

**WILMINGTON TOWNSHIP
MERCER COUNTY**



**SIGN ORDINANCE
2021-2**

ADOPTED ON FEBRUARY 10, 2021

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ARTICLE 1: STATEMENT OF INTENT AND JURISDICTION

Signs constitute a separate and distinct use of the premises upon which they are placed and also affect the use of adjacent roads, streets, walkways and other properties. The provisions of this sign Ordinance are made to establish reasonable and objective regulations for all signs which are visible to the public in Wilmington Township, in order to protect the general public health, safety, welfare, convenience and aesthetics.

SECTION 100: APPLICABILITY

All signs in Wilmington Township which are visible to the public shall be subject to this Ordinance.

SECTION 101: PURPOSE

Signs may be erected and maintained only in compliance with all regulations of the Wilmington Township Zoning Ordinance and all applicable provisions of this ordinance relating to the location, size, height, lighting, alteration or maintenance of signs as defined.

SECTION 102: PROTECTION OF FIRST AMENDMENT RIGHTS

Any sign, display or device allowed under this Ordinance may contain, in lieu of any other copy, any otherwise lawful noncommercial message that does not direct attention to a business operated for profit or to a commodity or service for sale, and that complies with all other requirements of this Ordinance.

ARTICLE 2: DEFINITIONS

Words not defined by this Ordinance, the Wilmington Township Zoning Ordinance or the Pennsylvania Municipalities Planning Code shall have meanings as found in a standard dictionary.

Abandoned Sign - A sign located on a property which is vacant and/or unoccupied for a period of ninety (90) days; a sign which is damaged, in disrepair, or vandalized and not repaired within ninety (90) days; a sign which contains an outdated message for a period exceeding thirty (30) days.

Address Sign - A sign that designates the street number and/or street name for identification purposes, as designated by the United States Postal Service.

Animated Sign - A sign depicting action, motion, or light or color changes through electrical or mechanical means.

Amenity Identification Sign - A sign which directs attention to a community facility, service, recreational area, or other amenity. Rest room, exit, public telephone, and similar directional or informational signs emplaced for the benefit of the public or building tenants.

Awning Sign - A sign with its copy on a shelter made of any non-rigid material, such as fabric or flexible plastic that is supported by or stretched over a frame and attached to an exterior wall of a building or other structure.

Banner Sign - A sign with its copy on non-rigid material such as cloth, plastic, fabric or paper with no self-supporting framework.

Billboard – a sign which exceeds the standard size permitted and provided the sign surface area may not exceed 250 square feet, indicating a business conducted, a commodity sold, or a service rendered, generally located off the premises, on which advertising matter of any character is printed, posted or lettered by any means. A billboard may be either free standing or painted on or attached to a surface of a building or other structure.

Bulletin Board - A particular type of changeable copy sign that displays copy in a casement made of glass, Plexiglas or other materials.

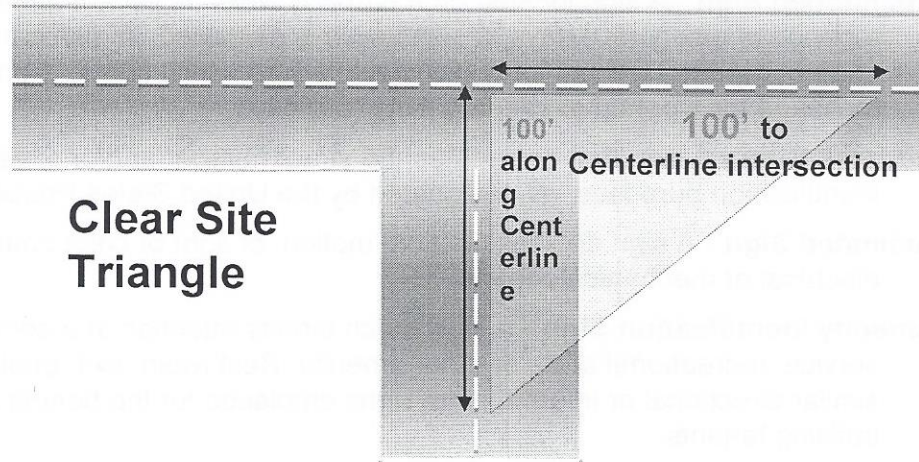
Canopy Sign - A sign on a rigid multi-sided structure attached to a building or on any other freestanding structure that may have a roof with support but no walls.

Cartway - The portion of a street which is improved by surfacing with permanent or semi-permanent material and is intended for vehicular traffic.

Changeable Copy Sign - A sign or portion thereof on which the copy or symbols change either automatically through electrical or electronic means, or manually through placement of letters or symbols on a panel mounted in or on a track system without physically altering the permanent physical face or surface of the sign. This includes manual, electrical, electronic, digital displays, including LED-technology or other variable message signs including Tri-Vision Boards.

Clear Sight Triangle – The clear sight triangle is the area established by measuring 100 feet from the intersection of the street center lines along said center lines. No

building, structure, planting, or other obstruction shall be permitted which would endanger public safety along any street or public roadway by obscuring sight visibility along said street. Such clear sight lines shall be maintained free of obstructions as measured between the height of three feet (3') up to ten feet (10') above the surface of the street. A one-hundred-foot clear sight triangle shall be maintained at all street intersections.



Construction Sign - A temporary sign identifying individuals or companies involved in design, construction, wrecking, financing or development work when placed upon the premises where that work is under way, but only for the duration of the work.

Digital Display - The portion of a sign message made up of internally illuminated components capable of changing the message periodically. Digital displays may include but are not limited to LCD, LED, or plasma displays.

Directional/Informational Sign - An on-premises sign for the convenience of the public giving directions, instructions, facility information or other assistance around a site, such as location of exits, entrances, parking lots, amenities, and housing units, to encourage proper circulation. It may contain the logo of an enterprise but no other advertising or changeable copy.

Directory Sign - A sign which displays the names and/or addresses of the establishments, housing units, amenities, or uses of a building or group of buildings.

Flag - Any sign printed or painted on cloth, plastic, canvas, or other like material with distinctive colors, patterns, or symbols attached to a pole or staff and anchored along only one edge or supported or anchored at only two corners.

Flashing Sign - Any sign which has intermittent or changing lighting or illumination with the duration of less than ten (10) seconds shall be deemed a flashing sign.

Free-standing Sign - The general term for any sign which is permanently affixed to the ground and that is independent and detached from any building or other structure. See also Monument Sign and Pole Sign

Gas Station Canopy Sign - Any sign that is part of, or attached to, the vertical sides of the gas station canopy roof structure. For the purposes of this ordinance, gas station canopy signs shall be considered wall signs.

Government/Regulatory Sign - Any sign for the control of traffic or for identification purposes, street signs, warning signs, railroad crossing signs, and signs of public service companies indicating danger or construction, which are erected by or at the order of a public officer, employee or agent thereof, in the discharge of official duties.

Gross Surface Area - The entire area within a single continuous perimeter composed of a single face enclosing the extreme limits of characters, lettering, illustrations, ornamentation or other figures, together with any other material, design or color forming an integral part of the display including the frame.

Illegal Sign - A sign which does not meet the requirements of this ordinance or which is not a registered nonconforming sign. This specifically includes a sign that remains standing when the time limits set by the permit are exceeded and any sign not removed after notification from the Administrator to remove the sign.

Illuminated Sign - A sign illuminated in any manner by an artificial light source, whether internally or externally lit, including but not limited to neon signs, LED or other technology, and any sign which has characters, letters, figures, designs or outlines illuminated by artificial lighting.

Informational Sign - A public or private sign which provides direction or information to guide persons to facilities intended to serve the public (e.g., restrooms, public telephones, public walkways, parking areas, maps, address numbers, names of buildings, housing units, or transportation schedules).

Marquee Sign - Any sign attached to a covered structure projecting from and supported by a building with independent roof and drainage provisions and which is erected over a doorway or doorways as protection against the weather.

Monument Sign - A sign permanently affixed to the ground at its base, supported entirely by a base structure, and not mounted on a pole or attached to any part of a building.

Multi-Tenant Sign - A freestanding sign used to advertise businesses that occupy a shopping center or housing complex with multiple tenants.

Nonconforming Sign - A sign that met all legal requirements when constructed but is not in compliance with current sign regulations. A registered nonconforming sign is not an illegal sign.

Personal Sign - A sign including name plates, home-occupation signs, and other signs of a similar nature.

Plaza Sign - A one or two-sided structure displaying multiple smaller signs, each of similar size.

Pole Sign - A freestanding sign that is permanently supported in a fixed location by a structure of one or more poles, posts, uprights, or braces from the ground and not supported by a building.

Political Sign, Political Yard Sign - A temporary sign identifying, either singly or combined, a political candidate, slate of candidates, issue, or party. These signs are used or intended to be used for the display of any announcement, advertisement or

notice of any individual candidate or slate of candidates for any public office or similar political purposes.

Portable Sign - Sign, graphic or display for commercial, industrial, institutional, service, entertainment or informational purposes which can be readily moved from place to place and which is not affixed to a building, to another permanent structure or to the ground and which may not obstruct visibility, vehicles or public access.

Projecting Sign - A building-mounted, double-sided sign with the two faces generally perpendicular to the building wall.

Real Estate Sign - Temporary sign which is used to offer for sale, lease or rent the premises upon which the sign is placed.

Roof Sign - A sign which is erected, constructed, and maintained on the roof of a building.

Sign - A sign is any structure, device, object or display that uses any color, form, graphic, illumination, symbol or writing, whether painted, attached or situated outdoors, which is used to identify, advertise or attract attention to a person, business, product, service, organization, event, or location by the use of colors, letters, words, symbols or images or to communicate information of any kind to the public.

Off-Premises Sign – A sign including graphics or a display for commercial, industrial, institutional, service or entertainment purposes, promoting products, or services conducted, sold or offered somewhere other than upon the same property or parcel of land where the sign is located, and whose purpose is to sell or identify a product, service or activity. **See also; Billboard**

On-Premises Sign – Sign including graphics or a display for commercial, industrial, institutional, service or entertainment purposes, promoting products, uses or services conducted, sold or offered upon the same property or parcel of land where the sign is located, and whose purpose is to sell or identify a product, service or activity.

Signage Plan - A plan submitted to the Administrator as part of the signage permit application for the purpose of allowing the efficient use of multiple signs for the benefit of the property, while determining for the benefit of the public, that all signs within the Township provide for the health, safety, welfare and standards of the citizens and visitors of the Township and meet the requirements of this Ordinance.

Temporary Sign - A sign displayed for a fixed, limited length of time. Temporary signs are intended to be removed after temporary purpose has been served. Included are for sale, lease or rent signs, political signs, service signs, special-event signs, construction signs, directional signs to special or temporary events and signs of a similar nature.

Tri-Vision Boards - An outdoor unit with a slatted face that allows three different copy messages to revolve at intermittent intervals. Generally an off-premises type of billboard sign.

Wall Sign - A sign painted on, or attached to, a wall or window of a building or other structure and which is mounted parallel to the surface so that only one side is visible to the public.

Warning Sign – An official sign containing no advertising material but which warns the public of the existence of danger.

ARTICLE 3: PROHIBITED SIGNS

The following signs are expressly prohibited in Wilmington Township:

300.01. Signs Adversely Affecting Safety

- A. No signs shall be permitted within public rights-of-way, except traffic signs and similar regulatory notices placed by a duly constituted governmental body.
- B. Simulated Traffic Signs - Any sign which resembles official traffic signage or may be confused with, or obstruct the view of, any authorized traffic sign or signal.
- C. No sign shall be emplaced where it would block the clear line of sight for a public street or lawful service drive.
- D. Obstructive Signs - No sign or other advertising device may be erected or maintained in a manner which obstructs free and clear vision, at the clear sight triangle at any road intersection or extends into the public right-of-way.
- E. Signs which prevent free ingress or egress from any door, window, fire escape, or that prevent free access from one part of the roof to any other part.
- F. No sign of any kind shall be attached to a stand-pipe or fire escape.
- G. Sign Emissions - No sign which emits smoke, open flames, visible vapors, particles, sound or odor shall be permitted.
- H. Animated and Moving Signs - A sign or other display with either kinetic or illusionary motion powered by manual, mechanical, electrical or other means, including but not limited to flags having commercial messages, and all pennants, banners, streamers, propellers, and discs, as well as flashing signs, signs with illuminated elements that are used to simulate the impression of motion, and searchlights.
- I. Mirrors - No mirror device shall be used as part of a sign.
- J. Glaring Signs - Signs with light sources or which reflect brightness in a manner which constitutes a hazard or nuisance. This includes signs with fluorescent text, graphics or background, as well as holographic signs.

300.02.

No signs shall be permitted which are posted, stapled or otherwise attached to public utility poles, trees or Township signs and posts.

300.03. Flashing and Message Signs

Any signs that include lights or messages which change, flash, blink or turn on and off intermittently, but specifically excluding time and temperature signs which display no other text or images.

300.04. Posters and Handbills

No signs may be affixed to trees or other natural vegetation, rocks, or any structures or poles not intended or constructed specifically for signage.

300.05. Wheeled Signs/A-frame

Any portable "A" frame or similar portable sign is prohibited except on a temporary basis not to exceed 72 consecutive hours not more than once per year.

300.06. Strings of Light

Any devices including lights that outline property lines, sales areas or any portion of a structure and are intended to advertise or draw attention to a business or commercial activity, except where temporarily allowed as follows:

- A. Lights used temporarily as holiday decorations.
- B. Lights or other devices used on a temporary basis on parcels on which carnivals, fairs or other similar temporary activities are held.

300.07. Vehicle Signs

No sign may be displayed on a parked trailer or other vehicle where the primary purpose of the vehicle is to advertise a product, service business, or other activity. This regulation excludes the use of business logos, identification or advertising on vehicles primarily and actively used for business purposes and transported off site regularly.

300.08.

No banner or sign of any type may be suspended across a public street.

300.09.

No signs may be erected without the permission of the property owner, with the exception of those authorized or required by local, state, or federal government.

300.10.

No signs may contain information which states or implies that a property may be used for any purpose not permitted under the provisions of the Wilmington Township Zoning Ordinance.

300.11.

No signs may exhibit statements, words, or pictures of obscene or pornographic subjects as determined by Wilmington Township Zoning Ordinance.

300.12.

All signs that promote illegal activity are prohibited.

ARTICLE 4: GENERAL STANDARDS

The following regulations apply to all signs within Wilmington Township.

400.01.

Emergency 9-1-1 addressing must be located on the Structure or Property as indicated in the Wilmington Township 9-1-1 Ordinance #2011-1.

400.02.

All signs erected within Wilmington Township shall be structurally safe and erected or installed in strict accordance with applicable the PA Uniform Construction Code as required and to the following general standards.

400.03.

All regulations of the Wilmington Township Zoning Ordinance shall be met prior to application for signage, including the Adult use or other provisions regarding prohibiting offensive language or images. See section 803 for signage on Non-conforming properties or buildings.

SECTION 401: PROVISIONS AND EXCEPTIONS

The following exceptions shall be observed in all districts:

401.01.

Any sign not visible from outside a building, or greater than three (3') feet from a window, is not subject to these regulations.

401.02.

Exceptions include public signs or signs erected by a governmental agency.

SECTION 402: SIGN LOCATION

402.01. Street rights-of-way

No sign or advertising device, including projecting signs, shall be located in or project over any road cartway nor be located within the clear sight triangle of any intersection.

402.02. Sight Hindrance

No sign may occupy a clear sight triangle at any intersection. No freestanding sign or display shall be erected so as to block or obstruct the sight line of automobiles exiting from the premises.

402.03.

No sign shall be placed in such a position as to endanger pedestrians, bicyclists, or traffic on a street by obscuring the view or by interfering with official street signs or signals by virtue of position or color.

402.04.

Signs and their supporting structures shall maintain clearance and noninterference with all surface and underground utility and communications lines or equipment.

402.05.

All freestanding signs or displays shall be erected at least ten (10) feet from any property line or right-of-way, and shall be located outside all clear site triangles or a minimum of ten (10) feet from the edge of the cartway, whichever is the greater distance.

- A. Freestanding, Pole or Monument signs shall be located a minimum of ten (10) feet from the edge of the right-of-way as measured from the closest part of the sign including the supporting structure.
- B. Sign Location on Non-Residential Property - No freestanding on-premises sign shall be erected within fifty (50) feet of an adjacent residence

SECTION 403: SIGNAGE AREA

403.01. Determination of Gross Sign Area

The area of a sign shall include all lettering, wording and accompanying designs and symbols together with the background, whether open or enclosed, on which they are displayed but not including any supporting framework and bracing which are incidental to the display.

- A. Where the sign consists of individual letters or symbols attached to or painted on a surface, building wall or window, the area shall be considered to be that of the single smallest rectangle or other regular geometric shape which encompasses all of the letters and symbols, including the sign background and frame.

403.02.

Signs may be double-sided provided that the faces are equal in size.

- A. Only one (1) side shall be considered when determining the sign area when the interior angle formed by the faces is less than 30 degrees, and the two faces are not more than 18 inches apart.
- B. When the interior angle formed by the faces is greater than 30 degrees, or the faces are greater than 18 inches apart, all sides of such sign shall be considered in calculating the sign area.
- C. Off-premises signs may have two sign faces provided they are not more than five (5) feet apart.

SECTION 404: DETERMINATION OF SIGN HEIGHT

404.01.

The height of a sign erected within ten (10) feet of a road right-of-way line shall be measured from the grade level of the nearest edge of the cartway of the adjacent road to the top of the sign or sign structure.

404.02.

The height of all signs erected beyond the standard minimum building setback for the zoning district shall be measured from the natural grade level, immediately adjacent to where the sign is erected to the top of the sign or sign structure.

SECTION 405: SIGN ILLUMINATION

405.01.

Illuminated signs or sign lighting devices shall employ only lights emitting a light of constant intensity or that may dim at night to prevent glare.

405.02.

No sign shall be illuminated by or contain flashing, intermittent rotating or moving light or lights.

405.03.

No sign or lighting device shall be placed or directed to permit the beams and illumination to be directed or project glare on to a public road, highway, sidewalk or adjacent premises so as to cause a traffic hazard or nuisance.

SECTION 406: PERMANENT SIGN REQUIREMENTS BY ZONING DISTRICT

ZONING DISTRICT	R-1-A RURAL AGRICULTURAL /RESIDENTIAL	R-1 SINGLE FAMILY RESIDENTIAL	R-2 MULTIPLE FAMILY RESIDENTIAL	I-B INDUSTRIAL /BUSINESS	
ILLUMINATION	NO	NO	NO	PERMITTED	
	<i>No lighting in any district may cast glare onto adjacent property or roadways.</i>				
MAXIMUM SIGNAGE AREA May include multiple signs provided the total area is not exceeded.	65 SF	8 SF	4 SF	65 SF	
HEIGHT OF FREESTANDING SIGNS	10'	10'	10'	20'	
MINIMUM SIDE YARD SETBACK	10' FROM PROPERTY LINES or 50' FROM AN ADJACENT RESIDENCE				
MINIMUM STREET SETBACK	10' FROM THE EDGE OF THE RIGHT-OF-WAY				
BILLBOARD SETBACK Conditional Use See Article 7	*SETBACK AT THE MINIMUM BUILDING SETBACK FOR THE ZONING DISTRICT AS STATED IN THE ZONING ORDINANCE *OR 100' from the RIGHT-OF-WAY OF STATE ROADS SR-18 SR158 SR-2001 SR-2002 SR-3007 SR-3011 *WHICHEVER IS GREATER				

SECTION 407: LIMITATION ON NUMBER OF SIGNS**407.01.**

Any non-residential property shall be limited to three on-premises exterior signs advertising that business to include free-standing signs and signs attached to a building (excluding window decals and on-premises directional signage)

407.02.

One marquee, wall, projecting, awning or canopy sign is permitted on each individual building provided it meets all applicable codes.

407.03.

Lots with less than two hundred (200) linear feet of frontage on any public or private street are permitted one (1) freestanding sign. Other lots may not exceed the maximum signage area by square footage. (Section 406)

407.04. Off-premises signs

See Article 7 for additional information.

SECTION 408: CONSTRUCTION AND MAINTENANCE

408.01.

Every sign shall be constructed of durable materials, using noncorrosive fastenings; shall be structurally safe and erected or installed in strict accordance with the PA Uniform Construction Code; and shall be maintained in safe condition and good repair at all times so that all sign information is clearly legible.

- A. Sign materials and construction** - all signs shall be constructed in a workmanlike fashion using durable materials, designed to withstand expected wind pressures and erected so as not to sustain damage and deterioration from the elements. Any applicable codes must be met.
- B. Structural Signs** – Roof, awning, canopy or projecting signs must provide construction specifications showing the structures meet building code requirements.

408.02. Maintenance

Every sign, including those specifically exempt from permit and permit fees, shall be maintained in good repair and in a safe, clean and attractive condition.

- A.** The permit requires all signs shall be in safe and good repair.
- B.** Signs which become deteriorated or otherwise present a public hazard shall be removed or repaired by the sign owner or property owner.
- C.** If the owner of a sign cannot be located, the owner of the property whereon the sign is located shall be responsible for its repair or removal.

SECTION 409: DESIGN STANDARDS

409.01.

No sign or part of a sign shall contain or consist of banners, posters, pennants, ribbons, streamers, spinners or other similar moving, fluttering or revolving devices. None of these devices, nor any strings of lights, shall be used for the purpose of advertising or getting attention when not part of a sign, except as follows.

409.02.

In the case of a grand opening or similar event, banners, posters, pennants, ribbons, streamers, spinners or other similar moving, fluttering or revolving devices may be used for a period of seven (7) consecutive days upon application for a sign permit.

409.03.

All temporary signs shall be affixed at all four corners or attached to a stable, flat, surface. Temporary signs affixed to buildings shall be considered temporary wall signs.

409.04.

Banners spanning municipal roadways require permit from the Township. Banners spanning state roadways require approval of a highway occupancy permit from the Pennsylvania Department of Transportation.

ARTICLE 5: SIGNS EXEMPT FROM PERMITS

The following signs do not require a permit provided they meet size, time and other requirements of this ordinance as applicable.

SECTION 500: SIGNS ALLOWABLE IN ALL DISTRICTS

500.01. Address or Personal Signs –

Personal signs such as personal name plates and signs of a similar nature are permitted in all zoning districts subject to the following;

- A. Up to two signs indicating address, number and/or name of occupants of the premises, which do not exceed two (2) square feet in area per side, and do not include any commercial advertising or other identification.
- B. They do not exceed a total of four (4) square feet area.

500.02. Artwork

Works of art that do not include any commercial messages or references and conform to other regulations are allowed.

500.03. Security and Warning Signs

On-premises signs regulating No Trespassing signs, signs indicating the private nature of a road, driveway or property, provided that the area of each such sign shall not exceed three (3) square feet.

500.04. Signs noting the historic nature of a house, site, building, or district.

Such signs may be freestanding or attached to the building, provided they do not exceed three (3) square feet in size.

500.05. Bulletin boards and similar spaces open to temporary signs emplaced for use by the general public without charge. If placed outside a building, such bulletin boards shall not exceed thirty-two (32) square feet.

500.06. Amenity Identification Signs

Rest room, exit, public telephone, and similar directional or informational signs emplaced for the benefit of the public or building tenants. One (1) amenity identification sign may be placed on each development amenity.

500.07. Home-Occupation Signs

On-premises identification signs for home occupations shall not exceed one sign, six (6) square feet in area per side. Home-occupation signs shall contain only on-premises business information.

500.08. Decals

Decals affixed to windows or door glass panels, such as those indicating membership in a business group or identifying credit cards accepted at the establishment.

500.09. Flags, Emblems and Insignia of Government Agencies, Religious, Charitable, Public or Non-Profit Organizations

These types of signs are exempt from permit requirements but are subject to standard requirements.

500.10. Handicapped Parking Space

Signs not exceeding two (2) square feet in areas reserving parking for handicapped individuals.

500.11. Public Signs

Signs erected by government agencies or utilities, including traffic, utility, safety, railroad crossing and identification signs for public facilities and any signs erected by the Wilmington Township by direction of the Supervisors.

SECTION 501: TEMPORARY SIGNS

The following temporary signs may be placed in any districts without permit provided they do not exceed 30 days and meet other limitations as noted.

501.01. Portable sign

A single moveable sign of 4 square feet or less, displayed only during standard business hours and shall be removed each day during hours of non-operation of the business being advertised.

- A. All portable signs must be taken in during inclement weather.
- B. Illumination of any portable sign is prohibited.

501.02. Temporary signs advertising a yard sale, garage sale, or similar event of less than forty-eight (48) hours duration, provided such signs are removed upon cessation of the event.

501.03. Temporary signs announcing the birth of a child, birthday commemoration, marriage, graduation, or similar event in the life of a householder shall be permitted provided such signs do not exceed thirty-two (32) square feet.

501.04. Seasonal Farm Products Signs

Seasonal signs announcing the availability of seasonal farm products.

- A. The number of signs shall not exceed two (2) and the total area of all signs shall not exceed thirty-two (32) square feet per side, nor shall any sign exceed six (6) feet in height.
- B. Seasonal farm product signs shall not be erected more than thirty (30) days in advance of the harvest of the produce in question, and shall be removed within fifteen (15) days from the end of harvest.
- C. Signs advertising the variety of crop growing in a field. Such signs shall be removed after the growing season.

501.05. Real Estate Signs -

Temporary signs offering the sale or rental of the premises upon which the sign is erected, provided that the area of any such sign shall not exceed six (6) square feet in residential zoning districts, or thirty-two (32) square feet for all other zoning districts.

501.06. Special-Event Signs

On-premises signs announcing special events including, but not limited to, grand openings, new management, going-out-of-business sales and events by religious, charitable or public service groups.

- A. Any business, individual or organization may display a special-event sign. A maximum of two (2) special-event signs may be displayed for up to thirty (30) days prior to a special event.
- B. Signs shall not exceed thirty-two (32) square feet in area each and shall be removed immediately following the event.
- C. A special-event sign shall not be used to continuously advertise the same event.

501.07. Inflatable Signs

Signs which are inflated may be permitted if temporary and adequately anchored to protect public safety.

501.08. Construction Signs

Construction signs announcing new buildings or projects, erected after the commencement of construction.

- A. Each construction site shall be limited to three (3) construction signs not exceeding (32) square feet in area per side and (8) feet in height which shall be removed by the time the permanent, on-premises sign is erected or a certificate of occupancy for the building is issued.
- B. Temporary construction signs are exempt from permit if not exceeding four (4) square feet in area and shall be in place not longer than thirty (30) days or at the end of construction.

501.09. Political Signs

A. Residential Districts

Political yard signs shall not exceed four (4) square feet per side in area and shall not project higher than five (5) feet from the base of the sign or grade of the nearest adjacent roadway, whichever is higher.

- B. Political signs larger than four (4) square feet announcing political candidates seeking office, slates of candidates, political parties, and/or political and public issues appearing on a ballot shall be subject to the following requirements:

- 1. No person shall post any sign of any kind whatsoever upon public or private property without permission of the property owner.

2. Signs shall not be permitted on any utility poles lighting poles or other similar structures.
- C. In any zoning districts other than residential, political signs shall not exceed sixteen (16) square feet per side in area and shall not project higher than ten (10) feet from the base of the sign or grade of the nearest adjacent roadway, whichever is higher.

ARTICLE 6: ON-PREMISES SIGNS REQUIREMENTS

On-premises signs include signs, graphics and displays for commercial, industrial, institutional, service or entertainment purposes, products, uses or services conducted, sold or offered on the same premises where the sign is located.

SECTION 600: FREESTANDING SIGNS

Any freestanding sign shall be a minimum of ten (10') from the street right-of-way and meet size requirements as listed.

600.01. Pole Signs

Pole signs shall be allowed as freestanding signs. The base of the sign face shall be at least eight (8') feet above the ground.

600.02. Monument Signs

Monument signs shall be allowed as freestanding signs provided the permitted area of a monument sign shall be a maximum of one hundred (100') square feet per side and less than ten feet (10') in height .

SECTION 601: STRUCTURAL OR ATTACHED SIGNAGE

The following attached signs shall be allowed in addition to the permitted freestanding signs as permitted in Section 408:

601.01. Wall/Window or Marquee Signs - Wall/window or marquee signs are subject to the following:

- A. The permitted area of wall/window or marquee signs shall be less than 25% of building face or unit front facade to which it is attached.
- B. The top of all wall/window or marquee signs shall be below the roof line.
- C. All wall signs shall be installed flat against the wall of a building and shall not extend from the wall more than twelve (12) inches.
- D. Theaters may erect one (1) of the permitted wall or marquee signs with changeable copy board to display the name(s) and time(s) of each of the current motion picture(s) or theatrical production(s).

601.02. Projecting Signs

Projecting signs and displays attached to individual buildings or units, subject to the following:

- A. The base of all projecting signs shall be no less than eight (8) feet above the ground.
- B. Projecting signs shall not project from the exterior wall of a building more than four (4) feet.

601.03. Awning or Canopy or Roof Signs

Awning or canopy signs and displays provided they are securely attached to buildings or structures.

SECTION 602: COMMERCIAL SIGNAGE

602.01. Multi-Tenant Facility

Residential Housing or Community Developments, Office or Industrial Center, Commercial Plazas with an approved site or land development plan may provide shared signage as follows;

- A. One shared freestanding sign with a maximum area of one hundred (100') square feet, and
- B. One structural or attached sign for each tenant or structure on the site provided all other standards for type and size are met.

602.02. Fuel Station Signs

Automobile service and fuel stations (gasoline, diesel, CNG, electricity, etc.) are permitted with the following additional signage;

- A. Changeable Fuel Price Signs - Freestanding signs identifying the name of the business may include changeable copy indicating the current price of fuel dispensed on the premises.

ARTICLE 7: REQUIREMENTS FOR OFF-PREMISES SIGNS

Off-premises signs include signs, graphics and other displays for commercial, industrial, institutional, service or entertainment purposes, products, uses, or services conducted, sold or offered elsewhere than upon the same premises where the sign is located.

Billboards may be considered an off-premises sign.

700.01. Conditional Use

Any Off-premises signs are permitted only upon the review as a conditional use by the Supervisors in compliance with the size standards for zoning districts listed in this ordinance.

700.02. Design Standards for Off-Premises Signs

A. Engineering certification - an engineering certification shall accompany the application for an off-premises sign permit. The engineering certification shall indicate, under the seal of a professional engineer, that the existence of the proposed off-premises sign shall not present a safety hazard.

B. Sign Separation Distance

1. The minimum distance required between all off-premises signs shall be 500 feet as measured along the centerline of the abutting roadway. Signs located on the opposite sides of the road or in an adjacent Township are subject to this distance requirement.
2. No off-premises sign shall be erected within two-hundred and fifty (250) feet of any existing freestanding on-premises sign.

C. Sign Setbacks

Off-premises signs shall be located in accordance with the building setbacks for structures located in the zoning district.

D. Sign Area

The maximum area for any off-premises sign shall be fifty (50) square feet per side.

700.03. Signs may be double-sided provided that the faces are equal in size.

- A.** Only one (1) side shall be considered when determining the sign area when the interior angle formed by the faces is less than 30 degrees, and the two faces are not more than 18 inches apart.
- B.** When the interior angle formed by the faces is greater than 30 degrees, or the faces are greater than 18 inches apart, all sides of such sign shall be considered in calculating the sign area.

700.04. Billboards: Billboards may be permitted as off-premises signs as a conditional use, provided each meets the following:

- A. Size** - such signs shall not exceed two hundred fifty (250) square feet per side.

- B. Sign Height** - No portion of any off-premise sign shall be more than thirty (35) feet above the highest elevation of the surrounding natural grade.
- C.** Off-premises signs may have two sign faces provided they are not more than five (5) feet apart as in section 700.01.
- D.** Such signs shall not be placed within one thousand (1000) feet of another on the same side of the road or one hundred (100) feet of another on the opposite side of a road, and shall be subject to off premise restrictions.
- E.** Such signs shall not be placed within one hundred fifty (150) feet of any residence, church, school or similar edifice.
- F.** Such signs shall not be placed within one hundred fifty (150) feet of any road intersection, or at a curve or at any place where vehicular line-of-sight could be partially or completely obstructed.
- G.** The person or entity responsible for the erection of the billboard shall show evidence of compliance with all applicable regulations of the Pennsylvania Department of Transportation.

700.05. Directional Signs

Directional signs giving directional assistance for the convenience of the public, not exceeding four (4) square feet per side in area are permitted.

- A.** If erected along the right-of-way and directing traffic to a facility or activity not located on the property on which the sign is erected, the sign may:
 - 1. Be limited in content to the name of the event, distance to the event in miles, and a directional arrow.
 - 2. Under no circumstances reference any enterprise or activity which is more than three (3) miles from the sign location.
 - 3. If grouped to provide direction for multiple facilities, the total shall have maximum dimensions of thirty-six (36) inches by forty-eight (48) inches.
- B.** If erected on the same private property on which the facility is located, the sign shall:
 - 1. Be limited in content to the name of the business or enterprise, directional information and a directional arrow.
 - 2. Not reference any additional enterprise which is not located on the same premises.
 - 3. Be internally lit or illuminated by white light only.
 - 4. Not exceed four (4) square feet in area.

- B. Sign height - the height of any sign shall not exceed the height of the building to which it is attached.
- C. Sign placement - signs shall be placed so as not to obstruct the view of the road or any other sign.
- D. Sign design - signs shall be designed so as to be clearly visible and not to be a distraction to the driver.
- E. Sign lighting - signs shall be illuminated so as to be clearly visible at night.
- F. Sign maintenance - signs shall be maintained in good condition and replaced when necessary.
- G. The owner of any sign shall be responsible for the cost of any sign and for the cost of any sign that is damaged or destroyed.

10. Sign Placement

- A. Signs shall be placed so as to be clearly visible and not to be a distraction to the driver.
- B. Signs shall be placed so as to be clearly visible and not to be a distraction to the driver.
- C. Signs shall be placed so as to be clearly visible and not to be a distraction to the driver.
- D. Signs shall be placed so as to be clearly visible and not to be a distraction to the driver.
- E. Signs shall be placed so as to be clearly visible and not to be a distraction to the driver.
- F. Signs shall be placed so as to be clearly visible and not to be a distraction to the driver.
- G. Signs shall be placed so as to be clearly visible and not to be a distraction to the driver.
- H. Signs shall be placed so as to be clearly visible and not to be a distraction to the driver.
- I. Signs shall be placed so as to be clearly visible and not to be a distraction to the driver.
- J. Signs shall be placed so as to be clearly visible and not to be a distraction to the driver.
- K. Signs shall be placed so as to be clearly visible and not to be a distraction to the driver.
- L. Signs shall be placed so as to be clearly visible and not to be a distraction to the driver.
- M. Signs shall be placed so as to be clearly visible and not to be a distraction to the driver.
- N. Signs shall be placed so as to be clearly visible and not to be a distraction to the driver.
- O. Signs shall be placed so as to be clearly visible and not to be a distraction to the driver.
- P. Signs shall be placed so as to be clearly visible and not to be a distraction to the driver.
- Q. Signs shall be placed so as to be clearly visible and not to be a distraction to the driver.
- R. Signs shall be placed so as to be clearly visible and not to be a distraction to the driver.
- S. Signs shall be placed so as to be clearly visible and not to be a distraction to the driver.
- T. Signs shall be placed so as to be clearly visible and not to be a distraction to the driver.
- U. Signs shall be placed so as to be clearly visible and not to be a distraction to the driver.
- V. Signs shall be placed so as to be clearly visible and not to be a distraction to the driver.
- W. Signs shall be placed so as to be clearly visible and not to be a distraction to the driver.
- X. Signs shall be placed so as to be clearly visible and not to be a distraction to the driver.
- Y. Signs shall be placed so as to be clearly visible and not to be a distraction to the driver.
- Z. Signs shall be placed so as to be clearly visible and not to be a distraction to the driver.

ARTICLE 8: ADMINISTRATION

800.01. The Administrator of this Sign Ordinance shall be the Zoning Officer or other designated by the Township Supervisors; such Administrator shall have the responsibility and authority to administer and enforce all provisions of this Ordinance, other than those provisions with powers specifically reserved to the Township Supervisors or the Zoning Hearing Board.

800.02. Registration of Signs.

All existing signs must be registered with Wilmington Township. Signs that are certified as nonconforming and are registered under this Ordinance may continue to be displayed or altered to conform to this Ordinance. All signs erected after the effective date of this Ordinance must comply with all standards within this Ordinance.

- A. Non-conforming signs, Section 803, lawfully existing or under construction before the date of enactment of this Sign Ordinance, or not meeting these regulations, shall apply for a permit and be registered with the Township within 120 days of enactment.

800.03. No sign shall be erected, displayed, altered, relocated, or replaced until the Township issues a sign permit, except as provided by Section 500 - Signs Allowable in All Districts, and Section 501-Temporary Signs.

800.04. Conditional Use

Any signs meeting the use categories of this ordinance and not exceeding the specific surface area limitations may be subject to conditions specified by the Board of Supervisors based on the related sections in this Ordinance and as recommended by the Administrator.

SECTION 801: INTERPRETATION

801.01. Zoning Hearing Board

In cases where these regulations do not specifically address a sign requested in conjunction with a permitted use, the Zoning Hearing Board shall make a written interpretation of the regulations as outlined in the Wilmington Township Zoning Ordinance, and the Administrator shall keep a permanent record of written interpretations.

- A. A special exception or variance does not extend to similar uses as may be requested by for another use. It is specific to the singular request.
- B. The process for a special exception request shall follow provisions outlined in the Wilmington Township Zoning Ordinance, including fees as set by resolution for that process.
 - 1. **Special Exception** - Any signs not meeting the use standards of this ordinance may request a special exception from the Zoning Hearing Board based on other criteria in this Ordinance.

2. **Variance** - Any signs not meeting the size standards of this ordinance or exceeding the permitted areas may request a variance to the specific criteria in this Ordinance from the Zoning Hearing Board.

SECTION 802: PERMIT PROCEDURES

A sign permit shall be required prior to the placement or alteration of any sign, except those signs specifically exempted from this requirement by Ordinance.

802.01. PERMIT APPLICATION

Applications for sign permits shall be submitted on forms provided by the Township, completed as required. (See Attachment A) They shall have attached the following information, in either written or graphic form;

- A. Location of the sign on the premises in relation to lot lines, buildings, sidewalks, streets, public rights-of-way and street intersections within three hundred (300) feet of the proposed sign.
- B. Type of sign (e.g., freestanding, pole, monument, wall) and complete description of structural design and construction materials.
- C. It shall be demonstrated that the sign meets any structural or electrical code requirements as necessary for safety.
- D. Drawing(s) of the proposed sign containing specifications indicating height, perimeter, area, dimensions, type of lettering proposed, means of support, method of illumination, and any other significant characteristics.
- E. A site-plan shall accompany an application for a sign-plaza permit depicting size, shape, color, lighting, landscaping and manner of display.
- F. Any other information requested by the Administrator in order to carry out the purpose and intent of this Ordinance.

802.02. FEE

Permit fees will cover the cost for administering this Ordinance for compliance with its purpose. Such fee shall be established by resolution of Wilmington Township Supervisors. The fee shall accompany the sign permit application.

802.03. PERMIT REVIEW AND ACTION

The Administrator shall review the sign permit application and issue or deny the permit, in conformance with the following standards. No sign permit shall be issued except in conformity with the regulations of this Ordinance, except after written order from the Zoning Hearing Board or the courts.

- A. **Official Date.** The official date of submission shall be the day the Administrator determines that the completed application, with all required or necessary data, has been properly prepared and submitted, together with the application fee.

- B. Time to Decide.** The Administrator shall determine whether the proposed sign is or is not in compliance with the requirements of this Ordinance, including confirmation of building code approval, and within thirty (30) days of the official date of submission, shall issue or deny the sign permit.
- C. Permit.** All signs erected after the effective date of this section shall have the following information filed with the permit.
1. Date of the Approval on the permit with the application.
 2. The sign permit number.
 3. The voltage of any electrical apparatus used in connection with the sign.
 4. Photograph. When the sign has been completed, the Applicant shall photograph the completed sign and forward the photograph to the Zoning Officer.
- D. Revocation of Permit.** All rights and privileges acquired under the provisions of this Ordinance are mere licenses and, as such, are revocable for cause by Wilmington Township. All permits issued pursuant to this Ordinance are hereby subject to this provision.
- E. Violations.** Any sign which is be deemed to be in violation of these regulations and which is not resolved within the allotted time limits shall be ordered removed by the Administrator with the costs of removal to be at the expense of the sign owner or the land owner.
1. Penalty Fee. Minimum of \$100 to a maximum of the costs of removal at the expense of the sign owner or the land owner for any discrepancy or violation of this ordinance.
- F. Expiration of Sign Permit -** If the sign authorized by any sign permit has not been erected or completed within one hundred eighty (180) days from the date of issuance of that permit, the sign permit shall be deemed expired.
- G. Discrepancies.** Any discrepancies between any sign as approved and the sign as constructed shall be identified in writing by the Administrator and may result in the halt of construction and correction of the discrepancy. If the discrepancy is not corrected within twenty (20) days after written notice, the sign may be ordered removed by the Administrator.
- H. Complaints.** The Administrator shall investigate any complaints of violations of these regulations and may revoke any permit if there is any violation of these regulations or if there was any misrepresentation of any material fact, in either the sign permit application or the plans.

802.04. Revocation of a Sign Permit

- A.** The Administrator shall revoke any sign permit if the sign, whether new or pre-existing, is moved or otherwise altered, either intentionally or by natural forces, in a manner which causes the sign not to be in conformity with this Ordinance.

- B. Signs must be properly maintained, properly painted and be kept free from all hazards, including but not limited to, faulty wiring, loose fastenings, being in an unsafe condition or detrimental to public health, safety or general welfare.
- C. The sign shall be made to conform to the permit requirements within thirty (30) days from the date of the notice, or, the Administrator shall revoke the sign permit and the subject sign shall be removed by the owner of the sign or the owner of the premises.
- D. In the event of a violation of any of the foregoing provisions, the Administrator shall give written notice specifying the violation to the current owner of the sign and the current owner of the land upon which the sign is erected to conform or to remove the sign.

802.05. Removal of the Violating Sign

After issuing an enforcement notice the Administrator shall have the power to, and may remove, cause to be removed, or order the removal of signs that are in violation of this Ordinance. The removal will be completed at the expense of the owner of the sign or the owner of the premises, or both.

A. Removal shall take place in the following instances:

- 1. If the Administrator finds a sign which presents immediate peril to persons or property, the sign shall be removed.
- 2. When any sign constructed after the adoption of this Ordinance or any amendment to it is not in conformance with the provisions of this Ordinance.

B. When any sign, whether existing on, or erected on or after the effective date of this Ordinance, is declared obsolete for any of the following reasons it shall be removed:

- 1. Illegal Sign - A sign which does not meet the requirements of this ordinance or which is not a registered nonconforming sign.
- 2. Any directional or off-premises sign which refers or pertains to a business or facility, the affairs of which are discontinued for a period of six (6) months or more.
- 3. Any sign which pertains to a time, event or purpose which no longer exists or applies.
- 4. On premises signs for any businesses or facilities which have been vacant, unoccupied or not actively being offered for sale for a period of six (6) months or more.
 - a) The Administrator has the option of waiving the removal of a sign if the Business is for sale.

SECTION 803: NONCONFORMING SIGNS

Any sign lawfully existing or under construction before the date of enactment of these sign regulations or upon any date on which these regulations are amended, and any sign which is accessory to a nonconforming use, shall be deemed a nonconforming sign.

803.01. Illegal Sign

A sign which does not meet the requirements of this ordinance or which is not a registered nonconforming sign. This specifically includes a sign that remains standing when the time limits set by the permit are exceeded and any sign not removed after notification from the Administrator to remove the sign.

803.02. Any sign, display or device allowed in this Ordinance may contain (in lieu of any other copy) lawful noncommercial messages that do not direct attention to a business operated for profit or to a commodity or service for sale. The sign, display or device must comply with all other requirements of this Ordinance.

803.03. Nonconforming signs may be repainted or repaired, providing such repainting or repairing does not change the dimensions of the existing sign.

A. Nonconforming signs, once removed, shall be replaced only with conforming signs.

B. Removal - A nonconforming sign or the structure supporting the sign shall be removed according to the provisions of this section. Nonconforming signs may remain, provided they are maintained in good repair, except for the following;

1. Removal is required if 50% or more of the nonconforming sign or the structure supporting the sign is damaged or destroyed, it shall not be altered, replaced or reinstalled unless it is in conformance with these regulations.
2. If the damage or destruction is less than fifty percent (50%), the sign must be under repair within sixty (60) days and all repairs must be completed within six (6) months. The sign shall not be enlarged in any manner.
3. When the business for which a sign is utilized is closed or vacated for whatever reason, all business signs shall be removed within sixty (60) days of the closure.

C. Modifications - Nonconforming signs shall not be enlarged, extended, structurally reconstructed or altered in any manner, except that the sign face (gross surface area portion of the sign) may be changed as long as the new sign face is equal to or reduced in height, sign area, and/or projection.

1. A sign permit is not needed for a new sign face, or a change in the advertising content appearing on the sign face.
2. Any alteration must meet safety and code requirements.

ARTICLE 9: SEVERABLE NATURE OF ORDINANCE

The various sections, subsections, paragraphs, and clauses of this Ordinance are severable and in the event that any section, subsection, paragraph, or clause is adjudged invalid, the remainder of the Ordinance shall remain in full force and effect.

ARTICLE 10: EFFECTIVE DATE & ADOPTION OF SIGN ORDINANCE

The Sign Ordinance shall take effect thirty (30) days after the date of adoption by Wilmington Township, Mercer County, Pennsylvania.

We hereby certify that the Zoning Ordinance was adopted by Wilmington Township, Mercer County, Pennsylvania this 10th day of February, A.D., 2020. *cb*

ATTEST:

(SEAL)

Cindy Blase
SECRETARY

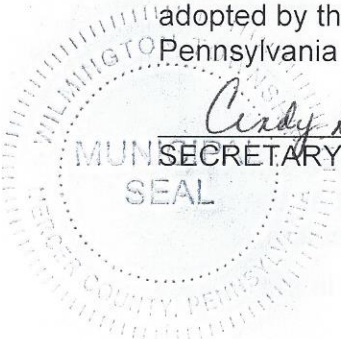
Bob S. S.
CHAIR OF SUPERVISORS

Ed Bell
SUPERVISOR

Rob Quirk
SUPERVISOR

CERTIFICATION

I do hereby certify that the foregoing is a true copy of Ordinance Number 2020-1, adopted by the Board of Supervisors for Wilmington Township, Mercer County, Pennsylvania on Feb 10, 2020. *cb*

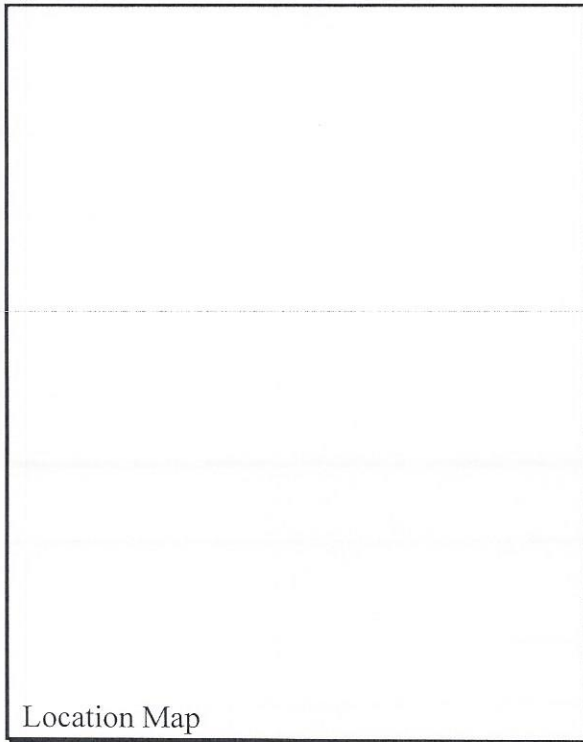


Attachment A
Wilmington Township
Zoning • Sign Application

Applicant Name: _____ **Date:** _____

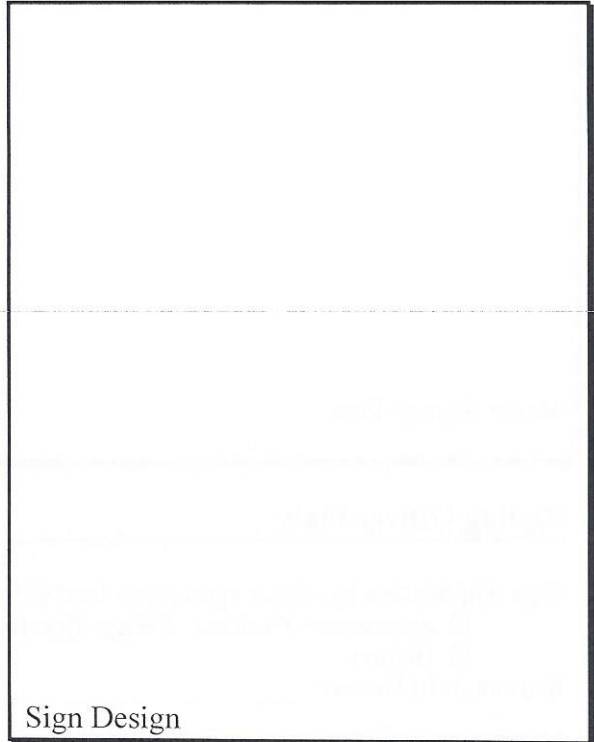
Address: _____ **Telephone #:** _____

Location Map of the Sign: showing the location of the building, structure or zone lot to which the sign is to be attached or erected, and showing the position of the sign in relation to nearby buildings and thoroughfares and dimensions.



Location Map

Design of Sign: (shown to scale or show dimensions) showing the design of the sign, materials used, method of construction, dimensions of the sign, and means of attachment to the building or the ground.



Sign Design

Name of Person, Firm, Corporation or Association erecting, altering or moving the Sign

Name: _____ **Telephone #:** _____

Address: _____

Signature of the Land Owner on which the sign is to be erected, altered or relocated.

Signature: _____ **Date:** _____

Master Signage Plan

If more than one new sign is proposed for a zone lot or if one (1) or more additional new signs are proposed for a zone lot with an existing sign, a master signage plan shall be submitted to the Zoning Officer along with the application for individual signs.

The master signage plan shall indicate the **types, dimensions, area and total combined sign area for all proposed and existing individual signs of any type, except for incidental signs.** A revised master signage plan shall be submitted to the Zoning Officer if modification is proposed to any individual sign covered by an existing master signage plan.

Master Signage Plan

Zoning Officer Only

Sign Application is: (check appropriate box) ☒

☐ Approved - Number of Signs Erected _____

☐ Denied

Reason(s) (if) Denied: _____

Signature of the Zoning Officer _____ Date _____

NOTE: Article VII, Section 708.4 - Any sign now or hereafter existing which no longer advertises or identifies a bonafide event, or business conducted or a product sold upon the premises, shall be taken down and removed by the owner of the building or structure or land upon which such sign may be found, within ten (10) days after written notification from the Zoning Officer, such notice to be sent by certified mail.

NOTE: If the obsolete sign is not removed the Township shall have the right to recover from the owner or person placing such sign the full costs for removal and disposal of such signs.