

**LOWER SAUCON TOWNSHIP  
NORTHAMPTON COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2014-02**

**AMENDMENTS TO THE CODE OF THE TOWNSHIP OF LOWER SAUCON**

**AN ORDINANCE OF THE TOWNSHIP OF LOWER SAUCON, NORTHAMPTON COUNTY, PENNSYLVANIA, AMENDING AND REVISING THE CODE OF THE TOWNSHIP OF LOWER SAUCON BY AMENDING CHAPTER 180 (ZONING) TO REVISE SECTION 180-5 (DEFINITIONS, WORD USAGE) TO ADD DEFINITIONS RELATING TO BILLBOARDS, ADVERTISING SIGNS, AND DIGITAL BILLBOARDS; REVISING SECTION 180-99.B(3) (GENERAL SIGN REGULATIONS) TO CLARIFY THE REGULATIONS REGARDING THE ILLUMINATION OF SIGNS; REVISING SECTION 180-99(C) TO ADD REGULATIONS REGARDING APPEARANCE, DURATION, AND BRIGHTNESS FOR ELECTRONIC CHANGEABLE COPY SIGNS; REVISING SECTION 180-99(D) TO PROVIDE A LISTING OF PROHIBITED SIGNS; REVISING SECTION 180-104.1 (ADVERTISING SIGNS) TO CREATE A MINIMUM SEPARATION DISTANCE APPLICABLE TO ADVERTISING SIGNS AND DIGITAL BILLBOARDS, AND TO CREATE CERTAIN STANDARDS REGARDING THE APPEARANCE, DURATION OF MESSAGE, AND LIGHTING FOR DIGITAL BILLBOARDS; AND REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THE PROVISIONS CONTAINED HEREIN.**

**WHEREAS**, Lower Saucon Township is a Township of the Second Class, Optional Plan, located in Northampton County, Commonwealth of Pennsylvania; and

**WHEREAS**, the Township of Lower Saucon adopted Ordinance #98-17 on May 20, 1998, enacting the Code of the Township of Lower Saucon (hereinafter referred to as the “Code”); and

**WHEREAS**, the Council of Lower Saucon Township desires to amend the Code of the Township of Lower Saucon to revise the Township Zoning Ordinance provisions relating to Advertising Sign, Changeable Copy Signs, and Digital Billboards as further described herein; and

**WHEREAS**, the Council of Lower Saucon Township has determined that the adoption of this Ordinance containing the described amendments to the Zoning text of the Zoning Chapter of the Code is in the best interest of the public health, safety, and welfare of the citizens of Lower Saucon Township.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED** by the Council of the Township of Lower Saucon, Northampton County, Commonwealth of Pennsylvania, that the provisions of the Code of the Township of Lower Saucon are hereby amended as follows:

**Section 1. Amendment to Chapter 180 (Zoning), Section 180-5 (Definitions; word usage)**

Chapter 180, Section 180-5 of the Code is amended by adding the following definitions:

“ADVERTISING SIGN (or BILLBOARD) – A permanent, large-scale, freestanding structure, off-premise sign which is used for general advertising. An advertising sign functions as a principal use. Further, the term refers to all physical portions of the sign, including display faces, support poles, ladders, catwalks, lighting and visual display systems.”

“ANIMATED SIGN – Any sign that moves or has an optical illusion of moving, such as the movement of any illumination or the flashing or varying of light intensity to depict action or create a special effect or scene or a sign that has changing messages, provided that the following signs shall not be considered animated signs:

- A. A sign that changes messages not more than every six (6) seconds.
- B. A time and/or temperature sign.”

“BILLBOARD – See Advertising Sign.”

“CHANGEABLE COPY SIGN – A sign or portion thereof which has a reader board for the display of text information in which each alphanumeric character, graphic, or symbol is defined by objects, not consisting of an illumination devise and may be changed or re-arranged manually or mechanically with characters, letters, or illustrations that can be changed or rearranged without altering the face or surface of the sign.”

“CHANGEABLE COPY SIGN, ELECTRONIC – A sign or portion thereof that displays electronic information in which each alphanumeric character, graphic, or symbol, is defined by a small number of matrix elements using different combinations of light emitting diodes (LED’s), fiber optics, light bulbs or other illumination devices within the display area. Electronic Changeable copy signs include computer programmable, microprocessor controlled electronic displays. A sign on which the messages changes more than every six (6) seconds, except for (time and/or temperature signs) shall be considered an animated sign and not an electronic changeable copy sign for the purposes of this Chapter.”

“ELECTRONIC GRAPHIC DISPLAYS (DIGITAL BILLBOARDS) – An advertising sign that displays electronic, static images, static graphics or static pictures, with or without text information, defined by a small number of matrix elements using different combinations of light emitting diodes (LED’s), fiber optics, light bulbs, or other illumination devises within the display area where the message change sequence is accompanied immediately or by means of fade. Electronic graphic

display signs shall include computer programmable, microprocessor controlled electronic or digital displays.”

“OFF-PREMISE SIGN – A sign which directs attention to an object, product, service, place, activity, person, institution, organization, or business that is primarily offered at a location other than the lot upon which the sign is located.”

“VIDEO SIGN or VIDEO BILLBOARD – An on- or off-premise sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames which mimic the illusion of motion, including but not limited to moving objects, moving patterns or bands of light, or expanding or contracting shapes, and/or fade, dissolve, travel, or scrolling features. These also include projected images or messages with the characteristics onto buildings or other objects.”

**Section 2. Amendment to Chapter 180 (Zoning), Section 180-99 (Signs and Billboards), subsection B(3) (General Sign Regulations)**

Chapter 180, Section 180-99(B)(3) of the Code is hereby deleted in its entirety and replaced as follows:

- (3) “Signs may be illuminated by direct lighting either interior or exterior or self-illuminated with an electronic display. Exterior lighting shall be shielded so no direct light will shine on abutting properties or in the normal line of vision of the public using the street or sidewalk.”

**Section 3. Amendment to Chapter 180 (Zoning), Section 180-99 (Signs and Billboards), subsection C(9) (Supplemental Sign Regulations)**

Chapter 180, Section 180-99(C)(9) of the Code is hereby deleted in its entirety and replaced as follows:

- (9) “Signs otherwise permitted and in accordance with all applicable regulations of this chapter, may be Changeable Copy signs or Electronic Changeable Copy Signs. Electronic Changeable Copy Signs are subject to the following regulations:
- (a) Audio or pyrotechnics are specifically prohibited.
  - (b) Duration – Any portion of the message must have a minimum duration of six (6) seconds and must be a static display. Messages may change immediately or fade in and out only. No portion of the message may flash, scroll, twirl, twinkle, oscillate, rotate, blink, or in any manner imitate motion.
  - (c) Time and temperature shall be included as a separate message.

- (d) Brightness – The illumination and/or intensity of the display shall be controlled so as not to create glare, hazards or nuisances. Such signs shall have a maximum nits level of 5,000 nits; provided the brightness of the digital sign does not exceed 0.3 foot-candles of light above normal ambient light levels. Such signs shall be equipped with automatic dimming technology which automatically adjusts the sign's brightness based on ambient light controls. Maximum nit levels after 10:00 pm must not exceed 250 nits.
- [1] The luminance specification shall be determined by a foot-candle metering device held at a height of 5 ft. and aimed towards the sign from a distance of 65 feet.
- [2] The metering device should be at a location perpendicular to the sign's center, as this angle has the highest luminance.
- [3] This check shall include the measurement of an all white image displayed on the sign to evaluate worst-case conditions
- [4] If the difference in luminance between the sign-on and the sign-off conditions is 0.3 fc or less, then the sign luminance is in compliance.
- (e) All signs must be equipped with a properly functioning default mechanism that will stop the sign and return to a solid black display should a malfunction occur.
- (f) Applicant shall be required to coordinate / permit message access for local, regional, state, and national emergency services during emergency situations. Emergency messages are not required to conform to message standards listed herein.

**Section 4. Amendment to Chapter 180 (Zoning), Section 180-99 (Signs and Billboards), subsection D**

Chapter 180, Section 180-99(D) of the Code is hereby deleted in its entirety and replaced as follows:

"D. Prohibited Signs."

"The following signs are unlawful and are prohibited in all Zoning Districts:

1. Animated signs
2. Beacons
3. Portable signs for permanent use

4. Pennants and spinners
5. Flashing signs – Any signs that include lights which flash, blink, or turn on and off intermittently.
6. Glaring signs – Signs with light sources or reflecting brightness which constitutes a hazard or nuisance.
7. Video signs or video billboards.”

**Section 5. Amendment to Chapter 180 (Zoning), Section 180-104.1(I) (Advertising signs)**

Chapter 180, Section 180-104.1 of the Code is hereby amended to remove the phrase “on the same side of the street” from subsection (I).

**Section 6. Amendment to Chapter 180 (Zoning), Section 180-104.1(K) (Advertising signs)**

Chapter 180, Section 180-1-4.1(K) of the Code is hereby deleted in its entirety and replaced as follows:

- K. “Electronic Graphic Displays (Digital Billboards) must also meet the following standards:
- (1) Audio or pyrotechnics are specifically prohibited
  - (2) Duration – Any portion of the message must have a minimum durations of six (6) seconds and must be a static display. Messages may change immediately or fade in and out only. No portion of the message may flash, scroll, twirl, twinkle, oscillate, rotate, blink, or in a manner imitating motion.
  - (3) Brightness – The illumination and/or intensity of the display shall be controlled so as not to create glare, hazards or nuisances. Such signs shall have a maximum nits level of 5,000 nits; provided the brightness of the digital sign does not exceed 0.3 foot-candles of light above normal ambient light levels. Such signs shall be equipped with automatic dimming technology which automatically adjusts the sign’s brightness based on ambient light controls. Maximum nit levels after 10:00 pm must not exceed 250 nits.
  - (4) All signs must be equipped with a properly functioning default mechanism that will stop the sign and return to a solid black display should a malfunction occur.
  - (5) Applicant shall be required to coordinate / permit message access for local, regional, state, and national emergency services during emergency situations. Emergency messages are not required to conform to message standards listed herein.”

**Section 7. Amendment to Chapter 180 (Zoning), Section 180-104.1 (Advertising signs)**

Chapter 180, Section 180-1-4.1 of the Code is hereby amended by adding subsection (L) as follows:

- L. “All restrictions regulating signs in this chapter shall also apply to advertising signs unless modified by the requirements of this section.”

**Section 8. Violations and Penalties**

The Violation and Penalty provisions of the Code, where not revised herein, shall remain unchanged.

**Section 9. Severability**

The provisions of this Ordinance are severable. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, illegal, or otherwise invalid, such decision shall not affect the validity of the remaining provisions of this Ordinance. The Council of Lower Saucon Township hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional, illegal, or otherwise invalid.

**Section 10. Repealer**

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

**Section 11. Effective Date**

The provisions of this Ordinance shall become effective five (5) days after adoption.

**ENACTED** and **ORDAINED** this 16<sup>th</sup> day of July, 2014.

ATTEST:

LOWER SAUCON TOWNSHIP

\_\_\_\_\_  
Jack Cahalan  
Township Manager

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Ron Horiszny  
Council President