

Millcreek Township Sign Ordinance Q&A

1. Why was the Millcreek Township sign ordinance modified?
The sign ordinance was modified because the United State Supreme Court issued a ruling in 2015 holding that regulating signs based on the content of the sign was unconstitutional. Like many other municipal sign ordinances, the Township's sign ordinance contained provisions based on the content of the sign, which had to be amended. In addition, while making those amendments, it was determined that the sign ordinance should be brought up to date to address various issues that had not been previously or adequately addressed.
2. When does the sign ordinance become effective?
The sign ordinance became effective on May 28, 2017.
3. Will citations be issued for any temporary signs that previously were not in violation of the ordinance but now would be in violation of the ordinance?
Given the nature of temporary signs, any temporary signs that do not conform to the ordinance must be modified to comply with the new requirements for temporary signs. The Township intends to give any temporary sign owner an opportunity to bring their sign into compliance before issuing any citations. Note, however, that any temporary signs within the public right of way may be removed by the Township at any time without prior notice.
4. I have an existing permanent sign, am I required to make any changes to the sign as a result of these changes to the sign ordinance?
The changes to the Ordinance that may impact permanent signs are not intended to require the owner of an existing permanent sign to modify its existing sign to bring it into compliance, but please note that Article IX of Section 145 of the Code does apply to those pre-existing signs that are now nonconforming, and that Article does require action to be taken to bring the sign into conformity depending on the circumstances.
5. What is a temporary sign?
A temporary sign is now defined as " A sign that is not permanently affixed to the property, such as a sign without a foundation or sign constructed using wire, stake or similar material to place on the ground or insert into the ground, and whose display area is made in part or in whole of paper, cardboard, plastic, fabric, wallboard, plywood or similar non-permanent material." Examples of the types of signs that typically fall within the definition of temporary signs due to solely to how they are constructed include, but are not limited to, real estate signs, political signs, yard sale signs, business advertising signs and festival/event signs. Temporary signs are no longer regulated based on the content of the sign.
6. Are there any standards that must be followed in constructing a sign, whether it be temporary or permanent?
Yes. Under the Ordinance, both temporary and permanent signs are required to comply with the Pennsylvania Construction Code and all applicable federal, state and Township regulations. In addition, the new ordinance makes it clear that all signs, whether they be

permanent or temporary, must be maintained in accordance with the requirements of the Ordinance and the Millcreek Township Property Maintenance Code as well as all other applicable federal, state and Township regulations.

7. A contractor is doing work at my house and wants to put a temporary sign in my yard, is that allowed?

Yes. Such signs are defined as on-premises signs that are allowed. The on-premises definition applies so long as the contractor is currently and physically providing a service at the property. Once work is completed at the property, the sign no longer qualifies as an on-premises sign, and would then become an off-premises sign that is prohibited.

8. I want to have an illuminated sign, what areas am I allowed to have such a sign?

Whether a sign can be illuminated depends on the type and location of the sign. Temporary signs are not allowed to be illuminated, but portable signs are allowed. Illuminated signs are not allowed in residential districts, but are allowed in the remaining districts. Please note that illuminated signs must comply with the new standards in Section 145-78E.

9. When do I need to get a sign permit?

Sign permits are needed for all signs that are not excepted from the requirement for needing a permit under Section 145-80. As a general rule, most permanent signs will need a permit. Portable signs also need a permit. Temporary signs that are 5 square feet or less in sign area do not need to be permitted, but temporary signs larger than 5 square feet in sign area do require a permit. Please note that even when a permit is not required the general standards applicable to signs still applies.

10. What do I have to do to get a permit.?

You must submit a completed sign permit application to the Millcreek Township Zoning Office together with any applicable fees/deposits. The application and fee schedule will be available at the Zoning Office and will be available online. Once the Zoning Office determines that the sign meets the requirements of the Ordinance, a permit will be issued.

11. I live in a residential neighborhood, what temporary sign requirements apply to me?

Temporary signs in a residential neighborhood cannot exceed 5 square feet of sign area and cannot be higher than 7 feet. Each residential property is allowed to have no more than 2 temporary signs at any one time, unless the property has more than 400 feet of street frontage or has more than 10,000 square feet of gross floor area, in which case it can have 4 temporary signs at a time. The signs must be placed on the residential property and not within the right-of-way. As a general guide, in most neighborhoods the right -of way is the area between the sidewalk and the street; in other cases, it is the area between utility poles and the street. Lastly, temporary off-premises signs are also prohibited.

12. I own commercial property, what temporary sign requirements apply to me?

The answer depends on the exact zoning designation of your commercial property. If your commercial property is zoned C-1, then the temporary sign requirements that apply

to residential properties equally apply to C-1 properties. If your property is zoned C-2, C-3, C-4 or RC, your temporary signs are subject to the same standards as temporary signs in residential areas except that the maximum area of the temporary sign is 32 square feet as opposed to the 5 square feet in residential and C-1 zoned areas.

13. Someone has placed a sign on my yard without my permission, what can I do?
Under the sign ordinance, signs placed on your property without your permission are prohibited under Section 145-81, unless such signs are required or authorized by local, state or federal law (which typically would be in the right-of-way and not on your property). You can either remove the sign yourself, or contact the Township advising it of the issue and the Township will take the actions as necessary under Section 145-91 of the Ordinance.
14. Are holiday decorations regulated by the sign ordinance?
Decorations are not regulated by the sign ordinance.
15. I want to have a garage sale, how is that kind of sign regulated?
How the sign is regulated would be determined by whether the sign falls within the definition of a temporary sign. We would expect that garage sale signs as a general rule would fall within the definition of temporary sign under the ordinance, and would be regulated accordingly as described in the response to question #11 above.
16. Are my flags regulated by the sign ordinance?
Yes, flags of any type are considered signs. Flags are not regulated by content. Flags and flagpoles are exempt from the permit requirements if they meet the following requirements:
- 1. They are not located in the right-of-way;*
 - 2. They are not higher than 35 feet;*
 - 3. There are no more than 3 per lot in all districts; and*
 - 4. The flag does not exceed 24 square feet in a residential district and 35 square feet in all other districts.*
- Please note that even though a permit is not required the general standards applicable to signs applies to flags and flagpoles.*

MILLCREEK TOWNSHIP TEMPORARY SIGN REQUIREMENTS IN A RESIDENTIAL DISTRICT

