

TOWNSHIP OF UPPER DEERFIELD

ORDINANCE # 657

**ORDINANCE AMENDING SECTION 98-23 OF THE
CODE OF THE TOWNSHIP OF UPPER DEERFIELD
REGARDING TEMPORARY OR DAILY SIGNS**

WHEREAS, the Township Committee of the Township of Upper Deerfield has reviewed Section 98-23 of the Code of the Township of Upper Deerfield with respect to signs and believes that the placement of daily signs which are placed in front of businesses on a daily basis, indicating, among other things, an ongoing sale, hours of operation, the status of a place of business as open or closed, or similar such signs are a necessary and useful tool for business owners to operate their businesses; and

WHEREAS, the Township Committee of the Township of Upper Deerfield believes that small signs which are placed in front of operating businesses not exceeding six square feet in area and which are daily or diurnal signs, should be able to be placed in front of businesses conveying limited information about ongoing sales, hours of operation, whether the business is open or closed, and similar such uses are a benefit to business owners to attract business and maintain economic viability; and

WHEREAS, such signs would ordinarily not be lighted and would be placed in front of a business on the business owner's premises, off of a right-of-way and would be removed at dusk and would otherwise present no need for a permit or review with respect to the permanent placement of signs in or about the business premises; and

WHEREAS, the Township Committee of the Township of Upper Deerfield believes that such signs, if removed after dusk on a daily basis and which are less than six feet square in size should require no review nor permit; and

WHEREAS, the Township Committee of the Township of Upper Deerfield is desirous of adding a provision to 98-23(a) of the Code of the Township of Upper Deerfield to allow such signs;

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Upper Deerfield that Section 98-23 of the Code of the Township of Upper Deerfield be and is hereby amended to add the following provision which shall be designated as Section 98-23(A)(6):

Daily or diurnal signs not exceeding six square feet in area shall be permitted to be displayed on the property of any business owner advertising or displaying to the public information on a daily basis pertaining to and relating to 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, however, 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 signs shall not be placed within the

public right-of-way nor shall such signs be placed so as to a present a visual obstruction to motorists along any highway or near any intersection. No more than three signs per property shall be allowed to be placed on a daily basis.

BE IT FURTHER ORDAINED by the Township Committee of the Township of Upper Deerfield that the remaining provisions of Section 98-23 shall remain as heretofore and shall remain unaltered by the provisions hereof; and

BE IT FURTHER ORDAINED by the Township Committee of the Township of Upper Deerfield that to the extent of any inconsistency herewith Section 98-23(D)(2) is deemed inapplicable with respect to daily signs placed upon a business owner's own property; and

BE IT FURTHER ORDAINED by the Township Committee of the Township of Upper Deerfield that any person violating the provisions of this ordinance shall be liable to receive a written warning for the first violation, a \$50 fine for a second violation, and \$100 for any third or subsequent violations; and

BE IT FURTHER ORDAINED by the Township Committee of the Township of Upper Deerfield that no such signs shall be placed within the right-of-way of any Township road, nor such as to obstruct vehicular or pedestrian traffic. Such signs shall be placed at a minimum of at least 15 feet from the roadway edge of any roadway.

James Crilley, Chairman

Finally adopted
August 5, 2010

Attested:

Roy J. Spoltore, Township Clerk