12: Section 9.1220(d) is hereby amended to provide as follows:

No more than two non-residential tenant or user names, and no more than ten (10) items of information in total per sign face, shall be displayed on a Ground Sign. Where a development, lot or site contains three or more non-residential uses as defined by the Standard Industrial Classification Code system, as may be amended, one (1) Main Entrance Location Sign, and, if applicable, one (1) Secondary Entrance Location Sign shall be permitted; individual tenants or users shall not be permitted to have separate individual Ground Signs.

SECTION 13: Section 9.1220, entitled “Ground Signs”, is hereby amended by adding subsections (i) and (j) to provide as follows:

- (i) Except as otherwise provided in Article IX, Ground Signs greater than six (6 sq. ft.) square feet may be attached to two (2) columns as set forth below:
 - 1) The maximum height of each column shall not exceed seven (7 ft.) feet,
 - 2) The minimum diameter of each column shall be no less thirty (30”) inches,
 - 3) Each column shall be similarly constructed of brick, natural or synthetic stone, stucco and/or exterior insulation and finish systems (EIFS),
 - 4) No more than three (3 ft.) feet of each sign face shall extend above the top of each column.
- (j) Except as otherwise provided in Article IX, two (2) Ground Signs shall be permitted on a lot, parcel or development where three or more principal public school buildings are located. The two (2) Ground Signs shall meet the requirements for Ground Signs under Article IX, except as follows for one (1) of the Ground Signs and except as otherwise provided in Article IX:

- 1) The regulations under Section 9.1220 (i) shall apply.
- 2) If a Bulletin Board is utilized, the requirements of Section 9.1331 Bulletin Board shall apply, except as follows:
 - a. The bulletin board area shall not exceed ten (10) square feet.
 - b. The bulletin board area shall be permitted to be an Electrically-activated Changeable L.E.D. sign provided that:
 - i) Alphanumeric graphics only shall only be displayed and shall only be displayed between 6 a.m. and 9 p.m.;
 - ii) Alphanumeric graphics displayed shall be no greater than eight (8) inches in height and shall be displayed in one (1) color.
 - iii) Alphanumeric graphics shall not be permitted to: 1) change more than three (3) times per minute, 2) completely change from one message to the next less than simultaneously, 3) be animated or produce motion or the illusion of motion, and 4) contain intermittent or moving lights or flash, except in the event of an emergency, the alphanumeric graphics may change more than three (3) times per minute, and may become a Flashing Sign in which content changes and/or flashes to alert the public and security or law enforcement personnel to such emergency.

SECTION 14: The introductory section of Section 9.1230 is hereby amended to provide as follows:

Except as otherwise provided herein, where Vehicular Directory Signs are permitted as set forth in Schedule VII of this Article a non-residential lot, development or site may display one (1) Vehicular Directory Sign adjacent to intersecting interior driveways or an interior driveway nearest the principal building or buildings provided that:

SECTION 15: Section 9.1235 is hereby amended to provide as follows:

9.1235 All Vehicular Directory Signs shall be setback at least ten (10 ft.) feet from any vehicular right-of-way.

SECTION 16: Section 9.1253 is hereby amended to provide as follows:

9.1253 The minimum height of a projecting sign shall be eight (8 ft.) feet and the maximum height of a projecting sign shall be twelve (12 ft.) feet measured from the walking surface below the sign to the bottom of the sign. The maximum sign area per sign face shall not exceed twelve (12 sq. ft.) square feet.

SECTION 17: Section 9.1272 is hereby amended to provide as follows:

(a) A Canopy over drive-through service lane(s) where customers remain seated in a vehicle shall be permitted to have Electrically-activated Changeable Signs provided that:

1) No Electrically-activated Changeable Sign on said canopy shall exceed one (1 sq. ft.) square foot in area (see Section 9.910).

2) No Electrically-activated Changeable Sign on said canopy shall exceed twelve (12 ft.) feet in height (see Section 9.920).

3) The maximum letter height on an Electrically-activated Changeable Sign on said canopy shall not exceed four (4 in.) inches.

4) No more than four (4) Electrically-activated Changeable Signs shall be located on said canopy.

5) Electrically-activated Changeable Sign(s) on said canopy shall be illuminated internally (e.g. light emitting diodes); shall not change Items of Information and color more than two (2) times in a twenty four (24 hr.) hour period except as otherwise provided herein; and shall be an architecturally designed and integrated component of said canopy structure which does not extend above the top or below the bottom of said canopy structure.

6) In the event of a crime or imminent criminal activity, an electrically-activated changeable sign(s) on said canopy may change Items of Information more than two (2) times in a twenty four (24 hr.) hour period and may become a Flashing Sign in which content changes and/or flashes to alert the public and security or law enforcement personnel to said crime or criminal activity, such as CALL 911, SOS or HELP.

SECTION 18: Section 9.1282, entitled “Neon and L.E.D. Signs”, is hereby amended to provide as follows:

9.1282 Neon and L.E.D. Signs - Except as otherwise provided herein, where Neon and LED Signs are permitted as set forth in Schedule VII, any non-residential use permitted by the Township as defined by the Standard Industrial Classification Code System under Schedule V of Ordinance No. 5 of 1998, as may be amended, may display one (1) neon sign or one (1) L.E.D. sign toward any street toward which it has frontage provided that:

(i) The Sign area of the Neon or LED Sign shall be included within the maximum Sign area of Wall Signs permitted by Schedule IX of this Article.

(ii) The Sign in question is located in a window or door.

- (iii) The Sign in question does not exceed a height of eight (8 ft.) feet.
- (iv) The Sign in question does not exceed an area of two (2 sq. ft.) square feet.
- (v) The Items of Information on the Neon or L.E.D. Sign shall not change in any manner at any time except for when the sign in question is replaced in its entirety.

SECTION 19: Sections 9.1336 (a) and (b) are hereby amended to provide as follows:

- a. No political sign shall be erected more than thirty (30) days in advance of the election to which they pertain.
- b. No person or entity shall erect any political sign on another property owner's parcel without a zoning permit. All political signs erected by a person or entity other than by a property owner shall be removed within three (3) days following the election for which they were posted. Failure to remove such signs within said three (3) day period will subject said person or entity to enforcement remedies under the Zoning Ordinance.

SECTION 20: Article IX is hereby amended to add the following new Sections:

9.1134 Multi-Message Signs shall not be permitted to: 1) change more than three (3) times per minute, 2) completely change from one message to the next in more than two (2) seconds, 3) change between entire sign faces less than simultaneously, 4) contain flashing, intermittent or moving lights, 5) be animated or produce motion or the illusion of motion, 6) operate by wind, thermal changes or other natural environmental input, 7) be backlit or internally illuminated, 8) have unshielded external lights which cause glare or emit light beyond the perimeter of the sign face, 9) be without a mechanism that will stop the sign in one position if a malfunction occurs and 10) be L.E.D. signs, any type of digital sign including, but not limited to, plasma display panels, liquid crystal displays, computer monitors, and televisions and/or be electrically-activated other than the mechanical system which turns or rotates the sign faces.

9.1256 A Projecting sign, or the Items of Information on a projecting sign, can be changed manually no more than three (3) times in a twenty four (24 hr.) hour period.

9.1284 Menu Boards - The following types of Menu Boards are permitted as allowed by Schedule VII of Article IX. A Menu Board shall only be legible by patrons of the business to which the Menu Board applies. The location of all Menu Boards shall be depicted on the land development plan or on the zoning permit application site plan if a land development plan is not required. Menu Boards installed as pole signs may exceed the height limitation of four (4 ft.) feet

as regulated by Section 9.601(a) and shall be constructed and installed in accordance with the following regulations:

a. Parking Stall Menu Board

1) A Parking Stall Menu Board may contain up to two (2) faces installed in a manner so that one face is visible from the driver's side window view from a vehicle and the other face is visible from the passengers' side window view from a vehicle in an adjoining parking stall. Items of Information shall only be legible by vehicle occupants within a parking stall.

2) A Parking Stall Menu Board shall not exceed eight (8 sq. ft.) square feet in area per Menu Board face excluding the area of communications equipment and point-of-sale devices, if any. A Parking Stall Menu Board shall not exceed six and one-half (6-1/2 ft.) feet in height.

3) A Parking Stall Menu Board shall not directly face any public or private street other than an interior driveway of a parking area serving the drive-in business in question and shall not contain any signage facing a public or private street. Parking Stall Menu Boards located within sixty (60 ft.) feet of a public right-of-way, or adjoining residential use and/or R-1, R-2, R-3, C-4, S-1 or O-1 District, shall be screened in accordance with Section 6.303(b) of the Zoning Ordinance, except for the height of the evergreens and/or deciduous shrubs which shall be initially installed or grown to, and maintained at, the height of the Parking Stall Menu Boards of the business in question.

4) A Parking Stall Menu Board may be internally or externally illuminated in accordance with Section 9.1400 of the Zoning Ordinance and may be equipped with communication and/or point-of-sale equipment.

b. Pedestrian Menu Boards – The area of a Pedestrian Menu Board shall not exceed eight (8 sq. ft.) square feet per Menu Board face excluding the area of communications equipment and point-of-sale devices, if any. The height of a Pedestrian Menu Board shall not exceed eight (8 ft.) feet. One Pedestrian Menu Board with no more than two (2) sign faces shall be permitted for each point-of-sale service location of a business in question. Pedestrian Menu Boards may be internally or externally illuminated in accordance with Section 9.1400 of the Zoning Ordinance and may be equipped with communication and/or point-of-sale equipment.

c. Drive-Through Menu Boards

1) A Drive-Through Menu Board shall not exceed a height of eight (8 ft.) feet and shall not exceed an area of thirty five (35 sq. ft.) square feet.

2) A Drive-Through Menu Board may be located less than ten (10 ft.) feet from a drive-through lane, however, in no case shall said sign be located in such a way as to cause a safety hazard.

3) A Drive-Through Menu Board shall not be located where it causes vehicles to stack onto a public right-of-way. If vehicle stacking onto a public right-of-way occurs after installation of a Drive-Through Menu Board, the Drive-Through Menu Board in question shall be removed or relocated to prevent vehicle stacking onto a public right-of-way.

4) A Drive-Through Menu Board shall be landscaped in accordance with Section 9.1221 of the Zoning Ordinance, except the landscaped area need not be four (4 ft.) feet from its base.

5) A Drive-Through Menu Board may be equipped with communication and/or point-of-sale equipment.

d. Preview Menu Boards

1) A Preview Menu Board shall be permitted where a Drive-Through Menu Board is permitted, however, a Preview Menu Board cannot be installed separate and apart from a Drive-Through Menu Board but a Drive-Through Menu Board can be installed separate and apart from a Preview Menu Board.

2) A Preview Menu Board shall not exceed a height of six (6 ft.) feet and shall not exceed an area of sixteen (16 sq. ft.) square feet.

3) A Preview Menu Board may be located less than ten (10 ft.) feet from a drive-through lane, however, in no case shall said sign be located in such a way as to cause a safety hazard.

4) A Preview Menu Board shall not be located where it causes vehicle stacking onto a public right-of-way. If vehicle stacking onto a public right-of-way occurs after installation of a Preview Menu Board, the Preview Menu Board in question shall be removed or relocated to prevent vehicle stacking onto a public right-of-way.

5) A Preview Menu Board shall be landscaped in accordance with Section 9.1221 of the Zoning Ordinance, except the landscaped area need not be four (4 ft.) feet from its base.

e. Wall-mounted Menu Boards

In the event a Parking Stall Menu Board, Pedestrian Menu Board, Preview Menu Board, and/or Drive-Through Menu Board is/are installed as a wall sign, the area(s) of a wall-mounted menu board(s) shall apply to the maximum aggregate sign area for all wall signs per Schedule IX of

Article IX. For the purpose of Article IX, a Menu Board installed on a window near the point of ordering shall be classified as a wall-mounted menu board, which may exceed ten (10%) percent of the area of the window in question as regulated by Section 9.1281, up to the maximum allowable sign area permitted for a Parking Stall Menu Board, Pedestrian Menu Board, Preview Menu Board, and/or Drive-Through Menu Board, as applicable.

9.1285 Fuel Dispensing Equipment Sign – Except as otherwise provided in Article IX, Fuel Dispensing Equipment Signs are permitted as allowed in Schedule VII of Article IX provided that:

- a) No Fuel Dispensing Equipment Sign shall exceed eight (8 sq. ft.) square feet in area (see Section 9.910).
- b) No Fuel Dispensing Equipment Sign shall exceed five (5 ft.) feet in height (see Section 9.920).
- c) The maximum letter height on a Fuel Dispensing Equipment Sign shall not exceed six (6 in.) inches.
- d) No more than two (2) Fuel Dispensing Equipment Signs shall be located on an enclosure containing fuel dispensing equipment.
- e) Fuel Dispensing Equipment Signs shall not be illuminated other than by exterior lighting below a roof or canopy over the fuel dispensing equipment in question.

9.1286 Township Property Signs

Prior to installing any sign on township property, a person or entity shall first obtain approval to do so by the Board of Supervisors. Such signage shall be installed and removed at the discretion and direction of the Board of Supervisors.

SECTION 21: Severability.

It is hereby declared to be the legislative intent that:

- (a) If a court of competent jurisdiction declares any provisions of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective.
- (b) It is hereby declared to be the intent of the Board that this ordinance would have been adopted if such illegal, invalid, or unconstitutional section, clause, sentence, part or provision had not been included herein.

SECTION 22: Repealer.

All ordinances or parts of ordinances conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 23: Effective Date.

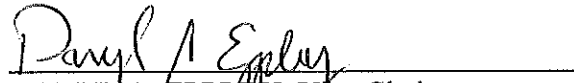
This Ordinance shall take effect five (5) days after the date of its enactment.


ORDAINED AND ENACTED into an Ordinance at a regular meeting of the Board of Supervisors of Stroud Township, Monroe County, Pennsylvania, this 20th day of March, 2012.

TOWNSHIP OF STROUD


EDWARD C. CRAMER, Chairman
And Treasurer

(TOWNSHIP SEAL)


DARYL A. EPPLLY, Vice Chairman
And Secretary


JAMES L. DECKER, Supervisor
And Roadmaster