

DELAWARE TOWNSHIP ORDINANCE 111 ORDINANCE REGULATING SIGNS

111.1 DEFINITIONS

Definitions of words in this Ordinance are listed alphabetically in the Definitions Dictionary located at the beginning of the combined Ordinances of Delaware Township. These definitions are an integral part of the Ordinances of Delaware Township, which are incomplete without them.

111.2 SHORT TITLE

This Ordinance shall be known, and may be cited, as the Delaware Township Sign Ordinance.

111.3 SIGN REGULATIONS

A. General requirements. No sign, new or existing, shall be erected or altered except in conformity with the provisions of this Ordinance. Each sign must be kept clean, neatly painted, and free from all hazards, and must be maintained at all times in such condition that it does not threaten public health and safety.

B. Removal of existing signs. Any sign existing on or after the effective date of this Ordinance that is no longer serving its intended purpose (for example, a sign that pertains to a completed political campaign, or that was erected by a business, development, etc. that no longer exists) or that violates any provision of this Ordinance must be removed. The Zoning Officer shall notify the owner of the sign and the owner of the land upon which the sign is located in writing to remove the sign within sixty (60) days from the date of notice. Upon failure to remove the sign within the prescribed time, the Township shall remove the sign at the expense of the sign or land owner, which individuals shall also be subject to the other penalties herein provided. The Zoning Officer may have removed, summarily and without notice, any sign that is a source of immediate peril to persons or property.

C. Exceptions. The provisions of this Ordinance do not apply to the following:

1. Signs not exceeding one (1) square foot in sign area and bearing only property numbers, post office box numbers, names of occupants of lots, or other non-commercial identification of lots.
2. Flags and insignia of any government or governmental agency.
3. Legal notice, identification, informational, or directional signs erected or required by government bodies.
4. Integral decorative or architectural features of buildings, except letters, trademarks, moving parts, and moving lights.
5. Signs directing and guiding traffic and parking that do not exceed three (3) square feet in sign area. Such signs shall include no advertising nor any reference of any kind to any commercial enterprise, and shall not be placed in any road right-of-way.
6. Signs that are solely devoted to prohibiting trespassing, hunting, or fishing that do not exceed three (3) square feet in sign area.

D. Prohibitions. The following prohibitions apply to all signs and artificial lighting:

1. No signs except Official Signs shall be located in or project over any road right-of-way.

2. Except within private residential communities or recreational subdivisions, which may erect traffic control signs, nothing shall be erected, used, or maintained that in any way stimulates official, directional, or warning signs erected or maintained by the State, County, or Township, or by any railroad, public utility, or similar organization concerned with the protection of public health and safety.

3. No sign shall be erected or maintained at a road intersection that obstructs free and clear vision of the intersection or that endangers traffic by obstructing the view.

4. No sign shall be erected that consists of a series of two (2) or more free standing signs placed in a line parallel to a highway, each carrying part of a single message or series of messages.

5. Except during the two (2) week period prior to the opening of a new business, and except for barber poles and Christmas decorations, no moving, fluttering, or revolving devices, including without limitation banners, posters, pennants, ribbons, streamers, spinners, or strings of lights, shall be used in any way.

6. Any illuminated sign or lighting device shall employ only lights emitting light of constant intensity, and no sign shall be illuminated by or contain flashing, intermittent, rotating, or moving lights. In no event shall an illuminated sign or lighting device be so placed, directed, or beamed upon a public road, highway, or adjacent lot so as to cause glare or reflection that could constitute a traffic hazard or nuisance. Provided further that maximum surface brightness for internally or externally illuminated signs must not exceed two hundred fifty (250) foot candles.

7. No free standing signs shall be placed on the roof of any building.

8. No political signs shall be placed on any Township property.

E. Nonconforming signs. Any sign or advertisement existing at the date of the passage of this Ordinance that does not conform in use, location, height, size, or sign area with the provisions of this Ordinance is a nonconforming sign and may continue in its present use and location until replacement or rebuilding becomes necessary, at which time, or in the event that it is removed, the sign or advertisement must be brought into the conformity with this Ordinance.

F. Permit required. After the effective date of this Ordinance, no sign shall be erected unless a permit is issued by the Zoning Officer, except those excepted in paragraph C, above, or as provided in paragraph G, below.

G. Permit exceptions. The following do not require a sign permit:

1. Replacement. Changing the image or message on an approved, painted or printed sign specifically designed for replacement.

2. Maintenance. Painting, cleaning, and other normal maintenance and repair of a sign, unless a structural change is made.

3. Temporary signs under government program. Temporary signs placed upon lands owned and controlled by the Township under a program established by the Board of Supervisors from time to time.

4. House Number signs. A street number sign under and pursuant to the enhanced 911 emergency program constructed of reflective material, placed at the end of the driveway or adjoining road or curb with numbers at least Three (3) inches high and blocky for easy reading indicating the properties designated 911 street address and being no lower than Three (3) feet above ground and no higher than Six (6) feet above ground.

H. Application for permit. Written application for a permit, in such form as shall be designated by the Board of Supervisors from time to time, shall be made to the Zoning Officer. It shall be accompanied by the required fee and shall include the following information:

1. Name, address, and telephone number of the applicant. It is the responsibility of the applicant to provide the Township with an update address at all times for purposes of sending any notice.
2. Location of the structure or land on which the sign is to be placed.
3. The size of the sign.
4. A description of the construction details of the sign showing all lettering and drawing and the position of any lighting or other devices, and a location plan showing the position of the sign in relation to nearby structures and to any public road or highway from which the sign can be seen.
5. Written permission of the owner of the property on which the sign is to be located on other than the applicant's property.
6. Such other pertinent information as the Zoning Officer requires to insure compliance with this Ordinance.

I. Non-business signs.

1. Name and occupational signs. The following restriction apply to signs on property where a dwelling unit or home occupation is located:

- a. There shall be no more than one (1) sign per dwelling unit indicating the name and/or address of the occupant, not exceeding four (4) square feet in sign area.
- b. There shall be no more than one (1) sign per dwelling unit indicating a home occupation or professional office or studio, not exceeding four (4) square feet in sign area.

2. Institutional signs. On the premises of religious, academic, medical, and other institutions there is permitted only one (1) sign, not exceeding twenty-four (24) square feet in sign area, or two (2) separate signs, each with a sign area not exceeding twelve (12) square feet, provided that the two (2) signs shall not be placed closer than ten feet (10') to any road right-of-way or lot line.

3. Private community signs. On the premises of a private residential community, recreational subdivision, etc., maintained and governed by an independent property owner's or home owner's association, there is permitted, at each entrance, either one (1) sign not exceeding twenty-four (24) square feet in sign area, or two (2) separate signs, each with a sign area not exceeding twelve (12) square feet provided that no sign be placed closer than ten feet (10') to any road right-of-way or lot line.

J. Temporary signs. A bond for the timely removal of any temporary sign shall be posted in accordance with a fee schedule established by resolution of the Board of Supervisors from time to time. In the event that a temporary sign is not removed as required herein, the Zoning Officer or his/her designate may have it removed, and the reasonable cost of such removal will be deducted from the bond. The applicant will then be required to replenish the amount of the bond used for the removal of the sign before any new signs are erected. Before placing any temporary sign on any property not owned by the person wishing to place the sign, written permission of the property owner must be obtained. No free-standing temporary signs may be illuminated, and all temporary signs must be kept in good repair.

1. Construction signs.

- a. One (1) sign denoting the architect, engineer, or contractor, not exceeding thirty-two (32) square feet in sign area may be placed on the where construction, repair, alteration, or

renovation is in progress, provided that no sign be placed closer than ten feet (10') to any road right-of-way or lot line.

b. Not more than two (2) directional signs, each not exceeding six (6) square feet in sign area, shall be located on approach routes to the lot on which work is being done.

c. All temporary construction signs must be removed within seven (7) days after the work that they are related to is substantially completed or the premises are occupied, whichever occurs first.

2. Real estate signs.

a. Not more than two (2) signs, each not exceeding six (6) square feet in sign area, shall be placed on the lot whose sale, lease, or rent they are advertising.

b. Not more than two (2) signs, each not exceeding thirty-two (32) square feet in sign area, shall be placed on the property whose development they are advertising. The signs must not be placed closer than ten feet (10') to any road right-of-way or twenty-five feet (25') to any lot line, and, where more than two (2) acres of undeveloped property are involved, there must be a minimum of five hundred feet (500') between signs.

c. All temporary real estate signs must be removed within seven (7) days after the sale, lease, or rental that they are advertising is consummated.

3. Political signs.

a. Sign area shall not exceed twenty-four (24) square feet.

b. Signs shall not be located closer than ten feet (10') to any road right-of-way.

c. Signs must be removed within thirty (30) days after the election to which they apply, whether it be primary or general.

d. No political signs shall be placed on any Township property.

K. Business signs.

1. On premises signs.

a. Wall signs. One (1) wall sign, including the name or describing the use of all or part of a building, may be securely attached to any of the building's faces. If the face to which a sign is attached contains an entrance to the business named on the sign, the sign may be illuminated. The sign area must not exceed twenty five percent (25%) of the area of the face on which it is placed.

b. Ground signs. For each public road on which a property fronts, one (1) ground sign may be erected per property in front of the part of any building in which any separate business is located, or in the front of the premises for an activity not within the building. The sign may include the name and a description of the business or activity. It may be a two (2) sided, but neither side shall exceed one hundred twenty (120) square feet in sign area, or a total of two hundred forty (240) square feet for both sides its top shall be no more than twenty feet (20') from the ground and its bottom shall be no more than five feet (5') from the ground and the maximum outside dimension (width) of said sign will not exceed the ten feet (10') and it shall not be placed closer than ten feet (10') to any road right-of-way or property line. The sign may be illuminated indirectly, with all light sources shielded from the view from the roads and adjacent lots. Farm product signs shall be displayed only when such products are on sale.

In the event a one-sided sign is less than one hundred twenty (120) square feet or a two-sided sign is less than two hundred forty (240) square feet, each property may add one temporary

sign which does not exceed twenty (20) square feet per side, this to be deducted from the gross total square footage of the permanent sign and must be mobile. Such sign shall in all other respects conform to the remainder of the ordinance. This provision does not apply to temporary signs covered in Section 110.12.J. of this Ordinance.

c. Special signs. The provisions of Items a and b, directly above, govern fully the special situations in Items i - iii, below, except where specifically modified.

i. Gasoline stations and public garages.

a) One (1) freestanding or pylon sign may be erected, stating the name of the business and the principal products sold on the premises, including any special brand names, insignia, or emblems. The sign area shall not exceed thirty-two (32) square feet. The sign shall not be located closer than ten feet (10') to any property line or road right-of-way, and it shall not be less than ten feet (10') nor more than twenty feet (20') above the ground.

b) One (1) sign, specifically advertising the price of gasoline, may be erected its sign area shall not exceed eight (8) square feet.

ii. Motels. One (1) illuminated, non-blinking, freestanding sign may be erected. Its sign area shall not exceed thirty-two (32) square feet, its top shall be no more than twenty feet (20') from the ground, and it shall not be closer than ten feet (10') to any property line or road right-of-way.

iii. Shopping centers.

a) Wall signs are permitted, subject to the following:

i) No sign may be painted directly on a wall.

ii) No sign may extend more than twenty-four inches (24") from the face of the building to which it is attached.

iii) If a sign extends more than five inches (5") from a wall, the bottom of the sign must be ten feet (10') or more from ground level.

iv) No sign may be illuminated by means of flashing or intermittent light.

v) There shall not be more than two (2) signs on any building for each separate tenant.

vi) The total area of any single sign shall not exceed fifteen percent (15%) of the area of the wall upon which it is placed. The total area of a sign is the product of its longest horizontal dimension multiplied by its longest vertical dimension.

vii) No sign may extend above the roof of the building.

b) One freestanding or pylon sign is permitted for each mall, provided that:

i) The sign shall advertise only the name of the mall.

ii) The sign shall not exceed one hundred forty-five (145) square feet.

iii) The top of the sign shall not be more than twenty feet (20') above the ground.

iv) The sign shall not be closer than fifty feet (50') to any road right-of-way.

c) Soffit signs (perpendicular to the wall of the building) are permitted, but specific application must be made to the Board of Supervisors by the owner's architect for approval of the number, size, and height above sidewalk or mall level of all such signs.

iv. Multi-Unit Office Signs.

a) One (1) two (2) sided free standing sign identifying the multi-unit office project is permitted on the premises of such project that:

i) The sign provides only the name and address of the multi-unit office project

ii) The sign area shall not exceed twenty-five (25) square feet on each side

iii) The top of the sign shall not be more than twenty feet (20') higher than the elevation of the adjoining public road at the closest point to the sign

iv) No part of the sign shall be less than twenty feet (20') from any adjacent road right-of-way and the sign shall comply with the side yard requirements of the district in which the sign is located

v) The sign shall be of such integrated and uniform design to provide for the display of the individual occupant signs permitted by Subsection b of this Section.

b) one (1) two (2) sided sign identifying each separate business or professional occupant located in the project is permitted provided that:

i) The sign area does not exceed twelve (12) square feet in surface area on each side

ii) The sign shall be attached to the same frame as the freestanding project sign permitted by Subsection a of Section iv and be located below the project sign. All such individual signs shall be uniformed in size

iii) No part of the sign shall be less than twenty feet (20') from any road right-of-way.

c) In addition to the sign described in Subsection b) herein one (1) one-faced, on premises business identification sign for each occupant in the office project may be attached to the front facade of the building housing the particular occupant, provided that:

i) The sign shall state only the name, occupation, and address of the occupant

ii) The sign surface area shall not exceed twelve (12) square feet

iii) The sign shall be attached directly to and in the same plane of the building facade and shall not project more than six inches (6") from the facade

iv) The sign shall not extend above or below the perimeter of the building facade to which the sign is attached.

2. Off Premises Signs.

a. Directional signs. Freestanding signs indicating only the name and location of a business or other activity may be erected as provided herein:

i. One sign per business may be erected that does not exceed twenty-four (24) square feet in size. There shall be no permit fee for such a sign when it replaces an existing smaller directional sign. This sign shall be temporary, in that, a permit for it will only be issued for one year periods at any time. There shall be no permit fee for renewals after the original permit is issued. Permits for such signs shall be revokable at the time that the Township adopts a Township-wide directional sign program. In the event that no such program is enacted within two (2) years of the date of this Ordinance, the permits for such signs shall be deemed to be permanent.

ii. All other directional signs shall conform to the following:

(a) The sign area shall not exceed eight (8) square feet.

(b) The bottom of the sign shall be no more than seven feet (7') from the ground.

b. Billboards. Freestanding signs may be erected on undeveloped land or land that is not otherwise being used, in both the Rural Residential and Commercial Zones, provided that:

i. They shall not be more than twenty feet (20') wide or twelve feet (12') high, and shall not exceed two hundred forty (240) square feet.

ii. The bottom of the sign shall be no more than seven feet (7') from the ground.

iii. They shall not be located closer than fifty feet (50') to any property line or fifty feet (50') to any road right-of-way.

iv. The minimum distance between such signs shall be one thousand feet (1000').

v. Illumination shall be indirect, with all light sources shielded from the view of roads and adjacent lots.

vi. No more than four (4) such signs shall be erected in the Township advertising the same business, use, etc., whether by the same or different persons.

L. Recreational Signs

1. One (1) sign per sponsor per year (April-November) per field may be placed on the fence from the first and third base bags out.

2. All signs shall be three feet high by five feet wide in sign area and shall be constructed of 3/4" plywood and shall be painted earth tone only with no neon colors permitted.

3. Sign installation shall be approved by the recreation commission. Installation and maintenance shall be the sole responsibility of the sponsor.

M. Violations of sign regulations. The Zoning Officer shall give written notice, specifying the violation of any of the sign regulations of this Ordinance, to the named owner of the sign and the named owner of the property where the sign is located, sent to the addressee named in the application for the Permit, to conform or to remove the sign. The violation must be eliminated within thirty (30) days from the date of the notice if it is not, the Zoning Officer shall order that the sign be removed by its owner or the owner of the property where it is located and, if it is not removed, the Township shall have the authority to remove it. In both instances, removal shall be at the expense of the owner of the sign or property, which individuals shall also be subject to the other penalties herein provided. This Section should be construed to provide remedies in addition to legal remedies described elsewhere in this Ordinance, and should not be construed to be the sole remedy for the violation of sign regulations. See Ordinance 208.