

**TOWNSHIP OF WEST BRADFORD
CHESTER COUNTY, PENNSYLVANIA**

ORDINANCE 21 - 04

AN ORDINANCE OF THE TOWNSHIP OF WEST BRADFORD, CHESTER COUNTY, PENNSYLVANIA PROVIDING FOR THE AMENDMENT OF THE ZONING ORDINANCE OF WEST BRADFORD TOWNSHIP OF 1977, AS AMENDED, AND AS CODIFIED AT CHAPTER 450 OF THE WEST BRADFORD TOWNSHIP CODE, TO AMEND CHAPTER 450, ZONING, ARTICLE II, DEFINITIONS, §450-8, DEFINITIONS, TO REDEFINE TERMS RELATED TO SIGNS; ARTICLE XII, SUPPLEMENTARY REGULATIONS, §450-64, CONDITIONAL USE REGULATIONS, BY DELETING AND REPLACING THE SECTION IN ITS ENTIRETY TO ADDRESS APPLICATIONS FOR BILLBOARDS; AND ARTICLE XII, SUPPLEMENTARY REGULATIONS, §450-69, SIGN REGULATION, BY DELETING AND REPLACING THE SECTION IN ITS ENTIRETY TO AMEND AND UPDATE SIGN REGULATIONS.

NOW THEREFORE, IT IS HEREBY ORDAINED AND ENACTED, by the Board of Supervisors of the Township, that the West Bradford Township Zoning Ordinance of 1977, as amended (the "Zoning Ordinance"), shall hereby be further amended as follows:

SECTION 1. Chapter 450, Zoning, Article II, Definitions, §450-8, Terms defined, shall be is hereby amended by deleting the definitions for "Billboard," "Digital Billboard," and "Sign" and replacing them and adding a definition for "Freestanding Sign," as follows.

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BILLBOARD

A freestanding outdoor sign with a sign area that is between 60 square feet and 300 square feet. The term "billboard" applies to all physical parts of the sign, including display faces, structure, support poles, attached ladders, attached catwalks, and appurtenant lighting systems, and visual display systems.

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DIGITAL BILLBOARD

A billboard on which the sign face copy is composed of light emitting diode (LED), halogen, compact fluorescent, incandescent, plasma or similar screens, lamps or bulbs which may be changed remotely with no greater frequency than once every 20 seconds so as not to be distracting to motorists.

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FREESTANDING SIGN

Any billboard, poster, panel, display, illustration, structure or device used for visual communication which is affixed, painted or represented directly or indirectly upon a building or other outdoor surface.

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SIGN

Any billboard, poster, panel, display, illustration, structure or device used for visual communication which is affixed, painted or represented directly or indirectly upon a building or other outdoor surface.

SECTION 2. Chapter 450, Zoning, Article XII, Supplementary Regulations, §450-64, Conditional use regulations, subsection G, Billboards, shall be amended by deleting that subsection in its entirety and replacing it as follows:

G. Billboards.

- (1) Statement of intent. It is the intent of this section to ensure that billboards are located safely and appropriately within view of the traveling public with the least distraction and degradation in driving safety; and are compatible with the historic, natural, residential and rural character of West Bradford Township in terms of size, location, visual prominence from areas other than the adjacent roadway, and materials and finishes used in construction.
- (2) One billboard shall be permitted on each property that (a) possesses frontage to State Route 322, and (b) is situated on the east side of State Route 322, subject to all other conditions noted herein. The east side of State Route 322 shall be defined as including all properties situated between State Route 322 and the Brandywine Creek. Billboards shall be a use permitted by conditional use approval of the Board of Supervisors.
- (3) All billboards shall be required to comply with the following provisions:
 - (a) Lot area; setbacks; location.
 - [1] Each face of a billboard shall be oriented toward State Route 322. The billboard shall be designed to have the least practical adverse visual effect on any residential areas that can view the billboard.
 - [2] The minimum lot area of the property on which a billboard is located shall be one acre.
 - [3] No portion of a billboard shall be located closer than 20 feet to the ultimate right of-way line of State Route 322 or to a side property line or rear property line; nor shall any portion of a billboard be located farther away than 60 feet from the ultimate right-of-way line of State Route 322.
 - [4] Billboards shall not be located closer than 1,000 linear feet on the same side of the roadway or 500 linear feet on the opposite side of the roadway from another billboard as measured along the right-of-way line.
 - [5] No portion of a billboard shall be located within 200 feet of an intersection that possesses a traffic signal, as measured from the centerline of the intersection.
 - [6] No portion of a billboard shall be located within the safe clear sight distance or safe stopping distance of an intersection, which distance shall be determined in accordance with applicable Pennsylvania Department of Transportation standards. No portion of a billboard shall interfere with or obstruct vehicle traffic, travel or ingress and egress to a public street. All billboards shall be located, constructed and maintained in accordance with all applicable Pennsylvania Department of Transportation regulations.
 - [7] No portion of a billboard shall be located closer than 500 feet from any dwelling unit.

- [8] A billboard shall not be located on a property listed on a historic register or eligible for listing on a historic register.
- (b) Sign area; height; face; display.
 - [1] The maximum sign face size of a billboard shall be 300 square feet; inclusive of any border and trim, but excluding the base or apron, supports and other structural members. Extensions, projections and/or add-ons beyond the rectangular perimeter face of the sign are prohibited.
 - [2] Billboards shall not exceed a maximum overall height of 25 feet above the centerline of the adjacent roadway.
 - [3] Billboards may have not more than two sign faces of equal size, rectangular shape and dimension.
- (c) Structural standards; utilities; lighting; landscaping.
 - [1] Billboards shall be freestanding and self-supporting. No part or portion of a billboard shall be attached or connected to any other building or structure.
 - [2] Wood and beam frame structures are prohibited. All billboard structures shall be constructed of steel.
 - [3] There shall be no objects or other structures attached to a billboard or its structure except as may be necessary for the proper and safe operation and maintenance of the billboard.
 - [4] The construction and operation of a billboard and appurtenances shall meet all applicable performance standards, ordinances and regulations.
 - [5] All utilities serving the billboard shall be located below ground.
 - [6] Billboards may be internally lit or externally lit. If lighting is proposed, a lighting plan must accompany the conditional use application. No more than 1/10 footcandle (0.1 footcandles) of light, above adjacent ambient light levels, shall be detectable along the boundary of any adjacent property possessing a residential use or zoned for residential use, and no more than 1/2 footcandle (0.5 footcandles) of light, above adjacent ambient light levels, shall be detectable at all other property boundaries. The illumination of billboards shall, at a minimum, follow the standards of the Illuminating Engineering Society of North America (IESNA) and shall be subject to review and approval by the Township.
 - [7] Billboards shall be screened by a landscape buffer when the billboard is located in a residential district, abutting a residential use or located on a property that possesses a residential use. The landscape buffer shall consist of a row of evergreen trees, at a minimum of 15 feet in height at the time of planting, that forms a continuous visual buffer along or near the property line. All landscape materials that are required to be installed shall be guaranteed for a period not less than 18 months, and the applicant shall replace any diseased or dead materials before the expiration of the guarantee period, as directed by the Township and at the sole expense of the applicant. All existing site vegetation shall be preserved to the maximum extent possible.
- (d) Security; inspections; maintenance; bonding.

- [1] Billboards shall be properly and adequately secured to prevent unauthorized access. Billboards, including support structures, shall be properly and regularly maintained and shall at all times be kept in a safe and operational manner.
 - [2] The applicant shall promptly remove all graffiti and remedy all acts of vandalism. The applicant shall grant to the Township the right, but not the duty, to enter the property to remove graffiti or to remedy vandalism in the event the applicant fails to do so within 10 days of the date of a written request from the Township. If the Township performs such service, the applicant shall be responsible to reimburse the Township the actual cost of the service, plus a ten-percent administrative fee.
 - [3] At least annually the billboard and its appurtenances shall be inspected both visually and with appropriate nondestructive testing techniques. Test results and certification of structural integrity by a registered professional engineer shall be provided to the Township. Any structural faults thus noted will be immediately corrected by the owner. Failure to provide proof of certified inspection will result in notification to the owner to cease operation and dismantle the billboard.
 - [4] The applicant shall provide financial security, in a form acceptable to the Township, sufficient to secure to the Township the removal of any billboard upon which no advertising is located or otherwise ceases to be used for a period of 12 consecutive months.
 - [5] The applicant shall provide, in a form acceptable to the Township, proof that the record owner and the licensee or other person in control of the signage consents to the removal of the billboard for the reasons as set forth in this section, which consent shall be in such a form, agreeable to the Township, so as to be recorded in the Office of the Recorder of Deeds for Chester County.
- (e) Other requirements; miscellaneous provisions.
- [1] All billboards shall be stationary.
 - [2] Audio speakers and/or any form of pyrotechnics are prohibited.
 - [3] Billboards shall comply with all provisions of the Code of West Bradford Township, Chapter **450**, Article **XII**, Section **450-69**, Sign regulations. If any such provision is inconsistent with the terms of this section, the terms of this section shall apply.
 - [4] The conditional use application shall comply with all applicable provisions of the Code of West Bradford Township.
 - [5] Zoning and building permits shall be required to construct a billboard.
- (4) Digital billboards. All digital billboards shall be required to comply with the following provisions:
- (a) Digital billboards shall utilize digital technology to produce static images which may be changeable via a central processing unit. Digital billboards shall not scroll, flash, scintillate, oscillate, blink or otherwise give the appearance of movement or other variation in display.
 - (b) Changes in the signage display shall not occur more frequently than once every 20 seconds. Changes in the signage display shall include the entire

display such that different portions of the display are not changing at different times. Changes shall be accomplished in not more than one second.

- (c) An automatic light output adjustment for the billboard shall be provided to minimize light output to appropriate levels for the existing ambient light conditions. The applicant shall demonstrate that the intensity of the display shall not create or constitute a nuisance or safety hazard. However, no more than 1/10 footcandle (0.1 footcandles) of light, above adjacent ambient light levels, from the display shall be detectable along the boundary of any adjacent property possessing a residential use or zoned for residential use, and no more than 1/2 footcandle (0.5 footcandles) of light, above adjacent ambient light levels, from the display shall be detectable at all other property boundaries, including those with adjoining streets or highways.
- (d) Digital billboards visible from a residential district or use shall be extinguished automatically every day from 10:00 p.m. to 6:00 a.m. on the following day, by a form of programmable controller, with astronomical and day light savings time control and automatic outage reset.
- (e) All digital billboards must be equipped with a properly functioning default mechanism that will stop the sign and return to a solid black display should a malfunction occur.
- (f) Digital billboards shall not create electrical interference with other uses.
- (g) The applicant shall be required to coordinate and permit access and use to Township, county, regional, state and national emergency services during emergency situations. Such access and use shall preempt all other uses, at no cost to the Township or to other governmental agencies requesting such use. The emergency use shall be continuous for a period to be determined by the Township. The applicant shall enter into an agreement with the Township, in a form acceptable to the Township, to set forth the procedure whereby access and use is made available by the applicant.

SECTION 3. Chapter 450, Zoning, Article XII, Supplementary Regulations, §450-69, Sign regulations shall be amended by deleting that section in its entirety and replacing it as follows:

§ 450-69. Sign regulations.

A. Purpose.

- (1) Promote the safety of persons and property by providing that signs:
 - (a) Do not create traffic hazards by distracting or confusing motorists, or impairing motorist's ability to see pedestrians, other vehicles, obstacles or to read traffic signs.
 - (b) Do not create a hazard due to collapse, fire, collision, decay or abandonment.
 - (c) Do promote the aesthetic quality, safety, health, and general welfare and the assurance of protection of adequate light and air within the Township by regulation of the posting, displaying, erection, use and maintenance of signs.
- (2) Promote the efficient transfer of information through the use of signs and to permit such use, but not necessarily in the most profitable form or format available for such use.
- (3) Protect the public welfare and enhance the overall appearance and economic value of

the landscape, while preserving the unique natural and historic environment that distinguishes the Township and consistent with Article I, § 27 of the Pennsylvania Constitution.

- (4) Set standards and provide uniform controls that permit reasonable use of signs and preserve the character of West Bradford Township.
- (5) Prohibit the erection of signs in such numbers, sizes, designs, illumination, and locations as may create a hazard to pedestrians and motorists.
- (6) Avoid excessive conflicts from large or multiple signs, so that permitted signs provide information while minimizing clutter, unsightliness, and confusion.
- (7) Establish a process for the review and approval of sign permit applications.

B. Classification of signs by use. All signs shall be divided into the following types for use and location:

- (1) Official signs. Signs installed by or adjacent to state or Township streets, roads and highways by the Commonwealth of Pennsylvania or the Township.
- (2) Professional, accessory or address signs. Signs attached to a building or located on a property housing a residential use, professional, professional service or a permitted business activity, or on a property on which trespassing is prohibited or adjacent to a private driveways or premises.
- (3) Identification signs. Signs attached to or located on property housing schools, churches, hospitals or similar institutions, and clubs, lodges, farms, estates or similar uses.
- (4) Temporary signs. Signs on properties where contractors, architects, mechanics and artisans.
- (5) Real estate sale/sold/rent/development signs. Signs placed on a property to be sold, rented or developed.
- (6) Business, commercial or industrial signs. Signs attached to a building or located on a property housing a permitted use conducted on the premises.
- (7) Functional signs. Signs erected at or adjacent to rest rooms, entrances, exits or other signs not otherwise defined, which are erected at or adjacent to accessory uses.
- (8) Directional signs. Signs directly adjacent to and along a pedestrian or vehicular routes to an industrial, commercial or business establishment.
- (9) Area attraction sign. Signs directly adjacent to and along a pedestrian or vehicular routes to an area attraction. The determination of what constitutes an attraction shall be as defined in the Pennsylvania Department of Transportation Signage Guidelines. An eighteen-hole public golf course shall be considered an attraction with or without listing in the PennDOT Guidelines.

C. Classification of signs by construction. All signs shall be divided into the following classifications for the purpose of construction:

- (1) Ground sign. Any sign erected upon an independent structure (legs or base) so that such structure is the main support of the sign and/or any sign which is not supported by any part of a building.
- (2) Flat wall sign. A sign erected or displayed on or parallel to the surface of a building.
- (3) Wall projecting sign. Any sign mounted upon a building so that its principal face is at right angles to the building wall.
- (4) Roof sign. A sign erected or displayed upon the roof of any building or structure or a wall sign a portion of which exceeds the height of the building.

- (5) Other. A sign not permanently attached at all points or which utilizes air motion, sounds, directed lights, or mechanical parts for effect.
- D. General regulations. The following general regulations shall apply to all permitted sign uses:
 - (1) Ground sign.
 - (a) No ground sign shall project to a point nearer than 12 feet from the edge of the paved roadway (unless obstructing view, at which time further setback is required). No support for any ground sign shall be located nearer than 12 feet to the property line.
 - (b) A ground sign shall not exceed eight feet in height. No ground sign shall exceed 32 square feet in area.
 - (2) Flat wall sign.
 - (a) Flat wall signs shall not project more than 10 inches from the building wall and must be so located that the lower edge is a minimum of eight feet above grade in any case where projection from the wall is greater than three inches.
 - (b) Flat wall signs shall not exceed 10 square feet in area for each five linear feet of front building wall, and in no case shall exceed 30 feet in width or eight feet in height at the minimum allowable building setback. For each additional two feet of setback, the maximum height of the sign may be increased by one foot, provided that no sign shall exceed 20 feet in height and 15% of face of building.
 - (3) Projecting signs.
 - (a) Projecting signs shall be so located upon the buildings that the lower edge is a minimum of 10 feet above grade. Projecting signs may project a maximum of 10 feet from the building wall; provided, however, that no sign shall project to a point nearer than 12 feet from the edge of the paved roadway.
 - (b) No projecting sign shall extend more than 10 feet above the top of the wall upon which it is mounted.
 - (4) Roof signs.
 - (a) No roof sign shall be placed upon the roof of any building so as to prevent the free passage of one part of the roof to the other thereof or interfere with any openings in such roof.
 - (b) No sign erected upon the roof of any building shall project beyond the edges of said roof in any direction.
 - (c) Roof signs may extend above the roof or top of wall a distance equal to 1/4 the height of the wall or five feet, whichever is the smaller height.
 - (d) Roof signs may have a maximum area of 5% of the front wall area.
 - (e) No roof sign parallel to a building shall extend in length a distance greater than 2/3 the length of the wall to which it is parallel.
 - (5) Directional signs shall conform to the following:
 - (a) No such sign shall be wider than four inches or longer than 24 inches.
 - (b) The top of any sign shall be no more than four feet from the ground surface immediately underneath.
 - (c) Industrial, commercial or business establishments may erect, place, install or maintain no more than three such signs within West Bradford Township, but the erection, placement, installation or maintenance of such sign in a residential zoning district shall be prohibited.

- (d) No more than three such signs may be placed at any one corner of an intersection.
 - (e) No such sign may be erected, placed, installed or maintained without the permission of the owner of the real property involved.
 - (f) No such sign may be erected, placed, installed or maintained without a permit therefor having been obtained from the Zoning Officer.
 - (g) Total sign area shall not exceed two square feet per lineal foot of building frontage. Total number of signs allowed is three.
- (6) Professional or address signs. The area on one side of such signs shall not exceed two square feet nor project more than six inches from a wall when attached to a building.
 - (7) Identification signs. A total of six square feet per side will be allowed. Not more than two such signs per organization will be permitted.
 - (8) Temporary signs. Shall be displayed only while actual work is in progress and shall not exceed six square feet in area; provided, further, that such signs must be removed promptly upon completion of the work.
 - (9) Real estate sale/sold/rent/development signs shall not exceed six square feet in area. All such signs shall be removed within five days after final transactions are completed.
 - (10) No sign shall be of the flashing or rotating type.
 - (11) No sign located within 300 feet of any traffic light shall be illuminated with red, green or yellow lighting.
 - (12) All electrically illuminated designs shall be constructed to the standards of the National Board of Fire Underwriters.
 - (13) The area of any sign shall be the product computed by multiplying the greatest height by the greatest width of the sign's major face, including trim or frame.
 - (14) Signs of the flat wall and projecting types may be erected upon a canopy or marquee if the structural strength of such canopy or marquee is sufficient to safely carry the additional load, and provided that such signs may not extend beyond the edges of said canopy or marquee or extend within otherwise prohibited areas.
 - (15) No sign shall be erected which shall obscure or interfere with the line of sight at any street intersection or traffic signal.
 - (16) Any temporary display sign or banner permitted by this chapter shall be permitted for one period of 30 days. Temporary signs placed within the Township by a person or entity holding an event on a specific date, shall remove such sign or signs within five days after the date of such event.
 - (17) Whenever a sign becomes structurally unsafe or endangers the safety of a building or premises or endangers the public safety, the Zoning Officer shall give written notice to the owner of the premises on which the sign is located that such sign be made safe or removed within five days.
 - (18) No sign shall be maintained within the Township in such a state of disrepair as to have the appearance of complete neglect or which is rotting or falling down, is illegible or has loose parts separated from original fastenings.
 - (19) No signs shall be erected in residential districts except as hereinbefore provided on a structure or property housing a lawful use.
 - (20) No sign shall display or contain any obscenity/pornography, fighting words or an incitement to imminent lawless action.
 - (21) No sign shall be erected or located as to prevent free ingress or egress from any window, door or fire escape.

- (22) No sign shall be placed in such a position that it will obscure light or air from a building or which would create a traffic danger.
- (23) No signs, other than official signs, shall be permitted which are attached to public utility poles or trees within the right-of-way of any street or placed on or in any roundabout, traffic island or other traffic calming feature.
- (24) No sign advertising a home occupation within a residential district shall exceed four square feet in area.
- (25) Area attraction directional signs shall conform to the following:
 - (a) No such sign shall be wider than 18 inches or longer than 48 inches.
 - (b) The top of the sign shall be not higher than seven feet above the surface of the adjoining road.
 - (c) No area attraction shall place more than three such signs within West Bradford Township.
 - (d) No more than two such signs may be placed at any one corner of an intersection.
 - (e) No such sign may be erected, placed, installed or maintained without the permission of the owner of the real property involved. The signs may be erected within the right-of-way for a public highway when permission has been obtained from the government agency that has control over the use of the right-of-way.
 - (f) No such sign may be erected, placed, installed or maintained without a permit therefor having been obtained from the Zoning Officer.
 - (g) The signs shall be mounted on 0.080 gauge aluminum (or equivalent material) with engineer grade reflective sheeting.
 - (h) The signs shall be mounted on breakaway posts or other posts meeting the criteria of PennDOT specifications for highway signs.
 - (i) Such signs shall be maintained in a functional manner. Failure to maintain the signs in such a manner shall allow the removal of the signs by Township officials after 14 days have passed from notification to the applicant of a deficiency in maintaining the sign.
- E. Interpretations. The size of the sign shall refer to the area of the sign facing, including any border framing or decorative attachments. In the case of freestanding letters, it shall be the area contained between the highest and lowest points of any letters and the extremity points of the first and last letters.
- F. Permits.
 - (1) The following signs shall be permitted without requirement of permit for erection when erected and maintained in conformity thereto:
 - (a) Official signs.
 - (b) Professional and address signs.
 - (c) Identification signs.
 - (d) Temporary signs of any materials located on a property on which a business is located. No display shall be located on sidewalks or thoroughfares used for public foot or mobile traffic or within 12 feet from the edge of paved roadway.
 - (e) Real estate sale/sold/rent/development signs.
 - (f) Functional signs.
 - (g) Signs within buildings, not visible from outdoors.
 - (h) Directional signs.

- (i) Temporary signs erected not more than 30 days prior to a primary, municipal, general, or special election, provided that they do not exceed six square feet in area and are removed within seven days after such election primary, municipal, general, or special election.
- (2) Before any sign may be erected in the Township, an application for a permit to erect, install and maintain said sign shall be made in accordance with this chapter. Accompanying each application shall be the required permit fee, payable to the Township, in the proper amount.
- (3) Application for permit shall be made in writing to the Zoning Officer and shall contain all information necessary for such officer to determine whether the proposed sign or the proposed alterations conform to all the requirements of this chapter.
- (4) Permits shall be granted or refused within 15 days from the date of application.
- (5) No sign permit shall be issued except in conformity with the regulations of this chapter, except upon order of the Zoning Hearing Board, granted pursuant to the procedures established for the issuance of a variance.
- (6) All applications for sign permits shall be accompanied by plans or diagrams in duplicate and approximately to scale, showing the following:
 - (a) Exact dimensions of lot, including any right-of-way lines, or building upon which the sign is proposed to be erected.
 - (b) Exact size, dimensions and location of the said sign on the lot or building, together with its type, construction, materials to be used, and the manner of installation.
 - (c) Any other lawful information which may be required on an application by the Zoning Officer.

SECTION 4. Severability. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts hereof. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

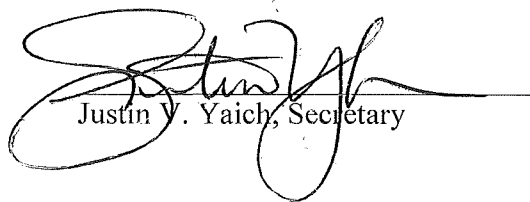
SECTION 5. Repealer. All ordinances or parts of ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 6. Codification. General Code is hereby authorized to make non-substantive formatting and numbering changes necessary to clarify references to other sections of Township ordinances and/or codification and to bring the Ordinance into conformity with Township ordinances/codification.

SECTION 7. Effective date. This Ordinance shall become effective as provided by law and shall remain in force and effect unless otherwise amended by the Township.

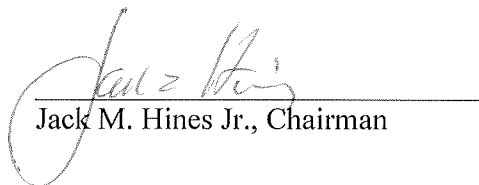
ENACTED AND ADOPTED by the Board of Supervisors this ____ day of _____, 2021.

ATTEST:

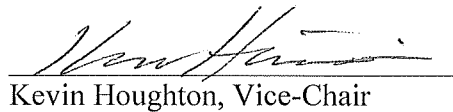


Justin V. Yaich, Secretary

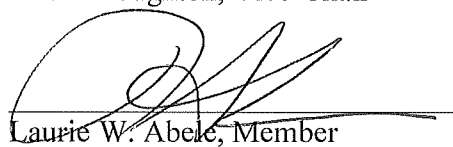
**WEST BRADFORD TOWNSHIP
BOARD OF SUPERVISORS**



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