

ARTICLE VI
SUPPLEMENTARY REGULATIONS

§ 345-21. General regulations applying to all districts and uses.

- A. Placement of accessory uses and structures. The placement of a private garage, accessory parking area or other accessory building or use shall be subject to the following requirements:
- (1) An accessory vehicle garage shall have a minimum setback of 10 feet from an alley from which the garage has vehicle access. Any other accessory residential building (such as a Utility Shed as defined in Article XI) shall have a minimum side and rear yard setback of 5 feet. This 5 feet setback shall apply even along a lot line along which principal buildings are attached. Any other commercial or industrial accessory building shall meet the applicable principal building setbacks.
 - (2) Nothing contained herein shall prevent the construction of a private garage or accessory use or structure as a structural part of a main dwelling, provided that when so constructed, the exterior garage or accessory use or structure walls shall be regarded as the walls of the main dwelling in applying the front, rear and side yard regulations of this chapter.
 - (3) No private garage or other accessory building or parking area shall be within a required front yard, nor within a required side yard, except that in any commercial or manufacturing district, a parking area may utilize that portion of a side yard otherwise not required for a planting screen.
 - (4) Any access driveway may be located within a required side yard or required front yard.
 - (5) Accessory buildings and uses shall be on the same lot with the main building or buildings or on an immediately adjacent lot in the same ownership.
 - (6) Required accessory parking areas and loading spaces shall have safe and adequate access to a public street either by a driveway on the same lot or by means of a permanent easement across an adjoining lot.
 - (7) No required accessory parking area or offstreet loading space shall be encroached upon by buildings, open storage or any other use.
 - (8) Accessory private garages may be constructed within or under any portion of a main building, provided that the access driveway does not at any point have a grade in excess of ten percent (10%).
 - (9) Satellite earth station dishes. In the interests of the health, safety and welfare of the

residents of the Borough and the aesthetic interests of the community, satellite earth station dishes which are two meters or less in diameter, unless subject to the provisions of § 345-26P of this chapter, shall be permitted in all zoning districts and shall be designed, maintained or used in accord with the following provisions:

- (a) No person shall construct, erect or install a satellite earth station dish without first obtaining a building permit therefore.
- (b) Any person who desires to construct, erect or install a satellite earth station dish shall apply to the Zoning Officer for a building permit. An occupant, renter or co-owner shall acquire the written permission of all owners of the lot, parcel or tract of land prior to installation or construction of the satellite earth station dish.
- (c) The applicant shall submit a written application upon forms provided by the Zoning Officer and shall also submit:
 - [1] A plot plan of the property or parcel of land, showing the exact location of the proposed satellite earth station dish and all other structures on the subject property.
 - [2] A description of the kind of satellite earth station dish proposed.
 - [3] Plans showing specifications and elevations of the proposed satellite earth station dish, including footings, dead load (plus ice load), wind load (uplift), specifications and sufficient detail showing the method of assembly and construction, erection or installation.
- (d) The written application shall include the names of the owners of the subject property, the occupant of the subject property, the occupant of the subject premises and the contractor or other person proposed to construct, erect or install the proposed satellite earth station dish.
- (e) The Zoning Officer, or his/her appropriate designee, may issue the building permit, provided the applicant has met all of the requirements of this section.
- (f) All satellite earth station dishes constructed, erected or installed pursuant to a permit hereunder shall conform to the following requirements:
 - [1] No satellite earth station dish shall be located in the front, rear or side yard set back areas of a lot.
 - [2] All satellite earth station dishes shall conform to the setback and height requirements for the zoning district in which the satellite earth

station dish is situate or proposed.

- [3] No satellite earth station dish shall be constructed on top of the roof of a building, except under the following circumstances.
 - [a] Such satellite earth station dish shall be no larger than one and one-half meters in diameter.
 - [b] Such satellite earth station dish shall be located on such roof in an area so that it is the least visible as possible from public roads and rights-of-ways.
 - [c] Such satellite earth station dish shall be securely fixed to the roof.
 - [4] All satellite earth station dishes shall conform to and be installed pursuant to the regulations found in the Borough of Macungie Building Code, as amended from time to time.
 - [5] Only one private, noncommercial satellite earth station dish shall be allowed per single family dwelling, duplex or townhouse unit.
 - [6] A satellite earth station dish may be placed in a rear yard (but not in the rear yard set back area) on a trial basis for a period not exceeding fourteen (14) days without the necessity of obtaining a permit.
 - [7] All satellite earth station dishes shall be subject to periodic inspection by the Zoning Officer or building inspector, or their designated agents, to determine compliance with the provisions of this chapter regulating such earth station satellite dishes.
- (10) Antennae designed to receive direct broadcast satellite service. In the interests of the health, safety and welfare of the residents of the Borough, antennae that are designed to receive direct broadcast satellite service, including direct-to-home satellite services, and that are one meter or less in diameter; antennae that are designed to receive video programming services via multipoint distribution services, including multi-channel, multi-point distribution services, instructional television fixed services, and local multi-point distribution services, and that are one meter or less in diameter or diagonal measurement; or antennae that are designed to receive television broadcast signals, shall be permitted in all zoning districts and shall conform to the following:
- (a) No person shall construct, erect or install an antenna referenced above without first obtaining a building permit therefore.

- (b) Any person who desires to construct, erect or install an antenna as referenced above shall apply to the Zoning Officer for a building permit. An occupant, renter or co-owner shall acquire the written permission of all owners of the lot, parcel or tract of land prior to installation or construction of an antenna as referenced above;
- (c) The applicant shall submit a written application upon forms provided by the Zoning Officer and shall also submit:
 - [1] A plot plan of the property or parcel of land, showing the exact location of the proposed antenna and all other structures on the subject property.
 - [2] A description of the kind of antenna proposed.
 - [3] Plans showing specifications and elevations of the proposed antenna, including footings, dead load (plus ice load), wind load (uplift), specifications and sufficient detail showing the method of assembly and construction, erection or installation.
- (d) The written application shall include the names of the owners of the subject property, the occupant of the subject property, the occupant of the subject premises and the contractor or other person proposed to construct, erect or install the proposed antenna.
- (e) The Zoning Officer, or his/her appropriate designee, may issue the building permit, provided the applicant has met all of the requirements of this section.
- (f) No antenna shall be located in the front, rear or side yard set back areas of a lot, so long as such limitation on placement of an antenna does not make reception of an acceptable signal impossible or substantially degrade reception of an acceptable signal.
- (g) All antenna shall meet the yard requirements of the primary permitted use, but guy wires and anchors may be located within side and rear yard set back areas, so long as such limitation on placement of an antenna does not make receipt of an acceptable signal impossible or substantially degrade reception of an acceptable signal.
- (h) Antennas shall be set back a distance equal to at least one hundred twenty five percent (125%) of the height of the tower from any high voltage power lines.

- (i) No antenna shall be located in a clear site triangle.
 - (j) No antenna shall obstruct fire exits, and access to and egress from, or visibility of fire exits.
 - (k) All antenna, including masts, shall conform to the antenna height and installation restrictions provided in the Borough Building Code, as amended from time to time.
- (11) Fees. An applicant for a permit shall submit the information described herein and a non-refundable fee as established by resolution of the Borough Council to reimburse the Borough for the costs of reviewing the application.
- (12) Allowed Projections.
- (a) An unenclosed front porch or roof overhang may extend a maximum of 8 feet into the required front yard. An unenclosed residential deck, porch or roof overhang may extend into a side or rear yard, provided a minimum rear yard of 20 feet is maintained and a minimum side yard of 5 feet shall be maintained where adjacent dwellings are not attached to each other.
 - (b) Steps, a stoop and/or a handicapped ramp that are necessary to provide entry into a building may extend into a required yard and may also extend a maximum of 3 feet into a street right-of-way, provided that a minimum sidewalk width of 4 feet is maintained. Such steps, stoop or handicapped ramp may include a roof but not enclosed sides.
- (13) A rear yard setback shall not, by itself, limit the location of vehicle parking.
- B. Buffer yards. On non-residentially zoned or used properties, the owner thereof shall, adjacent to every side and rear lot line which abuts a residentially zoned or used property, establish a protective planting strip, designated and laid out with suitable evergreen plant material which will be planted at a minimum height of four (4) feet and will attain and shall be maintained at a height of not less than eight (8) feet, so as to provide an effective natural screen and head-light barrier between the residential and non-residential properties. This same type of buffer yard shall be required between any industrial outdoor storage or any area routinely used for the overnight storage of 2 or more tractor-trailer trucks (or trailers of tractor-trailers or tractors) and any public street right-of-way from which the tractors, trailers or storage is visible. If a buffer yard will involve over 20 plants, then no more than 50 percent shall be of one species. American Arborvitae and similar weak-stem plants shall not be used to meet buffer yard requirements.
- C. Lot area, width and coverage. Notwithstanding the lot area, lot width and lot coverage requirements of any district listed in Article V, a dwelling, where it is permitted or special exception use, may be erected on any lot with less than the required lot width or lot area if

separately owned and not adjacent to any lot in the same ownership at the effective date of this chapter; provided that the aggregate width of the side yards be not less than twenty-five percent (25%) of the lot width, and that the narrower side yard be not less than three (3) feet in width. If an existing lot does meet this section, it may not be used for a new principal use or building unless a variance is approved.

D. Height.

- (1) Nothing herein contained shall restrict the height of a church spire, cupola, dome, mast, belfry, clock tower, radio or transmission line, tower, flagpole, chimney flue, water tank, elevator or stair bulkhead, stage tower, scenery loft or similar structure. Any such structure that exceeds the maximum height shall comply with the following additional requirements:
 - (a) Have a lot coverage at the base in excess of ten percent (10%) of the lot area.
 - (b) Be used for residence or tenancy purposes.
 - (c) Have any advertising sign or device inscribed upon or attached to such structure.
- (2) No private garage or other accessory building shall exceed the height of the existing main dwelling situated upon the same lot or a maximum of 25 feet, whichever is less.

E. Yards.

- (1) Front Yard. The space in a required front yard shall be open and unobstructed except as allowed by Subsection A(12) above.
- (2) All yards. Every part of a required yard shall be open to the sky unobstructed by structures except for retaining walls and for accessory buildings in a rear yard, and except for the ordinary projections of sills, belt courses and for ornamental features projecting not to exceed six (6) inches.
- (3) Permitted projections. Open or lattice enclosed fireproof fire escapes or stairways, required by law, projecting into a yard not more than four (4) feet, and the ordinary projections of chimneys and pilasters shall be permitted when placed so as not to obstruct light and ventilation.

F. Traffic visibility across corners.

- (1) In any district, no structure, fence, planting or other obstruction to vision shall be constructed, installed or maintained between a plane two (2) feet above curb level

or pavement edge elevation (if no curb is constructed) and a plane seven (7) feet above curb level or pavement edge elevation (if no curb is constructed) within the clear sight triangle described by the following points:

- (a) The point of intersection of the centerlines of the two (2) streets.
- (b) A point on the centerline of the minor (stop) street and located ten (10) feet from the curb line or ultimate pavement edge (if no curb is constructed) of the major (through) street.
- (c) A point on the centerline of the major (through) street and located the following distances from the intersection of the centerline of the two (2) streets:

Street Classification	Distance left (ft)	Distance Right (ft)
Local	250	195
Collector	440	350
Arterial	635	570

- (2) At each point where a private accessway intersects a public street or road, a clear sight triangle as described in Subsection F(1) above shall be maintained.
- (3) Local streets are those streets classified as "local" according to the official Borough street classification map and roadways with right-of-way widths equal to or less than 20 feet (except for Cotton Street which is classified as a collector street).
- (4) The attached "Plan View, Traffic Visibility Across Corners, Fig-A, is incorporated herein by reference and shall be used as a guide in establishing clear site distances.
- (5) Alleys.
 - (a) See definition of "Street" in § 345-43, which distinguishes streets from alleys.
 - (b) Where a street intersects with an alley, a clear sight triangle shall be established with one leg of the triangle 15 feet long along the edge of the right-of-way of the street and one leg of the triangle 5 feet long along the edge of the right-of-way of the alley, with the two legs connected by a third longer leg.
 - (c) Where two alleys intersect, a clear sight triangle shall be established with each leg of the triangle 5 feet long along the edge of each right-of-way, and with the two legs connected by a third longer leg.

- (d) Within these clear sight triangles, no new sight obstruction shall be allowed that obstructs the views of motorists of oncoming vehicle and pedestrian traffic.

G. Fence and walls.

- (1) Man-made fences and walls may be erected, altered and maintained within the yards, provided that any such fence or wall in the front yard shall not exceed three and one-half (3-1/2) feet in height, and any fence or wall in the side or rear yard may be six (6) feet or more in height; provided that any fence or wall exceeding six (6) feet in height shall contain openings therein equal to fifty percent (50%) of the area of that portion of the wall or fence exceeding six (6) feet.
- (2) All yards used for the storage of any material needed for the operation or conduct of a manufacturing or commercial enterprise shall be enclosed by a solid wall, uniformly painted board fence, or screen planting, on all sides which face upon a street or face upon a lot in a residential zone.

H. Flood plain overlay area. Any construction or other activity to take place within the flood plain overlay area as delineated on the Floodway Boundary and Floodway Map for the Borough of Macungie, dated November 7, 2001, is subject to the requirements and restrictions of Article XII, flood prone area regulations.

I. Temporary uses. It is hereby recognized that certain uses and activities, which might otherwise be prohibited by this chapter are nevertheless such that their establishment and operation for a limited period of time would serve the public interest. For the purposes of this chapter, such uses are declared to be temporary uses which may be permitted only on commercial properties situate in the General Commercial (GC) and Manufacturing (M) zoning districts; and further provided that temporary uses shall not be permitted to exist for more than fourteen consecutive days in any continuous six month period. Permits for temporary uses shall be secured from the Zoning Officer prior to the establishment thereof.

§ 345-22. Regulations applying to certain uses and districts.

A. Private garages or private parking area in a residential district.

- (1) A private garage or private parking area may be utilized only as an accessory use to the main use, except that no more than two (2) parking spaces in a private garage accessory to a single family detached or single family semi-detached dwelling may be rented to a person who is not a resident of the main building.
- (2) On a residential lot in a residential district, no truck shall be parked overnight that has an aggregate gross vehicle weight exceeding 14,000 pounds.

B. Private garages accessory to multiple dwellings.

- (1) In private garages accessory to multiple dwellings, no commercial repairing of cars shall be done, but washing of tenants' cars shall be permitted, if done without the aid of washing machinery.
- (2) Private garages accessory to multiple dwellings shall conform in exterior architectural style and treatment to the architecture of the main building or buildings and shall be of similar materials.

C. Non-commercial swimming pools.

- (1) A non-commercial swimming pool which is designed to contain a water depth of twenty-four (24) inches or more shall not be located, constructed or maintained on any lot or land area, except in conformity with the requirements of these regulations. A permit shall be required to locate, construct or maintain a non-commercial swimming pool.
- (2) Such pool shall be located in the rear yard only.
- (3) Every non-commercial swimming pool located on a lot of less than two (2) acres shall be entirely enclosed with a good quality chain link wire, wooden or other equivalent fence of not less than four (4) feet in height. Such fence shall not be less than ten (10) feet from the pool structure and shall have a self-closing gate. For above-ground pools (defined as any pool that is installed on grade, using normal construction practices for leveling, and has not been lowered below grade on all sides to emulate an inground pool), the enclosure requirement of this subsection may be satisfied by having a twenty-four (24) inch fence situate on the pool structure itself, provided, that, all access areas to the water surface of the pool are secured when not in use by either a self-closing gate or hinged steps that swing up and complete the twenty-four (24) inch enclosure requirement. A gate or swing up steps must be equipped with a suitable locking device (e.g., a latch type lock) to be secured when the pool is not occupied. At any point, from grade, on the outside of the pool structure, a minimum of four (4) feet must be maintained to the top of the enclosure fence. In the event that the enclosure requirement of this section for above-ground pools cannot be met because of setback restrictions applicable for that zoning district in which the pool is situate, the enclosure requirement shall be satisfied by having the twenty-four (24) inch fence on the pool structure itself. The location of fences for in-ground pools shall be as otherwise set forth in this chapter.
- (4) The fencing required by Subsection C(3) above shall comply with the following:
 - (a) Openings in the fence shall not allow the passage of a 5-1/2 inch diameter sphere.

- (b) Solid barrier fences shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.
 - (c) Where the fence is composed of repeating horizontal and vertical members, the horizontal members shall be located on the pool side of the fence; spacing between the vertical members shall not exceed two (2) inches so as to no provide a “climbable ladder”.
 - (d) Maximum mesh size for chain link fences shall be a two (2) inch square.
 - (e) Openings on swing up steps (between stair treads) shall not allow the passage of a 9-1/2 inch sphere.
 - (f) Where the fence is composed of diagonal members, such as lattice fence, the maximum opening formed by the diagonal members shall not be more than four (4) inches.
- (5) Where a wall of a dwelling serves as part of the barrier (fence) to an in-ground pool that is directly accessible from the dwelling, or, an above ground pool that has the pool surface at the same elevation as the dwelling exit (e.g. a deck from the dwelling to the top of the pool edge) one of the following shall apply:
- (a) All doors with direct access to the pool through that wall shall be equipped with an alarm, which produces an audible warning when the door or screen door, if present, is opened. The alarm shall sound continuously for a minimum of thirty (30) seconds immediately after the door is opened. The alarm shall have a minimum sound pressure rating of eighty-five (85) dBA at ten (10) feet and the sound of the alarm shall be distinctive from other household sounds such as smoke alarms, telephones and door bells. The alarm shall automatically reset under all conditions. The alarm shall be equipped with manual means, such as touchpads or switches, to deactivate temporarily the alarm for a single opening from either direction. Such deactivation shall last not more than fifteen (15) seconds. The deactivation touch pads or switches shall be located at least fifty-four (54) inches above the threshold of the door.
 - (b) The pool shall be equipped with an approved power safety cover.
- (6) Such pool shall not be less than fifteen (15) feet from side and rear lot lines.
- (7) Such pool shall not occupy more than twenty-five percent (25%) of the rear yard area, including all private garages or other accessory buildings or structures.
- (8) If the water for such pool is supplied from a private well, there shall be no cross-connection with the public water system.

- (9) If the water for such pool is supplied from the public water supply system, the inlet shall be above the overflow level of said pool.
 - (10) No permit shall be granted for the installation or construction of such swimming pool unless the plans meet the minimum construction requirements of the Borough and unless the Borough Engineer, or a licensed professional engineer of the State of Pennsylvania, has certified that the drainage of such pool is adequate and will not interfere with the public water supply system, with existing sanitary facilities or with the public streets.
 - (11) No loud speaker or amplifying device shall be permitted which will project sound beyond the bounds of the property or lot where such pool is located.
 - (12) No lighting or spotlighting shall be permitted which will shine directly beyond the bounds of the property or lot where such pool is located.
- D. Group homes. Group homes are permitted within a lawful dwelling unit, provided the following additional requirements are met:
- (1) See definition in Article XI.
 - (2) A group home shall not include any use meeting the definition of a "treatment center."
 - (3) A group home shall include the housing of a maximum of 5 unrelated persons, except:
 - (a) If a more restrictive requirement is established by another Borough ordinance.
 - (b) The number of bona fide paid professional staff shall not count towards such maximum.
 - (c) As may otherwise be approved by the Zoning Hearing Board under § 345-39.
 - (4) The facility shall have adequate trained staff supervision for the number and type of residents.
 - (5) The applicant shall provide evidence of any applicable Federal, State or County licensing or certification to the Zoning Officer.
 - (6) The group home shall register in writing its location, general type of treatment/care, maximum number of residents and sponsoring agency with the Zoning Officer.

- (7) Any medical or counseling services shall be limited to a maximum of 3 non-residents per day. Any staff meetings shall be limited to a maximum of 5 persons at one time.
- (8) A minimum of one off-street parking space shall be provided per on-site employee, plus one space for every 2 residents of a type reasonably expected to be able to drive a vehicle
- (9) If a group home is in a residential district, an appearance shall be maintained that is closely similar to nearby dwellings, and no sign shall identify the use.
- (10) The persons living on-site shall function as a “common household unit.”

E. Dumpster screening and location.

- (1) Any newly placed solid waste dumpster shall be screened on at least 3 of 4 sides as necessary to screen views from public streets and dwellings.
- (2) Such screening shall consist of decorative masonry walls, mostly solid weather-resistant wood fencing, fencing of a similar appearance, or primarily evergreen plantings.
- (3) To the maximum extent feasible, as determined by the Zoning Officer, an outdoor solid waste container with a capacity of over 20 cubic feet shall be kept a minimum of 20 feet from the walls of a dwelling on an abutting lot.
- (4) If a solid waste dumpster is moved from one part of a lot to another part of a lot, then it shall come into compliance with this section.
- (5) This section shall not apply to dumpsters temporarily placed during actual construction or demolition on the premises.
- (6) Solid waste containers holding garbage shall be kept closed and shall be regularly emptied to prevent nuisances and health hazards.

F. Setbacks from creeks. No paving, outdoor storage, buildings or paved or stone vehicle parking shall be located within 25 feet from the centerline of the Swabia Creek and the Mountain Creek.

G. Noise.

- (1) No principal or accessory use, or operations or activities on its lot, shall generate a sound level exceeding the limits established in the table below, when measured at the specified locations:

Sound Level Limits by Receiving Land Use/ District

Land use or Zoning District receiving the noise	HOURS/ DAYS	Maximum sound level
At a lot line of a primarily residential use in a residential district	1) 7 a.m. to 9 p.m. other than Sundays, Christmas Day, Thanksgiving Day, New Years Day, Labor Day and Memorial Day 2) 9 p.m. to 7 a.m. plus all day Sundays, Christmas Day, Thanksgiving Day, New Years Day, Easter Sunday, Labor Day and Memorial Day	1) 65 dBA 2) 60 dBA
At any other lot line	All times and days	70 dBA

Note- dBA means "A" weighted decibel.

- (2) The maximum permissible sound level limits set forth in the above table shall not apply to any of the following noise sources:
- (a) Sound needed to alert people about an emergency.
 - (b) Repair or installation of utilities or construction of structures, sidewalks or streets between the hours of 7 a.m. and 8 p.m., except for clearly emergency repairs which are not restricted by time.
 - (c) Household power tools and lawnmowers between the hours of 8 a.m. and 9 p.m.
 - (d) Agricultural activities, including permitted raising of livestock, but not exempting a commercial kennel.
 - (e) Public celebrations specifically authorized by the Borough Council or a County, State or Federal Government agency or body.
 - (f) Unamplified human voices or the sound of a single animal.
 - (g) Routine ringing of bells and chimes by a place of worship or municipal clock.
 - (h) Vehicles operating on a public street or railroad and aircraft.
- H. Odors and dust. No use shall generate odors or dust that are offensive to persons of average sensitivities beyond the boundaries of the subject lot.

- I. Control of light and glare. This subsection shall only regulate exterior lighting that spills across lot lines or onto public streets. This subsection shall not apply to street lighting that is owned, financed or maintained by the Borough or the State.
- (1) Height of lights. No luminaire, spotlight or other light source that is within 200 feet of a lot line of an existing dwelling shall be placed at a height exceeding 35 feet above the average surrounding ground level. This limitation shall not apply to lights needed for air safety nor lights intended solely to illuminate an architectural feature of a building, nor lighting of outdoor public recreation facilities.
 - (2) Diffusion and shielding. All light sources, including signs, shall be properly diffused as needed with a translucent or similar cover to prevent exposed bulbs from being directly visible from streets, public sidewalks, dwellings or adjacent lots. All light sources, including signs, shall be shielded around the light source and carefully directed and placed to prevent the lighting from creating a nuisance to reasonable persons in adjacent dwellings, and to prevent the lighting from shining into the eyes of passing motorists. See limits on gasoline “filling” station lighting in Article VII.
 - (3) Flickering. Flashing, flickering or strobe lighting are prohibited, except for non-advertising seasonal lights between October 25th and January 10th.
 - (4) Spillover. Exterior lighting on an institutional, commercial or industrial property shall not cause a spillover of light onto a residential lot that exceeds 0.5 of a foot-candle at a distance 20 feet inside the residential lot line.
- J. Easements. No structure or use shall be allowed that would obstruct the purpose of a deeded stormwater, pedestrian, conservation or utility easement. It is the responsibility of the applicant to identify any affected easements at the time of any building permit or development approval application.
- K. No-Impact Home-based Business shall be subject to the following use limitations, each of which shall be applied equally and no one of which shall interpreted as relaxing another.
- (1) The business activity shall be compatible with the residential use of the property and surrounding residential uses.
 - (2) The business shall employ no employees other than family members residing in the dwelling.
 - (3) There shall be no display or sale of retail goods and no stockpiling or inventory of

a substantial nature.

- (4) There shall be no outside appearance of a business use, including but not limited to parking, signs or lights.
- (5) The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including with radio or television reception, which is detectable beyond the confines of the dwelling unit, including transmittal through vertical or horizontal party walls.
- (6) The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.
- (7) The business activity shall be conducted only within the dwelling and may not occupy more than 25% of the habitable floor area.
- (8) The business may not involve any illegal activity.
- (9) The storage of hazardous materials not otherwise and customarily associated with the home use is prohibited.

§ 345-23. Off-street parking and loading

A. Required number of parking spaces.

- (1) Overall requirements.
 - (a) Number of spaces. Each use that is developed, enlarged, significantly changed in type or increased in number of establishments after the date of this chapter shall provide and maintain off-street parking spaces in accordance with the following table and the regulations of this article.
 - (b) Uses not listed. Uses not specifically listed in the following table shall comply with the requirements for the most similar use listed in the following table, unless the applicant proves to the satisfaction of the Zoning Officer that an alternative standard should be used for that use.
 - (c) Multiple uses. Where a proposed lot contains or includes more than one type of use, the number of parking spaces required shall be the sum of the parking requirements for each separate use.

TABLE 4.1 - OFF-STREET PARKING REQUIREMENTS
(See also § 345-20F(4) if within the TC Town Center District)

Use	Number of off-street parking spaces required	Plus 1 off-street parking space for each:
Residential uses: a. Dwelling unit, other than types listed separately in this table.	2 per dwelling unit*, except: 1 per conversion apartment that only includes one bedroom or is an efficiency unit. * Note: If desired, one space may be in a garage and one space in a driveway.	
b. Home occupation	1 per 250 square feet of floor space in addition to spaces required for principal use as a Dwelling Unit.	
c. Multiple dwellings for the elderly	1 per dwelling/ rental unit, except 0.4 per dwelling/ rental unit if evidence is presented that the non-physically handicapped persons will clearly primarily be over 70 years old	Non-Resident Employee
d. Boarding house	1 per rental unit or bed for adult, whichever is greater	Non-Resident Employee
e. Group home	See § 345-22	
Institutional uses: a. Place of worship or church	1 per 5 seats in room of largest capacity	Employee
b. Hospital	1 per 3 beds	1.2 Employees
c. Nursing home	1 per 5 beds	1.2 Employees
d. Assisted living facility and/or personal care center	1 per 4 beds	1.2 Employees
e. Day care center	1 per 10 children, with spaces designed for safe and convenient drop-off and pick-up	1.2 Employees
f. School, primary or secondary	1 per 4 students aged 16 or older	Employee

Use	Number of off-street parking spaces required	Plus 1 off-street parking space for each:
g. Utility facility	1 per vehicle routinely needed to service facility	
h. College, university or trade school	1 per 1.5 students not living on campus who attend class at peak times (plus required spaces for on-campus housing)	Employee
i. Library, community center or cultural center or Museum	1 per 5 seats (or 1 per 250 sq. ft. of floor area accessible to patrons and/or users if seats are not typically provided)	Employee
j. Treatment Center	1 per 2 residents aged 16 years or older plus 1 per non-resident intended to be treated on-site at peak times	Non-Resident Employee
k. Swimming pool, commercial	1 per 50 sq. ft. of water surface, other than wading pools	1.2 Employee
Commercial uses:	All commercial uses, as applicable, shall provide additional parking or storage needed for maximum number of vehicles stored, displayed or based at the lot at any point in time. These additional spaces are not required to meet the stall size and parking aisle width requirements of this chapter.	
a. Auto service station or repair garage	5 per motor vehicle mechanic and 1/4 per fuel pump with such spaces separated from accessways to pumps	Employee; plus any parking needed for a convenience store under "retail sales"
b. Auto, boat, recreational vehicle or manufactured home sales	1 per 15 vehicles, boats, RVs or homes displayed	Employee
c. Bed and breakfast use	1 per rental unit plus the 2 per dwelling unit	Non-resident employee
d. Bowling alley	2 per lane plus 2 per pool table	1.2 Employees
e. Car wash	Adequate waiting and drying areas.	1.2 Employees

Use	Number of off-street parking spaces required	Plus 1 off-street parking space for each:
f. Financial institution (including banks)	1 per 200 sq. ft. of floor area accessible to customers, plus "office" parking for any administrative offices	1.2 Employees
g. Funeral home	1 per 5 seats in rooms intended to be in use at one time for visitors, counting both permanent and temporary seating	Non-resident Employee
h. Miniature golf	1 per 2 holes	1.2 Employees
i. Haircutting/hairstyling	1 per customer seat used for haircutting, hair styling, manicuring or similar work	1.2 Employees
j. Hotel or motel	1 per rental unit plus 1 per 4 seats in the largest meeting room (plus any required by any restaurant)	1.2 Employees
k. Laundromat	1 per 3 washing machines	On-site Employee
l. Offices or clinic, medical/dental	5 per physician and 4 per dentist	1.2 Employees
m. Offices, other than above	1 per 300 sq. ft. of total floor area	
n. Personal service use, other than haircutting/hairstyling (min. of 2 per establishment)	1 per 200 sq. ft. of floor area accessible to customers	1.2 Employees
o. Indoor recreation (other than bowling alley), membership club or exercise club	1 per 4 persons of maximum capacity of all facilities	1.2 Employees
p. Outdoor recreation (other than uses specifically listed in this table)	1 per 4 persons of capacity (50% may be on grass overflow areas with major driveways in gravel)	1.2 Employees
q. Restaurant	1 per 4 seats, or 3 spaces for a use without customer seats	1.2 Employees
r. Retail sales (other than	1 per 200 sq. ft. of floor area of rooms	

Use	Number of off-street parking spaces required	Plus 1 off-street parking space for each:
types separately listed)	accessible to customers.	
s. Retail sales of only furniture, lumber, carpeting, bedding or floor covering	1 per 400 sq.ft. of floor area of rooms accessible to customers	
t. Tavern	1 per 30 sq. ft. of total floor area	1.2 Employees
u. Theater or auditorium	1 per 4 seats, one-half of which may be met by convenient parking shared with other business uses on the same lot that are typically not routinely open beyond 9:00 p.m.	1.2 Employees
v. Trade/hobby school	1 per 2 students on-site during peak use	1.2 Employee
w. Veterinarian office	4 per veterinarian	1.2 Employee
Industrial uses: a. All industrial uses (including warehousing, distribution and manufacturing)	In addition to parking or storage needed for maximum number of vehicles stored, displayed or based at the lot at any point in time, which spaces are not required to meet the stall size and aisle width requirements of this Ordinance 1 per 1.2 employee, based upon the maximum number of employees on-site at peak period of times	1 visitor space for every 10 managers on the site
b. Self-storage development	1 per 20 storage units	1.2 Employee

(2) Parking reduction and flexibility in TC Town Center District. See §345-20F(4).

B. General regulations for off-street parking.

(1) General. Parking spaces and accessways shall be laid out to result in safe and orderly use, and to fully take into account all of the following: vehicular access onto and off the site, vehicular movement within the site, loading areas, pedestrian patterns and any drive-thru facilities. No parking area shall cause a safety hazard or impediment to traffic off the lot.

- (2) Existing parking. Any parking spaces serving such pre-existing structures or uses at the time of adoption of this chapter shall not in the future be reduced in number below the number required by this chapter.
- (3) Change in use or expansion. A structure or use in existence at the effective date of this chapter that expands or a change in use of an existing principal building occurs shall be required to provide all of the required parking for the entire size and type of the resulting use, except as follows:
 - (a) If an existing lawful use includes less parking than would be required, then that deficit of parking shall be grandfathered for new uses. For example, if an existing store included 3 parking spaces and was required to provide 7 spaces, there is a deficit of 4 spaces. Therefore, if that store is converted to an office that would need 10 spaces, the office would need to provide a total of 6 spaces (10 minus the pre-existing deficit of 4).
 - (b) If a use expands by an aggregate total of up to 10 percent in the applicable measurement (such as building floor area) beyond what existed at the time of adoption of this chapter, then no additional parking is required. For example, if an existing building included 3,000 square feet, and a single addition of 300 square feet was proposed, then additional parking would not be required. However, if a second addition of 300 square feet would be proposed, then parking for the addition would be required.
- (4) Continuing obligation of parking and loading spaces. All required numbers of parking spaces and off-street loading spaces shall be available as long as the use or building which the spaces serve still exist, and such spaces shall not be reduced in number below the minimum required by this chapter. No required parking area or off-street loading spaces shall be used for any other use (such as storage or display of materials) that interferes with the area's availability for parking.
- (5) Location of Parking. Except as may be permitted in the TC District, pursuant to § 345-20F(4), required off-street parking spaces shall be on the same lot or abutting lot with the principal use served.
- (6) Flexibility in Parking. As a special exception, an applicant may prove to the satisfaction of the Zoning Hearing Board that the minimum amount of off-street parking should be modified for a specific application because of one or more of the following characteristics:
 - (a) The applicant proves that parking will be shared with another use that will reduce the total amount of parking needed because the uses have different peak times of parking need, and that there is a legally guaranteed method to make sure that the parking will continue to be available during all of the years that the use is in operation.

- (b) The applicant proves that the parking demand for a particular use is unusually low because of some unusual and peculiar characteristic of the use.
- (c) Within the TC Town Center district, see also § 345-20F(4).

C. Design standards for off-street parking.

(1) General Requirements.

- (a) Backing onto a street. No parking area shall be designed to require or encourage parked vehicles to back into a street in order to leave a parking space, except for a single family or two-family dwelling with its access onto a local street or parking court.
- (b) Stacking and obstructions. Every required parking space shall be designed so that each motor vehicle may proceed to and from the parking space provided without requiring the moving of any other vehicle, except for spaces serving a single family, twin or townhouse dwelling. Each lot shall provide adequate area upon the lot to prevent back-up of vehicles on a public street while awaiting entry to the lot, or while waiting for service at a drive-thru facility.
- (c) Parking areas shall not be within a required buffer yard or street right-of-way.
- (d) Separation from street. Except for parking spaces immediately in front of individual dwellings, all areas for off-street parking, off-street loading and unloading and the storage or movement of motor vehicles shall be physically separated from the street by a continuous grass or landscaped planting strip with a minimum width of 10 feet, (except where a 5 foot width is required in the TC district), except for necessary and approved vehicle entrances and exits to the lot. Such planting area shall include a mix of low level plantings and deciduous shade trees.

2. Size and marking of parking spaces.

- (a) Each parking space shall be a rectangle with a minimum width of 10 feet and a minimum length of 18 feet, except the minimum length shall be 22 feet for parallel parking and the minimum width 8 feet.
- (b) For handicapped spaces, see Subsection D(5) below.

- (c) All spaces shall be identified to indicate their location, except those of a one or two family dwelling.

3. Aisles.

- (a) Each parking aisle providing for one-way traffic to access parking stalls shall have the following minimum width:

Angle of Parking	Minimum Aisle Width
Parallel or 30 degrees	12 feet
45 degrees	14 feet
60 degrees	18 feet
90 degrees	20 feet

- (b) Each parking aisle providing access to stalls for two-way traffic shall be a minimum of 24 feet in width, except a width of 20 feet may be allowed for parking areas with spaces that are parallel or involve an angle of parking of 45 degrees or less.

D. Access Drives and Driveways.

- (1) Width of driveway/accessway at entrance onto a public street, at the edge of the cartway:*

	1-Way Use	2-Way Use
Minimum	12 feet *	25 feet *
Maximum	20 feet *	30 feet *

* Unless a different standard is required by PennDOT for an entrance to a State road, or the applicant proves to the satisfaction of the Zoning Officer that a wider width is needed for tractor-trailer trucks.

- (2) Drainage. Adequate provisions shall be made to maintain uninterrupted parallel drainage along a public street at the point of driveway entry. The Borough may require an applicant to install an appropriate type and size of pipe at a driveway crossing.

- (3) Paving, grading and drainage.

- (a) Parking and loading facilities, including driveways, shall be graded and adequately drained to prevent erosion or excessive water flow across streets or adjoining properties.
- (b) Except for landscaped areas, all portions of required parking, loading facilities and driveways shall be surfaced with asphalt, concrete, paving

block, stone or Borough approved pervious parking materials. See also the Borough Sidewalk Ordinance [Chapter 296], which requires concrete aprons at driveway crossings. Stone parking lots shall not be allowed in the GC or TC Districts.

- (4) Lighting of parking areas. See "Light and Glare Control" in § 345-22I.
- (5) Handicapped parking.
- (a) Number of spaces. Any lot including 4 or more off-street parking spaces shall include a minimum of one handicapped space. The following number of handicapped spaces shall be provided, unless a revised regulation is officially established under the Federal Americans with Disabilities Act:

TOTAL NO. OF PARKING SPACES ON THE LOT	REQUIRED MINIMUM NO./ PERCENT OF HANDICAPPED PARKING SPACES
4 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of required number of spaces
1,001 or more	20 plus 1% of required number of spaces over 1,000

- (b) Location. Handicapped parking spaces shall be located where they would result in the shortest reasonable accessible distance to a handicapped accessible building entrance. Curb cuts shall be provided as needed to provide access from the handicapped spaces.
- (c) Minimum size. Each required handicapped parking space shall be 10 by 18 feet. In addition, each space shall be adjacent to a 5 feet wide access aisle.
- Such access aisle may be shared by two handicapped spaces by being placed between them. However, 1 out of every 8 required handicapped parking spaces shall have an adjacent access aisle of 8 feet width instead of 5 feet.
- (d) Slope. Handicapped parking spaces shall be located in areas of less than 6 percent slope in any direction.

- (e) Marking. All required handicapped spaces shall be well marked by clearly visible signs or pavement markings. Blue paint is recommended.
- (f) Paving. Handicapped parking spaces and adjacent areas needed to access them with a wheelchair shall be covered with a smooth surface that is usable with a wheelchair.

E. Off-street loading.

- (1) Each use shall provide off-street loading facilities, which meet the requirements of this section, sufficient to accommodate the maximum demand generated by the use and the maximum size vehicle, in a manner that will not routinely obstruct traffic on a public street. If a reasonable alternative does not exist, traffic may be obstructed for occasional loading and unloading along an alley.
- (2) At the time of review under this chapter, the applicant shall provide evidence to the Zoning Officer on whether the use will have sufficient numbers and sizes of loading facilities. The Planning Commission and/or Borough Council may provide advice to the Zoning Officer on this matter as part of any plan review by such boards. For the purposes of this section, the words "loading" and "unloading" are used interchangeably.
- (3) Each space and the needed maneuvering room shall not intrude into approved buffer areas and landscaped areas.
- (4) Fire lanes shall be provided where required by State or Federal regulations or other local ordinances. The specific locations of these lanes are subject to review by Borough fire officials.

F. Paved area landscaping (parking lot trees).

- (1) The term "paved area" shall include all off-street parking spaces, driveways, loading areas, vehicle storage areas and related aisles, other than areas that are allowed to remain in grass.
- (2) A maximum of 15 consecutive and contiguous parking spaces in a row shall be allowed without being separated by a landscaped area.
- (3) One deciduous tree shall be required for every 3,000 square feet of new Paved Area. The trees shall be planted around and/or within parking areas. This number of trees shall be in addition to any trees required by any other section of this chapter or by the Subdivision and Land Development Ordinance [Chapter 305].
- (4) Required trees required by this section shall meet the following standards:

- (a) Type of Trees Permitted. Required trees shall be chosen from the following list of approved deciduous trees, unless the applicant proves to the satisfaction of the Zoning Officer that another type of tree would shade paved areas, be durable, be resistant to disease, road salt and air pollution and be attractive.

Types of Deciduous Trees Permitted to meet Ordinance Requirements

<p>Acer platanoides – Norway Maple Acer rubrum – American Red Maple Acer saccharum – Sugar Maple Celtis occidentalis – Common Hackberry Fagus sylvatica – European Beech Fraxinus americana - White Ash Fraxinus pennsylvania – Green Ash Ginko biloba fastigiata – Maiden Hair Tree (male only; female has noxious odor) Gleditsia triacanthos – Thornless Locust Liquidambar styraciflua – Sweet Gum Liriodendron tulipifera – Tulip Poplar</p>	<p>Prunus sargentii – Sargent Cherry Quercus - All species of Oaks Sophora japonica – Scholar or Pagoda Tree Tilia americana – American Linden Tilia cordata - Little Leaf European Linden Tilia euchlora – Crimean Linden Tilia petiolaris – Silver Linden Ulmus - hybrids – Homestead or Sapporo Autumn Gold Ulmus parviflora – Chinese or Lacebark Elm, not including Silberian Elm Zelkova serrata – Zelkova</p>
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Note: This chapter only regulates the species of trees that are used to meet requirements of the Borough. The species of trees that are not required by Borough ordinances are not regulated.

- (b) Quality of trees. Required trees shall be of symmetrical growth and free of insect pests and disease.
- (c) Minimum size. The trunk diameter (measured at a height of 1 foot above the finished grade level) shall be a minimum of 2 inches or greater.
- (d) Planting and maintenance. Required trees shall be:
 - [1] Planted in conformance with good landscaping practices, with adequate unpaved surface around each for water and air.
 - [2] Properly protected by raised curbs, distance or other devices from damage from vehicles.

[3] Surrounded by a minimum of 16 square feet of pervious ground area.

[4] Properly maintained.

(e) A required tree(s) shall not be removed without being replaced by the current landowner by another tree(s) that meets the requirements of this section. Trees which have died or have become diseased or pest ridden within 18 months from the time of planting shall be replaced by the developer.

§ 345-24. Signs.

A. Applicability.

(1) Purposes. This article is intended to: promote and maintain overall community aesthetic quality; establish reasonable time, place and manner of regulations for the exercise of free speech, without regulating content; promote traffic safety by avoiding distractions and sight distance obstructions; and protect property values and ensure compatibility with the character of neighboring uses and historic buildings.

(2) Permit required. A zoning permit shall be required for all signs except for:

(a) Signs meeting the requirements of Subsection C below.

(b) Non-illuminated window signs constructed of paper, cardboard or similar materials and that are not of a permanent nature.

Only types, sizes and heights of signs that are specifically permitted by this chapter within the applicable District shall be allowed.

(3) Changes on signs. Any lawfully existing sign, including nonconforming signs, may be painted or repaired or changed in logo or message without a new permit under this chapter provided that the changes do not increase the sign area or otherwise result in noncompliance or an increased non-conformity with this chapter.

B. Nonconforming Signs.

(1) Signs legally existing at the time of enactment of this chapter and which do not conform to the requirements of the chapter shall be considered nonconforming signs.

(2) In no case shall such sign obstruct safe sight distances.

C. Miscellaneous Signs.

- (1) The following signs shall be permitted by right within all zoning districts within the following regulations, and shall not be required to have a permit under this article, unless stated otherwise.

Type and Definition of Signs Not Requiring Permits	Max. No. Of Signs per Lot	Max. Sign Area per Sign * on a Lot, Other than a "Non-Residential Lot" (Sq. Ft.)	Max. Sign Area per Sign* on a "Non-residential Lot" ** (Sq. Ft.)	Other Requirements
<u>Christmas Tree Sign</u> - Advertises the seasonal sale of Christmas trees.	2	8	30	Shall only be posted when such products are actively offered for sale.
<u>Charitable Event Sign</u> - Advertises a special event held a maximum of 9 days in any calendar year that primarily is held to benefit a U.S. Internal Revenue Service certified tax-exempt nonprofit organization, fire company or place of worship.	2	4	40	Shall be placed a max. of 30 days prior to event and removed a maximum of 4 days after event. These signs shall not be illuminated.
<u>Contractor's Sign</u> - Advertises a building tradesperson, engineer or architect who is actively conducting significant work on a particular lot that is not such person's place of business, or an entity providing funding for a major construction project.	2	8	40	Shall only be permitted while such work is actively and clearly underway and a maximum of 10 days afterward. Such signs shall not be placed on the lot for more than 1 year. These signs shall not be illuminated.
<u>Directional Sign</u> - provides information indicating traffic	No max.	3, in addition to	3, in addition to signs	Directional signs within a residential

Type and Definition of Signs Not Requiring Permits	Max. No. Of Signs per Lot	Max. Sign Area per Sign * on a Lot, Other than a “Non-Residential Lot” (Sq. Ft.)	Max. Sign Area per Sign* on a “Non-residential Lot” ** (Sq. Ft.)	Other Requirements
direction, entry or exit, loading or service area, directions to apartment numbers or parking courts in a development, fire lanes, parking or closely similar information regarding the same lot as the sign is on, and that does not include advertising.		signs painted on pavement	painted on pavement	development shall not be illuminated. Note - Signs that are not readable from beyond any property line or street are not regulated by this chapter.
<u>Flag</u> - a banner or pennant made of fabric or materials with a similar appearance that is hung in such a way to flow in the wind and that includes some type of commercial message.	2	20	50	Governmental flags and colored flags without an advertising message are not regulated by this chapter. This provision shall not allow plastic pennants on a rope.
<u>Garage Sale Sign</u> - advertises an occasional garage sale/porch sale or auction.	2 per event	2 per sign	2 per sign	Shall be placed a maximum of 48 hours before event begins, and be removed maximum of 24 hours after event ends.
<u>Home Occupation Sign</u> - advertises a permitted home occupation. If a home occupation is located in a commercial or industrial district, the applicant may choose to have a sign meeting the requirements of that district instead of the home occupation sign requirements. These signs shall require a permit.	1	2	2	Shall not be illuminated. Shall be setback a minimum of 10 feet from the street right-of-way, unless printed on a mailbox. May be freestanding, attached flat on a building wall or within a window.

Type and Definition of Signs Not Requiring Permits	Max. No. Of Signs per Lot	Max. Sign Area per Sign * on a Lot, Other than a "Non-Residential Lot" (Sq. Ft.)	Max. Sign Area per Sign* on a "Non-residential Lot" ** (Sq. Ft.)	Other Requirements
<u>Identification Sign</u> - only identifies the name of the resident and/or the name, street address and/or use of a lot, but that does not include advertising.	1	1	6	Maximum height of 8 feet.
<u>Open House Sign</u> - advertises the temporary and periodic open house of a property for sale or rent.	2 per event	4	4	Shall be placed a maximum of 4 days before open house begins, and be removed within 6 hours after open house ends. Such sign shall not be posted more than 5 consecutive days.
<p><u>Political Sign</u>- advertises a person or party seeking political office or a political cause or opinion on a referendum or matter of political concern related to a decision by a governmental body.</p> <p>If a political sign does not meet these requirements, then it shall be regulated as an "off-premises sign."</p>	No maximum number	Maximum total of 30	Maximum total of 60	Shall be placed a max. of 60 days prior to election, vote or referendum and removed within 7 days after such election, vote or referendum. Persons posting political signs shall maintain a written list of locations of such signs, unless posting signs on their own property. Political signs shall not be placed on private property without the

Type and Definition of Signs Not Requiring Permits	Max. No. Of Signs per Lot	Max. Sign Area per Sign * on a Lot, Other than a “Non-Residential Lot” (Sq. Ft.)	Max. Sign Area per Sign* on a “Non-residential Lot” ** (Sq. Ft.)	Other Requirements
				prior consent of the owner. Political signs shall not be placed on Borough-owned property, except in front of a polling place on the date of a vote.
<u>Public Service Sign</u> - advertises the availability of restrooms, telephone or other similar public convenience.	No maximum	2	2	
<u>Real Estate Sign</u> - advertises the availability of property for sale, rent or lease.	1 per street the lot abuts	6	30	Shall only be placed on the subject property and only while the property is actively for sale, lease or rent. Shall be removed a within 7 days after settlement or start of lease.
<u>Service Organization/ Place of Worship Sign</u> - an off-premises sign stating name of a recognized incorporated service organization or place of worship and that states the place and times of meetings or services and/or an arrow directing persons to such location.	2	2	2	Maximum of 2 such signs per such organization or place of worship.
<u>Temporary Signs</u> - temporary	2	Not	20, while the	Shall be displayed a

Type and Definition of Signs Not Requiring Permits	Max. No. Of Signs per Lot	Max. Sign Area per Sign * on a Lot, Other than a “Non-Residential Lot” (Sq. Ft.)	Max. Sign Area per Sign* on a “Non-residential Lot” ** (Sq. Ft.)	Other Requirements
banners, flags and other signs that advertise a special sale or event at a lawful principal commercial business. These signs shall require permits.		permitted	maximum total sign area per nonresidential lot shall be 40 square feet.	maximum of 60 days per calendar year. Such signs shall not flash, be internally illuminated, nor obstruct safe sight distances.
<u>Time and Temperature Sign</u> - with a sole purpose to announce the current time and temperature and any non-profit public service messages.	1	Not permitted	30	
<u>Trespassing Sign</u> - indicating that a road is private, that trespassing is prohibited on a lot, or controlling certain activities such as hunting and fishing on the lot.	No max.	2	4	

* Maximum sign areas are for the aggregate of all sides of each permitted sign, measured in square feet.

** A “Non-Residential Lot” shall be considered a lot occupied by a principal non-residential use in a commercial or industrial zoning district.

(2) In addition, the following types of signs are not regulated by this chapter:

- (a) Historic sign memorializes an important historic place, event, building or person and that is specifically authorized by the Borough or a County, State or Federal agency.
- (b) Holiday decorations. Commemorates a holiday recognized by the Borough, County, State or Federal Government and that does not include advertising.

- (3) Not Readable sign. Not readable from any public street or any exterior lot line.
- (4) Official sign. Erected by the State, County, Borough or other legally constituted governmental body, or specifically authorized by Borough ordinance or resolution, and which exists for public purposes.
- (5) Required sign. Only includes information required to be posted outdoors by a government agency or the Borough.
- (6) Right-of-way sign. Posted within the existing right-of-way of a public street and officially authorized by the Borough or PennDOT.

D. Freestanding, wall and window signs.

- (1) The following are the signs permitted on a lot within the specified districts and within the following regulations, in addition to "Exempt Signs" and "Temporary Signs" permitted in all districts by other provisions of this article. See definitions of the types of signs in Subsection K below.

Zoning District or Type of Use	Maximum Total Height of Free-standing Signs	Maximum Area of Wall Signs	Maximum Area of Window Signs	Maximum Area and Number of Freestanding Signs
<p>Residential District, with these signs limited to allowed principal non-residential uses. No new signs in these districts shall be internally illuminated.</p>	8 feet	20 square feet on each side of a principal building.	May be used in place of a wall sign with the same restrictions	<p>1 sign on each street the lot abuts, each with a maximum sign area of 32 sq. ft.**</p> <p>For home occupation signs, see § 345-24C.</p>
<p>TC District. No new freestanding sign in the TC District shall be internally illuminated.****</p>	12 feet	10% of the area of the building side on which the signs are attached, up to maximum total of 100	Temporary non-illuminated window signs are not regulated. Other window signs are regulated as wall signs.	<p>1 sign per street that the lot abuts, each with a maximum area of 32 sq.ft. *, **</p> <p>Freestanding signs shall not be allowed in the</p>

Zoning District or Type of Use	Maximum Total Height of Free-standing Signs	Maximum Area of Wall Signs	Maximum Area of Window Signs	Maximum Area and Number of Freestanding Signs
		square feet. *		right-of-way.
<p>All Districts not listed above.</p> <p>See also “Special Sale Signs” in § 345-24C.</p>	20 feet	15% of the area of the building side on which the signs are attached, up to a maximum total of 300 square feet.	Temporary non-illuminated window signs are not regulated. Other window signs are regulated as wall signs.	1 sign per street that the lot abuts, each with a maximum area of 60 sq.ft. **, ***, ****

* In the TC Town Center district, the following additional signs shall be permitted:

1. A maximum of one (1) projecting sign or sign on a projecting awning is also permitted on a commercial lot, even if it intrudes into the public right-of-way, provided such sign:
 - A. Has a minimum clearance over the sidewalk of 9 feet and a minimum setback from the curb of 5 feet (unless a differing standard is established by the Building Code).
 - B. In the case of a projecting sign, is constructed entirely from wood or materials with an appearance closely similar to wood, in addition to any metal fasteners, and in the case of an awning, is constructed of materials that resemble a traditional fabric awning.
 - C. Has a maximum sign area on each of 2 sides of 12 square feet, or 24 square feet in the case of a single sign on an awning.
 - D. Is securely attached to the building.
2. A maximum of one (1) “sandwich board” sign is also permitted outdoors on a commercial lot, provided:
 - A. Such sign has a maximum sign area of 8 square feet on each of two sides and a maximum width of 3 feet.

- B. Such sign is taken indoors during all hours when the business is not open to the public.
- C. Such sign is not in a location that would interfere with pedestrian traffic, emergency access or parking spaces.
- D. Such sign shall be durably constructed primarily of wood or materials with an appearance similar to wood and is well maintained.

3. A maximum of two (2) signs are permitted per business establishment.

** If the permitted freestanding sign area is not used, such sign area may be added to the permitted wall sign area.

*** If a lot includes 2 to 4 distinct commercial establishments, then along one street, in place of one 40 square foot freestanding sign, one or two freestanding signs shall be permitted with a maximum total freestanding sign area of 100 square feet. If a lot includes 5 or more distinct commercial establishments, then along one street, in place of one 40 square foot freestanding sign, one or two freestanding signs shall be permitted with a maximum total freestanding sign area of 150 square feet.

**** A freestanding sign shall only be permitted if it is setback a minimum of 10 feet from the existing street right-of-way.

(2) Maximum height of wall signs. The maximum height of wall signs shall be equal to the top of the roof along the wall to which they are attached. A sign may extend up to 5 feet above the structural roof if it is attached to a vertical "parapet" wall that is architecturally integrated into the building facade.

(3) Portable signs (including signs on mobile stands) and other temporary signs.

(a) Purpose. These standards recognize portable signs as a particular type of sign that has the characteristics of a temporary sign but that has been inappropriately used as a permanent sign. This section is based on the policy that if the owner or operator of a use desires to regularly display a sign for regularly changing messages, that it erect a permanent sign within all of the requirements of this chapter.

(b) Definition of a portable sign. A freestanding sign that is attached to a chassis or legs that allows it to be towed or carried from one location to another and that is not permanently attached to the ground.

(c) Portable signs are prohibited in all districts, except as a temporary Charitable Event sign or Temporary Special Sale sign as permitted by Subsection D(2) above. In any case, such signs shall not be in a right-of-way.

- (4) Signs on walls. A freestanding sign may be attached to a decorative masonry or stone wall with a maximum height of 6 feet and a maximum length of 12 feet, without being regulated by the wall setback regulations of this chapter and with the wall itself not counting towards the maximum sign area. However, the wall shall meet clear sight triangle requirements.
 - (5) Sign area bonus. If a freestanding sign or wall sign has the appearance of relief-cut wood, and if the Zoning Hearing Board determines that the proposed sign would have an attractive appearance consistent with the historic character of the Borough, then the Zoning Hearing Board may authorize an increase in the maximum sign area for such sign of 20 percent beyond what would otherwise be allowed.
- E. Abandoned or outdated signs. Signs advertising a use no longer in existence (other than a sign relating to a building that is clearly temporarily vacant and being offered to new tenants or for purchase) shall be removed within 180 days of the cessation of such use.
- F. Location of signs. The following shall regulate the location of signs:
- (1) Setbacks
 - (a) A sign shall not project over any existing street right-of-way, except for permitted "projecting signs" within the TC district.
 - (b) A freestanding illuminated sign for a commercial or industrial business (where permitted) shall not be located within 10 feet of an abutting lot line of a lot that only includes one dwelling unit.
 - (c) These setbacks shall not apply to official signs, nameplate signs, public service signs and directional signs.
 - (2) Sight clearance. No sign shall be located where it would interfere with views within a clear sight triangle.
 - (3) Off-premises. No signs except permitted off-premise, official, political or public service signs shall be erected on a property to which it does not relate.
 - (4) Permission of owner. No sign shall be posted on any property or sign pole or public utility pole, unless permission has been received by the owner.
 - (5) Utility poles. No sign shall be attached to a utility pole using metal fasteners, except by a utility or government agency. Commercial signs shall not be attached to a utility or light pole.
- G. Illumination of signs. See "Light and Glare Control" in § 345-22I.

- H. Vehicles functioning as signs. Any vehicle or structure to which a sign is affixed in such a manner that the carrying of such sign or signs no longer is incidental to the primary purpose of the vehicle or structure but becomes a primary purpose in itself shall be considered a freestanding sign and as such shall be subject to requirements for freestanding signs in the district in which such vehicle or structure is located.
- I. Prohibited signs. The following signs are prohibited in all zoning districts:
- (1) Any moving object used to attract attention to a commercial use shall be prohibited. Flags and banners shall be prohibited except as is permitted by Subsection C above and except for flags or banners meeting the requirements for a particular type of sign.
 - (2) Flashing, blinking, twinkling, animated or moving signs of any type shall be prohibited except that time and temperature signs and Electronic Controlled Signs may be erected in the General Commercial (GC) District. In addition, flashing lights visible from a street shall not be used to attract attention to a business. This restriction specifically includes window signs, but does not prohibit Holiday lighting or displays, within the parameters of § 345-36.
 - (3) Signs which emit smoke, visible vapors or particles, sound or odor shall be prohibited.
 - (4) Signs which contain information that states or implies that a lot may be used for a purpose not allowed by this chapter shall be prohibited.
 - (5) Signs 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 prominent use of the words "Danger") shall be prohibited.
 - (6) Signs or displays visible from a lot line that include words or images that are obscene or pornographic shall be prohibited.
 - (7) Balloons of greater than 35 cubic feet that are tethered to the ground or a structure for periods of over 24 hours and that are primarily intended for advertising purposes shall be prohibited, except as may be approved as a "Special Event" sign.
 - (8) Outdoor lasers and searchlights aimed into the sky shall be prohibited, except as are necessary for an airport or heliport.
- J. Construction of signs. Every permanent sign permitted in this section shall be constructed of durable materials and shall be kept in good condition and repair. The Zoning Officer shall by, written notice, require a property owner or lessee to repair or remove a dilapidated or unsafe sign within 30 days from receipt of written notice. If such order is

not complied with, the Borough may repair or remove such sign at the expense of such owner or lessee.

K. Measurement and major types of signs.

- (1) Sign definitions. The following definitions shall be used in determining whether signs meet the measurement and type requirements of this article:

BUILDING SIDE - The vertical area of a particular front, rear or back of a building, but not including the area of any slanted roof.

ELECTRONIC CONTROLLED SIGN - See § 345-43

FREESTANDING SIGN - A sign which is self-supporting upon the ground or which is primarily supported by poles attached to the ground and not primarily supported by a building.

HEIGHT OF SIGN - The vertical distance measured from the average ground level surrounding a sign to the highest point of the sign and its supporting structure. Religious symbols, when not accompanied by lettering, shall not be restricted by the sign heights of this Article when attached to a tower or spire of a place of worship.

ILLUMINATED SIGN, INTERNALLY - A sign illuminated by light from within the sign rather than a source adjacent to or outside of the sign. A sign within a display case with lights only shining onto the front of the sign shall be considered to be "externally" illuminated.

OFF-PREMISES SIGN - See § 345-43.

SIGN - See § 345-43.

WALL SIGN - A sign primarily supported by or painted on a wall of a building and which does not project more than 2 feet from such wall.

WINDOW SIGN - A sign which is readily visible and can be at least partially read from an exterior lot line and which is attached to a window or transparent door or that can be read through a window or transparent door.

- (2) Measurement of sign area.

- (a) Sign area shall include all lettering, wording and accompanying designs and symbols, together with related background areas on which they are displayed. One "freestanding sign" may include several signs that are all attached to one structure, with the total "sign area" being the area of a common geometric form that could encompass all signs.

- (b) The sign area shall not include any structurally supporting framework, bracing, or clearly defined wooden framing if such area does not include any display, lettering or sign and if such area is clearly incidental to the sign area itself.
- (c) Where the sign consists of individual letters or symbols attached to or painted directly on a building or window, other than an illuminated background that is a part of the sign, the sign area shall be the smallest rectangle that includes all of the letters and symbols.
- (d) The maximum sign area of sign shall be for each of two sides of a sign, provided that only one side of a sign is readable from any location.
- (e) Unless otherwise specified, all square footages in regards to signs are maximum sizes.

L. Off-premise signs (including billboards).

- (1) Purposes. Off-premise signs are controlled by this chapter for the following purposes, to: ensure that a physical environment is maintained that is attractive to desirable types of development; prevent visual pollution in the Borough and protect property values, especially in consideration of the fact that most commercial areas of the Borough are within close proximity to existing residences; prevent glare on adjacent property and streets; avoid the creation of additional visual distractions to motorists, especially along busy arterial streets that involve complex turning movements and numerous traffic hazards; recognize the numerous alternative forms of free speech available in the Borough, including existing nonconforming off-premise signs, on-premise signs and temporary signs and printed and electronic media; carry out the purposes listed in Subsection A above.
- (2) Nonconforming off-premise signs. This section is not intended to require the removal of an existing lawfully placed off-premise sign that is in structurally sound condition.
- (3) PennDOT sign. Signs erected and maintained by PennDOT are permitted by right in all Districts.
- (4) Permitted off-premise signs. An off-premise sign is only permitted if it meets the following requirements:
 - (a) District. An off-premise sign is only permitted in the M Manufacturing District.

- (b) Location. All parts of an off-premise sign shall be setback a minimum of 30 feet from all lot lines and street rights-of-way.
- (c) Maximum sign area: 300 square feet.
- (d) Spacing. Any off-premise sign shall be separated by a minimum of 250 feet from any other off-premise sign, including signs on either side of a street and including existing signs in other municipalities. No lot shall include more than 1 off-premise sign structure.
- (e) Maximum height. 35 feet above the elevation of the adjacent street, measured at the street centerline.
- (f) Attached. No off-premise sign or sign face shall be attached in any way to any other off-premise sign, except that a sign structure may have two sign faces of 300 square feet each if they are placed approximately back-to-back.
- (g) Control of lighting and glare. See standards in §345-22I. An off-premises sign shall not be illuminated between the hours of 11 p.m. and 6 a.m.
- (h) Residences. No off-premise sign greater than 10 square feet in sign area shall be located within 250 feet of an existing dwelling.
- (i) Condition. The sign shall be maintained in a good and safe condition. The area around the sign shall be kept free of debris.