

**TOWNSHIP OF EAST WHITELAND  
CHESTER COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 286-2016**

**AN ORDINANCE AMENDING THE EAST WHITELAND TOWNSHIP ZONING  
ORDINANCE CHAPTER 200, ARTICLE XIII, SECTION 200-85, FOR THE PURPOSE  
OF AMENDING OFF-PREMISES SIGN REGULATIONS**

**WHEREAS**, the Board of Supervisors have met the procedural requirements of 53 P.S. § 10101, et seq., of the Pennsylvania Municipalities Planning Code for the adoption of the proposed Ordinance, including holding a public hearing;

**WHEREAS**, the Board of Supervisors desires to amend the regulations governing off-premises signs within the Township;

**WHEREAS**, the Second Class Township Code authorizes the Board of Supervisors to make and adopt Ordinances that are consistent with the Constitution and the laws of the Commonwealth that it deems necessary for the proper management and control of the Township and welfare of the Township and its citizens;

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Board of Supervisors for East Whiteland Township, and it is hereby ordained and enacted, by the authority of the same, to wit:

**SECTION 1. CODE AMENDMENT.**

**A. CHAPTER 200, ARTICLE XIII, SECTION 200-85, OFF-PREMISES SIGNS, IS HEREBY AMENDED IN ITS ENTIRETY TO READ AS FOLLOWS:**

Except as provided for in this section, off-premises signs are prohibited. As a conditional use, off-premises signs are permitted on non-residential tracts, subject to the general sign regulations of this article and the following conditions:

- A. Signs shall be freestanding and shall be located within 75 feet of the right-of-way of Lancaster Avenue and within 2,600 feet of the municipal boundary as measured along the center line of the right-of-way of Lancaster Avenue.
- B. Signs shall not exceed 300 square feet in area and shall have a maximum total height not to exceed 45 feet.
- C. No more than one off-premises sign shall be erected on a tract.
- D. Lighting shall comply with Article II of this chapter and § 200-80 of this article. If adjacent to residential zoning districts, signs shall be lit only from dusk to 10:00 p.m.

- E. Notwithstanding anything contained herein to the contrary, an off-premises sign shall constitute the principal use of the lot upon which it is erected, and such principal use shall constitute the sole principal use of the lot. No off-premises sign shall be erected on any lot upon which another principal use is carried on.
  
- F. Off-premises signs containing a message or copy displayed through electronic means shall not be illuminated by a flashing, intermittent or moving light or lights; or constitute an animated sign, flashing or message sign, glaring sign, or an intermittent sign, as defined under §200-77.J. Additionally, electronic signage is prohibited unless the electronic signage complies with the following standards:
  - 1. The electronic display of a sign may not change any more frequently than one (1) time every ten (10) seconds;
  - 2. Scrolling script, either vertically or horizontally, is not permitted;
  - 3. Signs that move, rotate, oscillate, vibrate or shimmer are not permitted;
  - 4. Signs that flash, scintillate or blink are not permitted;
  - 5. Signs that change script electronically must have an instantaneous change of script and not a gradual or scrolling change of script;
  - 6. The entire electronic portion of the sign must change at the same time, thereby preventing different portions of the sign changing at different times;
  - 7. The degree of brightness shall not be greater than necessary for adequate visibility.
  - 8. The above requirements are in addition to all other sign regulations in the zoning code, and if any other provision of the zoning code conflicts with the above regulations, then the above regulations shall apply.
  
- G. Off-premises signs are prohibited in any zoning district that permits residential development.

**SECTION 2. REPEALER.**

All Ordinances or parts of Ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

**SECTION 3. REVISIONS.**

The East Whiteland Township Board of Supervisors does hereby reserve the right, from time to time, to adopt modifications of, supplements to, or amendments of its Ordinance, including this provision.

**SECTION 4. SEVERABILITY.**

In the event that any section, sentence, clause, phrase or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose enforcement of any of the remaining portions of this Ordinance.

**SECTION 5. EFFECTIVE DATE.**

This amendment shall become effective five (5) days after date of adoption.

**SECTION 6. FAILURE TO ENFORCE NOT A WAIVER.**

The failure of East Whiteland Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

**ENACTED AND ORDAINED** this 14<sup>th</sup> day of December, 2016 by the Board of Supervisors of East Whiteland Township.

**BOARD OF SUPERVISORS  
EAST WHITELAND TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA**

**ATTEST:**

By: \_\_\_\_\_  
Township Secretary

By: \_\_\_\_\_  
William Holmes

By: \_\_\_\_\_  
Richard Orlow

By: \_\_\_\_\_  
Susan Drummond