

ARTICLE XVI
Signs

§ 196-97. Purposes.

The purposes of this article are to provide for and control the type, dimensions, and other features of signs, to recognize the commercial communication needs of the business community, to protect the public from damage or injury attributable to distractions and obstructions from improperly designed or located signs, to safeguard property values, and to assure that signs are consistent and harmonious in relation to the scale, appearance, and character of buildings where they are placed and neighboring areas.

§ 196-98. Scope and applicability.

- A. Any sign hereafter erected shall conform to the provisions of this article and any other ordinance or regulations of the Borough relating thereto. Any sign not specifically authorized by the provisions of this article shall not be erected in the Borough.
- B. It shall be unlawful for any person, firm, or corporation to erect, alter, rebuild, enlarge, extend, or relocate signs listed in § 196-102 without first obtaining a permit from the Borough, except for those signs listed specifically in § 196-101.
- C. Application for such permits shall be made in writing to the Borough in accordance with § 196-105.
- D. The Zoning Officer is hereby authorized to revoke any permit issued by the Borough upon failure of the holder thereof to comply with any provision of this article.
- E. The provisions of this article shall not apply where signage is erected and maintained by the Borough for Borough purposes, provided that all other required governmental permits are obtained by the Borough prior to such use.

§ 196-99. Determination of size of signs.

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

- 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, petroleum storage tank, or other similar surface, the size of such sign shall be measured by the geometric shape formed by the extreme outside edge of the largest letters, numbers, or logos contained in the sign.

- B. When a sign consists of a lettered board and such sign is erected on or attached to a building wall, petroleum storage tank, or other similar surface, the size of such sign shall be determined by calculating the area of the lettered board.

§ 196-100. Sign restrictions and standards.

- A. Prohibited signs. It is unlawful to erect or maintain the following signs:

- (1) Flashing, blinking, spinning, animated, inflatable, aerial, or lighted moving signs, including automatic color-changing and rotating lamps and other moving objects that call attention to the sign. The use of rotating searchlights for advertising is allowed after obtaining a permit from the Borough.
- (2) Advertising cloth or banner or signs of any similar character suspended or hung on any property. However, banners and pennants shall be permitted along 10th Street and Market Street, after obtaining the required Borough permit as per § 196-105.
- (3) Wall bulletins or any other signs painted directly on the facade of a building or other structure.
- (4) Curb or sidewalk signs or signs painted, attached, or suspended from any outdoor bench, chair, or similar structure.
- (5) Swinging and hanging signs.
- (6) Signs, letters, posters, and advertisements which are tacked, pasted, tied, or otherwise affixed to poles, posts, buildings, fences, bus shelters, or other structures located on public property or within public street lines.
- (7) Signs pasted, tied, pulled, or otherwise attached to a vehicle that refer to a business or activity unrelated to the purpose or activity for which the vehicle is used.
- (8) Signs placed, inscribed, or supported upon the roofline or any structure that extends above the roofline of any building.
- (9) Signs on petroleum tanks that do not advertise or refer to the refinery's owner.
- (10) Signs that state or imply that the property on which they are placed is used for purposes or activities not permitted by this chapter.
- (11) A-frame, sandwich board, or similar temporary signs.
- (12) Neon signs.
- (13) Billboards.

- B. Projecting signs prohibited. No new projecting signs shall be erected after the date of enactment of this chapter. Projecting signs in existence at the enactment of this chapter shall be considered nonconforming signs and shall be allowed to continue.
- C. Standards and restrictions. The following standards and restrictions shall apply to all permitted signs:
- (1) General.
 - (a) No sign shall be located, arranged, or placed in a position where it will cause danger to traffic or will interfere with traffic through glare; block required sight lines for streets, sidewalks, or driveways; or cause confusion with a traffic control device by reason of color, location, shape, or other characteristics or through any other means.
 - (b) Where not inconsistent with this article, all signs constructed or erected under the provisions of this article shall comply with the standards set forth in the Pennsylvania Uniform Construction Code most recently adopted by the Borough.
 - (c) Except for traffic signs, no sign shall be erected within the right-of-way lines of any public street except in the Central Retail District, nor shall any such sign be closer than six feet to the right-of-way line of a public street, unless specifically authorized by other ordinances and regulations of the Borough of Marcus Hook or other governmental bodies or agencies having jurisdiction or regulatory authority in the matter. Also, no portion of a sign in the front yard shall be less than six feet from a public sidewalk.
 - (d) No illuminated sign shall be lighted on days when the business or permitted use is not open for business.
 - (e) All signs must be constructed of durable materials and shall be solidly and firmly attached, supported, and/or anchored to the supports or framework. A professional sign company shall construct all permanent signs over four square feet.
 - (f) Every sign must be kept in good condition and repair. Any sign that is allowed to become dilapidated or abandoned shall be removed by or at the expense of the landowner or lessee of the property on which it is located.
 - (g) Where applicable, the requirements of the Pennsylvania Department of Transportation in relation to signs shall be followed.
 - (h) Except for traffic signs, incidental signs, directional signs, or wayfinding signs, all permanent signs shall be located on the property to which their text or message applies.
 - (i) Freestanding signs, canopy signs, and awning signs shall have a clearance of not less

than eight feet between the ground and the bottom of the sign.

- (j) Where a business ceases to operate and vacates the premises, the owner/operator must remove all signs and sign structures within 90 days after ceasing business operations. However, the sign structure may remain if the owner or occupant can demonstrate that a subsequent owner or occupant will utilize a sign or sign structure.
- (2) Area of multifaced signs. The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces that are part of the same sign structure are placed back to back so that both faces cannot be viewed from any point at the same time, and when such sign faces are not more than 42 inches apart, the sign area shall be computed by the measurement of one of these faces.
- (3) Freestanding signs.
- (a) The bottom or lowest edge of any freestanding sign shall be no closer to the ground than eight feet. No more than two feet above the ground level can be devoted to and maintained for plantings. If such plantings are installed, they shall be maintained at the maximum height of two feet and shall be free of weeds, debris, and other undesirable material.
 - (b) All single-post freestanding signs shall be made of metal, except for those used in residential districts which may be made of pressure-treated timbers. All such posts shall be embedded in the ground at least three feet six inches unless otherwise directed by the Zoning Officer.
 - (c) Freestanding signs will be permitted in residential areas only when set back a minimum distance of six feet behind the front property line.
 - (d) No portion of such sign shall be less than six feet behind the front property line.
 - (e) Freestanding signs shall be illuminated only by concealed or indirect lighting.
 - (f) There shall be a distance of not less than 75 feet between freestanding signs.
- (4) Ground signs.
- (a) The top edge of a ground sign shall be a maximum of five feet above ground level.
 - (b) Ground signs shall be supported and permanently placed by embedding, anchoring, or connecting the sign in such a manner as to incorporate it into the landscape or architectural design scheme.
 - (c) No portion of such sign shall be less than six feet behind the front property line.

- (d) Illumination shall be by concealed or indirect lighting.
- (5) Window signs. A maximum of 20% of the total window area may be used for permanent signs that are etched, painted, or permanently affixed to the window.
- (6) Temporary signs.
 - (a) The use of any temporary sign, except for sales or price change signs and signs exempt by § 196-101, shall require a permit which shall be effective for not more than 30 days.
 - (b) Temporary signs shall be placed so as not to obstruct vehicular or pedestrian traffic or create a safety hazard.
 - (c) Such signs shall not obstruct access to or from any door, window, fire escape, or ventilating equipment, nor be attached to any standpipe or fire escape.
 - (d) Temporary signs shall be removed immediately upon expiration of the permit.
 - (e) The size of these signs shall not exceed 1/3 square foot of sign area for each linear foot of building width.
 - (f) Temporary commercial advertising signs shall not be attached to fences.

§ 196-101. Signs not requiring a permit.

The following signs are exempt from the need to secure a permit but are subject to all other applicable provisions of this article:

- A. Public notice, warning, or official traffic sign required by a federal, state, or local law, regulation, or ordinance.
- B. Any sign inside a building not attached to a window or door that is not legible from a distance of more than three feet beyond the lot line of the property on which such sign is located.
- C. Building markers that only include building name, date of construction, or historical data on an historical site, provided that there is only one per building with a maximum area of six square feet.
- D. Flags of the United States, the Commonwealth of Pennsylvania, foreign nations having diplomatic relations with the United States, or any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction, provided that such flag does not exceed 60 square feet in area and shall be flown from a pole not more than 40 feet in height.
- E. Decorative flags, not exceeding 12 square feet.

- F. Incidental signs containing no commercial message of any kind, provided that such signs do not exceed eight square feet.
- G. Signs advertising the sale or rental of the premises or lot upon which they are erected, provided that there is not more than one such sign per street frontage. Such sign shall be neither illuminated nor exceed eight square feet in residential districts and 32 square feet in nonresidential districts. All such signs shall be removed on or before the date of settlement.
- H. Signs advertising the development of the premises where they are erected. Such signs shall not exceed 16 square feet in residential districts and 40 square feet in nonresidential districts. All such signs shall be removed on or before the date of settlement.
- I. Nameplate signs on private residences, provided that they do not exceed 144 square inches.
- J. Decorations for a recognized officially designated holiday, provided that they do not create a traffic or fire hazard.
- K. Yard sale or garage sale signs, provided that they do not exceed two square feet and are removed within 24 hours after such sales.
- L. Signs announcing educational, charitable, civic, religious, or similar campaigns or events, provided that such signs are erected for a period not to exceed 30 days or more than four times in any calendar year for a maximum annual total of 120 days. Such signs shall not exceed eight square feet.
- M. Changeable copy signs for churches, schools, and other uses which by their nature require changeable copy signs, provided that only one such sign shall be permitted. However, in the case of a corner property, one additional sign is permitted on the side of the property. The size of such signs shall not exceed 16 square feet.
- N. Directional signs.
- O. Freestanding signs of an official nature identifying a civic event.
- P. Signs for the Industrial Heritage Parkway and East Coast Greenway. These signs shall be consistent with the Delaware County Route 291/13 Industrial Heritage Parkway and Greenway Landscape and Signage Guidelines Manual of 2005.

§ 196-102. Signs requiring a permit.

The following signs, as described under each zoning district or group of districts, are permitted, provided that they meet the conditions in § 196-100 and a sign permit has been obtained:

- A. Signs in residential districts. The following types of signs that require a permit and no others shall be permitted in the R-1, R-2, R-3, and R-4 Residence Districts:

- (1) Identification signs for apartment buildings or complexes, residential developments, schools, churches, and similar permitted uses other than individual dwellings, provided that:
 - (a) Such signs shall be freestanding signs, ground signs, or wall signs only.
 - (b) Not more than one wall sign and one freestanding or ground sign shall be permitted for each frontage.
 - (c) The size of freestanding, ground, and wall signs shall not exceed 16 square feet.
 - (2) Signs identifying nonresidential uses permitted as valid nonconforming uses, provided that they meet the same requirements as Subsection A(1), above.
 - (3) Signs identifying no-impact home-based businesses.
 - (a) Types of signs permitted shall be wall signs.
 - (b) These wall signs shall be nonilluminated and not exceed two square feet.
 - (4) Illumination of signs in Subsection A above shall be by external white light only.
- B. Signs in the Central Retail District. The following signs and no others shall be permitted in the Central Retail District, subject to the following requirements:
- (1) Any sign permitted in a residential district with the requirements in that district, as noted in Subsection A.
 - (2) Wall signs, canopy/awning signs, window signs, and freestanding signs.
 - (3) Freestanding signs that do not advertise a business shall be permitted, provided that they do not exceed six square feet.
 - (4) There shall be not more than one wall sign for each frontage. However, for buildings that have a front width of 100 feet or more, two wall signs shall be permitted at that frontage. In this case, a special exception shall be required.
 - (5) The size of wall signs shall not exceed one square foot of sign area for each linear foot of building width.
 - (6) On corner lots, signs fronting on side streets along the long side of a building shall not exceed 1/2 square foot of sign area for each linear foot of building width. However, where the side street is an arterial street, the size of the wall sign shall be the same as on the front street.
 - (7) Awning or canopy signs may be substituted for wall signs with the same requirements as noted in Subsection B(5).

- (8) The awning or canopy on which a canopy or awning sign is depicted or placed shall not extend more than five feet from the front wall of the building.
 - (9) Where there is a business on the second floor, one additional wall sign, not greater than eight square feet, shall be permitted. Such signs shall be located on the second story.
 - (10) Signs identifying individual tenants in a multitenant building, as defined in Article II, shall be wall signs permitted in addition to the principal permitted wall sign. Such additional wall signs shall not exceed four square feet.
 - (11) Applications for proposed signs shall be submitted to the Zoning Officer who shall have the option of referring the permit request to the Planning Commission for its evaluation as to whether the proposed sign complies with the purposes of the Central Retail District, as stated in Article VII and in the most recently adopted Marcus Hook Comprehensive Plan. The Planning Commission may offer suggestions to modify the proposed sign so that it is in accordance with the goals for the retail shopping area as noted in the Comprehensive Plan.
 - (12) Any illuminated sign lit by any means other than neon.
- C. Signs in the Planned Business Park District. The following signs and no other shall be permitted in the Planned Business Park District:
- (1) Wall signs, awning signs, freestanding signs, and ground signs.
 - (2) Wall signs identifying individual establishments.
 - (a) Not more than one wall sign shall be permitted.
 - (b) The size of wall signs shall not exceed 1/2 square foot of sign area for each linear foot of frontage of the establishment.
 - (c) Wall signs shall not be placed within one foot of the edge of the front wall of the building.
 - (d) Awning signs may be substituted for wall signs with the same requirements as noted in Subsection C(2)(b) directly above.
 - (3) Freestanding signs or ground signs identifying developments.
 - (a) Not more than one freestanding sign or ground sign identifying the development shall be erected at the principal exterior road.
 - (b) Individual establishments may be identified on the same sign structure as that listing the name of the development.
 - (c) The size of the sign identifying the development shall not exceed 60 square feet

along the principal exterior road.

(d) The size of the signs identifying individual establishments shall not exceed 10 square feet.

(e) Not more than one freestanding sign or ground sign identifying the development may be placed along an interior road. Names of the individual establishments may be placed on the same sign structure.

[1] The size of the sign identifying the development shall not exceed 50 square feet.

[2] The size of signs identifying individual establishments shall not exceed six square feet.

D. Signs in the Recreational Business Campus District.

(1) Permitted signs shall include only wall signs, canopy signs, freestanding signs, and ground signs.

(2) Wall signs identifying individual establishments that occupy an entire principal building shall not exceed one square foot of sign area for each foot of building width.

(3) Wall signs identifying an establishment that is only a part of an existing building shall not exceed one square foot of sign area for each foot of the establishment width.

(4) Awning signs may be substituted for wall signs, in accordance with the requirements for wall signs per Subsection D(2) above.

(5) Freestanding signs or ground signs identifying the establishment(s) on the parcel shall be permitted along the exterior road. Such signs shall be placed behind the right-of-way line.

(6) Only one such freestanding sign or ground sign, the size of which shall not exceed 30 square feet, shall be permitted along the exterior road.

E. Signs in the Downtown Mixed Use District.

(1) Permitted signs shall include only wall signs, canopy signs, and freestanding signs.

(2) Wall signs identifying individual nonresidential establishments may be placed on not more than two sides of a principal building.

(3) The size of such wall signs identifying an individual establishment shall not exceed 1/2 square foot of sign area for each foot of establishment frontage.

(4) Awning signs and canopy signs shall be permitted in place of wall signs, in accordance with the requirements for wall signs in Subsection E(3) above.

- (5) Not more than one freestanding sign or ground sign identifying the commercial and/or residential development shall be placed along the exterior roadway.
 - (6) The size of such freestanding signs or ground signs shall not exceed 50 square feet; however, signs identifying individual establishments may be placed on the freestanding sign structure. These signs identifying the establishment shall be not larger than 10 square feet. This area for the individual establishments shall be in addition to the size allotted for identifying the development.
- F. Signs in the Waterfront Mixed Use District.
- (1) Permitted signs shall include only wall signs, awning signs, canopy signs, freestanding signs, and ground signs.
 - (2) With the exception of permitting canopy signs, all other provisions of the Recreational Business Campus District shall apply to the Waterfront Mixed Use District.
- G. Signs in the Transit-Oriented Development District. Same as the regulations in Subsection C relating to the Planned Business Park District.
- H. Signs in the Industrial Transition District and the Heavy Industrial District.
- (1) Any sign permitted in a Planned Business Park District with the requirements noted in Subsection C.
 - (2) Wall signs, freestanding signs, ground signs, awning or canopy signs, and window signs.
 - (3) There shall be not more than one wall sign for each frontage.
 - (4) The size of wall signs shall not exceed 1 1/2 square feet of sign area for each foot of building width.
 - (5) Not more than one freestanding sign or ground sign for each 350 feet of frontage shall be permitted.
 - (6) The size of freestanding signs and ground signs shall not exceed 60 square feet in the Heavy Industrial District and 40 square feet in the Industrial Transition District.
 - (7) Awning or canopy signs may be substituted for wall signs with the requirements noted in Subsections D(3) and (4) above.
 - (8) Window signs shall be permitted in accordance with § 196-100C(5).

§ 196-103. Nonconforming signs.

Signs that are nonconforming or identify nonconforming uses shall be governed by the following

requirements:

- A. A sign which is nonconforming at the effective date of this chapter may be continued although such sign does not conform with the provisions of this chapter, but the size of any such nonconforming sign shall not be enlarged, except as permitted in § 196-147.
- B. A nonconforming sign may be changed to or replaced by another nonconforming sign, provided that the degree of nonconformity is not greater than that of the original sign. Whenever a nonconforming sign has been changed to a more restricted nonconforming sign, such sign shall not thereafter be changed to a less restricted nonconforming sign.
- C. Where the name of the establishment is changed, any nonconforming sign at such establishment must be removed, and any new sign must conform to the provisions of this chapter.
- D. No nonconforming sign which has been damaged to more than 50% of its value or has been removed or discontinued for 90 days shall be repaired, rebuilt, or replaced, except as a conforming sign.
- E. 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 as per § 196-150 of this chapter, any nonconforming sign on the premises shall also be considered abandoned, and any subsequent signs erected or maintained on the premises shall be in conformity with the provisions of this chapter.

§ 196-104. Amortization of nonconforming signs.

- A. Temporary, sidewalk, sandwich or A-frame signs, movable freestanding signs, banners, pennants, and similar types of signs shall be abated, removed, or brought into compliance within 90 days after enactment of this chapter.
- B. Signs painted on walks, fences, or benches shall be removed, abated, or brought into compliance within one year after enactment of this chapter.
- C. Wall signs and projecting signs shall be removed, abated, or brought into compliance within five years after the enactment of this chapter.

§ 196-105. Permits and inspections.

- A. Except as otherwise provided in § 196-101 relating to exempt signs, no sign shall be erected in the Borough until a permit has been obtained in the following manner:
 - (1) An application in writing shall be made to the Zoning Officer (ZO) by the person

desiring the permit.

- (2) The application submitted to the ZO shall give full particulars regarding the size, shape, material, and support of the sign as well as a sketch or sketches 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 ZO to determine if the sign complies with this chapter as well as any other ordinance or regulation of the Borough relating thereto. Such application shall be accompanied by a fee as Borough Council may establish from time to time by resolution.
 - (3) If the person submitting the application is not the owner of the property upon which the sign is to be erected, the written consent of the owner of the property on which the sign is to be erected shall accompany the application.
- B. Whenever any sign or sign face is replaced by another sign, enlarged in any manner, or altered, dismantled, damaged, or otherwise destroyed, a permit shall be required as provided in Subsection A above before the sign is replaced, enlarged, altered, or repaired.
 - C. If the ZO shall find that any sign or other advertising structure regulated herein is unsafe or insecure, is a menace to the public, or has been constructed or erected or is being maintained in violation of the provisions of this chapter, he shall give written notice thereof to the permittee. If the permittee fails to remove or alter the structure so as to comply with the standards set forth herein within 10 days after such notice, such sign or other advertising structure may be removed or altered to comply by the ZO at the expense of the permittee or owner of the property upon which it is located. The ZO shall refuse to issue a permit to any permittee or owner who refuses to pay costs so assessed. The ZO may cause any sign or other advertising structure that causes immediate peril to persons or property to be removed summarily and without notice.
 - D. Inspections and fees. The ZO may cause a routine inspection of all signs in the Borough to be made at least once every three years and at any other times when he deems such inspection necessary.