

TOWNSHIP OF UPPER DEERFIELD

ORDINANCE 690

**ORDINANCE AMENDING CHAPTER 405-31
OF THE CODE OF THE TOWNSHIP OF UPPER DEERFIELD
WITH RESPECT TO SIGNS**

WHEREAS, the Township Committee of the Township of Upper Deerfield has considered the utility of temporary signs, banners, and flags with respect to the advertisement of businesses, products, and services; and

WHEREAS, the Township Committee of the Township of Upper Deerfield has determined that the daily placement by businesses outside the traveled right-of-way of banners, flags, pennants, should be permitted in order to advertise businesses, products, and services but only upon such terms and conditions as are appropriate; and

WHEREAS, the Township Committee of the Township of Upper Deerfield has determined that banners, flags, or pennants which are used on a daily basis and are not placed within the right-of-way and are removed after the close of business should be permitted, provided that the size of such advertising devices, including banners, flags, or pennants are limited; and

WHEREAS, the Township Committee of the Township of Upper Deerfield is desirous of amending Section 405-31 of the Code of the Township of Upper Deerfield;

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Upper Deerfield that Chapter 405-31(D)(9) of the Code of the Township of Upper Deerfield be and is hereby repealed; and

BE IT FURTHER ORDAINED by the Township Committee of the Township of Upper Deerfield that Chapter 405-31(D)(9) of the Code of the Township of Upper Deerfield shall hereafter read as follows:

(a) Spinners, balloons, or other aerial devices, inflatable figures, or any other moving object used for advertising purposes, whether containing a message or not shall not be permitted unless a permit for the same has been granted by the Township Committee of the Township of Upper Deerfield. In the case of an opening or reopening of a business or other enterprise, the Zoning Officer may issue a permit for said devices provided that they are installed in such a way as to not be hazardous to persons or vehicles on or off site. A permit for spinners, tethered balloons or other aerial devices or inflatable figures or any other moving object for an opening or reopening shall not be granted for longer than 21 consecutive days.

(b) For all other uses of spinners, tethered balloons, aerial devices, or inflatable figures or any other moving object used for advertising purposes such devices shall be permitted only upon such terms and conditions as may be authorized by permit from the Township Committee of the Township of Upper Deerfield.”

BE IT FURTHER ORDAINED by the Township Committee of the Township of Upper Deerfield that a new Chapter 405-31(A)(7) of the Code of the Township of Upper Deerfield shall be added as follows:

(7) Banners, flags and pennants

(a) “Banners, flags, or pennants not exceeding 16 square feet in size shall be permitted to be displayed on the property of any business owner advertising or displaying information to the public on a daily basis pertaining and relating to the business conducted on the premises such as whether a sale is ongoing, business hours, whether the business is open or closed, and similar such purposes; provided that such signs shall not be permanently placed, shall be placed on the business premises not earlier than dawn and shall be removed on a daily basis not later than dusk; and provided further that such banners, flags and pennants shall not be placed within the public right-of-way nor shall such banners, flags, and pennants be placed so as to present a visual obstruction to motorists along any highway or near any intersection.

(b) No more than three banners, flags, or pennants per property shall be allowed to be placed on a daily basis. The size of any one banner, flag, or pennant shall not exceed 16 square feet.

James Crilley, Chairman

Finally April 19, 2012

Attested:

Roy J. Spoltore, Township Clerk

First Reading: April 5, 2012

Publication: April 10, 2012

Publication of Final Adoption: April 25, 2012