

PART 6**SIGNS****§27-601. Purposes, Organization and Applicability of this Part.**

1. The purposes of this Part are the following: to encourage the effective use of signs as a means of communication in the Borough of Philipsburg, to maintain and enhance the Borough's aesthetic environment and its ability to attract sources of economic development and growth, to improve pedestrian and traffic safety, to minimize the possible adverse effect of signs on nearby public and private property and to enable the fair and consistent enforcement of this Part's provisions.
2. Section 27-602, "Computations," explains how to calculate sign areas, sign heights and maximum total permitted sign areas for zone lots. These items are used throughout this Part and thus, §27-602 applies to all regulated signs. Section 27-603, "Signs Allowed on Private Property With and Without Permits," addresses and exclusively applies to regulated signs on private property: stating what kinds of signs are allowed in each zoning district, when zoning and occupancy permits are needed for a sign, how much total permitted sign area each zone lot may have, how many individual signs each zone lot may have, what dimensions each sign may be, where each sign may be located on its lot and what characteristics each sign may have.
3. Section 27-604, "Design, Construction and Maintenance", sets design, construction and maintenance requirements for all regulated signs. Section 27-605, "Signs in the Public Right-of-Way," addresses and exclusively applies to regulated signs in public right-of-ways: stating what kinds of signs are allowed there, when signs may be forfeited to the Borough and when occupancy permits are required for signs in this location. Section 27-606, "Signs that are Exempt from the Requirements of this Part," lists which signs are not regulated by this article. Section 27-607, Prohibited Signs, explains what kind of signs are prohibited from the Borough. Section 27-608, "Occupancy Permits for Temporary Signs on Private Property," provides some rules for temporary signs on private property that §27-603 requires to have occupancy permits. Section 27-609, "Abandoned Signs," explains when abandoned signs must be removed.
4. A nonconforming sign is defined as a sign that was legally established before the effective date of this Chapter's enactment (see §27-106, "Effective Date of This Chapter's Enactment") and does not conform the requirements of §27-602 ("Computations"), §27-603 ("Signs Allowed on Private Property With and Without Permits"), §27-605 ("Signs in the Public Right-of-Way") or §27-607("Prohibited Signs"). Section 27-610, "Nonconforming Signs" addresses and exclusively applies to nonconforming signs: explaining how they are to receive nonconforming status, how they are to be maintained, how they are to be brought into conformance and when they must be removed.

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5. This Part applies to all signs located in the Borough of Philipsburg.

(Ord. 984, 6/14/1999, Art. VI, §600)

§27-602. Computations.

1. How to Compute the Sign Area of Individual Signs. The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle or combination thereof that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing or decorative fence or wall when such fence or wall otherwise meets the provisions of this Chapter and is clearly incidental to the display itself.
2. How to Compute the Sign Area of Multi-faced Signs. The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time and when such sign faces are part of the same sign structure and are not more than 42 inches apart, the sign area shall be computed by the measurement of one of the faces.
3. How to Compute Sign Height. The height of a sign shall be computed as the distance from the base of the sign (and its supporting structure) at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of existing grade prior to construction or the newly established grade after construction, exclusive of any filling, berming, mounding or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the zone lot, whichever is lower.
4. How to Compute the Maximum Total Permitted Sign Area for a Zone Lot. The permitted sum of the area of all individual signs on a zone lot shall be computed by applying the formula contained in Table "B" of §27-603 ("Signs Allowed on Private Property With and Without Permits") to the lot frontage, building frontage, or wall area, as appropriate, for the zoning district in which the lot is located. Lots fronting on two or more streets are allowed the permitted sign area for each street frontage. However, the total sign area that is oriented toward a particular street may not exceed the portion of the lot's total sign area allocation that is derived from the lot, building, or wall area frontage on that street.

(Ord. 984, 6/14/1999, Art. VI, §605)

§27-603. Signs Allowed on Private Property With and Without Permits.

Signs are allowed on private property in the Borough of Philipsburg in accordance with, and only in accordance with, Table "A" below. If the letter "P" appears for a sign type in a column of this table, such a sign is allowed on private property in the zoning district represented by that column without any of the permits mentioned in the paragraph below. If the letter "S" appears for a sign type in a column of this table, such a sign is allowed on private property in the zoning district represented by that column only after the permits required in the paragraph below have been obtained for the sign. If the letter "N" appears for a sign type in a column of this table, such a sign is not allowed on private property in the zoning district represented by that column. If Table "A" requires a sign of the "temporary" sign type to have permits in a particular zoning district, an occupancy permit must be obtained for that sign before it may be erected. If Table "A" requires a sign of any other sign type to have permits in a particular district, a zoning permit must be obtained for that sign before it may be erected, and an occupancy permit must be obtained for that sign immediately after it is erected. Section 27-115 (Zoning Permits) explains how to obtain a zoning permit, while §27-116 (Occupancy Permits) explains how to get an occupancy permit.

Table A, Permitted Signs on Private Property

Sign Type	R1A	R1B	R2	R3	C1	C2	I	RC
FREESTANDING								
Residential ¹	P	P	P	P	P	N	N	N
Other	N	S	S	N	S	S	S	S
Incidental ²	N	P	P	P	P	P	P	P
BUILDING								
Banner	N	N	N	N	S	S	S	N
Building Marker ³	P	P	P	P	P	P	P	P
Canopy	N	S	N	N	S	S	S	N
Identification ⁴	P	P	P	P	P	P	P	P
Incidental ⁵	P	P	P	P	P	P	P	
Marquee	N	N	N	N	S	S	S	N
Projecting	N	N	N	N	S	S	S	N
Residential ⁶	P	P	P	P	P	N	N	N
Roof	N	N	N	N	S	N	N	N
Roof, Integral	N	S	N	N	S	S	S	N
Suspended	N	N	N	N	S	S	S	N

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Table A, Permitted Signs on Private Property

Sign Type	R1A	R1B	R2	R3	C1	C2	I	RC
Temporary ⁷	N	S	S	N	S	S	S	S
Wall	N	S	N	N	S	S	S	S
Window	N	S	N	N	S	S	S	N
MISCELLANEOUS								
Banner ⁸	N	N	N	N	S	S	S	N
Flag ⁹	P	P	P	P	P	P	P	P
Portable	N	N	N	N	N	S	N	N

- ¹ Commercial messages are allowed on these signs except for a commercial message drawing attention to an activity legally offered on the premises.
- ² No commercial messages of any kind are allowed on these signs unless the involved message is not legible from any location off the involved zone lot.
- ³ This may include only the building's name, the building's date of construction, or historical data on a historic site. Such signs must be cut or etched into masonry, bronze, or similar material.
- ⁴ Only the address and name of the occupant is allowed on such a sign.
- ⁵ No commercial messages are allowed on these signs if the messages are legible from a location off of the involved zone lot.
- ⁶ No commercial messages are allowed on such a sign except for one that draws attention to an activity legally offered on the premises.
- ⁷ A temporary sign on private property may stand for no more than 30 days, and must adhere to the requirements of Section 635, "Occupancy Permits for Temporary Signs on Private Property." A temporary sign in a public right of way must have an occupancy permit, may stand for no more than 60 days, and must adhere to the requirements of Section 620, "Signs in the Public Right-of-Way."
- ⁸ No commercial messages are allowed on banners if the messages are legible from a location off of the involved zone lot.
- ⁹ This category includes the flags of the United States, the states themselves, local governments, foreign nations having diplomatic relations with the United States, institutions, businesses, and any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction — provided that the involved flag shall not exceed 60 square feet in area and shall not be flown from a pole that is more than 40 feet tall. Any flag that does not meet these requirements shall be considered a banner sign by this Chapter.

Any sign designated by an "S" or "P" in Table "A" shall be allowed on private property only if:

- A. The sum of the area of all building and freestanding signs on the zone lot conforms with the maximum permitted sign area as determined by the formula for the zoning district in which the lot is located as specified in Table "B" below;

Table B, Maximum Total Sign Area Per Zone Lot

	R1A	R1B	R2	R3	C1	C2	I	RC
The maximum total area of all signs on a zone lot — except incidental signs, building marker signs, identification signs, and flags ¹⁶ shall not exceed the lesser of the following:								
total square feet	10	150	100	10	800	1,000	2,000	100
percentage of the ground floor area of the zone lot's principal building	NA	4%	4%	NA	10%	8%	2%	NA
square feet of signage per linear foot of street frontage	NA	2.0	2.0	NA	6.0	4.0	NA	.5

- B. The size, location, and number of signs on the lot conform with the requirements of Table "C" and Table "D" below, which establish permitted sign dimensions by sign type;

Table C, Number, Dimensions and Locations of Signs

Sign Type	R1A	R1B	R2	R3	C1	C2	I	RC
Individual signs shall not exceed the applicable maximum number, dimensions, or setbacks shown on this table and on TABLE "D."								
FREESTANDING								
Area (in sq. ft.)	10	50	12	10	50	160	80	40
Height (in feet)	5	25	5	5	25	36	25	12
Setback (in feet) from all lot lines ¹	2	5	2	2	2	10	2	5
Number permitted								
per zone lot	1	1	1	1	1	1	1	1
per foot of street frontage ²	per 10	per 10	per 10	per 10	per 10	per 10	per 10	per 10
BUILDING								
Area (max. sq. ft.)	2	NA	2	2	NA	NA	NA	10
Wall area (percent) ³	NA	10%	NA	NA	10%	20%	5%	NA

¹⁶ Note: This category includes the flags of the United States, the states themselves, local governments, foreign nations having diplomatic relations with the United States, institutions, businesses, and any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction — provided that the involved flag shall not exceed 60 square feet in area and shall not be flown from a pole that is more than 40 feet tall. Any flag that does not meet these requirements shall be considered a banner sign by this Chapter.

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¹ In addition to the setback requirements of this table, no sign shall be located closer than 20 feet to an intersection between public and/or private roads and/or driveways unless that sign allows a clear view between the intersecting roads and/or driveways at all heights between 3 and 10 feet.

² Lots fronting on two or more streets are allowed the permitted signage for each street frontage. However, this signage cannot be accumulated and used on one street in excess of that allowed for lots with only one street frontage.

³ The percentage figure here shall be interpreted as a maximum percentage of the area of the wall of which such a sign is a part or to which each sign is most nearly parallel.

Table D, Number and Dimensions of Certain Individual Signs by Sign Type

Sign Type	Number Allowed	Maximum Sign Area	Vertical Clearance from Sidewalk, Private Drive; or Parking	Vertical Clearance from Public Street
No sign shall exceed any applicable maximum numbers or dimensions shown on this table. Likewise, no sign shall encroach on any applicable minimum clearances shown on this table.				
FREESTANDING				
Residential, Other, and Incidental	see Table "C"	see Table "C"	NA	NA
BUILDING				
Banner	NA	NA	9 ft.	12ft.
Building Marker	1 per building	4 sq. ft.	NA	NA
Canopy	1 per building	25% of the canopy's vertical surface	9 ft.	12 ft.
Identification	1 per building	NA	NA	NA
Incidental	NA	NA	NA	NA
Marquee	1 per building	NA	9 ft.	12 ft.
Projecting	1 per building	40 sq. ft.	9 ft.	12ft.
Residential	see Table "C"	NA	NA	NA
Roof	1 per principal building	NA	NA	NA
Roof, Integral	2 per principal building	NA	NA	NA
Suspended	1 per entrance	NA	9 ft.	NA
Temporary	see Section 635	NA	NA	NA
Wall	NA	NA	NA	NA
Window	NA	25% of the window's total area	NA	NA

Table D, Number and Dimensions of Certain Individual Signs by Sign Type

Sign Type	Number Allowed	Maximum Sign Area	Vertical Clearance from Sidewalk, Private Drive; or Parking	Vertical Clearance from Public Street
MISCELLANEOUS				
Banner	NA	NA	9 ft.	12 ft.
Flag	NA	60 sq. ft.	9 ft.	12 ft.
Portable	1 where allowed	20 sq. ft.	NA	NA

- C. The size location, and number of signs on the lot conform with any additional limitations listed in Table "A" above.
- D. The characteristics of the sign conform with the limitations of Table "E" below and with any additional limitations listed in Table "A."

Table E, Permitted Sign Characteristics by District

Sign Type	R1							
	R1A	B	R2	R3	C1	C2	I	RC
Animation	N	N	N	N	P	N	N	N
Changeable Copy	N	P	N	N	P	P	P	N
Internal Illumination	N	P	N	N	P	P	P	N
External Illumination	N	P	P	N	P	P	P	P
Exposed Bulbs or Neon Illumination	N	N	N	N	P	P	P	N

All permitted signs must follow the requirements of §27-604, Design, Construction, and Maintenance.

(Ord. 984, 6/14/1999, Art. VI, §610)

§27-604. Design, Construction and Maintenance.

1. Except for banners, flags, temporary signs, and window signs conforming in all respects with the requirements of this Chapter, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame or other structural element. Furthermore, all signs shall be maintained in good structural condition, in compliance with all applicable building and electrical codes.

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2. A sign that conforms with the requirements of §27-602 ("Computations"), §27-603 ("Signs Allowed on Private Property With and Without Permits"), §27-605 ("Signs in the Public Right-of-Way") and §27-607 ("Prohibited Signs") may be repaired, repainted, removed for repair and then re-mounted or replaced with an identical sign without any permits. Note that this Chapter considers replacing a sign with a non-identical sign to be the same as erecting a new sign. Thus, such a replacement may or may not require a zoning and/or an occupancy permit, depending on the type and location of the involved sign.

(Ord. 984, 6/14/1999, Art. VI, §615)

§27-605. Signs in the Public Right-of-Way.

1. Sign Types Allowed in Public Right-of-Ways.
 - A. The following kinds of permanent signs are allowed in public right-of-ways: public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, and/or direct or regulate pedestrian or vehicular traffic; bus stop signs erected by a public transit company; informational signs of a public utility regarding its poles, lines, pipes, or other facilities and awning, projecting and suspended signs projecting over a public right-of-way in conformity with the requirements of Table "A."
 - B. Temporary signs for which an occupancy permit has been issued according to the requirements of subsection (3) below are allowed in public right-of-ways only if they contain no commercial messages and are no more than two square feet in area.
 - C. Emergency warning signs are allowed in public right-of-ways if they are erected by a governmental agency, a public utility company or a contractor doing authorized or permitted work within the public right-of-way.
2. Forfeiture of Signs Located in Public Right-of-Ways. Any sign installed or placed on public property, except in conformance with the requirements of this Part, shall be forfeited to the Borough and subject to confiscation. The Borough shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of the sign.
3. Occupancy Permits for Temporary Signs in the Public Right-of-Way. All temporary signs that are to be located in the public right-of-way must obtain an occupancy permit by way of the requirements of §27-116, "Occupancy Permits." These permits shall be issued for such signs in accordance with the provisions below.
 - A. An occupancy permit issued for a temporary sign in a public right-of-way shall be valid for 60 days, after which the sign must be removed. No more than three permits for temporary signs shall be issued to an applicant in

any calendar year. For any sign containing the name of a political candidate, the candidate shall be deemed to be the applicant.

- B. Up to 20 identical temporary signs may be erected in a public right-of-way under a single occupancy permit.
- C. In addition to any fees for the involved occupancy permit, the applicant shall post a bond of \$25 for each permitted temporary sign in a public right-of-way. This bond shall be held to ensure the removal of the sign and shall be refundable upon its removal. The bond on any such sign that is not removed within 75 days of the issuance of the involved occupancy permit shall be forfeited to the Borough, and shall be used to recover the costs of removing and disposing of the sign.

(Ord. 984, 6/14/1999, Art. VI, §620)

§27-606. Signs That are Exempt from the Requirements of This Part.

The following kinds of signs are exempt from the requirements of this Part:

- A. Any public notice or warning required by a valid and applicable Federal, State or local law, regulation or ordinance.
- B. Any sign that is inside a building, not attached to a window or door or not legible from a distance of more than 3 feet beyond the lot line of the involved zone lot or parcel.
- C. Works of art that do not include a commercial message.
- D. Signs on the scoreboard or outfield fence of an athletic field.
- E. Holiday lights and decorations with no commercial message.
- F. Traffic control signs on private property, such as "STOP," "YIELD" and similar signs, the face of which meet the Pennsylvania Department of Transportation standards and which contain no commercial message of any sort.

(Ord. 984, 6/14/1999, Art. VI, §625)

§27-607. Prohibited Signs.

All signs that are not expressly permitted under this Chapter or exempted from its regulations by §27-606 (Signs that are Exempt from the Requirements of this Part) are prohibited from the Borough of Philipsburg. Such signs include, but are not limited to,

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beacons, pennants, strings of lights that are not permanently mounted to a rigid background (except those exempted under §27-606) inflatable signs and tethered balloons.

(Ord. 984, 6/14/1999, Art. VI, §630)

§27-608. Occupancy Permits for Temporary Signs on Private Property.

Where Table "A" of §27-603 ("Signs Allowed on Private Property With and Without Permits") requires occupancy permits to be obtained for temporary signs on private property, these permits shall be obtained in accordance with the provisions below:

- A. Terms. An occupancy permit for a temporary sign on private property shall be valid for 30 days, after which the sign must be removed.
- B. The Maximum Number of Occupancy Permits for Temporary Signs. Only three occupancy permits for temporary signs on private property shall be issued to the same applicant on the same zone lot in any calendar year.
- C. The Requirements of §27-603. All temporary signs on private property are subject to the requirements of §27-603, "Signs Allowed on Private Property With and Without Permits."

(Ord. 984, 6/14/1999, Art. VI, §635)

§27-609. Abandoned Signs.

If a conforming use has been discontinued for a total of 12 months within an 18 month period, then all signs that are related to that use, as well as any structures that support these signs shall be known as "abandoned signs." Likewise, if a nonconforming use has been abandoned as described in §27-117(4)(D), then all signs that are related to that use as well as any structures that support these signs shall be known as "abandoned signs." All abandoned signs shall be removed at the expense of their owners. If such a sign is not removed, the Zoning Officer shall enforce the requirements of this section by way of the procedure given in §27-119, "Enforcement."

(Ord. 984, 6/14/1999, Art. VI, §640)

§27-610. Nonconforming Signs.

1. Applicability. The requirements of this section only apply to nonconforming signs. A nonconforming sign is defined as a sign that was legally established before the effective date of this Chapter's enactment (see §27-106, "Effective Date of This Chapter's Enactment") and does not conform the requirements of §27-602 ("Computations"), §27-603 ("Signs Allowed on Private Property With and Without Permits"), §27-605 ("Signs in the Public Right-of-Way") or §27-607("Prohibited

Signs"). Because nonconforming signs are not illegal, they have a right to temporarily remain in place and to be maintained. However, they must adhere to the requirements of this Section.

2. **Phasing Out Nonconforming Signs.** So long as it does not threaten the public health or welfare, a nonconforming sign may temporarily maintain its nonconforming characteristic or characteristics. However, all nonconforming signs that are not temporary shall be brought into conformance with the requirements of §§27-602, 27-603, 27-605 27-607 within 10 years of the effective date of this Chapter's enactment (see §27-106, "Effective Date of This Chapter's Enactment"). All nonconforming temporary signs shall be brought into conformance with the requirements of §§27-602, 27-603, 27-605 and 27-607 within 60 days of the effective date of this Chapter's enactment (see §27-106, "Effective Date of This Chapter's Enactment").
3. **Nonconforming Status.** The following rules apply to or concern all nonconforming sign:
 - A. The Zoning Officer shall keep and maintain a list of all nonconforming signs that exist in the Borough on the effective date of this Chapter's enactment (see §27-106, "Effective Date of This Chapter's Enactment") and on the effective dates of any relevant amendments to either this Chapter or its map.
 - B. The owner of a nonconforming sign may obtain a "certificate of nonconformity" from the Borough's Zoning Officer. This certificate shall state that the sign may continue to be used until a date that is 60 days from the effective date of this Chapter's enactment (see §27-106) in the case of temporary signs or a date that is 10 years from the effective date of this Chapter's enactment in the case of non-temporary signs.
 - C. Aggrieved parties and the involved landowner may both appeal the Zoning Officer's determination of whether or not a sign is nonconforming according to the rules of §27-122, "Appealing the Determination of a Municipal Officer."
 - D. Any sign that was illegally erected or painted under a previous zoning ordinance or land use regulation shall remain illegal under this Chapter, even if it conforms to this Chapter's regulations.
 - E. Any sign that becomes a nonconforming sign due to an amendment made after the effective date of this Chapter's enactment shall be subject to the regulations of this Section.
4. **Maintaining Nonconforming Signs.** The following rules apply to all nonconforming signs.
 - A. If any nonconforming sign deteriorates to an unsightly or hazardous condition, the owner of that sign shall repair, repaint, remove, or replace it. If the

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Borough Zoning Officer finds that a such a sign has not been repaired, repainted, removed or replaced, he or she shall enforce this requirement by way of the procedures given in §27-119, "Enforcement."

- B. A nonconforming sign may be repaired, repainted or removed for repair and then re-mounted without obtaining any zoning or occupancy permits.
5. Replacing Nonconforming Signs.
- A. Within the periods established under subsection (2) above, a nonconforming sign may be replaced with an identical nonconforming sign if the use that the sign relates to has not changed since the original sign was constructed or painted and has not been discontinued for a total of 12 months within an 18 month period or abandoned as described in §27-117(4)(D). Otherwise, the nonconforming sign may only be replaced with a new, conforming sign.
 - B. Replacing a temporary nonconforming sign with an identical temporary nonconforming sign does not require any permits. However, replacing a non-temporary, nonconforming sign with an identical nontemporary, nonconforming sign requires both a zoning permit and an occupancy permit. §27-115 ("Zoning Permits") explains how to obtain a zoning permit, while §27-116 ("Occupancy Permits") explains how to get an occupancy permit. Note that this Chapter considers replacing a nonconforming sign with a non-identical sign to be the same as erecting a new sign. Thus, such a replacement may or may not require a zoning and/or an occupancy permit, depending on the type and location of the involved sign.
6. Enlarging, Relocating or Altering Nonconforming Signs.
- A. A nonconforming sign shall not be enlarged or relocated within the Borough.
 - B. A nonconforming sign shall not be altered in any aspect except to make safety improvements, to keep the sign maintained in accordance with the requirements of this Section or other Borough ordinances or to bring the sign into conformance with the requirements of this Chapter.
7. Bringing a Nonconforming Sign into Conformance. If a nonconforming sign is altered so that it becomes a conforming sign, it shall not be subsequently altered back to a nonconforming state. Likewise, if a nonconforming sign is replaced with a conforming sign, that conforming sign shall not be subsequently replaced with another nonconforming sign.
8. Abandoned Nonconforming Signs. If a conforming use has been discontinued for a total of 12 months within an 18 month period, then all nonconforming signs that are related to that use as well as any structures that support these signs shall be known as "abandoned nonconforming signs." Likewise, if a nonconforming use has been abandoned as described in §27-117(4)(D) then all nonconforming signs that are related to that use as well as any structures that support these signs shall be

known as "abandoned nonconforming signs." All abandoned nonconforming signs shall be removed at the expense of their owners. If such a sign is not removed, the Zoning Officer shall enforce this requirement by way of the procedures given in §27-119, "Enforcement."

(Ord. 984, 6/14/1999, Art. VI, §645)

§27-611. Permits for Signs Over Streets or Sidewalks.

1. **Compliance Required.** Hereafter it shall be unlawful to erect, construct or maintain over, across or upon any sidewalk or driveway or any highway of the Borough of Philipsburg any sign or other device for advertising or other purposes without first complying with the terms of this Section. This does not apply to temporary signs.
2. **Application for Permit; Issuance.** Before any sign or other device for advertising or other purposes shall be erected within the Borough of Philipsburg, application shall be made to the Zoning and Code Enforcement Officer and UCC, who may grant or refuse the permission requested as deemed consistent with the public interest, welfare and safety. If granted, a permit may be issued by the Zoning and Code Enforcement Officer, the erection to take place subject to such conditions as to fastening and securing the sign and safeguarding the public as may be requested by such Officer
3. **Public Liability Insurance.** All property owners or tenants hereafter erecting or maintaining any such sign or other device shall carry, for the protection of the Borough, a general public liability insurance policy with some company of recognized financial standing and shall exhibit the same to the Zoning Officer and file with him a copy of same, annually or as often as may be demanded. In event of failure to so insure and maintain a policy in force, any permit outstanding may be forthwith revoked and the permittee forthwith directed to remove the sign or other device.
4. **Annual Inspection; Removal or Remedy of Unsafe Signs.** Council may, by motion, annually direct the inspection of all signs by such employee of the Borough as they may direct. Any sign or other device found not to be in a safe condition may be directed to be either properly secured and fastened or removed within a period of 30 days.
5. **Penalty for Violation.** Any person, firm or corporation who shall violate any provision of this Section shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Section shall continue shall constitute a separate offense.
6. **Borough May Remove Certain Signs at Expense of Property Owner or Tenant.** Where a property owner or tenant fails to remove any sign or other device when so

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directed or where there has been an erection without first asking for and obtaining a permit, Council or the Zoning Officer may direct the removal of such sign or other device and cause the cost thereof to be assessed, by municipal lien, against the property.

(A.O.