

TOWNSHIP OF MIDDLESEX
CUMBERLAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 10 - 2011

AN ORDINANCE OF THE TOWNSHIP OF MIDDLESEX,
CUMBERLAND COUNTY, PENNSYLVANIA, AMENDING
ORDINANCE NO. 3-89 ENACTED JUNE 30, 1989 KNOWN AS THE
'MIDDLESEX TOWNSHIP ZONING ORDINANCE', ARTICLE XIV
PERTAINING TO THE USE, ERECTION AND
PERMITTING OF SIGNS IN MIDDLESEX TOWNSHIP.

BE IT HEREBY ENACTED AND ORDAINED, and it is hereby enacted by the Board of Township Supervisors in and for the Township of Middlesex, Cumberland County, Pennsylvania, as follows:

SECTION 1: Ordinance No. 3-89 entitled "Middlesex Township Zoning Ordinance" enacted June 30, 1989, and subsequently amended (the "Zoning Ordinance"), is hereby amended as follows:

A. Article II, Section 2.03, is hereby amended to change the definition of Changeable Sign in its entirety as follows:

Changeable Sign: A type of sign that is designed so that its characters, letters, illustrations or other content can be changed, altered or rearranged without physically altering the permanent physical face or surface of the sign. This sign type includes bulletin boards permitted in accordance with Section 14.16.E.13., Retail Fuel Sales Signs permitted in accordance with Section 14.16.F.19., manual, electrical, electronic messaging center (EMC), light emitting diode (LED) or other variable message signs.

B. Article XIV, Section 14.16.D, Prohibited Signs, Paragraph 4, is hereby amended to provide in its entirety as follows:

4. Flashing Signs - Any signs that include lights, or messages which flash, blink or turn on or off intermittently, at any time interval. This type of sign does not include a Changeable Sign as defined in Article II, Section 2.03 of the Zoning Ordinance.

C. Article XIV, Section 14.16.F.19, Retail Fuel Signs, is hereby amended only by changing the words "no more than once an hour" contained in both subparagraphs A and B thereof to "no more than every fifteen (15) minutes" with respect to the frequency by which a changeable fuel price sign may be changed.

D. Article XIV, Section 14.16.F, General Regulations for All Signs, is hereby amended to include the following additional Paragraph 20:

20. Changeable Signs, including, but not limited to electronic messaging center (EMC) signs and Light Emitting Diode (LED) signs as defined in Article II, Section 2.03 of this Zoning Ordinance shall be permitted for all signs permitted in Section 14.16.B. 2., 6., 8., 9., 10., 11., 12. and 13. of this Zoning Ordinance subject to the following restrictions:

- a. Changeable Signs shall only be permitted in the CH, LI and IG Zoning Districts, except that permanent type P2 signs permitted in accordance with Section 14.16.B.2. and bulletin boards permitted in accordance with Section 14.16.E.13 are allowed in Zoning Districts where such semi-public and public, charitable or religious organization uses are allowed.
- b. Permitted only when installed in conjunction with, and on the structure of, a legally permitted permanent Flat Wall Sign or permanent Freestanding Sign.
- c. For Billboard Changeable Signs, each message shall remain fixed for a minimum of twenty (20) seconds. For all other Changeable Signs, each message shall remain fixed for a minimum of fifteen (15) minutes.
- d. When a message is changed, the time interval used to change from one complete message to the next complete message shall be a maximum of one (1) second.
- e. Messages shall not be illuminated by blinking, traveling, scrolling, training, intermittent, animated, flashing lights, or any form of movement.
- f. The sign face shall have only one advertising message at any one time.
- g. Messages that display static or movable video or movie-like images or real-life or animated life-like images are prohibited.
- h. Changeable Signs shall not operate at brightness levels of more than 0.30 foot candles above ambient light levels as measured at five (5') feet above grade and the following distances from the sign:

<u>Sign (sq. feet)</u>	<u>Distance (feet)</u>
less than 300	150
300-400	200
greater than 400	250

In addition to the requirements listed above, the brightness level of Changeable Signs shall be automatically adjustable to ambient light levels, and if the automatic adjustment feature malfunctions, the brightness level shall default to the night time ambient light level settings until the automatic adjustment equipment can be repaired.

i. Only one Changeable Sign shall be permitted for each approved principal use on a property.

j. The owner of or applicant for a Changeable Sign and her, his, its and/or their successors, shall be required to coordinate and permit message access for local, regional, state and national emergency services during emergency situations. Emergency messages are not required to conform to message standards listed herein.

E. Article XIV, Section 14.16.I, Billboards, item 4. is hereby amended to include the following additional subparagraphs m. and n.:

m. Billboard Changeable Signs shall not be allowed in the following locations:

(1) Abutting a public road where traffic merging conditions exist. Billboard Changeable Signs located on the opposite sides of the road are also subject to this requirement.

(2) Abutting a curve on a public road which is posted with a traffic warning sign. Billboard Changeable Signs located on the opposite sides of the road are also subject to this requirement.

(3) Abutting a limited access highway; within 1,100 feet of an entrance to or exit from the highway, as measured along the centerline of the abutting highway. Billboard Changeable Signs located on the opposite sides of the road are also subject to this distance requirement.

(4) Abutting a public road providing access to a limited access highway; within 500 feet of an entrance to or exit from the highway, as measured along the centerline of the abutting road. Billboard Changeable Signs located on the opposite sides of the road are also subject to this distance requirement.

n. It is recommended that Billboard Changeable Signs regulated within this section should not include advertising messages with telephone numbers, internet addresses or similar complex information which could be distracting to motorists.

SECTION 2: Except only as amended, modified and changed herein, the Middlesex Township Zoning Ordinance as originally enacted and as previously amended shall remain in all other respects in full force and effect.

SECTION 3: If any section, sub-section, provision, regulation, limitation, restriction, sentence, clause, phrase or word in this Ordinance is declared by any reason to be illegal, unconstitutional, or invalid by any court of competent jurisdiction, such decision shall not effect

or impair the validity of this or the Middlesex Township Zoning Ordinance as a whole or any other section, sub-section, provision, regulation, limitation, restriction, sentence, clause, phrase, word or remaining portion of this Ordinance or the Middlesex Township Zoning Ordinance.

SECTION 4: This Ordinance shall become effective in accordance with applicable law.

ORDAINED AND ENACTED this 30th day of December, 2011.

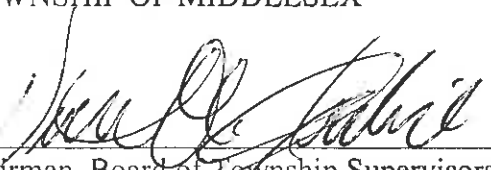
ATTEST:

TOWNSHIP OF MIDDLESEX


Eileen M. Gault

Township Secretary
(Township Seal)

BY:


Chairman, Board of Township Supervisors