

HUMMELSTOWN BOROUGH
ORDINANCE NO. 2021 - 3

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE BOROUGH OF HUMMELSTOWN, CHAPTER 27, ZONING, PART 18, SIGNS, TO PROVIDE FOR THE DISPLAY OF PERSONAL EXPRESSION SIGNS AND TO REGULATE THE SIZE AND PLACEMENT OF SIGNAGE IN ZONING DISTRICTS WITHIN THE BOROUGH.

WHEREAS, the Borough Council of the Borough of Hummelstown, Dauphin County, Pennsylvania, previously duly enacted a Zoning Ordinance, pursuant to its statutory authority under the Pennsylvania Municipalities Planning Code (“MPC”), Act 247 of 1968, as amended (53 P.S. § 10101 et seq.), which Ordinance was codified as Chapter 27 of the Code of Ordinances of the Borough of Hummelstown; and

WHEREAS, since its adoption, Borough Council has from time to time duly amended the Zoning Ordinance; and

WHEREAS, Borough Council has met the procedural requirements of the MPC and of the Borough’s ordinances for the adoption of the proposed ordinance, including notice, review and the holding of a public hearing; and

WHEREAS, Borough Council of the Borough of Hummelstown, Dauphin County, Pennsylvania, amends Chapter 27, Zoning, Part 18, Signs, to provide for the display of Personal Expression Signs and regulate the size and placement of signage in the Borough’s various zoning districts.

WHEREAS, Borough Council, after due consideration of the proposed Ordinance Amendment at a duly advertised public hearing, has determined that the health, safety, and general welfare of the residents of the Borough of Hummelstown will be served by the proposed Ordinance amendments.

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED, by the authority of the Borough Council of the Borough of Hummelstown, Dauphin County, Pennsylvania, that the Code of Ordinances of the Borough of Hummelstown, Chapter 27, Part 18 shall be amended as follows:

SECTION 1. Chapter 27, Section 1801, Sign Classification, shall be amended in part as follows:

The definition of “Political Sign” shall be removed and replaced with the definition of “Personal Expression Sign”, which shall be defined as an on premises sign or flag that expresses an opinion, interest, position or other non-commercial message.

SECTION 2. Chapter 27, Section 1803, Signs Permitted in Conservation, Residential Single-Family, Residential Two-Family Apartments, and Institutional Districts, shall be amended in part as follows.

Chapter 27, Section 1803(1):

- (E) Signs for Nonconforming Businesses. Businesses operating a legal nonconforming use through continual operation prior to zoning or a zoning change may be permitted one (1) wall-mounted sign not to exceed 12 square feet.

SECTION 3. Chapter 27, Section 1804, Signs Permitted in Commercial-Central Business District shall be amended in part as follows:

Chapter 27, Section 1804(1):

- (B) Overhanging Business Identification Signs. Signs that hang over the pedestrian sidewalk in front of any business provided:

- (1) Not more than one sign is erected and does not exceed 12 square feet.

- (C) Wall Mounted Signs. Wall mounted signs may be erected provided:

- (1) One or more wall signs may be attached to or mounted on the building front, sides, or rear provided that the total area of all signs does not exceed 36 square feet. However, in no case shall any one sign exceed 12 square feet per business. The size of only one wall sign may be increased in dimension based on the following:

- a. If the commercial building on which the sign is mounted is greater than 25 feet along any street frontage, the wall sign may be increased in size by 1/2 square foot for every foot over 25 feet in street frontage. For multi-unit commercial buildings, each unit shall be measured separately. Signs increased in size by this formula must be mounted on the building frontage used in the formula.

SECTION 4. The title of Chapter 27, Section 1805 shall be removed and replaced with the title, "Signs Permitted in Commercial-Residential Neighborhood Districts" and Section 1805 shall be amended in part follows:

1. In the Commercial-Residential Neighborhood districts the following signs are permitted and no others:

- (B) Free Standing Business Signs. Free standing business signs may be erected provided:

- (1) One sign may be erected for a business of single or separate ownership where such a sign is erected within the building setback area and is not connected with the building. The total area of any one side of such sign shall not exceed 24 square feet.

(C) Wall Mounted Business Signs. Wall mounted business signs may be erected provided:

(1) One or more wall signs may be attached to or mounted on the building front, sides, or rear provided that the total area of all signs does not exceed 24 square feet. However, in no case shall any one sign exceed 12 square feet. The size of only one wall sign may be increased in dimension based on the following:

a. If the commercial building on which the sign is mounted is greater than 25 feet along any street frontage, the wall sign may be increased in size by 1/2 square foot for every 2 feet over 25 feet in street frontage. For multi-unit commercial structures, each unit shall be measured separately. Signs increased in size by this formula must be mounted on the building frontage used in the formula.

(G) Overhanging Business Signs. One (1) sign that overhangs the pedestrian sidewalk is permitted per property and may not exceed 12 square feet.

SECTION 5. A new Section 1805.1 shall be added to Chapter 27 entitled "Signs Permitted in Commercial-General Districts" and shall provide as follows:

1. In the Commercial-General Districts the following signs are permitted and no others:

(A) All signs permitted in § 27-1803, provided that the use for which the sign is placed is permitted in that district.

(B) Free Standing Business Signs. Free standing business signs may be erected provided:

(1) One sign may be erected for a business of single or separate ownership where such a sign is erected within the building setback area and is not connected with the building. The total area of any one side of such sign shall not exceed 36 square feet.

(C) Wall Mounted Business Signs. Wall mounted business signs may be erected provided:

(1) One or more wall signs may be attached to or mounted on the building front, sides, or rear provided that the total area of all signs does not exceed 48 square feet. However, in no case shall any one (1) sign exceed 24 square feet.

(D) Advertising and Poster Signs. The display of advertising and poster signs attached to any facade, wall or window of a building or commercial establishment shall constitute a sign within the meaning of this provision if they can be read from any lot

line. A permit is not required for any temporary signs made of paper or cardboard that are attached to a wall, or window.

(E) Shopping Center Signs. For a shopping center that includes 10 or more independent establishments on one lot, the following signs are permitted:

(1) In addition to signs permitted for individual establishments under this section, there shall be permitted one sign along each street frontage indicating the name of the shopping center, names of the various establishments, and schedules of events in the shopping center. These signs shall not exceed 150 square feet in size, per face of sign.

(F) Auto Service Station Signs. In addition to signs permitted for individual establishments under this section, the following signs are permitted:

(1) One sign to identify the price and type of fuel sold by the service station. This sign shall not exceed 20 square feet per face.

(2) Two portable, non-illuminated or indirectly illuminated, signs not exceed eight square feet per face may be displayed on the premises for the purpose of advertising the cost of fuel or other products or services.

SECTION 6. The title of Chapter 27, Section 1806 shall be removed and replaced with “Signs Permitted in Commercial-Warehousing Districts” and shall be amended in part follows:

1. In the Commercial-Warehousing Districts the following signs are permitted and no others:

(B) Free Standing Signs. Free standing signs identifying the use or occupancy of a certain lot, business or building may be erected within the front or side yard, provided:

(1) One such sign may be erected for each independent establishment on any lot. The size of the sign shall not exceed 36 square feet per sign face. No sign shall be erected within any public right-of-way.

(C) Wall Mounted Signs. Wall mounted signs identifying the use or occupancy of a certain lot, business, or building may be erected, provided:

(1) One or more wall mounted use or occupancy signs may be attached to or mounted on the building front, sides or rear; provided, that the total area of all signs does not exceed 50 square feet. However, in no case shall any one (1) sign exceed 24 square feet.

SECTION. 7. A new Section 1806.1 shall be added to Chapter 27 entitled “Signs Permitted in Manufacturing/Light Industrial Districts” and shall provide as follows:

1. In the Manufacturing/Light Industrial Districts the following signs are permitted and no others:

(A.) Any sign which may be permitted in any other district; provided, that the use for which the sign is placed is permitted in that district.

(B) Free Standing Signs. Free standing signs identifying the use or occupancy of a certain lot, business or building may be erected within the front or side yard, provided:

(1) One such sign may be erected for each independent establishment on any lot. The size of the sign shall not exceed 50 square feet per sign face. No sign shall be erected within any public right-of-way.

(C) Wall Mounted Signs. Wall mounted signs identifying the use or occupancy of a certain lot, business, or building may be erected, provided:

(1) One or more wall mounted use or occupancy signs may be attached to or mounted on the building front, sides or rear; provided, that the total area of all signs does not exceed 200 square feet. In no case shall one sign be greater than 100 square feet.

SECTION 8. A new subsection (2) of Section 1807 shall be added to Chapter 27 relating to Off-Premises Advertising Signs, as follows:

2. Sandwich-Board Signs. In any commercial district, one (1) temporary sandwich-board style message sign, which is off-premises, will be permitted per business. These signs, directing customers to a business off of a main street are allowed subject to the following conditions:

- (A) Signs may not exceed 8 square feet per side;
- (B) Signs may only be placed out during business hours;
- (C) Business/Sign owner must obtain permission from the property owner on which the sign is to be placed; and
- (D) No permit shall be required for said sign.

SECTION 9. Section 1808(1)(N) of Chapter 27, relating to Political Signs, shall be removed and replaced as follows:

(N) Personal Expression Signs. On-premises signs and flags expressing an opinion, interest, position or other non-commercial message may be erected on any property, subject to the following:

(1) In the Commercial-General, Commercial-Warehousing and Manufacturing/Light-Industrial Districts, signs and flags shall not exceed 24 square feet. In all other districts, signs shall not exceed 6 square feet and flags shall not exceed 15 square feet.

SECTION 10. Chapter 27, Section 1809, Signs Prohibited in All Districts, shall be amended in part as follows:

1. The following signs are prohibited in all zoning districts:

(A) No sign shall be permitted on or over a public sidewalk, except in districts that specifically permit them.

SECTION 11. Chapter 27, Section 1809(1)(H), relating to neon lighted signage, shall be removed in its entirety.

SECTION 12. SEVERABILITY. If any section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase or word in this Ordinance is declared by any reason to be illegal, unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect or impair the validity of this Ordinance or Chapter 27 of the Hummelstown Borough Code as a whole, or any other section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, word or remaining portion of this Ordinance or Chapter of the Hummelstown Borough Code. Borough Council hereby declares that it would have adopted this Ordinance and each section, subsection, phrase and word thereof, irrespective of the fact that any one or more of those sections, subsections, provisions, regulations, limitations, restrictions, sentences, clauses, phrases or words may be declared illegal, unconstitutional or invalid.

SECTION 13. ENFORCEMENT. The provisions of this section shall be enforced by the Zoning Officer or any other designated enforcement official as may be assigned by the Borough.

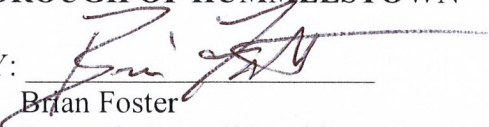
SECTION 14. REPEALER. All ordinances or parts of ordinances that are inconsistent herewith shall be and the same expressly are repealed.

SECTION 15. EFFECTIVE DATE. This Ordinance shall become effective in accordance with applicable law.

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BE IT DULY ORDAINED AND ENACTED into law this 19 day of August 2021, by the Borough of Hummelstown, Dauphin County, Pennsylvania, in lawful session duly assembled.

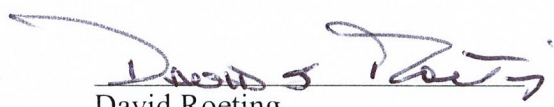
**BOROUGH COUNCIL OF THE
BOROUGH OF HUMMELSTOWN**

BY: 
Brian Foster
Borough Council President

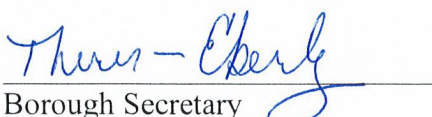
ATTEST:

Borough Secretary

AND NOW THIS 19th day of August, 2021, the foregoing Ordinance is approved.


David Roeting
Mayor

I hereby certify the foregoing Ordinance was advertised in the Sun on 7/29 + 8/5, 2021, a newspaper of general circulation in the municipality and was duly enacted and approved as set forth at the regular meeting of the municipality's governing body held on August 19, 2021.


Borough Secretary