

Comfort Township : Sign Ordinance

PURPOSE & INTENT

The intent of this Ordinance is to regulate the type, number, physical dimensions, erection, placement, and maintenance of signs in the residential and residential-agricultural districts of Comfort Township. The purpose of the limitations, regulations, and standards established herein is to:

- Regulate signs of a commercial or general informational nature intended to be viewed from any vehicular or pedestrian public right-of-way.
- Promote the public peace, health, and safety of both residents and visitors;
- Protect the natural beauty, distinctive character, and property values of Comfort Township;
- Provide an environment which fosters growth and development of business;
- Facilitate the public's ability to identify establishments and premises while avoiding visual clutter and/or distractions which might prove hazardous to passing motorists;
- Balance (1) the individual rights of property owners to communicate their message, with (2) the public's right to be free of unreasonable distraction and/or aesthetic intrusion.
- Encourage innovative design, renovation, and proper maintenance.
- Allow for special circumstances, while guaranteeing equal treatment under the law through accurate record keeping and consistent enforcement.

GENERAL PROVISIONS

It shall hereafter be unlawful for any person to erect, place, or maintain a sign in Comfort Township except in accordance with the provisions of this Ordinance and the Land Use Ordinance.

No sign shall be erected or maintained at the intersection of streets or at a driveway entrance or exit so as to impede upon the right-of-way or obstruct free and clear vision.

No flashing sign or floodlighting shall be permitted in any district of the Township.

Any temporary sign must be removed within 24 hours after that activity or event which is the subject of the sign.

In an effort to maintain impartiality, no special consideration is given to farm produce (in preference to any other type of home-made merchandise or product) and no greater deference is accorded to agricultural services and activities (in preference to any other type of home-based service or activity).

Signs Prohibited:

- Abandoned, dilapidated, obsolete, or structurally unsafe signs.
- Air-filled or gas-filled balloon signs.
- Banners, pennants, festoons, search lights.
- Billboards, which advertise an establishment, service, merchandise, use, entertainment, activity, product, etc. which is not conducted, sold, produced, manufactured, or furnished upon the lot or site where the sign is located.

- Any sign in excess of 32 square feet (e.g., 4' x 8').
- Roof signs (mounted on the roof of a residence or outbuilding).
- Rotating or oscillating signs.
- Signs imitating or resembling official traffic or government signs or signals.
- Snipe signs or signs attached to trees, telephone poles, public benches, streetlights or placed on any public property or public right-of-way.
- Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying said signs (this does not apply to allowed portable signs or to signs or lettering on buses, taxis or vehicles operating during the normal course of business).
- Sexually-graphic signs.

Permits Required

Unless otherwise provided by this Ordinance, a sign permit shall be required for all signs in a residential or residential-agricultural district for which any of the following criteria are applicable:

- Signs exceeding six square feet in area.
- Illuminated signs, regardless of size.
- Signs located outside the required setback from a property line or right of way.
- Signs which in any way fail to conform to those standards described elsewhere in this ordinance.

No permit is required for the maintenance of a sign or for a change of copy on painted, printed, or changeable-copy signs.

Permit Fees

No sign permit shall be issued until an application for such – including a sketch showing the size, location, text, and owner – has been indicated in writing, together with a fee (as follows) has been submitted to the Comfort Township Board of Supervisors:

- For a sign not in excess of 12 square feet (e.g., 3x4), the fee shall be \$25.
- For a sign greater than 12 square feet but not more than 24 square feet (e.g., 4x6), the fee shall be \$50.
- For any sign in excess of 24 square feet, up to 32 square feet (e.g., 4x8), the fee shall be \$100.

The Comfort Township Board of Supervisors shall issue a permit for the erection, alteration, or relocation of a sign within thirty (30) days of receipt of a valid and complete application and the accompanying permit fee, provided that the sign complies with all applicable laws and regulations of the Township.

In all permit applications, the Board retains the right to deny any such application if the nature, presentation, or location of the sign is determined to be unsuitable. The Board may also suspend or revoke an issued permit for a false statement or misrepresentation of fact in the application.

If, in its review of an application, the Board determines that a permit should not be granted, the applicant shall receive a written notice within seven (7) days, along with a refund of the fee and a brief statement of the reasons for denial.

If any sign is installed or placed on any property prior to receipt of a permit, the specified permit fee shall be doubled; however, payment of the doubled fee shall not relieve any person of any other requirements or penalties prescribed in this Ordinance.

Signs Not Requiring Permits

The following types of signs are exempted from permit requirements but must be in conformance with all other requirements of this Ordinance:

- Temporary, non-illuminated, contract or construction signs, not in excess of six (6) square feet in area and limited to the duration of a project; one per trade.
- Holiday or special events decoration.
- Flags of any nation, state, or entity, provided they do not exceed 24 square feet in area.
- Temporary, general public interest sign for a fair, benefit, election, auction, or similar event, posting for which shall not exceed 30 days.
- Temporary directional sign referring to sample homes, openings, and the like, not in excess of two (2) square feet; limited to one per intersection.
- Professional sign of person conducting a home occupation on the premises, one per residence, having a dimension no greater than 18 inches by nine inches; sign may be illuminated.
- One nameplate, not exceeding two (2) square feet in area, announcing name and address of occupants of the residence; may be illuminated.
- Temporary, non-illuminated, political campaign sign.
- Public signs or notices, or any sign relating to an emergency.
- Non-illuminated Real Estate, "For Sale," or "For Rent" sign, not in excess of four (4) square feet; one per lot.
- Window signs (installed inside the window of a residence, intended for viewing from the outside)
- Non-illuminated incidental signs (garage sale, owner identification, hours of business, etc.), not in excess of two (2) square feet in area; one per residence.
- Any "No Trespassing," "Private Property," "Keep off," "Beware of Dog," etc. sign, not exceeding 1 1/2 square feet in area; one per residence.

Nonconforming Signs

Signs existing at the time of adoption of this ordinance which do not conform to the specific provisions stated herein may be eligible for the designation "legal nonconforming" provided they meet all of the following conditions:

- the Board determines that such signs are properly maintained and do not in any way endanger the public;

- the sign was authorized by a valid permit or variance or complied with all applicable laws on the date of adoption of this Ordinance;
- the sign advertises a currently operating business or use.

All signs permitted in accordance with this exception will remain permitted until removed, replaced, relocated, substantially altered, or abandoned.

Maintenance

All signs shall be properly maintained. Exposed surfaces shall be clean and painted (if paint is required). Defective parts shall be replaced. The Administrator shall have the right to order the repair or removal of any sign, which is defective, damaged, or substantially deteriorated.

Lighting

Lighting of signs will be permitted only in commercial zones with a Conditional Use Permit.

Variances

In the event the township's Board of Supervisors, in its review of an application for a permit, determines that the sign in question fails to meet one or more requirements of this Ordinance and notifies the applicant accordingly, the applicant may have recourse in making application to the Administrator for a variance from such requirements, and especially where the literal application of the Ordinance would create a particular hardship for the sign user.

The granting of a variance shall be in accordance with the following criteria:

- A literal application of the Ordinance would not allow the property, as presently zoned, to be used to its highest and best potential.
- The granting of the requested variance would not be materially detrimental to the property owners in the vicinity.
- Hardship created for the sign user under a literal interpretation of the Ordinance is due to conditions unique to that property and does not apply generally to the Township.
- The granting of the variance would not be contrary to the general objectives of this Ordinance and its land use plan.
- The granting of the variance would not set an adverse precedent.

Enforcement

Enforcement of compliance with these sign requirements shall follow the same provisions of notification, citation, and appeal process as defined elsewhere in the Comfort Township Land-Use Ordinance.