

PART 9

SIGNS

§ 27-901. Permitted Permanent Signs. [Ord. 206, 2/4/1985; as amended by Ord. 216, 2/17/1987; by Ord. 243, 2/27/1996; and by Ord. 328, 3/10/2015]

Subject to the provisions of this Part, only the permanent signs contained in Table 1 are permitted.¹ A zoning permit may be required, and the cost shall be fixed by the Borough Council from time to time by resolution.

§ 27-902. Permitted Temporary Signs. [Ord. 206, 2/4/1985; as amended by Ord. 216, 2/17/1987; by Ord. 243, 2/27/1996; and by Ord. 328, 3/10/2015]

Subject to the provisions of this Part, only the temporary signs contained in Table 1 are permitted.² (A zoning permit may be required, and the cost shall be fixed by the Borough Council from time to time by resolution.)

§ 27-903. Prohibited Signs. [Ord. 206, 2/4/1985; as amended by Ord. 216, 2/17/1987; by Ord. 243, 2/27/1996; and by Ord. 328, 3/10/2015]

The following types of signs shall not be permitted in the Borough:

- A. Animated, sequential, flashing, rotating, or oscillating signs, or revolving signs, with the exception of barbershop poles.
- B. A sign suspended between poles and lighted by a series of lights.
- C. A sign suspended between poles, consisting of either pennants or spinners, except temporary signs.
- D. Signs attached to utility poles, official traffic signs, street signs, or bridges.
- E. Any sign of any type across a public street, except as permitted by PennDOT.
- F. Any sign which projects over a public sidewalk more than 12 inches at a height less than nine feet above the sidewalk.
- G. Any sign containing information which states or implies that a property may be used for any purpose not permitted under the provisions of this chapter.
- H. Any sign which uses the word "stop," "look," "danger," or any other word, character, or color which attempts or appears to attempt to direct the movement of traffic or which interferes with or resembles any official traffic sign, signal, or device within 75 feet of a public right-of-way or within 200 feet of a traffic control device, whichever is greater.

¹Editor's Note: Table 1 is included as an attachment to this chapter.

²Editor's Note: Table 1 is included as an attachment to this chapter.

- I. Open flames used to attract public attention to a place of business or to an advertising sign.
- J. Any sign which obstructs the view of a pedestrian or vehicle operator at an intersection.
- K. Any sign placed upon a truck or other vehicle not used for normal day-to-day operations of a business or not regularly moved for business-related purposes.
- L. Freestanding signs for multiple individual businesses on a single lot.
- M. Any sign that emits smoke, vapors, particulate, sound or odor.
- N. Inflatable signs displayed for more than 48 hours in any ninety-day time period.
- O. Any sign placed on the roof or higher than the vertical walls of any structure.

§ 27-904. Exempt Signs. [Ord. 206, 2/4/1985; as amended by Ord. 216, 2/17/1987; by Ord. 243, 2/27/1996; and by Ord. 328, 3/10/2015]

No permit need be obtained before erecting any of the following signs in any district; however, they shall conform to all other applicable regulations:

- A. Official highway route number signs, street name signs, directional, or other official government (federal, state, county, or Borough) signs.
- B. Directional information or public service signs, such as those advertising availability of restrooms, telephone or similar public conveniences.
- C. Signs advertising meeting times and places of nonprofit service or charitable clubs may be erected and maintained, provided that such signs do not advertise any commercial establishment, activity, organization, product, goods, or services except those of public utilities.
- D. Government flags or insignias not exceeding 80 square feet.
- E. Government signs.
- F. Vending machine signs bearing the brand name of the product being sold or price of such product.
- G. Historical tablets, provided that such tablet does not exceed four square feet.
- H. Signs which are a permanent architectural feature of a building or structure, such as a cornerstone, or identifying letters carved into or embossed on a building, provided that the letters are not made of a reflective material nor contrast in color with the building.

- I. Revolving barbershop pole sign, provided that it does not exceed 36 inches in height.
- J. Signs advertising the variety of crop growing in a field. Such signs shall be removed after the growing season.

§ 27-905. General Regulations for All Signs. [Ord. 206, 2/4/1985; as amended by Ord. 216, 2/17/1987; by Ord. 243, 2/27/1996; and by Ord. 328, 3/10/2015]

- 1. Signs must be constructed of durable material, maintained in good condition and not allowed to become dilapidated. Any sign which becomes dilapidated or which creates a hazard to the public health, safety or welfare shall be removed or adequately improved at the expense of the owner or lessee. The Borough Zoning Officer shall make the determination as to the state of repair or the presence of a hazard.
- 2. A sign painted upon, or displayed upon, a barn or other building or structure shall be regarded as a sign, and the regulations pertaining thereto shall apply.
- 3. Each sign, including all structural elements, shall be removed when the circumstances leading to its erection no longer apply.
- 4. Lighted signs shall be interior-lighted with nonglaring lights, or illuminated by floodlights or spotlights shielded so there is no direct light transmitted to other properties or public rights-of-way.
- 5. Sign Measurements.
 - A. The area of the sign composed of letters only, attached to a building facade without any background material other than the building components, shall be the area within the perimeter of the entire lettered words.
 - B. The area of a sign composed of letters only, attached to a building facade on background material to set off the letters, shall be the area within the perimeter of the background material, including any molding.
 - C. The area of all other signs shall be the area within the perimeter of the sign structure, including any molding.
- 6. The area immediately surrounding each sign shall be kept neat and litter-free.
- 7. All provisions of this chapter shall apply to the use of silos, buildings, smokestacks, water towers and similar structures as signs or billboards.
- 8. No sign shall project from a building by more than 48 inches.

9. Sign setback shall be measured to the edge of the sign closest to the right-of-way line.

§ 27-906. Billboards. [Ord. 206, 2/4/1985; as amended by Ord. 216, 2/17/1987; by Ord. 243, 2/27/1996; and by Ord. 328, 3/10/2015]

Billboards shall be allowed only in the Industrial and Commercial Districts in accordance with the following standards and regulations:

- A. No individual billboard face shall exceed 300 square feet.
- B. No billboard shall be permitted to be erected upon the roof of any building.
- C. Billboards shall be required to be set back 50 feet from the street right-of-way.
- D. No billboard shall be permitted to be erected within 500 feet of an adjoining residential district.
- E. V-shaped billboards supported by a single structure shall be permitted, provided that the angle formed by the two sides of the advertising sign structure does not exceed 30°.
- F. One billboard shall be separated by 1,000 feet from another billboard.
- G. No billboard shall exceed 25 feet in height above ground level.
- H. Lighting of Signs.
 - (1) No sign shall be permitted which is not effectively shielded so as to prevent beams or rays of light being directed at any portion of the traveled way of any highway, or which is of such intensity or brilliance as to cause glare or to impair the vision of the driver of any vehicle or which interferes with any driver's operation of a motor vehicle.
 - (2) No sign shall be so illuminated that it interferes with the effectiveness of or obscures an official traffic sign, device, or signal.
 - (3) Signs which contain, include, or are illuminated by any flashing, intermittent, or moving light or lights are prohibited.
 - (4) All other applicable provisions of this chapter shall apply.
- I. Annual Fee for Billboards.
 - (1) In order for a billboard sign permitted by this chapter or already built to continue to be a lawful use, the owner or lessee of such sign shall pay annually to Middleburg Borough the required fee on or before February 1 of each calendar year; and default of such payment shall

be considered a violation of this chapter, and such sign may be removed as provided for in § 27-909.

- (2) A schedule of officially approved fees and costs is on file at the Middleburg Borough Municipal Building and may be obtained upon request.
- J. Billboard signs shall be permitted only if the provisions of the Outdoor Advertising Control Act of 1971, Act 160, 36 P.S. § 2718.101 et seq., have been met.
- K. Before any billboards are erected, the appropriate state and/or federal permits that are required for the erection of a billboard shall be obtained, and copies of the same shall be filed at the Zoning Office of Middleburg Borough prior to such erection.

§ 27-907. Wall Signs. [Ord. 206, 2/4/1985; as amended by Ord. 216, 2/17/1987; by Ord. 243, 2/27/1996; and by Ord. 328, 3/10/2015]

1. A lot upon which a building(s) is situated, regardless of the number of occupants therein, shall be entitled to a maximum sign area of 1 1/2 square feet for each linear foot of building face parallel or substantially parallel to a street, or a total of 80 square feet, whichever is greater, except at the rear of a building, where only one sign is allowed.
 - A. Where a lot fronts on more than one street (i.e., a corner lot), the sign area allowed for the smaller building face shall be allowed for each frontage.
 - B. In unique situations where no building face is parallel or substantially parallel to a street, the building face with the lesser of an angle to the street shall be used for determination of maximum sign area.
2. A lot without a building situated thereon shall be entitled to a maximum sign area of 40 square feet.
3. No more than one sign shall be attached to a rear wall.

§ 27-908. Permits. [Ord. 206, 2/4/1985; as amended by Ord. 216, 2/17/1987; by Ord. 243, 2/27/1996; and by Ord. 328, 3/10/2015]

1. Sign permits shall be required for signs as noted in §§ 27-901 and 27-902.
2. The following operations shall not be considered as creating a sign and shall not require a permit:
 - A. Replacing copy: the changing of the advertising copy or message on an approved painted or printed sign or on approved signs that are specifically designed for the use of replaceable copy.

- B. Maintenance: painting, repainting, cleaning and other normal maintenance and repair of a sign or a sign structure, unless a structural change is made.

§ 27-909. Removal of Nonpermitted Signs. [Ord. 206, 2/4/1985; as amended by Ord. 216, 2/17/1987; by Ord. 243, 2/27/1996; and by Ord. 328, 3/10/2015]

Any sign not in conformity with this Part shall be removed, and the Zoning Officer of Middleburg Borough may remove any sign not in conformity with this Part. If the Zoning Officer removes any signs, the same shall be kept in the possession of Middleburg Borough for a period of 30 days and may be claimed and recovered by the owner thereof upon proper proof shown; and after 30 days, if such signs are not claimed and recovered, they shall be destroyed. Removal, storage, or destruction shall be at the property owner's expense.

§ 27-910. Nonconforming Signs. [Ord. 206, 2/4/1985; as amended by Ord. 216, 2/17/1987; by Ord. 243, 2/27/1996; and by Ord. 328, 3/10/2015]

All signs in existence prior to the passage of this Part and its effective date shall not have to be in compliance with this Part, except for any annual fee due, but shall be in compliance with any former laws, regulations and ordinances that were in effect at the time such signs were erected. If a nonconforming sign is replaced, it shall conform to the requirements of this Part.

§ 27-911. Marquees and Canopies. [Ord. 206, 2/4/1985; as amended by Ord. 216, 2/17/1987; by Ord. 243, 2/27/1996; and by Ord. 328, 3/10/2015]

Marquee and canopy signs are permitted in the C, NC and Industrial Zones where they bear no sign other than the identification or name of the premises. Marquee and canopy signs must comply with square footage requirements of this chapter regarding size of identification signs.

ZONING

27 Attachment 2

Borough of Middleburg

Table 1
Permitted Signs, Permanent and Temporary
[Ord. 328, 3/10/2015]

Sign Type	Maximum Number Permitted	Maximum Area Permitted Per Sign (square feet)	Minimum Setback from Cartway (feet)	Maximum Height Attached (feet)	Maximum Height Freestanding (feet)	Permitted Zoning Districts	Permit Required
P-1	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited	All	No
P-2	1 per frontage	100; 20 in any residential district	10	Peak of roof	35 (from street grade); 6 (in any residential district)	All	Yes
P-3	1 per dwelling unit	2	5	10	6	All	No
P-4	1 per event	6	5	10	10	All	Yes
P-5a	1 per driveway	2	5	10	6	All	No
P-5b	1 per 50 feet of property line	2	5	10	6	All	No
P-6a	1 per entrance and exit	2	5	N/A	3	All	No
P-6b	Unlimited						
P-7a	1 per frontage	80	10	N/A	35 from road/grade surface	All N-C, C, I	No Yes

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Sign Type	Maximum Number Permitted	Maximum Area Permitted Per Sign (square feet)	Minimum Setback from Cartway (feet)	Maximum Height Attached (feet)	Maximum Height Freestanding (feet)	Permitted Zoning Districts	Permit Required
P-7b	§ 27-907, Subsection 1, shall govern	§ 27-907, Subsection 1, shall govern	Building setback minus 48 inches	Peak of roof	N/A	N-C, C, I	Yes
P-8	See § 27-906	300	50	25	25	C, I	Yes
P-9	1 per dwelling unit	2	5	6	6	Where use is permitted	Yes
P-10	1 per street frontage	6	5	Peak of roof	6	Where use is permitted	Yes
P-11	1 per street frontage	6	5	Peak of roof	6	Where use is permitted	Yes
T-1	1 for each firm involved in work on site	6	5	Peak of roof	6	All	No
T-2	1 per street frontage	6	5	Peak of roof	6	All	No
T-3	1 per lot, attached or freestanding	32	10 or building face	Peak of roof	10	All	No
T-4	1 per street frontage	32	10 or building face	Peak of roof	10	All	No
T-5	2 per lot	6	5	Peak of roof	6	All	No
T-6	N/A	10	10	5	6	All	No

ZONING

Permanent Signs

- P-1: All signs and signals owned or operated by the Borough or other governmental agencies.
- P-2: Identification signs for private facilities and schools, and public and semipublic facilities, such as schools, churches, hospitals, libraries, clubs, and public utilities.
- P-3: Nameplate identifying the owner or resident of a private property. Such sign may be in addition to normal name and address on or attached to a mailbox, which signs are not subject to the regulations of this Part.
- P-4: Historical markers.
- P-5a: Signs indicating the private nature of a street, driveway or other premises.
- P-5b: Signs controlling the use of private property, such as the prohibition of hunting, fishing, or trespassing.
- P-6a: On-site Enter and Exit signs that will not obstruct traffic and which contain no advertising, logo, or business name.
- P-6b: On-site traffic control signs.
- P-7a: Freestanding business signs.
- P-7b: Wall business signs.
- P-8: Billboards.
- P-9: Home occupation signs. One home occupation sign shall be permitted per dwelling unit. A home occupation sign may be a wall, free-standing or projecting sign.
- P-10: Sign identifying multifamily dwellings.
- P-11: Sign advertising a rooming (boarding) house.

Temporary Signs

- T-1: Signs identifying architects, engineers, contractors, tradesmen, financial/lending institutions, or others engaged in construction work on premises wherein their work is proceeding. Such signs shall not be erected prior to work beginning and shall be removed within one week of the work ceasing or being completed.
- T-2: Real estate signs on properties that are for sale, rent or lease or which have been sold, rented or leased. Signs must be removed within one week of a sale, rent or lease agreement.
- T-3: Signs announcing grand openings, new ownership or change of use, on the site of the permitted use. Signs shall be removed 30 days after erection.
- T-4: Temporary signs announcing a special event (does not include yard/garage sales and temporary reduction in prices). Sign shall not exceed 30 consecutive days at any site within the Borough nor exceed two special events per year. Special event signs for charitable or nonprofit organizations shall be exempt from the requirement limiting signs to two special events per year but shall be subject to all other requirements for T-4 signs.
- T-5: Yard sale and garage sale signs. Signs may be displayed only during the days of the sale and one week prior to the sale. Signs must only be placed on the property on which the sale is occurring.
- T-6: Political posters, banners, signs, etc., about candidates, political parties and ballot issues; allowed four weeks prior to election and to be removed one week after election.