

BOARD OF SUPERVISORS OF
THE TOWNSHIP OF MIDDLE SMITHFIELD
MONROE COUNTY, PENNSYLVANIA

ORDINANCE NO. 236

AN ORDINANCE AMENDING THE MIDDLE SMITHFIELD TOWNSHIP ZONING ORDINANCE AT CHAPTER 200 OF THE CODE OF ORDINANCES OF MIDDLE SMITHFIELD TOWNSHIP BY AMENDING SECTION 200-090-80, ALLOWED SIGNS IN EACH ZONING DISTRICT, AND THE SIGN ILLUMINATION RESTRICTIONS AND REQUIREMENTS AT SECTION 200-090-140, SIGN ILLUMINATION.

WHEREAS, Middle Smithfield Township has previously ordained and enacted an ordinance entitled the Middle Smithfield Township Zoning Ordinance; and

WHEREAS, the Board of Supervisors of Middle Smithfield Township believes that it is in the best interest of the Township and the residents of the Township to amend the Middle Smithfield Township Zoning Ordinance by limiting electronically changeable message signs to only the C1, C2 and I zoning districts in Section 090-80 of Article IX in Chapter 200 of the Middle Smithfield Township Code of Ordinances; and

WHEREAS, the Board of Supervisors of Middle Smithfield Township believes that it is in the best interest of the Township and the residents of the Township to amend the Middle Smithfield Township Zoning Ordinance by amending and adding electronically changeable message sign restrictions and requirements in Section 090-140 of Article IX in Chapter 200 of the Middle Smithfield Township Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Board of Supervisors of Middle Smithfield Township, Monroe County, Pennsylvania, that Sections 200-090-80 and 200-090-140 of the Middle Smithfield Township Code of Ordinances are hereby amended as follows:

ARTICLE I.

Chapter 200, Zoning, Article IX, Signs, Section 090-80, Allowed Signs in Each Zoning District, Subsection 090-80.A.(3) of the Middle Smithfield Township Code of Ordinances is hereby amended by adding a new subsection 090-80.A.(3)(d) to read as follows so that electronically changeable message signs are only permitted within the C1, C2 and I districts:

§090-80.A.(3)(d) Electronically changeable message signs

ARTICLE II.

Chapter 200, Zoning, Article IX, Signs, Section 090-140, Sign Illumination, Subsection 090-140.C.(7) of the Middle Smithfield Township Code of Ordinances is hereby amended to read as follows:

§090-140.C.(7). An electronically changeable message sign shall not have an illumination level between sunset and sunrise of more than 250 nits, except the maximum level shall be 150 nits if such sign is a pre-existing nonconforming sign located in any zoning district other than the C1, C2 and/or I district. The maximum luminance between sunrise and sunset shall be 5,000 nits. Such sign shall have a light-sensing device that will automatically adjust the brightness of the display as the natural light conditions change, to comply with this lighting level. Prior to receiving a final permit for the sign, the applicant shall provide written evidence from a qualified independent professional that these maximum lighting levels are being met. The qualifications of such professional shall be submitted in writing.

ARTICLE III.

Chapter 200, Zoning, Article IX, Signs, Section 090-140, Sign Illumination, Subsection 090-140.C.(8) of the Middle Smithfield Township Code of Ordinances is hereby amended to read as follows:

§090-140.C.(8). No two electronically changeable message signs shall be spaced less than five hundred (500) feet apart along any public road within the Township. The spacing requirement applies to signs located on both sides of the road.

ARTICLE IV.

Chapter 200, Zoning, Article IX, Signs, Section 090-140, Sign Illumination, of the Middle Smithfield Township Code of Ordinances is hereby amended by adding a new Section 090-140.C.(10) to read as follows:

§090-140.C.(10). No more than one electronically changeable message sign shall be permitted per lot, subject to the restrictions and requirements of this Chapter.

ARTICLE V.

Chapter 200, Zoning, Article IX, Signs, Section 090-140, Sign Illumination, of the Middle Smithfield Township Code of Ordinances is hereby amended by adding a new Section 090-140.C.(11) to read as follows:

§090-140.C.(11). No electronically changeable message sign shall be located within 500 feet of any lot containing a residential use and/or any lot located within a residential zoning district.

ARTICLE VI. SEVERABILITY.

It is hereby declared to be the legislative intent that if a court of competent jurisdiction declares any provisions of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective. The Board of Supervisors hereby declares that it would have passed this Ordinance and each section or part thereof, other than any part declared invalid, if it had advance knowledge that any part would be declared invalid.

ARTICLE VII. REPEALER.

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

ARTICLE VIII. EFFECTIVE DATE.

This Ordinance shall become effective five (5) days after enactment.

DULY ENACTED AND ORDAINED this 28 day of July 2022, by the Board of Supervisors of Middle Smithfield Township, Monroe County, Pennsylvania, in lawful session duly assembled.

Board of Supervisors of Middle Smithfield Township

By: Annette Atkinson
Annette Atkinson, Chair

By: Mark Oney
Mark Oney, Vice-Chair

By: Michael J. Dwyer
Michael J. Dwyer, Supervisor

ATTEST: Michael J. Dwyer
Township Secretary

[TOWNSHIP SEAL]