

# City of Allentown Tobacco Ordinances

## ARTICLE 1319 Signs

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1319.01 PURPOSE. This Article 1319 is intended to promote overall community aesthetic quality and protect property values; establish reasonable time, place and manner regulations on the exercise of free speech without regulating content; promote traffic safety by minimizing distractions; and ensure compatibility with existing and planned land uses.

### 1319.02 SIGN DEFINITIONS

A. Sign means any name, identification, description, display, illustration or device which is affixed to or represented directly or indirectly upon a building, structure or land in view of the general public, and which directs attention to a product, place, activity, person, institution or business.

B. Awning Sign means a sign that is mounted or printed on, or attached to, an awning, canopy, or marquee, provided, however, that the sign does not project above, below or beyond the awning, canopy or marquee.

C. Banner means a sign having characters, letters or illustrations applied to cloth, paper or fabric of any kind, with only such non-rigid material for background.

D. Business Sign - See On-Premises Sign.

E. Directional Sign means an advertising sign or device intended to direct or point toward a place, or object, or one that points out the way to either an unfamiliar or a known place or object that obviously could not be easily located without such a sign or device.

F. Flashing Sign means a sign, the illumination of which is not kept constant in intensity at all times when in use, and which exhibits sudden or marked changes in lighting effects. Signs which indicate the time, temperature, date or other similar information shall not be considered flashing signs.

G. Freestanding Sign means an on-premises sign supported by, or suspended from, a freestanding column or other support located in the ground, and which is not attached to a building.

H. Identification Sign means a sign giving the nature, logo, trademark or other identifying symbol, address, or any combination of the name, symbol and address of a building, business, development or establishment on the premises where it is located.

I. Illuminated Sign means a sign which has characters, letters, figures, designs or outlines illuminated by electric lighting or luminous tubes as part of the sign.

J. Indirectly Illuminated Sign means an illuminated, non-flashing sign whose illumination is derived from an external artificial source so arranged that no direct rays of light are projected from such artificial source into residential districts or public streets.

K. Name Plate Sign means a sign which states the name or address or both of the occupant of the lot where the sign is located.

L. Official Sign means a sign erected by a Federal, State, County or City agency, or specifically authorized by a City ordinance or resolution, and which exists for public purposes. Such signs shall include but not be limited to announcements of governmental funding.

M. Off-Premises Advertising Sign or Billboard means a board, panel or tablet used for the display of printed or painted advertising matter which directs attention to a business, product, service, activity or entertainment not necessarily conducted, sold or offered upon the premises where such sign is located. A portable or projecting sign shall not be used for off-premises advertising.

N. On-Premises Sign means a sign which directs attention to a business, profession, product, service, activity or entertainment sold or offered upon the premises where such sign is located.

O. On-Site Informational Sign means a sign commonly associated with, and not limited to, information and directions necessary or convenient for visitors coming on the property, including signs marking entrances and exits, parking areas, circulation direction, rest rooms, and pick-up and delivery areas.

P. Pennant means any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in a series, designed to move in the wind.

Q. Portable Sign means an on-premises sign that can be moved from place to place and which is not permanently located, or anchored, in the ground or permanently attached to a building. Examples include signs commonly known as reader boards, signs carried from place to place on a flatbed truck or trailer that are clearly intended for the purpose of advertising an event, business, product, or other use not associated with the operator of the vehicle, sandwich board signs, and hot air or gas-filled balloons or other figures tethered to the ground or a building.

R. Projecting Sign means an on-premises sign which is attached directly to the structure wall and which extends more than 15 inches from the face of such wall.

S. Temporary Sign means a sign, banner, or advertising display constructed of cloth, canvas, fabric, plywood or other light material and designed or intended to be displayed for a short period of time.

T. Wall Sign means an on-premises sign which is attached to the wall of a structure with the face in a plane parallel to such wall, and not extending more than 15 inches from the face of such wall.

U. Window Sign means an on-premise sign which is attached to, painted on or readable through an exterior window or door.

#### 1319.03 GENERAL REGULATIONS.

Signs shall only be erected, posted, extended, enlarged, or moved in compliance with the provisions of this Article and other applicable regulations.

A. Zoning Information. No sign shall state or imply that a property may be used for a purpose prohibited by this Ordinance.

B. Outdated Signs. Signs advertising a use no longer in existence or a product no longer available shall be removed or changed to advertise the new use or changed to a blank face or a "for sale or lease" sign within 12 months after cessation of the original use.

C. Height Clearance and Intrusions into Right-of-Way. The following requirements shall apply unless a differing standard is established or permitted under the City Building Code or under a City encroachment permit:

1. Wall, awning and projecting signs permitted by this Article that project into a street right-of-way shall have a minimum clearance of 8 feet above the level of the sidewalk or ground. Such signs shall not project from a building over a street or alley cartway.
2. No sign (except official signs) shall be erected with a sign post within a public street right-of-way unless specifically authorized by another ordinance or regulation of the City or approved by the City Traffic Engineer.
3. No sign (except a permitted official sign, awning sign or projecting sign) shall be permitted to have any portion extending into the public right-of-way in excess of 36 inches.

D. Height. Wall and projecting signs shall not exceed the height of the structure upon which they are attached. Signs may be placed on a parapet wall that is an architectural extension of the facade, provided the sign does not extend more than 5 feet above the roofline of the structure and any support structures are not visible. The maximum height of freestanding signs shall be as stipulated elsewhere in this Article.

E. Portable Signs. Portable signs shall only be permitted: a) on a non-residential property in a business or industrial district and b) if they comply with the following regulations:

1. Portable signs can be located anywhere on a property, but they cannot be located within the public right-of-way, a clear sight triangle as stipulated in Section 1311, or on required parking spaces.
2. Portable signs shall not exceed 6 feet in height, measured from grade. The maximum sign area per sign face shall be 32 square feet on each of 2 sides.
3. Portable signs shall be constructed of a durable material and shall be weighted or anchored to provide stability.
4. Any electrically operated sign and related wiring shall conform with the applicable sections of the City Electrical and Building Codes.
5. Except for those purposes listed in Section 1319.03.K, each permitted non-residential property may display one portable sign or banner for two periods of 15 consecutive days each during any 12 month period. In addition to the permit fee, the applicant shall pay a \$100.00 dollar deposit which shall not bear interest and shall be refundable only if the portable sign or banner is removed within 5 days after the end of the 15 day display period.

F. Banners. Banners shall be permitted on non-residential properties in business or industrial districts provided they comply with the following regulations:

1. Banners shall be attached to a building or suspended from some part of a building.

2. Banners shall not exceed 64 square feet in area.

3. Banners shall comply with the requirements in the above Section 1319.03.E.5.

G. Sale or Rent Signs. Non-illuminated temporary signs may be permitted within the property lines, advertising the prospective or completed sale or rental of the premises upon which it is located provided such signs:

1. do not exceed 8 square feet in area within any residential district, Park or I-G District,

2. do not exceed 32 square feet in area within any other district,

3. comply with the sight triangle requirements in Section 1311,

4. are properly maintained, and

5. are removed within 7 days after consummation of a lease or sale transaction.

H. Sign Exceptions. The provisions of this Article shall not apply to the following signs:

1. Signs which are not readable from a public right-of-way or an adjoining property.

2. Official notices of any court or public office and legal notices posted pursuant to a statute or ordinance.

3. Cornerstones or tablets built into or attached to the wall of a building providing customary information on building erection or commemorating a person or event.

4. Signs that are necessary to warn persons of significant threats on the premises to their physical safety.

I. Sight Distance and Setback from Street.

1. See Section 1311.

2. Any sign located within or less than 10 feet from the right-of-way of a street shall have a minimum clearance of 10 feet above the ground level, unless the applicant proves to the satisfaction of the Zoning Officer that a lower height would not obstruct safe sight distances. A review by the City Traffic Engineer may be requested.

J. Nonconforming Sign. An existing lawful nonconforming sign may be changed in message or sign face, or changed, moved or be replaced, provided that no new or increased nonconformity is created. This provision shall not permit the illumination of previously non-illuminated non-conforming signs.

K. Political and Non-Profit Signs. Non-illuminated temporary or portable signs, or banners announcing or advertising any political, educational, charitable, civic, religious or like campaign or event are permitted provided:

1. such signs shall only be permitted on a lot with a principal non-residential use, or on a vacant lot in a non-residential zoning district, except for political signs which may be located anywhere in accord with the remainder of this section.

2. except for political signs, such signs may not be placed earlier than 45 days prior to the event

advertised and shall be removed within 7 days following the event,

3. except for political signs, such signs shall be displayed for a maximum of 52 days per event,

4. such signs shall not exceed a maximum total of 32 square feet of sign area that is visible from any one location along a street for portable signs, and up to 64 square feet of sign area for banners if they are attached to or suspended from a building.

L. Construction Signs. Non-illuminated temporary signs are permitted to identify contractors conducting construction or improvement work on-site, and related designers, provided such signs:

1. within a residential district, all such signs shall not exceed a maximum total of 8 square feet, except such total shall be 40 square feet as part of construction of new principal buildings,

2. within a non-residential district, all such signs shall not exceed a maximum total of 40 square feet, except such total shall be 130 square feet if the construction value exceeds \$2 million, and

3. shall be removed within 7 days after completion of the construction work.

M. Flags. The following provisions shall apply within a commercial or industrial district:

1. Flags of a level of government are not regulated by this Article.

2. A maximum of 4 flags, with a maximum size of 16 sq. ft. each, on a lot may include any commercial message or logo. Such flags may extend above a roofline.

N. Alcoholic Beverage Advertisements. No person may place any sign, poster, placard, device, graphic display, or other form of advertising that advertises alcoholic beverages in a publicly visible location within 500 feet from the property line of schools, playgrounds, youth athletic fields, day care centers, amusement arcades and youth centers. In this Section, "Publicly Visible Location" includes outdoor billboards, wall, projecting and freestanding signs. This Section shall not apply to the placement of signs including advertisements in the following instances:

1. Inside any premises selling alcoholic beverages including interior window signs; or

2. On commercial vehicles used for transporting alcoholic beverages;

3. Temporary or portable signs in conjunction with events provided for in Section 1319.03. K.

4. Any sign that contains a generic description of alcohol products.

**O. Tobacco Product Advertisements. No person may place any sign, poster, placard, device, graphic display, or other form of advertising that advertises tobacco products in a publicly visible location within 500 feet from the property line of schools, playgrounds, youth athletic fields, day care centers, amusement arcades and youth centers. In this Section, "Publicly Visible Location" includes outdoor billboards, wall, projecting and freestanding signs. This Section shall not apply to the placement of signs including advertisements in the following instances:**

**1. Inside any premises selling cigarettes or tobacco products including interior window signs; or**

**2. Any sign that contains a generic description of tobacco products.**

P. Window Signs. A maximum size or number shall not apply to routine non-illuminated window signs that are displayed as part of a principal non-residential use that is permitted by right, except internally illuminated "window signs" in excess of 2 square feet shall be regulated in the same manner as wall signs, and be counted towards the maximum sign area for wall signs.

1319.04 PROHIBITED SIGNS. The following signs are prohibited in all districts:

A. Signs are prohibited which simulate official, directional or warning signs erected or maintained by the Federal, State or City governments, a railroad, a public utility or similar agency concerned with the protection of public health or safety.

B. No sign, except such directional devices as may be required by Federal and State Aviation Authorities, shall be placed, inscribed or supported upon the roof or upon any structure which extends above the roof of any building.

C. Flashing, blinking, mechanically moving, twinkling or animated signs of any type are prohibited. This provision shall not restrict signs with electronically changing messages that do not flash. This prohibition is not intended to include off-premises signs which are commonly referred to as "tri-vision" signs that are located within 200' of the right-of-way of, and intended or designed to be viewed from Interstate Route 78 or United States Route 22.

D. Off-premises signs are prohibited, except as specifically permitted by this Article.

E. Spinners, pennants or any moving object used for commercial advertising purposes, whether containing a message or not, are prohibited except pennants are allowed in the case of legally permitted outdoor automobile sales areas.

1319.05 SIGNS IN RESIDENTIAL, PARK AND I-G DISTRICTS. Within any Residential District (other than RH, where Section 1319.06 applies), Park District or I-G District, only the following signs shall be permitted, placed, erected or extended. Such signs shall comply with the following regulations:

A. No freestanding sign permitted by this Section 1319.05 shall have a total height exceeding 8 feet.

B. Routine non-advertising signs, situated within the property lines and not exceeding 2 square feet in area, such as signs stating "No Trespassing" or "No Hunting" or "Private Drive", name identification signs, public telephone signs, and entrance and exit directional signs shall be permitted.

C. Identification Signs for institutional and public/semi-public uses (see Section 1313.01 D&E) shall be permitted as follows:

1. Within any residential district (other than RH) a maximum number of signs shall not apply, however, the total area of all signs may not exceed 20 sq. ft. Such signs may be freestanding or wall signs.

2. Within any Park or I-G district, a maximum of 1 such sign shall be permitted per street frontage, not to exceed 20 sq. ft. per sign. Such signs may be freestanding or wall signs.

3. If such a use is located within the P or I-G district and involves a single lot with land area greater than one acre, then a maximum of 3 such signs shall be permitted per street frontage, only 2 of which may be freestanding. Each sign may not exceed 20 sq. ft., except one of these signs may contain up to 50 sq. ft. in area.

D. Home Occupation Signs - See Section 1327.

E. Apartment Developments. One identification sign with a maximum height of 6 feet shall be permitted per street frontage for a development of 5 or more multi-family units. Such sign may bear only the name of the project, the address and the presence or lack of vacant units. Such signs shall not exceed 50 square feet in total area on each of 2 sides for a development of 12 or more dwelling units, and 20 square feet for a development of 5 to 11 dwelling units. Such sign shall not be internally illuminated.

F. Required Signs. Signs required by law to be exhibited outdoors by the owner of the premises.

G. Garage Sales. Refer to Article 712 of the City of Allentown Codified Ordinances.

H. Directional Signs. Off-premises signs of up to 2 square feet each to provide necessary directions towards hospitals, fairgrounds, colleges, museums, historic sites and places of worship. If located within the right-of-way, such signs shall need approval from the City Traffic Engineer.

I. Sale or Rent Signs. See Section 1319.03.G.

J. Illuminated Signs. Other than in the I-G District, any illuminated or indirectly illuminated sign that is used for the purpose of advertising or identifying a permitted non-residential use, may only be illuminated during the hours in which such use is in operation.

K. On-site Informational Signs. A maximum number of on-site informational signs shall not apply. Each such sign shall be a maximum size of 6 sq. ft.

1319.06 SIGNS IN THE R-H DISTRICT. Within the R-H District, no sign shall be erected or altered in whole or in part unless it complies with the following regulations:

A. Signs listed as permitted in Section 1319.05, meeting the requirements of such section.

B. Attached Signs. Each principal street-level non-residential use may have one or more wall, awning or projecting signs located along each street or entrance facade, provided:

1. Such signs shall not project more than 6 feet beyond the setback line nor more than 6 feet beyond the face of the building.

2. The total area of all such signs per street shall not exceed one square foot for each one foot of horizontal length of the lot along such street or entrance facade occupied by such use, or 200 square feet, whichever is more restrictive.

C. Freestanding Sign. A lot including one or more principal non-residential use(s) may include a maximum of one free-standing sign structure, provided such sign structure shall not exceed 40 square feet in total sign area. Such freestanding sign structure may advertise multiple uses on the site, provided the maximum sign area of 40 square feet is not exceeded. Such sign shall be set back from the property line a distance of not less than 50% of the required front yard setback.

D. Height. The maximum total height of signs above the immediate ground level shall be 10 feet for a freestanding sign and 25 feet for other permitted signs.

1319.07 SIGNS IN BUSINESS DISTRICTS. In all Business Districts, signs listed as permitted in Section 1319.05 shall be permitted. No sign shall be erected or altered in whole or in part unless it complies with the following regulations:

A. In the B-1/R District, only the following signs shall be permitted:

1. Each principal non-residential use may include one wall, awning or projecting sign per street frontage. Such signs shall not project more than 6 feet beyond the setback line nor more than 6 feet beyond the face of the building. The total sign area of all such signs on a lot shall not exceed 40 square feet per street frontage.

2. Freestanding Sign. If an entire principal non-residential building is setback a minimum of 20 feet from the street right-of-way, then a single freestanding sign shall be permitted. Such sign shall have a maximum height of 10 feet above the surrounding ground level, have a maximum sign area of 20 square feet and be set back from the property line a minimum of 50% of the required front yard area.

B. In the B-2 District, only the following signs shall be permitted.

1. A lot may include one or more wall, awning or projecting on-premises signs. A projecting or awning sign may project up to 6 feet from the face of a building, provided all other City requirements are met.

a. The total area of such signs for each lot shall not exceed an area equal to 3 square feet for each one foot of street frontage, or 300 square feet per street frontage, whichever is more restrictive.

b. For walls of buildings that do not have frontage on a street but have entrance facades or have frontage on an alley, the total area of allowable wall signs shall not exceed one (1) square foot for each one foot of linear wall frontage, not to exceed 100 square feet per wall.

2. A maximum of one on-premises free-standing sign shall be permitted per lot with a maximum sign area of 50 square feet and a maximum height of 8 feet, provided it shall not extend into the public right-of-way.

3. Refer to Article 1729 of the Codified Ordinances entitled "Hamilton Mall Sign Control" for all signs proposed for properties on Hamilton Street between 6th and 10th Streets.

C. In the B-3 District, only the following signs shall be permitted:

1. Each permitted use may have one or more wall, awning or projecting identification signs. Such signs shall not project more than 6 feet beyond the required setback line nor more than 6 feet beyond the face of the building. Such total sign area on a lot shall not exceed 2 square feet for each one foot of lot frontage along a street, or 300 square feet, whichever is more restrictive.

2. Freestanding Sign. One freestanding sign structure shall be permitted per lot. Each sign structure shall not exceed 100 square feet in total sign area. Such sign structure shall have a maximum height of 25 feet above the level of the street center line and be erected either with the bottom of the sign at least 10 feet above the level of the centerline of the street or be set back from the property line a minimum of 50% of the required front yard area.

3. Shopping Center Signs. The standards for Shopping Center signs provided in the B-4 district shall apply except :

a. No freestanding sign shall exceed 25 feet in height above the street center line; and

b. No freestanding sign shall exceed 150 square feet in total sign area.

4. Off-Premises Signs. Off-premises advertising signs shall only be permitted if they meet the following requirements:

a. Each structure may have sign faces on two sides, and each side may include multiple sign faces.

b. The sign shall have a total maximum height of 30 feet above the grade of the lot where the sign is located. However, for off-premises signs located adjacent to and directed toward an interstate highway and where the lot is below the grade of the highway that the sign is directed towards, then the total maximum height may be 25 feet above the grade of the highway.

c. Such signs shall meet setback requirements for a principal building.

d. No off-premises advertising sign structure shall exceed a total of 300 square feet on each of two sides, except where such sign is located within 200 feet of the right-of-way of, and intended or designed to be viewed from Interstate Route 78 or United States Route 22, in which case the maximum area on each of two sides may be 672 square feet. If the interior angle within the inside of the two attached sides of a sign is greater than 30 degrees, then the maximum sign areas shall apply to the total of the two sides. No off-premises advertising sign shall have more than two sides.

e. An off-premises advertising sign shall be setback a minimum of:

1) 300 feet from any residential district, and

2) 300 feet from any other off-premises advertising sign.

D. In the B-4 District, only the following signs shall be permitted:

1. Each permitted use, including individual leaseholds of a shopping center, may have one or more wall, awning or projecting identification signs. Such signs shall not project more than 6 feet beyond the required setback line nor more than 6 feet beyond the face of the building. Such signs shall not exceed an aggregate area equal to 15 percent of the front wall area of the permitted use and/or leasehold.

a. In addition, each permitted use and/or leasehold may have one identification sign, located on the underside of walkway overhangs; not to exceed 6 square feet in area nor be less than 8 feet above the grade of the pedestrian walkway.

2. Each shopping center may have one free-standing sign per public street frontage with a maximum sign area of 300 square feet on each of two sides. Such sign have a maximum height of 40 feet above the street centerline and be erected either with the bottom of the sign at least 10 feet above the level of the centerline of the street or be set back from the property line a minimum of 50% of the required front yard area.

3. A principal building that is detached and located independent of the main structures of a shopping center or that is not on the same lot as a shopping center shall have a maximum of one freestanding sign, with such sign not exceeding a total height of 25 feet above the street centerline. Such sign shall have a maximum sign area on each of 2 sides of:

a. 150 square feet if located on a separate lot of 4 acres or greater.

b. 75 square feet in any other case.

E. In the B-5 or B/LI Districts, only the following signs shall be permitted.

1. Each permitted use, and/or leasehold in the case of a shopping center, may have one wall sign per street frontage. Multiple awning signs per use are permitted, but there shall be no more than one awning sign for every 20 feet of building frontage. No sign shall exceed a maximum of 50 square feet on any one street frontage.

2. An individual lot may have one freestanding sign provided such sign shall not exceed 20 square feet in area, shall be erected with the top of the sign not exceeding 10 feet above the level of the street centerline, and shall be set back from the property line a distance not less than 50 percent of the required front yard.

3. A lot with more than one use with more than 150 feet of total building frontage shall be permitted to have a freestanding sign with a maximum total sign area of 75 square feet. Such sign shall not extend more than 25 feet above the level of the street centerline, and be erected either with the bottom of the sign at least 10 feet above the level of the centerline of the street or be set back from the property line a minimum of 50% of the required front yard area.

4. Each permitted upper level use having no street level space other than an entrance may have an individual sign in an exterior directory. The exterior directory shall be located at the ground level floor. Such directory shall not exceed 6 square feet in area and extend not more than 2 inches from the face of the wall.

1319.08 SIGNS IN INDUSTRIAL DISTRICTS. In all Industrial Districts, signs listed as permitted in Section

1319.05 shall be permitted. No sign shall be erected or altered in whole or in part unless it complies with the following regulations

A. In the I-2 and I-3 Districts, only the following signs shall be permitted:

1. Each permitted use may have one or more wall, awning or projecting identification signs. Such signs shall not project more than 6 feet beyond the setback line nor more than 6 feet beyond the face of the building. Such signs shall not exceed an area equal to 10 percent of such wall area, including window and door area, on which or in front of which they are displayed; however, aggregate sign area per wall shall not exceed 300 square feet in area.

2. Each permitted use may have one free-standing sign provided such sign shall not exceed 150 square feet in total area, shall be erected with the bottom of the sign at least 10 feet above the level of the street center line or be set back from the property line a distance not less than 50 percent of the required front yard. No sign shall extend more than 20 feet above the level of the street centerline. In the case of multi-tenant buildings, only one freestanding sign shall be permitted.

3. Off-premises advertising signs under the same regulations as would apply within the B-3 district.

1319.09 MEASUREMENT OF SIGN AREA

A. The area of any sign shall be computed by multiplying its greatest height by its greatest length, exclusive of supporting structures, unless such supporting structure is illuminated or is in the form of a symbol or contains advertising copy. In the case of signs that have no definable edges, such as raised letters attached to a building facade, the sign size shall be that area within a single continuous perimeter enclosing the extreme limits of the actual message or copy area.

B. The maximum sign areas stated in this Article 1319 shall permit such maximum size on each of two sides of a sign if the two sides are attached. However, if the interior angle within the inside

of the two attached sides of a sign is greater than 30 degrees, then the maximum sign area shall apply to the total of the two sides.