

**ORDINANCE NO 2015-05**

**AN ORDINANCE OF THE BOROUGH OF GREENCASTLE, FRANKLIN COUNTY, PENNSYLVANIA AMENDING CHAPTER 205 ENTITLED "ZONING" OF THE CODE OF THE BOROUGH OF GREENCASTLE**

**WHEREAS**, the Borough of Greencastle desires to amend the provisions of Chapter 205, Subsection 27; and

**WHEREAS**, the Council of the Borough of Greencastle deems it in the best interest, and for the general welfare of the citizens and residents of the Borough to amend certain provisions of Chapter 205 of the Borough of Greencastle.

**NOW THEREFORE, BE IT ENACTED AND ORDAINED** by the Mayor and Borough Council of the Borough of Greencastle, Franklin County, Pennsylvania, and it is enacted and ordained as follows:

**SECTION I:** Chapter 205 of the Code of the Borough of Greencastle, entitled "Zoning", Section 56 thereof, entitled "Definitions", is hereby amended by adding the following definitions:

**SIGN, AWNING**

A sign that is located on the face of an awning that identifies the business, service or industrial enterprise or the services, products, or activities provided by a business, service, or industrial enterprise that is displayed upon the lot or premises occupied by such enterprise.

The face of the awning shall only include any portion of the awning that is parallel with the face of the building to which it is attached and shall not include any diagonal, dome, barrel, or concave portion of the awning.



## SIGN, SERVICE IDENTIFICATION

A sign that is accessory to a business identification sign that identifies the services, products, or activities provided by a business, service, or industrial enterprise that is displayed upon the lot or premises occupied by such enterprise. Each SERVICE IDENTIFICATION SIGN shall be no larger than 25 square feet.

## SHOPPING CENTER

A multitenant commercial complex that accommodates detached or attached buildings, or a combination of both, with fully coordinated interior traffic access for the complex, coordinated signs and shared off street parking developed on one lot or contiguous lots totaling at least three acres in total.

**SECTION II:** Chapter 205 of the Code of the Borough of Greencastle, entitled "Zoning", Section 56 thereof, entitled "Definitions", is hereby amended by amending the title of "SIGN, PREMISES OR POINT OF SALE" to "SIGN, BUSINESS IDENTIFICATION" and by amending "Sign" to read as follows:

Any material, structure or device, or part thereof, composed of lettered or pictorial matter is placed, when used or located out of doors or outside or on the exterior of any building, including window display area, for display of an advertisement, announcement, notice, directional matter or name, and includes sign frames, billboards, sign boards, signs on vehicles, trailers or other mobile devices, painted wall signs, hanging signs, illuminated signs, pennants, fluttering devices, strings of lights, projection signs or ground signs, and shall also include an announcement, declaration, demonstration, display, illustration or insignia used to advertise or promote the interest of any person or business when the same is placed in view of the general public. However, the following signs shall be excluded from the application of this chapter:

- A. Signs not exceeding one square foot in area and bearing only property numbers, post box numbers, names of occupants of premises, or other identification of premises not having commercial connotations.
- B. Flags and insignias of any government or governmental agency, or of any political, educational, charitable, philanthropic, civic, professional, religious or like campaign, drive, movement or event; except when displayed in connection with commercial promotion.
- C. Legal notices, identification, informational, or directional signs erected or required by governmental bodies.
- D. Integral decorative or architectural features of buildings, including letters and trademarks except moving lights.

E. Signs directing and guiding traffic and parking on any property, but bearing no advertising matter.

F. Signs which are solely devoted to prohibiting trespassing, hunting, or fishing.

G. Signs on vehicles, trailers, or other mobile devices or storage containers or cubes that are not being utilized primarily as signs. The duration that a vehicle, trailer or other mobile device or storage container or cube is stationary, its location on the property in relation to public view, and other factors indicating that the primary use is as a sign.

**SECTION III:** Chapter 205 of the Code of the Borough of Greencastle, entitled “Zoning”, Section 27 thereof, entitled “Sign regulations”, is hereby amended by replacing the contents of Section 27A(4), so that said subsection reads as follows:

- (4) Abandoned or outdated signs: Signs advertising a use no longer in existence shall be removed within 30 days of the cessation of such use. If the owner of a property does not remove such sign within 30 days after receiving a written notice from the Zoning Officer, the sign may be removed by the Borough at the expense of the property owner.

**SECTION IV:** Chapter 205 of the Code of the Borough of Greencastle, entitled “Zoning”, Section 27 thereof, entitled “Sign regulations”, is hereby amended by replacing the contents of Section 27A(6), so that said subsection reads as follows:

- (6) Signs placed on the roof of a building shall be prohibited except in the (HC) Highway Commercial and (I) Industrial Districts. No sign shall be attached to a utility pole, except by a utility or government agency. No sign shall be attached to a tree or governmental, or municipal owned infrastructure to include but not be limited to: stop signs, yield signs, etc. The Police Officers of the Borough of Greencastle, the Zoning Officer, his/her designee, or the owner of the utility pole or tree shall have the authority to remove and dispose of signs attached to a utility pole or tree in the public right of way, or governmental, or municipal owned infrastructure to include but not be limited to: stop signs, yield signs, etc.

**SECTION V:** Chapter 205 of the Code of the Borough of Greencastle, entitled “Zoning”, Section 27 thereof, entitled “Sign regulations”, is hereby amended by adding Subsections (8) and (9) to Section A, so those said subsections read as follows:

- (8): Signs or displays visible from a lot line that include any explicit sexual materials, as defined by 18 Pa.C.S.A. § 5903, as amended, shall be prohibited.
- (9): Signs shall be prohibited that are of such character, form, shape or color that they imitate or resemble any official traffic sign, signal or device or that have any characteristics which are likely to confuse or distract the operator of a motor vehicle on a public street (such as the prominent use of the word “Danger”).

**SECTION VI:** Chapter 205 of the Code of the Borough of Greencastle, entitled “Zoning”, Section 27(D) thereof, entitled “Signs permitted in (CC) Community Commercial Districts”, is hereby amended by replacing the contents of subsection (1), so that said subsection reads as follows:

- (1) Only one sign for each street frontage shall be permitted for each commercial use, except that Awning signs shall also be permitted provided that the Awning Sign does not exceed 50% of the face of the awning.

**SECTION VII:** Chapter 205 of the Code of the Borough of Greencastle, entitled “Zoning”, Section 27(D) thereof, entitled “Signs permitted in (CC) Community Commercial Districts”, is hereby amended by replacing the contents of subsection (5)(a), so that said subsection reads as follows:

- (5)(a) Sign is not in a location that would interfere with pedestrian traffic, emergency access or parking spaces and retains a five (5) foot wide minimum clearance path for pedestrians, and such sign is kept as close to the building’s façade as feasible.

**SECTION VIII:** Chapter 205 of the Code of the Borough of Greencastle, entitled “Zoning”, Section 27(E) thereof, entitled “Signs permitted in (HC) Highway Commercial, (I) Industrial and (CC-II) Community Commercial-II Districts”, is hereby amended by replacing the contents of Section 27(E)(1)(a), so that said subsection reads as follows:

- i. In the (I) Industrial, (CC-II) Community Commercial-II, and (HC) Highway Commercial Districts: Not more than one sign attached to and parallel with the premises facing each street shall be permitted. The size of such sign shall not exceed 96 square feet or 10% of the surface area of the front of the building, whichever is greater.
- ii. In the (HC) Highway Commercial District:
  - a. For a single use housed in a single building with at least 500 lineal feet of frontage upon a street: No more than:
    - i. two business identification signs attached to and parallel with the premises facing each street shall be permitted not to exceed 96 square feet each; and
    - ii. additional service identification signs provided that the total signage of the two business identification signs and the service identifications signs together do not exceed 5% of the surface area of the front of the building.
  - b. For any other use (single uses with less than 500 lineal feet of frontage or any multiple use lot, not including shopping centers): Not more than

one sign attached to and parallel with the premises facing each street shall be permitted. The size of such sign shall not exceed 96 square feet or 10% of the surface area in total of the surface area of the front of the building.

**SECTION IX:** Chapter 205 of the Code of the Borough of Greencastle, entitled "Zoning", Section 27(E)(1)(b) shall be amended by the addition as follows:

If the permitted freestanding sign area is not used, such sign area may be added to the permitted wall sign area provided however, that the wall sign shall not exceed ten percent (10%) of the surface area of the front of the building. An auto service station may also include an additional 24 square feet of sign area to display fuel prices.

**SECTION X:** Chapter 205 of the Code of the Borough of Greencastle, entitled "Zoning", Section 27(E) thereof, entitled "Signs permitted in (HC) Highway Commercial, (I) Industrial and (CC-II) Community Commercial – II Districts", is hereby amended by adding a new subsection (1)(d) to read as follows:

(d) Additionally, awning signs shall be permitted provided that the awning sign does not exceed 50% of the face of the awning and provided that awning signs for uses subject to Section 27(E)(1)(a)(ii) shall be included in calculating the total signage for the use, which shall not exceed 5% of the surface area of the front of the building.

**SECTION XI:** Chapter 205 of the Code of the Borough of Greencastle, entitled "Zoning", Section 27(E)(2)(b) shall be amended to read as follows:

Individual tenant business identification signs shall not exceed 96 square feet and in total (all tenant business identification signs in the Shopping Center) shall not exceed 10% of the surface area of the front of the building.

**SECTION XII:** **REPEALER.** All provisions of previous Ordinances of the Borough of Greencastle which are contrary to this Ordinance are expressly repealed.

**SECTION XIII:** **SAVINGS CLAUSE.** In all other respects, Chapter 205 of the Code of the Borough of Greencastle shall remain as previously enacted and ordained.

**SECTION XIV:** **SEVERABILITY.** The provisions of this Ordinance are severable and if any of its sections, clauses, or sentences shall be held illegal, invalid, or unconstitutional, such provisions shall not affect or impair any of the remaining sections, clauses or sentences.

**SECTION XV:** **EFFECTIVE DATE.** This Ordinance shall take effect immediately.

ENACTED, ORDAINED, AND APPROVED this 3<sup>rd</sup> day of August, 2015.

Borough Council of the Borough of  
Greencastle, Franklin County, Pennsylvania

By [Signature]  
President

ATTEST:

[Signature]  
Secretary

[Signature]  
Mayor of the Borough of Greencastle