

**COUNCIL BILL NO. 1839, AS AMENDED**

**INTRODUCED BY: Diane Bernardo**

**ORDINANCE NO. 1768**

**AN ORDINANCE**

An Ordinance of the City of DuBois repealing Part 3 of Chapter 27 of the Code of Ordinances entitled "Signs" and amending Chapter 19 of the Code of Ordinances by the addition of Rules and Regulations governing the use of signs within the City of DuBois and requiring the securing of permits for said signs and establishing penalties for violation of any provision hereof.

**WHEREAS**, it is recognized that signs, placed upon the premises and/or structures to which they relate, serve a vital communicative function by allowing residents and visitors alike to regularly ascertain the availability and location of facilities that serve their needs; and

**WHEREAS**, it is the purpose of this Ordinance to optimize the communicative value of on-premises signs within the landscape and along public thoroughfares by providing for an orderly and equitable means for the presentation and assimilation of the messages that such signs contain.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the City Council of the City of DuBois and it is hereby ordained and enacted by authority of the same as follows:

**SECTION I** - Chapter 27, Part 3 is hereby repealed in its entirety and Chapter 19 of the Code or Ordinances entitled "Signs and Billboards" is hereby amended by the addition of the following:

**SECTION II - DEFINITIONS**

**Abandoned Sign** - A sign that no longer identifies or advertises a location, product, or activity conducted on the premises on which the sign is located.

**Animated Sign** - A sign employing actual motion or the illusion of motion. Animated signs, which are differentiated from changeable signs as defined and regulated by this Ordinance, include the following types:

- 1.) **Environmentally Activated:** Animated signs or devices motivated by wind, thermal changes, or other natural environmental input. Includes spinners, pinwheels, pennant strings, and/or other devices or displays that respond to naturally occurring external motivation.
- 2.) **Mechanically Activated:** Animated signs characterized by repetitive motion and/or rotation activated by a mechanical system powered by electric motors or other mechanically induced means.
- 3.) **Electrically Activated:** Animated signs producing the illusion of movement by means of electronic, electrical, or electro-mechanical input and/or illumination capable of simulating movement through employment of the characteristics of one or both of the classifications noted below:
  - a.) **Flashing:** Animated signs or animated portions of signs whose illumination is characterized by a repetitive cycle in which the period of illumination is either the same as or less than the period of non-illumination. For the purposes of this Ordinance, flashing will not be defined as occurring if the cyclical period between

on-off phases of illumination exceeds four (4) seconds.

b.) **Patterned Illusionary Movement:** Animated signs or animated portions of signs whose illumination is characterized by simulated movement through alternate or sequential activation of various illuminated elements for the purpose of producing repetitive light patterns designed to appear in some form of constant motion.

**Architectural Projection** - Any projection that is not intended for occupancy and that extends beyond the face of an exterior wall of a building but that does not include signs as defined herein. See also: Awning; Back-lit Awning; and Canopy, Attached and Freestanding.

**Awning** - An architectural projection or shelter projecting from and supported by the exterior wall of a building and composed of a covering of rigid or non-rigid materials and/or fabric on a supporting framework that may be either permanent or retractable.

**Awning Sign** - A sign displayed on or attached flat against the surface or surfaces of an awning. See also: Wall or Fascia Sign.

**Background Area of Sign** - The entire area of a sign on which copy and/or graphics could be placed.

**Back-lit Awning** - An awning whose covering material exhibits the characteristics of luminosity obtained by means of a source of illumination contained within its framework.

**Banner** - A flexible substrate on which copy or graphics may be displayed.

**Banner Sign** - A sign utilizing a banner as its display surface.

**Billboard** - See: Off-Premises Sign and Commercial Outdoor Advertising Sign.

**Building Facade** - That portion of any exterior elevation of a building extending vertically from grade to the top of the parapet wall or eaves and horizontally across the entire width of the building elevation.

**Canopy (Attached)** - A multi-sided structure or architectural projection supported by attachment to a building on one or more sides and either cantilevered from such building or also supported by columns at additional points. The surface(s) and/or soffit of an attached canopy may be illuminated by means of internal or external sources of light. Similar to a Marquee.

**Canopy (Freestanding)** - A multi-sided structure supported by columns. The surface(s) and/or soffit of a freestanding canopy may be illuminated by means of internal or external sources of light.

**Canopy Sign** - A sign with the capability of content change by means of manual or remote input, includes the following types:

- 1.) **Manually Activated** - Changeable sign whose message copy or content can be changed manually on a display surface.
- 2.) **Electrically Activated** - Changeable sign whose message copy or content can be changed by means of remote electrically energized on-off switching combinations of alphabetic or pictographic components arranged on a display surface. Illumination may be integral to the components, such as characterized by lamps or other light-emitting devices; or it may be from an external light source designed to reflect off the changeable component display. See also: Electronic Message Sign or Center.

**Commercial Outdoor Advertising Sign** - A permanent off-premises sign erected, maintained or used in the outdoor environment for the purpose of providing copy area for commercial or non-commercial messages.

**Copy** - The graphic content or message of a sign.

**Copy Area of Sign** - The actual area of the sign copy as applied to any background. Copy area on any individual background may be expressed as the sum of the geometrically computed area(s) encompassing separate individual letters, words, or graphic elements on that background.

**Directional Sign** - Any sign that is designated and erected for the purpose of providing direction and/or orientation for pedestrian or vehicular traffic.

**Double-Faced Sign** - A sign with two faces, commonly back to back.

**Electric Sign** - Any sign activated or illuminated by means of electrical energy.

**Electronic Message Sign or Center** - An electrically activated changeable sign whose variable message compatibility can be electronically programmed.

**Exterior Sign** - Any sign placed outside a building.

**Facade** - See Building Facade.

**Fascia Sign** - See Wall Sign.

**Freestanding Sign** - A sign principally supported by one or more columns, poles, or braces placed in or upon the ground. Refer also to Section III herein for visual reference examples.

**Frontage (Property)** - The length of the property line(s) of any single premises along either a public way or other properties on which it borders.

**Frontage (Building)** - The length of an exterior building wall or structure of a single premises along either a public way or other properties that it faces.

**Ground Sign** - See Freestanding Sign.

**Illuminated Sign** - A sign characterized by the use of artificial light, either projecting through its surface(s) [Internally illuminated]; or reflecting off its surface(s) [Externally Illuminated].

**Interior Sign** - Any sign placed within a building, but not including Window Signs as defined by this Ordinance. Interior Signs, with the exception of Window Signs as defined, are not regulated by this Ordinance.

**Mansard** - A roof-like facade comparable to an exterior building wall.

**Marquee** - See Canopy (Attached). Definition is similar.

**Marquee Sign** - See Canopy Sign (Attached). Definition is similar.

**Multiple-Faced Sign** - A sign containing three (3) or more faces.

**Off-Premises Sign** - A sign whose message content may not necessarily bear any relationship to the activities conducted on the premises on which it is located, or to the expression of commercial or non-commercial speech by the owner or bona-fide user of the premises on which it is located.

**On-Premises Sign** - A sign whose message content bears a direct relationship to the activities conducted on the premises on which it is located, or to the expression of any commercial or non-commercial speech by the owner or bona-fide user of the premises on which it is located.

**Parapet** - The extension of a building facade above the line of the structural roof.

**Pole Sign** - See Freestanding Sign.

**Political Sign** - A temporary sign intended to express a personal belief or to advance a political statement, cause or candidate for office.

**Portable Sign** - Any sign not permanently attached to the ground or to a building or building surface.

**Projecting Sign** - A sign other than a Wall Sign that is attached to or projects more than eighteen (18) inches from a building face or wall or from a structure whose primary purpose is other than the support of a sign. Refer also to Section III herein for visual reference examples.

**Real Estate Sign** - A temporary sign advertising the sale, lease or rental of the property or premises upon which it is located.

**Revolving Sign** - A sign that revolves three hundred and sixty degrees (360°) about an axis. See also: Animated Sign, Mechanically Activated.

**Roof Line** - The uppermost line of the roof of a building or, in the case of an extended facade or parapet, the uppermost point of said facade or parapet.

**Roof Sign** - A sign mounted on the main roof portion of a building or on the topmost edge of a parapet wall of a building and which is wholly or partially supported by such building. Signs mounted on mansard facades, pent eaves, and architectural projections such as canopies or marquees shall not be considered to be roof signs. Refer also to Section III herein for visual reference example of roof sign, and comparison of differences between roof and fascia signs.

**Sign** - Any device visible from a public place whose essential purpose and design is to convey either commercial or non-commercial messages by means of graphic presentation of alphabetic or pictorial symbols or representations. Non-commercial flags or any flags displayed from flagpoles or staffs will not be considered to be signs.

**Sign Structure** - Any structure designed for the support of a sign.

**Temporary Sign** - A sign intended to display either commercial or non-commercial messages of a transitory or temporary nature. Portable signs or any sign not permanently embedded in the ground, or not permanently affixed to a building or sign structure that is permanently embedded in the ground, are considered temporary signs.

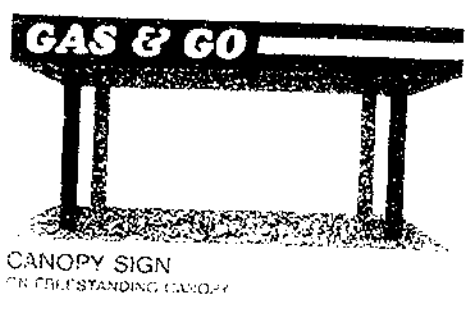
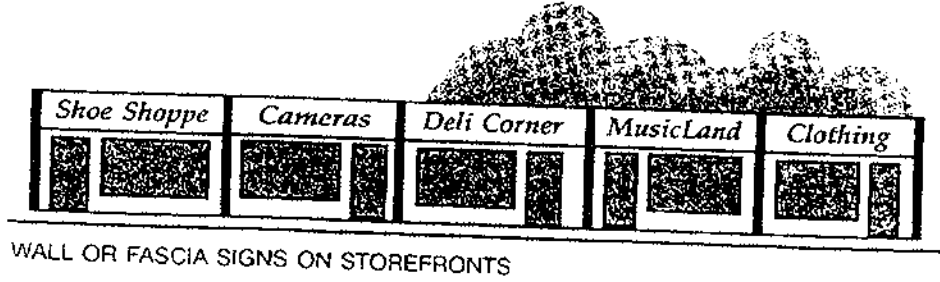
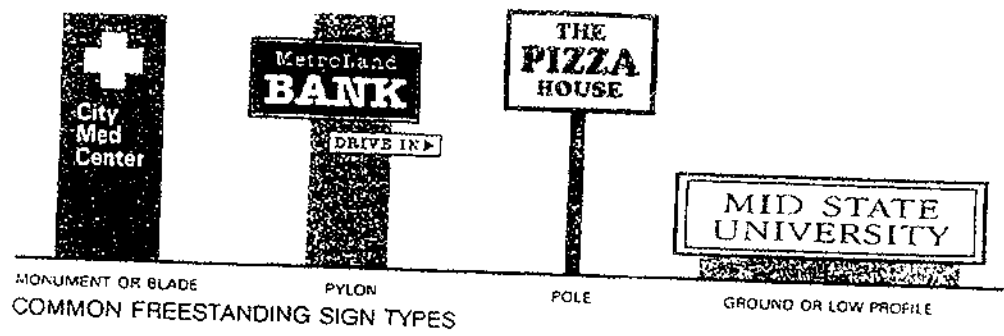
**Under Canopy Sign or Under Marquee Sign** - A sign attached to the underside of a canopy or marquee.

**V Sign** - A sign containing two faces of equal size, positioned at an interior angle subtending less than one hundred seventy-nine degrees (179°) at the point of juncture of the individual faces.

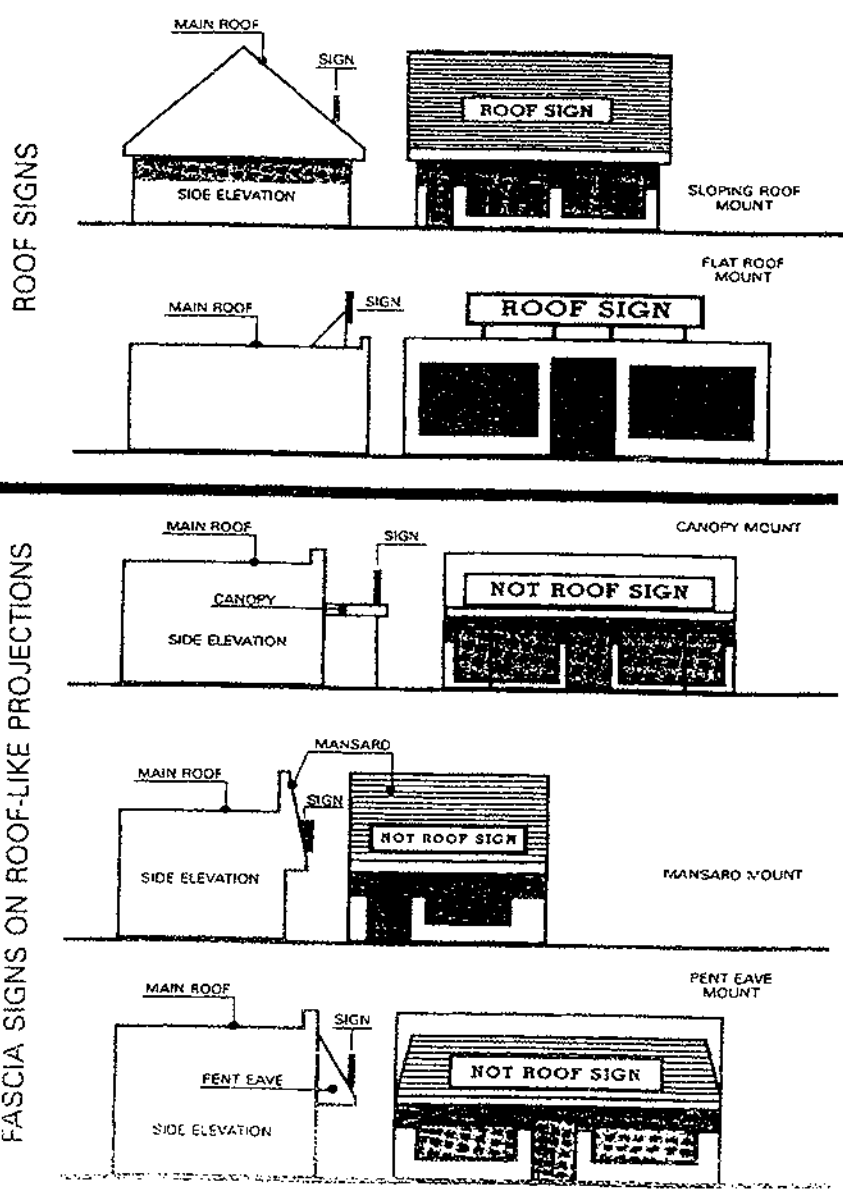
**Wall or Fascia Sign** - A sign that is in any manner affixed to any exterior wall of a building or structure and that projects not more than eighteen (18) inches from the building or structure wall. Also includes signs affixed to architectural projections that project from a building provided the copy area of such signs remains on a parallel plane to the face of the building facade or to the face or faces of the architectural projection to which it is affixed. Refer also to Section III herein for visual reference examples, and comparison examples of differences between wall or fascia signs and roof signs.

**Window Sign** - A sign affixed to the surface of a window with its message intended to be visible to the exterior environment.

SECTION III / GENERAL SIGN TYPES



COMPARISON - ROOF & WALL OR FASCIA SIGNS



#### SECTION IV - GENERAL PROVISIONS

A.) No sign of any kind other than an official traffic sign or similar sign shall be placed or erected within the right-of-way lines of any street or public way or on any property owned by the City of DuBois unless specifically authorized by other ordinances or regulations of the City of DuBois or by express permission of the City Council.

B.) Signs projecting over public walkways may do so only subject to the projection and clearance limits either defined herein or, if not so defined, at a minimum height of ten (10) feet from grade level to the bottom of the sign. Signs, architectural projections, or sign structures projecting over vehicular access areas must conform to the minimum height clearance limitations imposed by the City of DuBois for such structures.

C.) No sign or sign structure shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision, nor at any location whereby its position, shape, or color may interfere with or obstruct the view of or be confused with any authorized traffic sign, signal, or device.

D.) If a premises contains walls facing more than one property line or encompasses property frontage bounded by more than one street or other property usages, the sign area(s) for each building wall or property frontage will be computed separately for each building wall or property line facing a different frontage. The sign area(s) thus calculated may then be applied to permitted signs placed on each separate wall or property line frontage.

E.) Animated signs are permitted in Commercial and Industrial Zones only. Changeable signs, Manually Activated, are permitted in all zoning districts. Changeable signs, Electrically Activated, are permitted in all non-residential zoning districts.

F.) Every sign permitted by this ordinance must be kept in good condition and repair. When any sign becomes insecure, in danger of falling, damaged beyond fifty percent (50%) of its conformance with the City of DuBois Ordinance or is otherwise deemed unsafe by the Code Enforcement Officer of the City of DuBois or by the Municipal Building Official responsible for the maintenance of public safety, or if any sign shall be unlawfully installed, erected, or maintained in violation of any of the provisions of this Ordinance, the owner thereof or the person or firm using the same shall, upon written notice by the Code Enforcement Officer of the City of DuBois or the appropriate Building Official of the City of DuBois forthwith in the case of immediate danger and in any case within not more than ten (10) days, make such sign conform to the provisions of this Ordinance, or shall remove it. If within ten (10) days, the order is not complied with, the Code Enforcement Officer or other responsible Building Official from the City of DuBois may remove or cause such sign to be removed at the expense of the owner and/or user of the sign.

G.) Any sign that no longer advertises or identifies the use conducted on the property on which said sign is erected must be removed within ten (10) days after written notification from the Code Enforcement Officer or other City of DuBois Building Official responsible for such enforcement; and upon failure to comply with such notice, the Code Enforcement Officer and/or Building Official is hereby authorized to cause removal of such sign, and any expense incident thereto shall be paid by the owner of the building, structure or ground on which the sign is located.

H.) Any sign legally existing at the time of the passage of this Ordinance that does not conform in use, location, height, or size with the regulations of the zoning district in which such sign is located shall be considered a protected non-conforming use and may continue in such status until such time as it is either abandoned or removed by its owner or has become dilapidated or presents a safety issue to the general public.

I.) Roof Signs, Special Considerations: No sign may extend above the highest arch or point of a building as viewed from the nearest commercial roadway.

#### **SECTION V - PERMITS**

A.) Unless specifically exempted, a permit must be obtained from the City of DuBois for the erection and maintenance of all signs erected or maintained in the City of DuBois and specifically regulated by this Ordinance. Exemptions from the necessity of securing a permit, however, shall not be construed to relieve the owner of the sign involved from responsibility for its erection and maintenance in a safer manner and in a manner in accord with all the other provisions of this Ordinance.

B.) Before any permit is granted the permit application shall be accompanied by the written consent of the owner or lessee of the premises upon which the sign is to be erected.

C.) No new sign shall hereafter be erected, constructed or maintained except as herein provided and until after a permit, if required, has been issued by the City of DuBois.

D.) No sign shall be enlarged or relocated except in conformity to the provisions herein, nor until a proper permit, if required, has been secured. The changing of moveable parts or components of an approved sign that is designed for such changes, or the changing of copy, display and/or graphic matter, or the content of any sign or sign structure shall not be deemed an alteration.

E.) Permit fees to erect, alter, or relocate a sign shall be in accordance with the sign fee schedule adopted by the City Council of the City of DuBois.

#### **SECTION VI - AREA OF SIGNS**

A.) Signs containing integral background areas:

The area of a sign containing a clearly defined background area as defined herein shall be expressed as the area of the smallest standard geometric shape capable of encompassing the perimeter of the background areas of the sign. In the case of signs in which multiple background areas are separated by open space, sign areas shall be expressed as the sum of the areas of all separate background areas, calculated as referenced above, but including the areas between all of the separate background areas.

B.) Signs without integral background areas:

In instances in which a sign consists of individual elements such as letters, symbols, or other graphic objects or representations that are painted, attached to, or otherwise affixed to a surface such as a wall, window, canopy, architectural projection, or to any surface not specifically designed to serve as a sign background, the sign area shall be expressed as the sum of the individual areas of the smallest geometric shapes capable of encompassing the perimeters of the individual elements comprising the sign.

C.) In computing the area of a double-faced sign, only one side shall be considered provided all faces are identical in size. The area of multi-faced signs will be calculated as the maximum projected area of the sign as viewed from any angle.

D.) Sign area calculations will be calculated as the area of the smallest rectangle capable of encompassing the entire copy, graphics, or background of the sign as follows:



1. Consideration of Open Space: In the case where the sign can be broken into separate elements of copy, graphics or distinct, identifiable background areas separated by open space, separate rectangles may be placed around the individual elements of the sign. The sum of the areas of all such rectangles, without regard for any open space between them, shall be used as the gross surface area of the sign. This provision, however, is not intended to result in the calculation of area for each individual letter in the text of the sign.

2. Consideration for Ascenders, Descenders and Accentuating Graphics: Where the copy of the sign incorporates letters having ascenders or descenders or accentuating graphic elements which would significantly impact the calculation of the sign's gross surface area by forcing the inclusion of additional open area around the remaining sign elements included within one rectangle, individual rectangles may be placed around those letters with ascenders or descenders or accentuating graphics to more accurately calculate the gross surface area of the sign as provided in paragraph (a) in this Section.

3. Signs with a Single Distinct Background Area: The provisions in paragraphs (A) and (B) in this Section shall not be applied to signs having a single separate and distinct background area such as free-standing ground signs, and wall signs that have a single, distinct (colored, raised, or otherwise distinguishable from the wall upon which the sign is located) background area framing or highlighting the copy or graphics. In this case, the smallest rectangle capable of encompassing the entire distinct background area shall be used to determine the gross surface area of the sign.

## **SECTION VII - ELECTRICAL STANDARDS**

A. No sign shall be illuminated by other than electrical means. Electrical devices, components, and wiring shall be installed and maintained in accordance with the requirements of the electrical code as adopted by the City of DuBois and in accordance with all Uniform Construction Code (Act 45) requirements. In no case shall an open spark or flame be used for display purposes.

## **SECTION VIII - REGULATION BY ZONING DISTRICT**

### **A. On-Premises Signs Permitted in All Zoning Districts**

1. In addition to any signs designated as permissible in the General Provisions and/or in any other sections of this Ordinance, the following signs and/or sign types are permitted in all zoning districts of the City of DuBois:

a. Signs suitable for the display of commercial or non-commercial speech, provided that the area of any such sign shall not exceed six (6) square feet, and further provided that, if freestanding, such sign shall not exceed a height above the grade level on which it is placed of four (4) feet to the top of the sign. Such signs falling under the category of commercial or non-commercial speech are exempt from any requirement to seek a permit from the City of DuBois.

b. Temporary Real Estate signs as defined herein, provided that the area of such signs shall not exceed the following limitations by zoning district:

(1) Residential - six (6) square feet.

(2) all other zones except Industrial - twelve (12) square feet.

(3) Industrial - thirty-six (36) square feet.

and further provided that not more than one (1) such sign shall be placed on property held in single and separate ownership unless such property fronts on more than one street, in which case one such sign shall be permitted on each separate street frontage. All such signs shall be permitted only during the time in which the property advertised is available for sale, lease, or rental, and must be removed within ten (10) days after closing of the sale or execution of the lease or rental agreement.

c. Trespassing signs, signs indicating the private nature of a road, driveway, or premises, provided that the area of any such sign shall not exceed four (4) square feet.

d. Temporary signs erected in connection with the development or proposed development of the premises or property provided that the area of any such sign shall not exceed thirty-two (32) square feet. Not more than one (1) such sign shall be placed on property held in single and separate ownership unless the property fronts on more than one (1) street, in which case one (1) such sign shall be permitted on each separate street frontage. Such signs shall be removed within ten (10) days after the development has been completed and/or the last structure occupied.

e. Temporary Political signs. Such signs shall not require a permit but shall be removed within seven (7) days following such election or referendum for which the temporary political sign was placed.

f. Temporary signs advertising special events and/or promotions of a commercial or non-commercial nature. Such signs shall be exempt from any permitting requirement provided that such signs shall be non-illuminated.

g. Informational or public service signs as required on any premises or property for the purpose of advertising the availability of rest rooms, telephones, or similar facilities of public convenience provided that the area of any such sign shall not exceed four (4) square feet.

h. Memorial signs or historical signs or tablets, provided that the area of any such sign or tablet shall not exceed six (6) square feet.

i. Off-Premises Directional Signs (as defined herein) used by non-profit entities and/or tourism locations and provided that the area of any such sign shall not exceed the following limitations by zoning district:

(1) Residential Zones (R1, R2, and R3) - four (4) square feet.

(2) All other Zones - six (6) square feet.

No such signs shall be placed on state, federal, or city rights-of-way and written permission from any property owner where the sign is placed must be obtained with a copy on file in the City Building of the City of DuBois.

(3) Off-Premises Directional Signs are permitted for all local, state, or federal entities.

B.) On-Premises Signs Permitted in Residential Zones:

1. Signs displaying the name and address of the occupant of the premises provided that the area of any such sign shall not exceed four (4) square feet and that not more than one (1) such sign shall be erected or displayed for each occupant of a premises, unless such premises fronts on more than one (1) street in which case one (1) such sign shall be permitted on each separate street frontage. Sandblasted/carved stone signs will have the area calculated in a manner similar to individual letter/logo signs.
2. Temporary signs of contractors or artisans displayed during the period such contractors or artisans are performing work on the premises on which such signs are displayed, provided that the area of any such sign shall not exceed twelve (12) square feet. Such signs shall be limited to one (1) sign per contractor or artisan, and shall be removed within twenty (20) days of the completion of the contractor's work.
3. One sign per premises advertising a home occupation or avocation provided that the area of any such sign shall not exceed four (4) square feet.
4. Subdivision identification signs, and/or signs identifying apartment or condominium complexes, provided that the area of any such sign shall not exceed a total of thirty-two (32) square feet, and further provided that one (1) such sign shall be permitted for each separate street and/or separate building frontage occupied by the subdivision, apartment, or condominium complex and/or for each means of entrance to or exit from the subdivision, apartment, or condominium complex. An additional single-sided sign of no more than thirty-two (32) square feet area is permitted at each entrance if the back of either sign is not visible from any viewing angle of the sign.
5. Signs for permitted non-residential uses provided that the area of any such sign shall not exceed thirty-two (32) square feet, and further provided that one (1) such sign shall be permitted for each separate street and/or separate building frontage occupied by the permitted use, and for each means of entrance to or exit from the permitted use.

C.) General Regulations - On-Premises Signs in Residential Zones:

1. Unless otherwise regulated by specific reference herein, freestanding signs shall be limited to a height above the grade level on which they are placed of four (4) feet to the top of the sign.
2. Animated signs are prohibited.
3. Roof signs are prohibited.

D.) On-Premises Signs Permitted in Commercial and Industrial Zones:

1. Any signs permitted in a Residential and/or Apartment/Office/Professional Zone that relate to a use permitted in the Commercial and Industrial Zones.
2. Signs for permitted uses as regulated by reference to types noted below.
  - a. Freestanding Signs:
    1. Freestanding signs shall be limited to one (1) except for a use that fronts on more than one street, in which case one (1) such sign shall be permitted

for each separate street frontage. If a use exceeds four hundred fifty (450) lineal feet on any frontage, one additional such sign on such frontage shall be permitted.

2. Unless otherwise regulated by specific reference herein, the area of any freestanding sign shall not exceed sixty (60) square feet and the overall height of any sign shall not exceed twenty-five (25) feet as measured from the centerline of the facing roadway to the top of the sign.

3. In the case of a use designated as a shopping center or planned industrial park, one (1) freestanding sign per each three hundred (300) lineal feet of frontage or multiple thereafter shall be permitted for each separate street frontage, frontage on other property usage, and/or for each means of entrance to or exit from the use. The area of any such sign shall not exceed the product of .2% of the aggregate lot area of the subject premises or three hundred (300) square feet, whichever is smaller. The overall height of the sign shall not exceed forty (40) feet to the top of the sign as measured from the centerline of the facing roadway to the top of the sign.

4. Within the environs of a use designated as a shopping center or planned industrial park, freestanding signs shall be permitted as required for the primary purpose of promoting traffic safety through the provision of directional information within the environs of the use, provided that any such sign shall not exceed an area of fifty (50) square feet nor a height above the grade level on which it is placed of fourteen (14) feet to the top of the sign.

5. Wall Signs:

1. Wall signs include wall or fascia signs permanently applied to walls or other building surfaces.

2. The total area of all signs affixed or applied essentially in a parallel plane to any given store front facade shall not exceed an area computed in accordance with Table II below. These allowances apply to all exposed sides of a given building.

**Table II - Walls Signs - Store Front Facade**

Distance of sign from road or right-of-way or property line	Square foot of sign area per lineal foot of storefront	Maximum Sign Size	Maximum Number of Signs
0 to 100 Feet	2 sq. ft. per lineal ft.	120 sq. ft.	2
101 to 300 Feet	2 sq. ft. per lineal ft.	175 sq. ft.	3
Over 300 Feet	2 sq. ft. per lineal ft.	280 sq. ft.	4

b. Storefront Facade is defined as the entire visible front side or rear of a business entity that is facing a roadway.

c. Directional and Regulatory Signs

1. Maximum sign size shall not exceed 9 square feet.
2. Maximum allowed square feet not to exceed 30 square feet.
3. Directional signs may display a logo or name if the area of the logo or name does not exceed 20% of the total sign area of each sign.

d. Awning Signs:

1. Signs affixed or applied to the face or side surfaces of an awning or backlit awning provided that the copy area of any such sign, as defined herein, does not exceed an area equal to fifty percent (50%) of the total background area of the awning or backlit awning surface to which it is affixed or applied; or alternatively, does not exceed an amount equal to the amount of copy area permitted for wall signs as provided herein, whichever is less.

e. Under Canopy Signs:

1. Signs affixed to the underside of a canopy, marquee, or architectural projection shall be limited to an area not to exceed four (4) square feet. One such sign shall be permitted for each means of entrance to or exit from a premises.

f. Menu Board Signs:

1. Any businesses utilizing a drive-thru ordering/distribution system for the sale of its products may include one menu board sign for each drive-thru lane. The menu board sign must meet the definition of a menu board, as defined herein, and cannot exceed forty (40) square feet in sign area nor exceed eight (8) feet in overall height. The area of a menu board sign will not be calculated as a component of permitted copy area.

g. Off-Premises Commercial Outdoor Advertising Sign:

1. No off-premises outdoor advertising sign shall be permitted in the City of DuBois.

E.) On-Premises Signs Permitted in Commercial Central Zone:

1. In addition to any signs designated as permissible in the General Provisions and/or in any other sections of this Ordinance, the following signs and/or sign types are permitted in Commercial Central Zones:
  - a. Portable signs as defined herein, provided that the area of such signs shall not exceed the following limitations: (1) shall not exceed forty-two (42) inches in height; and (2) shall not exceed twenty-five (25) percent of width of sidewalk, not to exceed ten (10) square feet; and (3) not more than one (1) such sign shall be placed in front of any business. Such sign shall be placed against the building and shall not affect the ingress and egress of the building. The design shall be reviewed and approved at the time of the application prior to placement.

**SECTION IX - PENALTIES**

Any person, firm or corporation who shall violate any provision of this Ordinance or any permit schedule or other rules and regulations established pursuant thereto, shall, upon conviction thereof, be sentenced to pay a fine of not more than six hundred dollars (\$600.00) plus costs and, in default of payment, to imprisonment for a term not to exceed thirty (30) days. Each date of violation shall be considered a separate violation subject to imposition of a separate penalty.

**SECTION X - ORDINANCES IN CONFLICT**

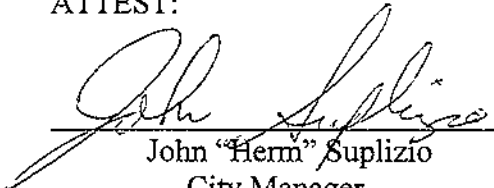
All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION XI - EFFECTIVE DATE**

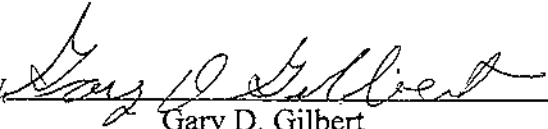
This Ordinance shall become effective on date of final passage.

Ordained and enacted by the City Council of the City of DuBois in lawful session assembled this 23<sup>rd</sup> day of May 2011.

ATTEST:

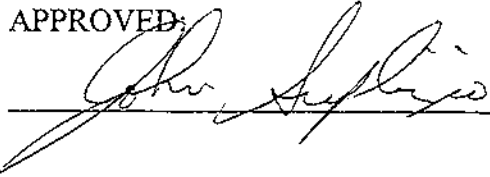
  
\_\_\_\_\_  
John "Herm" Suplizio  
City Manager

CITY OF DUBOIS

By   
\_\_\_\_\_  
Gary D. Gilbert  
Mayor and President of Council

PASSED BY COUNCIL:

May 23, 2011

APPROVED:  
  
\_\_\_\_\_