

EAST CALN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. 2024 – 02

AN ORDINANCE OF EAST CALN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, RESCINDING THE ENTIRETY OF CHAPTER 167, "SIGNS"; AMENDING CHAPTER 225, "ZONING," ARTICLE VI, "GENERAL REGULATIONS," SECTION 225-26, "SIGNS" TO INCORPORATE APPLICABLE FORMER CHAPTER 167 PROVISIONS; AMENDING SECTION 225-26.B TO INCORPORATE DEFINITIONS FOR CERTAIN TERMS; AMENDING SECTION 225-26.C(7) TO PROVIDE FOR ALLOWANCES CONTAINED IN SECTION 225-26.O(6); AMENDING SECTION 225-26.C TO ADD NEW SUBSECTIONS (11) AND (12) TO PROVIDE FOR THE REMOVAL OF SIGNS AND TYPES OF PROHIBITED SIGNS; AMENDING SECTION 225-26.D TO INCLUDE PROVISIONS FOR SIGN PERMITS FOR MISCELLANEOUS SIGNS; AMENDING SECTION 225-26.G(4) TO INCREASE THE MAXIMUM HEIGHT OF FREESTANDING SIGNS; AMENDING SECTION 225-26.H(3) TO CLARIFY THE HEIGHT ALLOWANCE FOR TEXT AND IMAGES ON BUILDING SIGNS; AMENDING SECTION 225-26.O(4) TO ALLOW CHANGEABLE DISPLAYS AT GOVERNMENTAL OFFICES; AMENDING SECTION 225-26.Q(2)(e) TO REDUCE THE FREQUENCY OF CHANGING BILLBOARD DISPLAYS TO CONFORM WITH PENNDOT PERMITTED INTERVALS; AMENDING SECTION 225-26 TO ADD A NEW SUBSECTION "R" TO PROVIDE PROVISIONS REGARDING CONTRACTOR SIGNS; AMENDING SECTION 225-26 TO ADD A NEW SUBSECTION "S" TO PROVIDE PROVISIONS REGARDING ELECTION SIGNS; AMENDING SECTION 225-26 TO ADD A NEW SUBSECTION "T" TO PROVIDE PROVISIONS REGARDING GARAGE/YARD SALE SIGNS; AMENDING SECTION 225-26 TO ADD A NEW SUBSECTION "U" TO PROVIDE PROVISIONS REGARDING REAL ESTATE SIGNS; AMENDING SECTION 225-26 TO ADD A NEW SUBSECTION "V" TO PROVIDE PROVISIONS REGARDING SPECIAL EVENT SIGNS; AMENDING SECTION 225-26 TO ADD A NEW SUBSECTION "W" TO PROVIDE PROVISIONS REGARDING SANDWICH BOARD SIGNS; AMENDING SECTION 225-26 TO ADD A NEW SUBSECTION "X" TO PROVIDE PROVISIONS REGARDING VIOLATIONS AND PENALTIES; AMENDING SECTION 225-3, TO AMEND THE DEFINITION OF "IMPERVIOUS SURFACE"; AMENDING CHAPTER 225, "ZONING," ARTICLE I, "GENERAL REGULATIONS," SECTION 225-3 TO AMEND CERTAIN DEFINITIONS; AMENDING SECTION 226-16.C(1) TO CLARIFY TYPE OF NONCONFORMING STRUCTURE; AMENDING SECTION 225-

EXHIBIT

B-1

20.B(2)(a)[2] TO CLARIFY AREA OF FRONT YARD AND FRONT SIDE LOT LINE AS IT PERTAINS TO FENCES AND WALLS.

BE IT ORDAINED AND ENACTED by the East Caln Township, Chester County, PA, Board of Supervisors that following sections of the East Caln Township Code of Ordinances, are amended as follows.

SECTION 1. Chapter 167, "Signs", cited as the "East Caln Township Temporary Sign Ordinance", is rescinded in its entirety. Applicable provisions will be adopted in Chapter 225, "Zoning", Article VI, "General Regulations", Section 225-26, "Signs".

SECTION 2. Chapter 225, "Zoning", Article VI, "General Regulations", Section 225-26.B, "Definitions" is amended to incorporate the following definitions:

BANDIT SIGN

Yard or pole signs, usually placed along roadways having high vehicular and/or pedestrian traffic, typically posted and/or installed, erected, or attached in any form, shape, or manner to a tree, utility pole, trash receptacle, bench, vending machine, or public shelter, which advertise businesses or business-related ventures. Such signs do not constitute contractor signs, election signs, garage/yard sale signs, real estate signs, or special event signs. Any Bandit signs placed in the right-of-way are subject to immediate removal and disposal by the Township without notice.

CONTRACTOR(S) SIGN

A sign which provides the name of the contractor(s), mechanic(s), and/or artisan(s) engaged in a construction project occurring on the premises on which the sign is located. The sign may contain additional information about the contractor(s), which term shall also include the architect(s) and engineer(s) responsible for the project.

ELECTION SIGN

A sign which directs attention to a candidate or candidates for public office, a political party or a ballot issue.

GARAGE/YARD SALE SIGN

A sign which directs attention to the sale of personal goods on the premises on which the sign is located in accordance with § 225-31D of the East Caln Township Zoning Ordinance of 1992 [Chapter 225], as amended.

REAL ESTATE DIRECTIONAL SIGN

A sign which provides information about a contemporaneous real estate activity involving a property other than the one upon which the sign is located, such as a sign directing the public to a property for sale, lease, or in the process of development.

REAL ESTATE SIGN

A sign which provides information about contemporaneous real estate activity involving the property on which it is located, such as sign advertising the sale, lease or development of the property.

SANDWICH BOARD SIGN

A type of freestanding, portable, temporary sign consisting of two faces connected and hinged at the top and whose message is targeted to pedestrians (also known as A-frame sign).

SPECIAL EVENT SIGN

A sign which provides information about a special event such as an auction, flea market, festival, carnival, meal or fundraising event, but not including any sign advertising the commercial use of property such as a "sale" sign at a place of business. A special event sign can be used by a commercial business for banner signage subject to specified criteria in this chapter.

TEMPORARY SIGN

A sign indicating a use or service not intended to be a permanent part of the property on which it is located (e.g., a real estate sales or rental, construction site, service contractors working on the site, feather flags, banners, etc.), intended to be displayed for a short period of time, having a maximum display duration of 30 days.

TOWNSHIP

East Caln Township, Chester County, Pennsylvania.

SECTION 3. Chapter 225, "Zoning", Article VI, "General Regulations", Section 225-26.C(7) shall be amended to read as follows, with underlined interlineations designating the addition of language, and strike-through interlineations designating the removal of language:

(7) No portion of a sign may scroll, flash, scintillate, oscillate, blink, twirl or twinkle. Messaging may change immediately, rotate in and out or fade in and out only. Any portion of the message must have a minimum duration (hold time) of five (5) seconds. Such signs shall not ~~disrupt, distract or create a hazard to vehicles. Such signs shall be considered animated signs and are prohibited.~~ The use of animation, sound, and full-motion video is prohibited.

SECTION 4. Chapter 225, "Zoning", Article VI, "General Regulations", Section 225-26.C shall be amended by the addition of new subsections (11) and (12) to read as follows:

(11) Signs shall be removed immediately upon termination of their authorized duration and the site shall be restored to its original condition.

(12) Bandit signs shall be prohibited.

SECTION 5. Chapter 225, "Zoning", Article VI, "General Regulations", Section 225-26.D shall be amended to read as follows, with underlined interlineations designating the addition of language, and strike-through interlineations designating the removal of language:

D. Sign permits.

(1) Signage within the Township may require a permit pursuant to the provisions of this Chapter. A sign permit must be acquired from the Township prior to the erection or installation of any, real estate directional sign, temporary sign, excluding real estate and political, or special event sign, except as otherwise provided for in this section. All signs authorized by this article shall comply in all other respects with the requirements of this article.

(2) Application for a sign permit shall be filed in duplicate and on forms furnished by the Township and shall be accompanied by detail drawings and specifications and such other information deemed necessary by the Township to determine the location and details of the construction of such sign.

(3) Permit fees shall be established by the Township Board of Supervisors in accordance with the provisions of §225-33 of this chapter.

SECTION 6. Chapter 225, "Zoning", Article VI, "General Regulations", Section 225-26.G(4) shall be amended to increase the maximum area allowance of freestanding signs from 20 square feet to 40 square feet, to read as follows with underlined interlineations designating the addition of language:

G. Freestanding signs.

(4) The maximum area of a freestanding sign shall not exceed ~~20~~ 40 square feet.

SECTION 7. Chapter 225, "Zoning", Article VI, "General Regulations", Section 225-26.H(3) shall be amended to read as follows, with underlined interlineations designating the addition of language, and strike-through interlineations designating the removal of language:

(3) The maximum height of text or image on a building sign not including logos shall be as follows:

SECTION 8. Chapter 225, "Zoning", Article VI, "General Regulations", Section 225-26.O(4) shall be amended to allow changeable signs at Township buildings and shall read as follows, with underlined interlineations designating the addition of language:

(4) Changeable displays shall only be located on property frontage along East Lancaster Avenue, Quarry Road, Boot Road, at Governmental Offices and in the OC-1 Zoning District only along Uwchlan Avenue.

SECTION 9. Chapter 225, "Zoning", Article VI, "General Regulations", Section 225-26.Q(2)(e) shall be amended to change the frequency in signage display to conform with the intervals permitted by PennDOT, and shall read as follows, with underlined interlineations designating the addition of language, and strike-through interlineations designating the removal of language:

~~(e) Changes in the signage display shall not occur more frequently than once every 30 seconds.~~ All messages and/or displays must remain unchanged for a minimum of five (5) seconds. Changes in the signage display shall include the entire display such that different portions of the display are not changing at different times. ~~Messages may change immediately or fade in or out only. The time interval used to change from one complete message/display to the next complete message/display must be a maximum of one second.~~

SECTION 10. Chapter 225, "Zoning", Article VI, "General Regulations", Section 225-26 amended by the addition of new subsection R. to read as follows:

R. Contractor(s) sign.

(1) On a nonresidential property one sign is permitted during a construction project. The sign shall not exceed 32 square feet in area, and the height of the sign and supporting structure shall not exceed eight (8) feet. The sign shall be a minimum 10 feet from the roadway.

(2) On a residential property one (1) sign is permitted during a construction project. The sign shall not exceed four (4) square feet in area, and the height of the sign and supporting structure shall not exceed three (3) feet. The sign shall be a minimum 10 feet from the roadway.

SECTION 11. Chapter 225, "Zoning", Article VI, "General Regulations", Section 225-26 amended by the addition of new subsection S. to read as follows:

S. Election sign. Election signs shall be permitted provided:

(1) Signs do not exceed four (4) square feet in area and the height of the sign and supporting structure shall not exceed eight (8) feet.

(2) Signs shall not be erected or installed more than 30 days prior to election day and shall be removed within seven (7) days following election day.

(3) Only one (1) sign for each 100 linear feet of roadway shall be permitted.

(4) Written consent of the owner of the property upon which the sign will be located shall be obtained prior to erection or installation of the sign.

SECTION 12. Chapter 225, "Zoning", Article VI, "General Regulations", Section 225-26 amended by the addition of new subsection T. to read as follows:

T. Garage/yard sale sign. Garage/yard sale signs shall be permitted provided:

(1) Signs shall not exceed four (4) square feet in area and the height of the sign and supporting structure shall not exceed three (3) feet.

(2) Only one (1) sign shall be permitted on a property.

(3) Signs shall not be erected or installed more than one (1) day prior to the garage/yard sale and shall be removed immediately upon the conclusion of such sale.

SECTION 13. Chapter 225, "Zoning", Article VI, "General Regulations", Section 225-26 amended by the addition of new subsection U. to read as follows:

U. Real estate directional sign. Real estate directional signs shall be permitted provided:

(1) Signs shall not exceed four (4) square feet in area, and the height of the sign and supporting structure shall not exceed two and one-half (2.5) feet.

(2) Only one (1) sign related to each real estate activity shall be permitted on a property.

(3) Written consent of the owner of the property upon which the sign will be located shall accompany the sign permit application.

(4) Real estate sign. Real estate signs shall be permitted provided:

(a) Signs shall not exceed four (4) square feet in area, and the height of the sign and supporting structure shall not exceed three (3) feet.

(b) Only one (1) sign shall be permitted on a property.

SECTION 14. Chapter 225, "Zoning", Article VI, "General Regulations", Section 225-26 amended by the addition of new subsection V. to read as follows:

V. Special event sign. Special event signs shall be permitted provided:

- (1) The maximum area of a sign mounted on the building shall be 32 square feet or two (2) square feet for each linear foot of building wall upon which the sign is mounted, whichever is smaller. No sign shall extend above the building wall.
- (2) Freestanding signs shall not exceed 32 square feet in area and the height of the sign and supporting structure shall not exceed eight (8) feet.
- (3) Only one (1) sign shall be permitted on a property.
- (4) Signs shall not be erected or installed more than 30 days prior to the date of the event and shall be removed within seven (7) days following the event.
- (5) Written consent of the owner of the property upon which the sign will be located shall accompany the sign permit application.

SECTION 15. Chapter 225, "Zoning", Article VI, "General Regulations", Section 225-26 amended by the addition of new subsection W. to read as follows:

W. Sandwich board signs.

(1) Sign Placement.

- (a) If a sign is located on a public or private sidewalk, a minimum of 36 inches of unobstructed sidewalk clearance must be maintained between the sign and any building or other obstruction. Additionally, such signage must comply with the Americans with Disabilities Act ("ADA") and may not create trip or fall hazards.
- (b) The sign must be located on the premises, and within 12 feet of the primary public entrance, of the establishment it advertises. For the purposes of this subsection, a public entrance includes a vehicular entrance into a parking garage or parking lot.
- (c) Portable signs shall be weighted, temporarily secured, or strategically placed so as to avoid being carried away by high winds.

(2) Each sign shall have a maximum area of seven (7) sq. ft. per sign face and a maximum height of three and one-half (3.5) feet.

(3) One (1) sandwich board sign is permitted per establishment. For the purposes of this subsection, a parking garage or parking lot shall be considered an establishment.

SECTION 16. Chapter 225, "Zoning", Article VI, "General Regulations", Section 225-26 amended by the addition of new subsection X. to read as follows:

X. Violations and penalties.

Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this article shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than \$500 plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of the violation by the Magisterial District Judge. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable Rules of Civil Procedure. Each day that a violation continues or each section of this article which shall be found to have been violated shall constitute a separate violation.

SECTION 17. Chapter 225, "Zoning", Article I, "General Provisions", Section 225-3 shall be amended to read as follows, with underlined interlineations designating the addition of language, and strike-through interlineations designating the removal of language:

IMPERVIOUS SURFACE

A surface that has been compacted or covered with a layer of material so that it prevents or is resistant to infiltration of water, including but not limited to structures such as roofs, buildings and storage sheds; other solid, paved or concrete areas such as streets, driveways, sidewalks, parking lots, patios, paver areas and paved courts; or athletic playfields comprised of synthetic turf materials. Decks are not impervious under this definition.

A. For the purposes of the East Caln Township Zoning Ordinances only, ~~M~~materials such as gravel, mulch and stone may be excluded from the calculation of lot coverage when designed and maintained as part of a predominantly vegetated surface, including landscaping and stormwater management facilities.

SECTION 18. Chapter 225, "Zoning", Article I, "General Provisions", Section 225-3, "Definitions and word usage" is amended to incorporate the following definitions:

OFFICE BUILDING

A building wherein the offices of businesses, professional services, industries or governments operate and provide services.

PERSONAL SERVICE SHOPS/BUILDINGS

A building or portion of a building in which the services of a person permitted to practice a specified profession are offered to the general public. Examples of such professions include but are not limited to accountants, architects, barbers, beauticians, lawyers, planners, therapists, optometrists, photographers, tailors,

therapeutic massage, or other similar personal service establishments as approved by the Zoning Officer.

PROFESSIONAL SERVICE SHOPS/BUILDINGS

The office of a professional practitioner.

SECTION 19. Chapter 225, "Zoning", Article VI, "General Regulations", Section 225-16.C(1) shall be amended to read as follows, with underlined interlineations designating the addition of language, and strike-through interlineations designating the removal of language:

C. Nonconforming structures.

(1) Extension ~~and additional structures~~ of existing structure.

SECTION 20. Chapter 225, "Zoning", Article VI, "General Regulations", Section 225-20.B(2)(a)[2] shall be amended to read as follows, with underlined interlineations designating the addition of language, and strike-through interlineations designating the removal of language:

B. Uses, buildings and structures accessory to dwellings.

(2) Accessory structures in yards...

(a) Fences and walls...

[2] All fences or walls erected in the front ~~and front side~~ yard, yard extending along the front side lot line separate from the front yard by a driveway or structure or any lot shall not exceed four feet in height and shall have no more than 50% of its vertical plan opaque.

SECTION 21. Severability. If any sentence, clause, section, or part of this Ordinance 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 of this Ordinance. It is hereby declared as the intent of the Board of Supervisors of East Caln Township that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included herein.

SECTION 22. Repealer. All Ordinances or parts of Ordinances conflicting with any provisions of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

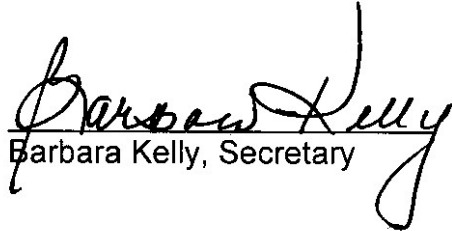
SECTION 23. Effective Date. The effective date of this Ordinance shall be as provided by law.

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ADOPTED this 18th Day of Sept, 2024

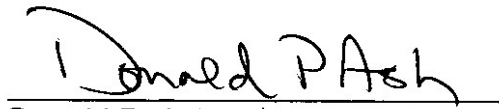
ENACTED AND ORDAINED this 18th day of Sept, 2024.


ATTEST:


Barbara Kelly, Secretary

BOARD OF SUPERVISORS
EAST CALN TOWNSHIP


Charles A. DeLone, Chairman


Donald P. Ash, 1st Vice-Chairman


Bruce Taylor, 2nd Vice-Chairman

