

ORDINANCE NO. 2010-02

AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL, BEAVER COUNTY, PENNSYLVANIA, A FIRST CLASS TOWNSHIP UNDER THE LAWS OF THE COMMONWEALTH OF PENNSYLVANIA, AMENDING THE HOPEWELL TOWNSHIP ZONING ORDINANCE NO. 2004-01, ARTICLE XX SIGNS TO ALLOW MOVING SIGNS AS PERMITTED USES IN THE C-1 COMMERCIAL HIGHWAY ZONING DISTRICT AND FURTHER RESTRICTING THE SIZE AND HOURS OF OPERATION OF MOVING SIGNS IN BOTH THE C-1 AND C-2 ZONING DISTRICTS

WHEREAS, the Hopewell Township Board of Commissioners is desirous of permitting moving signs in the Commercial Highway Zoning District where such signs currently are only permitted in the Commercial Shopping Center District; and

WHEREAS, the Hopewell Township Board of Commissioners is desirous of restricting the size and hours of operation of moving signs in both the Commercial Highway Zoning District and in the Commercial Shopping Center District; and

WHEREAS, the Hopewell Township Planning Commission reviewed the initial proposed Ordinance on September 24, 2009 and made a recommendation for approval to the Board of Commissioners on October 19, 2009; and

WHEREAS, the Beaver County Planning Commission reviewed the initial proposed Ordinance and did not object to the proposed amendment as documented in correspondence to the Board of Commissioners dated October 20, 2009; and

WHEREAS, the Board of Commissioners, after duly advertising same, held a public hearing on October 26, 2009 as provided by the Hopewell Township Code and the Pennsylvania Municipalities Planning Code at which time public comment and testimony was received concerning the amendment; and

WHEREAS, upon hearing and considering public comments concerning the amendment, the Board of Commissioners determined to make revisions to the proposed amendment to provide for the size, dimension and hours of operation for all moving signs; and

WHEREAS, the Board of Commissioners advertised the public hearing and notice of intent to adopt the proposed amendment on March 26, 2010 and April 2, 2010 as provided by the Hopewell Township Code and the First Class Township Code; and

WHEREAS, it is the judgment of the Board of Commissioners for Hopewell Township that such an amendment to the Zoning Ordinance of the Township of Hopewell, Beaver County, Pennsylvania is consistent with the overall Comprehensive Plan adopted by the Township.

NOW, THEREFORE, in consideration of the foregoing, it is hereby ordained and enacted by the authority of the Board of Commissioners of the Township of Hopewell:

SECTION 1. Article XX SIGNS, Section 2001 SIGNS RESTRICTED TO CERTAIN DISTRICTS, Subsection D. MOVING is hereby amended by adding the following: "(C-1 and C-2 Districts Only): Any sign which may fall under any sign classification in this Ordinance but which in addition is also animated, flashes, blinks, oscillates, rotates, revolves or in any way moves or provides an electronic or digital message, display, action or color change including lasers. Only one (1) such sign is permitted per premises. The maximum sign area shall not exceed thirty (30) square feet per side and a moving sign shall have no more than two (2) sides. The maximum height of a moving sign shall not exceed forty (40) feet to the top of the sign structure. Any moving sign located within one hundred (100) yards of a structure being used as a residence and located in a residential district may not be activated in moving mode during the hours of 11 PM to 6 AM Sunday through Thursday and 12 AM to 6AM on Fridays and Saturdays.

SECTION 2. Article XX SIGNS, Section 2002 SIGNS PERMITTED IN ALL DISTRICTS, Subsection H. ILLUMINATED, 2. is hereby amended and replaced with the following: "No form of illumination from a moving sign shall be permitted except in the C-1 and C-2 Districts."

SECTION 3. Article XX SIGNS, Section 2003 SIGNS PROHIBITED IN ALL DISTRICTS, Subsection A. is hereby amended and replaced with the following: "Any moving sign except those permitted in the C-1 and C-2 Districts."

SECTION 4. Article XX SIGNS, Section 2003 SIGNS PROHIBITED IN ALL DISTRICTS, Subsection F. is hereby amended and replaced with the following: "Flashing, blinking or pulsating string lights used in connection with commercial premises for commercial purposes except those permitted in the C-1 and C-2 Districts and except temporary holiday decorations which are permitted in all districts."

SECTION 5. Article XX SIGNS, Section 2007 QUICK REFERENCE TABLE OF PERMITTED SIGN USES is hereby amended to permit Moving Signs in the C-1 District.

SECTION 6. Severability

If any chapter, section, subsection, paragraph, sentence or phrase of this ordinance is for any reason declared invalid by a court of competent jurisdiction, such decision shall not effect the validity of the ordinance as a whole or any section or part thereof other than the section or part thereof so declared to be invalid.

SECTION 7. Repealer


Any ordinance, chapter, section, subsection, paragraph, sentence or phrase of any ordinance conflicting with the provisions of this ordinance shall and the same is hereby repealed to the extent of such conflict.

Ordained and enacted this 12th day of April 2010, by the Board of Commissioners of the Township of Hopewell.

ATTEST:

Board of Commissioners
Hopewell Township


Andy Brynette, Township Manager


Richard Bufalini, President