

ARTICLE 1320

SIGNS

1320.01 Purpose

This Article recognizes that although signs perform an important function by identifying residences and businesses, minimum control of signs is necessary to promote the health, safety and general welfare: by lessening hazards to pedestrian and vehicular traffic; by preserving property values; by preventing unsightly and detrimental development which has a blighting influence upon residential, business and industrial uses; by preventing signs from reaching such excessive size that they obscure one another to the detriment of all concerned; and by securing certain fundamentals of design for the City.

1320.02 Definition of Sign

Sign shall mean and include any permanent or temporary structure or part thereof, or any device attached, painted, or represented directly or indirectly on a structure or other surface that shall display or include any letter, word insignia, flag, or representation used as, or which is the nature of, an advertisement, announcement, visual communication, direction, or is designed to attract the eye, or bring the subject to the attention of the public. Flags of any governmental unit or branch or of any charitable or religious organizations, interior signs not visible from a public right-of-way or adjoining property, and cornerstones built into or attached to a wall of a building are excluded.

1320.03 Location of Signs

- (a) On-Premises Sign - A sign which directs attention to a person, business, profession, occupation or activity conducted on the same lot.
- (b) Off-Premises Sign - A sign which directs attention to a person, business, profession, product, home occupation or activity not conducted on the same lot.

1320.04 Types of Signs

- (a) Free Standing Signs - A self-supporting sign resting or supported by means of poles or standards on the ground.
- (b) Parallel Sign - A sign mounted parallel to a wall or other vertical building surface.
- (c) Window Sign - A temporary or permanent sign which is oriented to the public right-of-way, is legible to persons in vehicles, and is located on the outside or inside of a window to direct attention to an activity conducted on the same lot.
- (d) Projecting Sign - Any sign mounted to a wall or other vertical building surface other than a parallel sign.
- (e) Roof Sign - A sign erected upon or above the roof or parapet of a building.

- (f) Animated Sign - A sign with action or motion with moving characters or changing colors which require electrical energy, but not including wind actuated elements, such as flags or banners. This definition does not include public service signs, such as time and temperature signs.
- (g) Directly Illuminated Sign - A sign designed to give forth artificial light directly (or through transparent or translucent material) from a source of light within such sign, including, but not limited to, neon and exposed lamp signs.
- (h) Indirectly Illuminated Sign - A sign illuminated with a light so shielded that no direct rays therefrom are visible elsewhere on the lot where said illumination occurs. If such shielding device is defective, such sign shall be deemed to be a directly illuminated sign.
- (i) Flashing and Moving Sign - An illuminated sign on which the artificial light is not maintained stationary and constant in intensity and color at all times when in use. Illuminated signs which indicate the time, temperature, date or other public service information shall not be considered flashing signs, but shall be subject to site plan approval by the Planning Commission and review by the Traffic Bureau.
- (j) Portable Sidewalk Sign - A sign which is located on a sidewalk, which is not permanently attached to the ground, a structure, or any other sign.

1320.05

Area of Signs

- (a) The area of a sign shall be construed to include all lettering, working, and accompanying designs and symbols, together with the background, whether open or closed, on which they are displayed, but not including any supporting framework and bracing which are incidental to the display itself.
- (b) Where the sign consists of individual letters or symbols attached to or painted on a surface, building, wall, or window, the area shall be considered to be that of the smallest rectangle which encompasses all of the letters and symbols.
- (c) In computing square foot area of a double-face sign, only one side shall be considered provided both faces are identical. If the interior angle formed by the two faces of the double-faced sign is greater than forty-five (45) degrees, then both sides of such sign shall be considered in calculating the sign area.

1320.06

Permit Requirements for Signs

All on-premises signs over six (6) square feet in area and all off-premises signs regardless of size shall require the issuance of a zoning and building permit before erection or replacement. All signs must comply with all of the regulations contained herein, regardless of whether a permit is required. No permit shall be required for a mere change of copy on a sign, the customary use of which involves frequent and periodic changes of copy.

The following requirements shall apply to all signs:

- (a) Signs may be illuminated by direct lighting but shall have such lighting shielded so no direct light will shine on abutting properties or in the normal line of vision of the public using the streets or sidewalks. No floor or spot lights shall be mounted higher than twenty-five (25) feet above ground level.
- (b) No sign shall be so located or arranged that it interferes with traffic through glare, through blocking of reasonable sight lines for streets, sidewalks, or driveway, through confusion with a traffic control device (by reason of color, location, shape or other characteristic), or through any other means. No sign shall violate the corner visibility restrictions in Section 1318.06.
- (c) All signs except temporary signs shall be constructed of durable material and kept in good condition and repair. Electrical signs shall be subject to the performance criteria of the Underwriters Laboratory, Incorporated and to annual inspection by the City Electrical Inspector.
- (d) Signs existing at the time of passage of this Ordinance which do not conform to the requirements of the Ordinance shall be considered non-conforming signs. However, non-conforming signs may be repainted, repaired (including lighting) or replaced provided such repainted, repaired or replaced signs do not exceed the dimensions of the existing sign. Copy may also be changed. Non-conforming signs, once removed for a period of ninety (90) days, may be replaced only with signs which conform to provisions of this Ordinance.
- (e) If an establishment has walls fronting on two (2) or more streets, the sign area for each street may be computed separately.
- (f) No signs except those of a duly constituted governmental body, including traffic signs and similar regulatory notices shall be allowed within street lines unless specifically authorized by other ordinances and regulations of the City.
- (g) No sign except such directional devices as may be required by the Federal Aviation Authority, shall be placed, inscribed or supported upon the roof or upon any structure which extends above the roof of any building.
- (h) Any vehicle to which a sign is affixed in such a manner that the carrying of such sign or signs no longer is incidental to the vehicle's primary purpose but becomes a primary purpose in itself shall be considered a free-standing sign and as such be subject to the provisions regarding free-standing signs in the district in which such vehicle is located.
- (i) No sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered only elsewhere than upon the premises where it is displayed shall be established nearer than one hundred (100) feet to a Residential District unless the advertisement surface of such sign is not visible therefrom.
- (j) No sign in other than a Residential or Institutional District shall be located so as to face any Residential or Institutional District on the same side of the street on which the property bearing the sign fronts. This provision shall not apply to signs at right angles to the street line of such street.

- (k) Flashing signs, flood lights, flags, banners, twirling, "A" type, sandwich type, sidewalk or curb signs and balloons or other air or gas-filled figures and special promotional devices shall only be permitted for a new business in a Commercial or Industrial District for a period of not more than fifteen (15) days after the opening of such new business. At no other time shall such devices be permitted except as provided for in Section 1320.10.
- (l) All free-standing signs shall conform to the setbacks required for other buildings and structures. No free-standing sign in other than a Residential or Institutional District shall extend within twenty-five (25) feet of any Residential or Institutional District boundary line. The location of signs for service stations shall not be located within any street right-of-way.
- (m) Only one (1) on-premises sign with a maximum area of one hundred (100) square feet may be erected which faces or is primarily intended to be visible from an Interstate Highway, Limited Access Highway, Parkway or Expressway. No off-premises signs shall be erected which face or are primarily intended to be visible from an Interstate Highway, Limited Access Highway, Parkway or Expressway.
- (n) The office of the Bureau of Inspections shall issue a permit for all temporary signs for all temporary uses which shall be considered as uses which operate for a period of four (4) months out of a year. Said temporary signs shall not exceed one hundred (100) square feet and shall be removed one hundred and twenty (120) days after erected.
- (o) Parallel signs shall not extend beyond the edge of any wall or other surface to which they are mounted, and shall not project more than fifteen (15) inches from its surface.
- (p) Projecting signs shall not project more than three and one-half (3 1/2) feet from the wall or surface to which they are mounted nor in any way shall they interfere with normal pedestrian or vehicular traffic.

1320.08

Signs Permitted in Residential and Institutional Districts

No sign shall be permitted except as follows:

- (a) On-Premises Signs.
 - (1) Official traffic signs and other official Federal, State, County and City governmental signs.
 - (2) Signs displaying only the name and address of the occupant of the premises provided that the area of any such sign shall not exceed one (1) square foot and not more than one (1) such sign shall be erected for each occupant of a premises, unless such property fronts on more than one (1) street, in which case one (1) such sign may be erected on each street frontage.
 - (3) Signs for bulletin or announcement boards for identification of permitted non-residential buildings provided that the area of any such sign shall not exceed eight (8) square feet. In the R-T Residential District, signs which shall not exceed four (4) square feet for a tourist home and boarding house and six (6) square feet for motor vehicle parking lots may be erected on any lot where such use exists. Not more than one (1) such sign shall be placed on each street frontage.

- (4) Signs advertising the sale, lease or rental of property, provided that the area of any such sign shall not exceed six (6) square feet and not more than one (1) such sign shall be placed on property held in single and separate ownership unless such property fronts on more than one (1) street, in which case, one (1) such sign may be erected on each street frontage. All signs shall be removed within seven (7) days after an agreement of sale or rental has been entered into. In addition to the foregoing, one (1) open house sign shall be permitted subject to the five (5) conditions listed under 1320.08(b)(3). Two (2) off premises signs shall also be permitted as stated in 1320.08(b)(3).
- (5) Trespassing signs, signs indicating the private nature of a road, driveway, or premises, provided that the area of any such sign shall not exceed two (2) square feet.
- (6) Temporary signs erected in connection with the development or proposed development of the premises by a builder, contractor, developer or other persons interested in such sale or development, provided that the aggregate area of the signs shall not exceed one hundred (100) square feet. Such signs shall be removed within twenty (20) days after the last structure has been initially occupied. Where a real estate developer is engaged in selling lots only, then temporary signs advertising the sale of lots in the subdivision shall be permitted during the initial period of the development project, which period shall commence with the recording date of the subdivision map and shall end twelve (12) months thereafter. The permit for such signs may be renewed at the end of each twelve (12) month period.
- (7) Temporary signs of mechanics or artisans may be erected and maintained during the period such persons are performing work on the premises on which such signs are erected, provided that such signs shall be removed upon completion of work by the mechanic or artisan, and the total areas of all such signs shall not exceed twenty (20) square feet.
- (8) Temporary signs announcing a campaign, drive, or event of a civic, philanthropic, educational, or religious organization shall not exceed twenty (20) square feet in area and shall be removed immediately upon completion of the campaign, drive, or event.
- (9) Signs for identification of permitted home occupation or home professional office uses, provided that the area of any such sign shall not exceed two (2) square feet. However, the aggregate square footage of signs erected under 1320.08(a)(2) and this Section shall not exceed two (2) square feet. Such signs exceeding a total of one (1) square foot in size shall have to meet the front yard setback requirements of this Ordinance.
- (10) Apartment developments may have one (1) sign, one (1) square foot in area, for each dwelling unit in the development up to a maximum of twenty (20) square feet. If the development fronts on more than one (1) street, there may be one (1) such sign for each street frontage.

(11) Parallel and projecting signs for non-conforming uses, also subject to the provisions of Section 1320.07.

(I) Signs attached to the main wall of a principal building shall not project more than three and one-half (3-1/2) feet therefrom and no portion shall be less than ten (10) feet above the basic grade and no more than twenty-five (25) feet above grade. Such signs shall not exceed twenty-two and one-half (22-1/2) square feet.

(II) The total area of all signs shall not exceed twelve and one-half (12-1/2) percent of the area of the building face (including window and door area and cornices) to which they are attached. In no case, however, shall the total area of all signs exceed fifty (50) square feet.

(III) Permanent window signs shall be considered parallel signs and included in this computation, but shall nevertheless not exceed twenty (20) percent of the total window area on each street.

(IV) Such signs shall conform to the setback regulations for a non-residential use in the district.

(12) No sign identifying a home professional office shall be illuminated between the hours of 10:00 P.M. and 9:00 A.M.

(13) Signs for any use specified in Article 1309 (I-Institutional District) but located in a Residential District, may contain one (1) square foot in area for each ten (10) feet of lot frontage in a City street of at least forty (40) feet in width. The total area of all signs for such uses shall not exceed forty (40) square feet. All such signs over eight (8) square feet in size shall be non-illuminated; smaller signs may be illuminated but only internally. Both sides of a double-faced sign shall be considered when computing the area of such signs for the above uses.

(14) Signs for institutional uses in an Institutional District may contain one (1) square foot in area for each ten (10) feet of lot frontage on a City street of at least forty (40) feet in width. The total area of all signs for such uses shall not exceed forty (40) square feet.

(b) Off-Premises Signs.

(1) Signs directing patrons, members, or audiences to temporary exhibits, shows, or events located in the City and signs erected in conjunction with a political election, subject to the following requirements:

(I) No such sign shall exceed eight (8) square feet in area.

(II) Signs shall be removed within one (1) week after the date of the exhibit, show or election.

- (III) No permit shall be issued for the erection of such signs until a deposit shall be made with the Zoning Officer in accordance with a fee schedule adopted by City Council to guarantee removal within the time prescribed. Failure to remove such signs within the time prescribed shall result in forfeiture of the deposit.
- (IV) No such sign shall be posted earlier than three (3) weeks before the occurrence of the event to which it relates with the exception of political signs which shall be posted not earlier than one (1) month prior to an election.
- (V) No such sign shall impede the safety of traffic or pedestrians.
- (2) Signs necessary for the direction, regulation and control of traffic, street name signs, legal notices, warnings at railroad crossings, and other official signs which are similarly authorized or erected by a duly constituted governmental body.
- (3) The placement of signs directing persons to the sale, lease, or rental of property shall be permitted, with the written approval of the owner of the property on which the sign is to be placed, subject to the following conditions:
 - (I) The signs shall only be permitted on Saturdays, Sundays, and Holidays.
 - (II) No sign shall exceed six (6) square feet.
 - (III) No sign shall be posted earlier than 8:00 A.M. on the day that it is displayed.
 - (IV) Signs shall be removed before 7:00 P.M. each day.
 - (V) No sign shall impede the safety of traffic or pedestrians.

1320.09 Signs Permitted in the Commercial Districts

No sign shall be permitted except as follows:

- (a) On-Premises Signs.
 - (1) All signs permitted in Section 1320.08(a) at the standards prescribed therein except as otherwise provided in this Section and in Section 1320.07.
 - (2) Parallel and projecting signs, providing:
 - (I) Signs attached to a main wall of a principal building shall not project more than three and one-half (3-1/2) feet therefrom and that no portion shall be less than ten (10) feet above the basic grade and no more than twenty-five (25) feet above grade. If not projecting more than three (3) inches from a wall of a building, the sign need not conform to the height limits.

- (II) The total area of all signs shall not exceed twenty-five (25) percent of the area of the exterior building face (including window and door area and cornices) to which they are attached. In no case, however, shall the total area of all signs exceed one hundred (100) square feet.
 - (III) Permanent window signs shall be considered parallel signs and included in this computation but shall nevertheless not exceed forty (40) percent of the total window area on each street.
 - (IV) In the case of a Shopping Center or Commercial Recreation District the provisions of this Section relating to the total area of signs permitted on a premise shall apply with respect to each building, separate store, or similar use in percentage of exterior building face, but not in square feet. All signs shall conform to an overall scheme or arrangement design which shall be subject to approval or disapproval by the City Planning Commission. Sign materials, lighting, position on the building, and size, shall all be specified in such approval. If the Shopping Center or Commercial Recreation District shall contain a mall area, each entrance to the mall may be designated by a sign no wider than the entrance, and at a height to be determined by the City Planning Commission.
- (3) Free Standing Signs.
- (I) Shall be limited to one (1) except for an establishment which fronts on two (2) or more streets, in which case a sign may be erected in each yard fronting on a street.
 - (II) No portion of any such sign shall be less than ten (10) or more than twenty-five (25) feet above the ground, except such signs described in (IV) and (V) below.
 - (III) The area of any free standing sign except such signs as described in (IV) and (V) below, shall not exceed one (1) square foot for each two (2) feet of lineal lot frontage or fifty (50) square feet, whichever is smaller.
 - (IV) No sign shall be located beyond the rear or side wall of the main building when the rear or side property line on which it is situated abuts a Residential or Institutional District, except signs that convey information such as parking, entrances and traffic flow directions. The area of one (1) side of any such sign shall not exceed eight (8) square feet. The name of the business located on the premises may appear on such signs.
 - (V) No portion of a Shopping Center or Commercial Recreation Center free standing sign shall be less than twenty (20) or more than forty (40) feet above the ground. The area of any one side of such sign shall not exceed one hundred fifty (150) square feet. The location or orientation of such sign shall be shown on the development plan.

- (VI) In the case of a Shopping Center or Commercial Recreation District, the number of its free standing signs shall be according to the following schedule: Parking facilities from 100 to 500 cars - one free standing signs shall be allowed. For every additional increment of 500 parking spaces, one (1) additional free standing sign is permitted. At no time shall there be more than four (4) free standing signs per Shopping Center or Recreation Center.
- (VII) In the case of a group of business uses other than a Shopping Center, on a lot held in single and separate ownership, a single free standing sign including individual signs identifying different establishments, may be erected on a common backing provided that the total area of one (1) side of the sign does not exceed one hundred (100) square feet. The structural backing for all such signs shall be uniform and no sign may extend, in any direction, beyond the outside edge of the backing. No portion of any such backing shall be less than five (5) feet or more than twelve (12) feet above the ground.

(b) Off-Premises Signs

- (1) All signs permitted in Section 1320.08(b) at the standards prescribed therein except as otherwise provided in this Section.
- (2) Only such directional devices as may be required by the Federal Aviation Authority shall be placed, inscribed, or supported upon the roof or upon any structure which extends above the roof of any building.
- (3) Signs for permitted non-residential uses provided:
 - (I) All parallel and projecting signs shall not exceed two (2) square feet for each foot of length of that portion of such wall which is devoted to such establishment or one hundred (100) square feet, whichever is smaller. Said signs are permitted on a side or rear wall only if such wall abuts a street, driveway, or parking area. No sign shall be more than twenty-five (25) feet above the basic grade.
 - (II) Free standing signs shall not exceed one (1) square foot of sign area for each two (2) feet of lot frontage or one hundred (100) square feet, whichever is smaller. Not more than one (1) such sign shall be placed on property in single and separate ownership unless such property fronts on more than one (1) street, in which case one (1) such sign may be erected on each street frontage. No sign shall be more than twenty-five (25) feet above the basic grade. No sign shall be located beyond the side property line upon which it is situated where it abuts a Residential District.

No sign shall be permitted except as follows:

- (a) Portable sidewalk signs may be approved by the Zoning Hearing Board in CB Districts based on the following requirements:
 - (1) Proof by the applicant that the location of the business or the configuration of the store front and fenestration is such that it cannot be adequately identified through the signage provided otherwise in Article 1320 of the Zoning Ordinance.
 - (2) No more than one (1) sign may be permitted per building no matter how many businesses are located in the building except where the building has rear access onto a sidewalk or other public way, then two (2) signs are permitted. This also applies to corner buildings fronting on two (2) streets.
 - (3) The following general requirements apply to all portable sidewalk signs:
 - (I) Signs may be displayed only during business hours, otherwise sign must be removed from sidewalk area.
 - (II) Signs may not have any moving parts, flags, banners, balloons or other attachments.
 - (III) Signs may not be illuminated directly or indirectly.
 - (IV) If approved by the Zoning Hearing Board, the applicant must supply a Certificate of Insurance naming the City of Bethlehem as an additional insured and comprehensive general liability insurance with a minimum of \$1,000,000 per individual and aggregate of \$1,000,000.
 - (V) If such sign is proposed to be located in the Historic Area it must be reviewed by the Board of Historic and Architectural Review and a Certificate of Appropriateness granted by City Council.
 - (4) The following design and location requirements apply to portable sidewalk signs:
 - (I) All signs shall be a maximum of five (5) feet high, three (3) feet wide and three (3) feet deep (spread at the base).
 - (II) The maximum signage area per face shall be fifteen (15) square feet and a total of two (2) faces are permitted for each sign, totaling a maximum of thirty (30) square feet.
 - (III) Signs shall be constructed of durable material and be appropriately weighted to provide stability.

- (IV) When located in the Historic District, the design, character, configuration, and coloring shall be compatible with Section 11 of Article 1713 of the Ordinance creating the Historic District and the Review Board.
- (V) The location of a portable sidewalk sign shall be a minimum of one and one-half (1-1/2) feet back from the face of curb and a maximum of four and one-half (4-1/2) feet back from the face of curb.
- (VI) All signs shall be a minimum of twenty-five (25) feet from the street intersection of two (2) curb lines.

1320.11

Signs Permitted in Industrial Districts

(a) On-Premises Signs

- (1) All signs permitted in Section 1320.09 at the standards prescribed therein except as otherwise provided in this Section and in Section 1320.07.
- (2) Signs for permitted uses provided:
 - (I) All parallel and projecting signs shall not exceed two (2) square feet for each foot of length of the front building wall or length of that portion of such wall which is devoted to such establishment or three hundred seventy-five (375) square feet, whichever is smaller. Said signs are permitted on a side or rear wall only if such wall abuts a street, driveway or parking area. No sign shall be more than twenty-five (25) feet above the basic grade nor shall be closer than one hundred (100) feet to a residential area.
 - (II) Free standing signs shall not exceed one (1) square foot of sign area for each two (2) feet of lot frontage or three hundred seventy-five (375) square feet, whichever is smaller. Not more than one (1) such sign shall be placed on a property unless it fronts on more than one (1) street, in which case one (1) such sign may be erected on each street frontage. In addition one (1) free standing sign, indicating the name of an industrial park and the industries within may be erected along each highway on which the park fronts. The location and design of such signs shall be subject to review and approval by the Planning Commission.
- (3) No sign shall project higher than the roof line. No sign shall be located beyond the rear or side wall of the main building when the rear or side property line upon which it is situated abuts a Residential District.

(b) Off-Premises Signs

- (1) All signs permitted in Section 1320.09(b) at the standards prescribed therein.

(c) The following requirements shall apply in the case of the Planned Industrial District:

- (1) One sign indicating the name of the industrial park and the industries therein may be erected along each highway on which the P-I District fronts. Such sign may be free standing or attached to a wall or fence. Plans showing the proposed location and design of such sign shall be subject to approval by the Planning Commission.

- (2) Identification signs for individual industries shall be permanently attached to the building and shall preferably be part of the architectural design of a building. One (1) sign may be placed on the front, sides, or rear of a building or on all sides, provided the

area conforms with the formula established in (a)(2)(I) above. One (1) free standing sign may be used only when an industry comprises a group of buildings. Such sign shall neither extend into any minimum required yard nor rise above the roof line of adjacent buildings. The sign shall not exceed the area derived from the formula established in (a)(2)(II) above.

- (3) A temporary sign not to exceed one hundred fifty (150) square feet may be erected during construction within the rear half of required yards facing upon streets. The purpose of such a sign is to identify the industry which will occupy the lot and the organizations or persons concerned with its construction. A temporary use permit shall be obtained from the office of the Bureau of Inspections. Temporary signs shall be removed within thirty (30) days following completion of construction.