

**WILLISTOWN TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 4 of 2019**

**AN ORDINANCE AMENDING CHAPTERS 139 AND 123 OF THE CODE OF ORDINANCES OF WILLISTOWN TOWNSHIP, BEING THE ZONING ORDINANCE AND THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE, IN ORDER TO AMEND, REVISE, AND CLARIFY PROVISIONS FOR SIGNS THEREIN. EFFECTIVE FIVE DAYS FROM ENACTMENT.**

**BE IT AND IT IS HEREBY ENACTED** by the Board of Supervisors of Willistown Township, Chester County, as follows:

**Section 1.** The Code of the Township of Willistown, Chapter 139 thereof, being the Willistown Township Zoning Ordinance, Article XVIII, Signs, and Article XXIX, Historic Preservation, §§139-110.J(1)(c) and (g), §139-110.J(4), §139-110.A(1), §139-110.B(1), and §139-166.A(3)(b), are amended by revising the following language:

§139-110.J(1)(c) Ground signs shall not exceed an overall height of 15 feet or be located within or project into a public right-of-way.

§139-110.J(1)(g) No more than one wall sign and one ground sign for a single business shall be erected on the same premises as the use to which they relate.

§139-110.J(4) Ground signs shall be permitted in the following districts: Office District (O), Highway Business District (HB), Office-Professional District (O-P), Restricted Industrial District (I), Planned Highway Corridor District, Paoli Pike Corridor District, Unified Development Area District (UDA), Transportation District (TD), Town Center District (TCD), and the Commercial –Industrial Overlay District (C-I). Where conflicts exist between this article and the standards contained in the individual district, the district standards apply. The area of such signs shall not exceed 24 square feet.

§139-110.1.A(1) Ground sign. Any sign erected upon an independent structure which serves as the main support for the sign, and/or any sign that is not supported by any part of a building.

§139-110.1.B(1) Ground sign.

- (a) Ground signs shall be supported and permanently placed by embedding, anchoring, or connecting the sign in such a manner as to incorporate it into the landscape or architectural design of the principal use.

(b) Ground signs shall be limited to one such sign per structure: If more than one use is carried on in a single structure, the one permitted ground sign may indicate the presence of all uses in the structure. Individual signs for each use shall not be permitted.

(c) No ground sign shall project to a point nearer than five feet from the public right-of-way; where compliance with this standard nevertheless creates an obstruction of view, further setback may be required.

§139-166.A(3)(b) Ground signs shall only be illuminated oriented downward from the top of the sign by incandescent light.

**Section 2.** The Code of the Township of Willistown, Chapter 139 thereof, being the Willistown Township Zoning Ordinance, Article XVIII, Signs, §139-110.J(1)(h), is amended by revising the following language:

(h) Off-premises signs shall be permitted, provided that:

[1] The premises where the sign is placed is within the Restricted Industrial District (I).

[2] No more than one such sign shall be erected per lot

[3] Such signs shall be limited to one sign face only.

[4] Height of such signs shall not exceed 20 feet. The total area of such signs shall not exceed 40 square feet.

**Section 3.** The Code of the Township of Willistown, Chapter 139 thereof, being the Willistown Township Zoning Ordinance, Article XVIII, Signs, §§139-111.C(1), (2), (3), and (5) are amended by revising the following language:

C. All electronic signs (including but not limited to the lighting or illuminating of signs, or light-emitting diode (LED) signs, high intensity displays (HID), electronic variable messaging signs (EVMS), changeable display signs (CDS), digital signs, fluorescent lighting signs, or incandescent lighting signs), shall conform to the provisions of §139-106 and §123-39. All electronic signs shall require a building permit and shall be permitted only when authorized by the Board of Supervisors as a conditional use. Such signs shall comply with the procedures governing conditional use applications outlined under §139-118.1 of this chapter, including the criteria governing review of conditional use applications included in §139-118.1.D. Conditional use approval shall only be granted when the Township is satisfied, that excessive illumination, light pollution, glare and light trespass have been adequately mitigated. A building permit shall be granted when the following requirements have been satisfactorily addressed:

- (1) Externally illuminated signs shall have lighting fixtures mounted at the top of the sign and aimed downward. The lighting fixtures shall be designed, fitted and aimed to shield the source from off-site view and to place the light output onto and not beyond the sign. Shielding technology may include, but is not limited to, louvers or shades adjacent to the individual lighting elements. In no case shall the light source be visible from any point beyond the lot line or from any public road. Only the sign surface shall be illuminated. Lighting shall be by light-emitting diodes (LED) or linear fluorescent unless it can be demonstrated to the satisfaction of the Township that such a mounting arrangement is not possible. At no point on the face of the sign or off-premises sign shall the illumination exceed 30 vertical foot-candles during hours of darkness.
- (2) Internally illuminated signs shall have a dark field and light message. The aggregate output of the light sources shall not exceed 500 initial lumens per square foot of sign face per side. Signs that are composed of lighting elements such as light-emitting diodes (LEDs), or are themselves a source of light, including but not limited to electronic variable messaging signs (EVMS) or changeable display signs (CDS), shall not be lit between the hours of 11:00 p.m. prevailing time and dawn within 400 feet of a residential district or use.
- (3) All electronic signs shall conform to the following:
  - (a) Such signs shall change not more than once every twenty (20) seconds and shall not display any moving, flashing, scrolling or animated text or video, nor shall they give the appearance or illusion of movement or include any flashing, scintillating or varying of light intensity; all changes shall be instantaneous and shall not fade in or out of the digital active area. There shall be no special effects during the transition: the screen shall transition from one message to the next with no perceptible dimming, swiping, or blanking of the display, and with no visible effects, such as fade, dissolve, or other animated transition methods. The change in message shall consist of a seamless, imperceptible transition from one image to the next. Sign messages shall be limited to static images.
  - (b) The LED output shall utilize ambient light sensors or photometric cells to automatically reduce the intensity of illumination during daytime dark periods (e.g., cloudy or rainy days) and during the dawn or twilight hours of permitted use. Such signs shall include technology that will automatically adjust the light emitted to not more than 0.3 foot-candle above the ambient light level as measured at a perpendicular distance of 250 feet from the surface of the sign when displaying a completely white color. Such signs shall also include an automatic default function that, in the event of a malfunction, will either freeze the image in one position or shut down the image entirely.

- (c) Upon request by the Township Manager or the Zoning Officer, the sign operator shall provide to the Township a data log or other information sufficient to document the performance of the automatic dimming function.
  - (d) Upon notice from the Township Manager or the Zoning Officer, the sign operator shall at an agreed-upon time, not less than 48 hours nor more than 96 hours from the time of notice, cause the electronic element to display a completely white color to allow the Township to measure the light emitted for the purpose of determining compliance.
  - (e) In the event of a public emergency – including but not limited to extreme weather, hazardous road conditions, natural disasters, terrorist attack, amber alerts, emergency evacuations, public infrastructure failures, massive traffic accidents, or blockage of traffic – the electronic sign shall, when directed by the Township, continuously display a public emergency message to be provided by public officials. The duration of the public emergency message display shall be until such time as the message is no longer deemed necessary by the Township. Such messages shall preempt all other messages, including those of paying advertisers. As part of the conditional use application for the electronic sign, the applicant shall provide to the Township in writing a suggested protocol concerning the display of such public emergency messages to assure timely communication and message display. Such protocol shall be subject to Township review and may be revised at the mutual agreement of the applicant and the Township. Agreement on the protocol shall be a condition of approval.
- (5) Off-premises electronic signs shall be extinguished automatically by a programmable controller, with astronomical and daylight saving time control and spring or battery power-outage reset, by no later than 11:00 p.m. prevailing time each evening until dawn.

**Section 4.** The Code of the Township of Willistown, Chapter 139 thereof, being the Willistown Township Zoning Ordinance, Article XVIII, Signs, §139-111.F is amended by revising the following language:

F. No sign shall be erected upon or project above the roof of any building.

**Section 5.** The Code of the Township of Willistown, Chapter 139 thereof, being the Willistown Township Zoning Ordinance, Article XVIII, Signs, §139-111 is amended to add a new subsection P., as follows:

P. Nonconforming signs. A legal nonconforming sign is any permanent sign established and maintained in conformance with the provisions of the Code in place at the time of construction, however because of size, height, location, design, construction, or other

circumstance is no longer in conformance with the requirements of this Article. All legal nonconforming signs shall be permitted to remain in use provided such signs are not:

- (1) Changed to another nonconforming sign due to a change in messaging or other cosmetic or structural enhancement;
- (2) Structurally or electrically expanded, altered, or modernized unless such alteration brings the sign into conformance with all current provisions of this Article;
- (3) Relocated to another site on the same property;
- (4) Re-established after discontinuance for ninety (90) days or more;
- (5) Re-established after damage or destruction of more than fifty (50) percent of its original valuation.

All signs shall function properly and be maintained in good repair. Signs shall be free from all defects including but not limited to cracking, peeling and rusting. Legal nonconforming signs may be removed for the purpose of repairing or repainting and may be replaced if the identical sign and messaging is replaced within sixty (60) days of its removal. Signs that are not properly maintained or do not meet the requirements for legal nonconforming signs enclosed herein shall be removed by the owner of the sign or the owner of the property within 30 days of written notice by the Township.

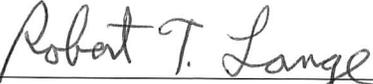
**Section 6.** The Code of the Township of Willistown, Chapter 123 thereof, being the Willistown Township Subdivision and Land Development Ordinance, §123-39.C(2)(c), is amended by revising the following language:

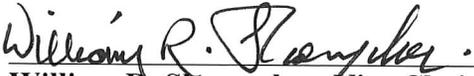
- (c) For the lighting of predominantly nonhorizontal surfaces such as, but not limited to, facades, landscaping, signs, off-premises signs, fountains, displays and statuary, when their use is specifically permitted by the Board of Supervisors, lighting fixtures shall be shielded and shall be installed and aimed so as to not project their output into the windows of neighboring residences, adjacent uses, beyond the immediate object(s) being illuminated, skyward or onto a public roadway. Acceptable glare control shall be required. All such lighting shall be extinguished between the hours of 11:00 p.m. prevailing time and dawn. Lighting fixtures with an aggregate rated lamp output not exceeding 500 lumens, e.g., the rated output of a standard nondirectional forty-watt incandescent or ten-watt compact fluorescent lamp, are exempt from the requirements of this subsection. All lighting or illuminating of signs shall conform to the provisions of § 139-111.

**Section 7.** This Ordinance shall be effective five (5) days from the date of enactment.

ENACTED and ORDAINED this 28 day of October, 2019.

**BOARD OF SUPERVISORS  
WILLISTOWN TOWNSHIP**

  
\_\_\_\_\_  
Robert T. Lange, Chairman

  
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William R. Shoemaker, Vice Chairman

  
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Barbara L. Handelin, Member

**ATTEST:**

  
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Sally Slook, Secretary