

**INDEPENDENCE TOWNSHIP**  
**Washington County**

ORDINANCE NO. 19-02

**AN ORDINANCE OF THE TOWNSHIP OF INDEPENDENCE, WASHINGTON COUNTY, PENNSYLVANIA, AMENDING ARTICLE XIV 'SIGNS' OF THE TOWNSHIP CODE, SPECIFICALLY PROHIBITING SIGNS LOCATED IN PUBLIC RIGHT-OF-WAYS, ALONG PUBLIC ROADWAYS AND ON UTILITY POLES AND SETTING FORTH PERMIT REQUIREMENTS AND REGULATIONS RELATED TO NON-ILLUMINATED TEMPORARY POLITICAL SIGNS WITHIN THE TOWNSHIP.**

WHEREAS, the Board of Supervisors believe it to be in the best interest and welfare of the Township to establish regulations related to signs placed within public right of ways, along roadways and/or on utility poles;

NOW THEREFORE, the Board hereby ordains and enacts as follows, incorporating the above recitals by reference:

**SECTION 1. PURPOSE.**

The Board of Supervisors of Independence Township hereby agrees that unauthorized signs located within public right of ways, along roadways and/or on utility poles shall be restricted and/or prohibited for the following reasons:

- (a) They are a danger because they are intended to distract motor vehicle operators and because they often obstruct views of other vehicles; and
- (b) Unauthorized signs detract from and spoil the natural beauty that is an invaluable asset treasured by residents, commuters and visitors; and
- (c) There are a number of alternatives available to advertisers that do not have the negative impacts that signs on roadsides and utility poles have.

The Board of Supervisors of Independence Township further agrees that the placement of temporary political signs should be limited to 30 days prior to an election and must be removed within 7 days of the election. The Board believes establishing permit fees will better help regulate the removal of signs in a timely manner.

**SECTION 2. DEFINITIONS.**

As used in this Part, the following terms shall have the meanings indicated:

UTILITY POLE — a tall pole used to carry telephone wires and other utility lines above the ground; a telephone pole.

**SECTION 3. AMENDMENT TO CHAPTER 410, SPECIFICALLY §410-106(B) OF THE TOWNSHIP CODE.**

Article XIV of the Townships Code, specifically § 410-106 (B) Types is hereby amended to include the following:

- (15) All other Signs. Any other type of sign not specifically described herein.

**SECTION 4. AMENDMENT TO CHAPTER 410, SPECIFICALLY §410-107(A) OF THE TOWNSHIP CODE.**

Article XIV of the Townships Code, specifically § 410-107 (A) Restricted signs is hereby amended to include the following:

- 12. Unless a permit has been issued and is valid in accordance with the provisions elsewhere in the Township Code, all signs are prohibited from:
  - (a) The area within the right-of-way lines of all public streets, sidewalks, boulevards, highways, avenues, alleys, roads, or other public ways (the area within the right-of-way lines includes unpaved areas); and
  - (b) Any utility poles or structures within the right-of-way lines.

**SECTION 5. AMENDMENT TO CHAPTER 410, SPECIFICALLY §410-108 OF THE TOWNSHIP CODE.**

Article XIV of the Townships Code, specifically § 410-108 Signs authorized in all zoning districts is hereby amended to include the following:

J. Non-illuminated temporary Political Signs erected during a political campaign shall be permitted, provided that they are not of a type restricted by the Township Code and provided they meet the following criteria:

- (1) A permit is applied for and received from the Township. This shall require the payment of all permit fees, currently set at \$50 for local (Township/School Board related) and \$100 for all other elections. Permit fees may be refunded if all signs are removed within the seven-day time limit . Said fees to be amended by Resolution from time to time; and
- (2) The surface area of such signs shall not exceed six square feet; and
- (3) Signs will be permitted no earlier than 4 weeks prior to the election; and

- (4) All signs shall be removed within seven (7) days after the election for which they were erected. Failure to do so may result in the forfeiture of any fees as set forth by Resolution.

#### **SECTION 6. VIOLATIONS AND PENALTIES.**

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and cost, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

#### **SECTION 7. ADDITIONAL REMEDIES.**

As an additional remedy, the Township may abate a nuisance which shall be deemed to occur upon conviction of any regulations set forth herein. Said abatement procedures shall include, but not be limited to, an action in the Court of Common Pleas of Washington County for injunctive relief, action by the Township to remove any nuisances with the cost thereof to be charged against the property owner and/or person violating this Part, said cost including the actual cost for the abatement of the nuisance plus reasonable attorney, administrative and related fees.

#### **SECTION 8. REPEALER.**

Any Township code sections, ordinances or resolutions or parts thereof, which are in conflict herewith are hereby repealed.

#### **SECTION 9. SEVERABILITY.**

In the event that any provision, section, sentence, clause, or part of this Ordinance is held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of the Ordinance, it being the intent of the Township Board that such remainder shall be and shall remain in full force and effect and for this purpose the provisions of this Ordinance are hereby declared to be severable.

**ENACTED AND ORDAINED** this 18th day of Dec. 2019.

ATTEST:

BOARD OF SUPERVISORS  
INDEPENDENCE TOWNSHIP

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SECRETARY

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CHAIRMAN

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SUPERVISOR

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SUPERVISOR