

**UPPER SOUTHAMPTON TOWNSHIP
COUNTY OF BUCKS
COMMONWEALTH OF PENNSYLVANIA
ORDINANCE # 477**

**AN ORDINANCE AMENDING THE SIGN AND FLOODPLAIN
PROVISIONS OF THE ZONING ORDINANCE OF UPPER
SOUTHAMPTON TOWNSHIP**

WHEREAS, the Township of Upper Southampton, County of Bucks, and Commonwealth of Pennsylvania is empowered to enact, amend and repeal zoning ordinances pursuant to Pennsylvania law; and

WHEREAS, the Board of Supervisors, County of Bucks, Commonwealth of Pennsylvania, in order to comply with mandates from court decisions and/or to protect persons and properties of the Township, desire to make changes to the Upper Southampton Zoning Ordinance with respect to sign and floodplain requirements.

NOW THEREFORE, the Board of Supervisors of Upper Southampton Township, Bucks County, Pennsylvania, does hereby ordain and enact the following:

Section 1. Section 185-63 of the Upper Southampton Township Zoning Ordinance is hereby amended by the deletion of the following sub-sections:

a. 185-63A.(2)(i), , 185-63A. (2)(m), 185-63A. (2)(n), 185-63B. (1)(a), 185-63B. (1)(f), 185-63B.(1)(i)(j), and (l) 185-63B. (2)(b)[1][2][3], 185-63B. (2)(c)[1][2], and 185-63B. (2)(d)..

b. In place of said deleted, section 185-63B.(2)(b), the following section 185-63B.(2)(b), shall be inserted:

“185-63B.(2)(b). Temporary signs of any nature may be erected or displayed and maintained without an application or fee, provided that:

[1] The size of any such sign is not in excess of 12 square feet and are nonilluminated.

[2] No signs shall be permitted within a street line or right-of-way, nor shall any sign be affixed to any telephone or electric pole or affixed to any traffic signal pole in the Township.

[3] Such sign shall be removed within 30 days after the original placement.”

c. All other deleted sections shall be marked as “Repealed”.

f. **Deletion** of 185-63A.(2)(g) and **replaced** with the following:

"(2)(g). Prohibition of signs in street lines. No signs except traffic signs and similar regulatory notice shall be allowed within street lines."

g. **Deletion** of 185-63B.(1) and **replaced** with the following:

"B (1) On-premises signs. In the R-1, R-2, R-3, R-4, R-5 and R-6 Zoning Districts, one (1) non-illuminated free-standing on-premises sign shall be permitted with an area of up to two (2) square feet along with the following:

h. **Deletion** of 185-63B. (1)(c) and **replaced** with the following:

"B(1)(c) Flags."

i. **Deletion** of 185-63B.(1)(h) and **replaced** with the following:

"B(1)(h) One non-illuminated or indirectly illuminated existing non-conforming sign in connection with a lawfully maintained nonconforming use."

Section 3. Section 185-19 titled "Floodplain Regulations" of the Upper Southampton Township Zoning Ordinance is hereby amended as follows:

a. **Deletion** of Section 185-19.I(2) Definitions, titled "CUMULATIVE SUBSTANTIAL DAMAGE", "SUBSTANTIAL DAMAGE", and "SUBSTANTIAL IMPROVEMENT", and **replaced** with the following:

"CUMULATIVE SUBSTANTIAL DAMAGE. Flood-related damages sustained by a structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each such flood event, on average, cumulatively equals or exceeds 50% of the market value of the structure before the damages occurred."

"SUBSTANTIAL DAMAGE. Damage from any cause sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50% or more of the market value of the structure before the damage occurred."

"SUBSTANTIAL IMPROVEMENT. Any reconstruction, rehabilitation, addition, or other improvement of a structure, of which the cost equals or exceeds 50% of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage or cumulative substantial damage regardless of the actual repair work performed. The term does not, however, include any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have

Section 4. It is the intent of the Upper Southampton Board of Supervisors that the provisions of this Ordinance shall become and be made a part of the Code of Township of Upper Southampton and the sections of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section" or "article" or such other appropriate word or phrase in order to accomplish the intention of the Board.


Section 5. All other regulations, provisions, parts, paragraphs, sections, subsections, clauses, sentences or portions thereof of Chapter 185 of the Code of Ordinances of the Township of Upper Southampton not specifically amended by this Ordinance shall remain unchanged and in full force and effect.

Section 6. The provisions of this Ordinance may be severed. If any section, clause, sentence, part or provision thereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decisions of the court shall not impair any of the remaining sections, clauses, sentences, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors of Upper Southampton and that this Ordinance would have been enacted if such illegal, invalid or unconstitutional section, clause, sentence, part of provisions had not been included herein.

ORDAINED AND ENACTED by the Board of Supervisors of Upper Southampton Township on this 9th day of May, 2023.

BOARD OF SUPERVISORS OF UPPER
SOUTHAMPTON TOWNSHIP

By: 
Thomas A. McCullough, Chairman

Attest: 
Stephen A. Wallin, Secretary/Treasurer