

LACKAWAXEN TOWNSHIP, PIKE CO, PA

ORDINANCE NO. 103

AMENDING ORDINANCE NO. 96 - "THE ADDRESS AND SIGN ORDINANCE FOR
9-1-1 EMERGENCY RESPONSE" - BY MAKING CERTAIN AMENDMENTS AND
READOPTING THE ORDINANCE IN TOTAL

THE BOARD OF SUPERVISORS FOR LACKAWAXEN TOWNSHIP, after review and discussion at a duly advertised public hearing, do adopt and ordain this Amendment to Ordinances No. 64 and its Amendments in Ordinance No. 86 and re-adopts Ordinance No. 64, as amended (hereinafter the "Ordinance") as follows:

CONTENTS

SECTION 1	SHORT TITLE
SECTION 2	AUTHORITY
SECTION 3	PURPOSE AND CONTENT
SECTION 4	9-1-1 BUILDING NUMBER SIGNS
SECTION 5	ENFORCEMENT
5.1	Enforcement Office
5.2	9-1-1 Building Number Signs; Certificate of Use
SECTION 6	IMPLEMENTATION
6.1	Building Number Signs
6.2	Planned Communities
SECTION 7	MODIFICATIONS OF REQUIREMENTS
7.1	Intent
7.2	Conditions
7.3	Procedure
SECTION 8	VIOLATIONS, PENALTIES & REMEDIES
8.1	Violations; Penalties
8.2	Equitable and Other Remedies
SECTION 9	SEVERABILITY
SECTION 10	REPEALER
SECTION 11	ADOPTION

This Ordinance is duly ordained and adopted as follows:

Section 1 Short Title

This Ordinance shall be known and may be cited as "The Address and Sign Ordinance For 9-1-1 Emergency Response".

Section 2 Authority

This Ordinance is adopted pursuant to the provisions of the Pennsylvania Second Class Township Code, Act of May 1, 1933 (P.L. 103, No. 69), reenacted and amended November 9, 1995 (P.L. 350, No. 60), as amended.

Section 3 Purpose and Content

The purpose of this Ordinance is to enhance public safety and security, and generally protect the public health, safety and welfare, by improving the ability of emergency response personnel to navigate and locate dwellings and other buildings in the Township, and to provide for the convenience of the general public. This Ordinance:

1. Requires conformance to the street addressing system established by Pike County for the 9-1-1 emergency call system.
2. Establishes a uniform system for street number signs.

Section 4 Building Number Signs

4.1. Sign Required - All principal buildings, stand-alone lodging units and certain nonresidential accessory buildings in Lackawaxen Township shall have a street number sign containing the street address assigned by Pike County for the 9-1-1 emergency call system. Principal buildings and stand-alone lodging units must have a 9-1-1 emergency number sign as set forth by the following criteria, as well as accessory nonresidential buildings (greater than 400 sq. ft. in area) that are intended for use or occupancy by humans or animals, e.g. horse stables.

4.2. Sign Dimensions - All new street number sign blades shall be a minimum of sixteen (16) inches in height and a maximum of eighteen (18) inches in height and minimum six (6) inches to eight (8") inches wide.

4.3. Sign Construction – All new street number sign blades shall be constructed of extruded or rolled aluminum with a minimum thickness of 0.080 inch.

4.4. Sign Facing and Color - All street number sign blades shall be double faced with Class 1, Class 1-A or Class II reflective sheeting as listed in the most current PennDOT Publication 35. All street number sign blades shall have white reflective numbers or letters on a green or blue background on both sides of the sign, meeting the same PennDOT requirements.

4.5. Sign Numbers - All street numbers shall be a minimum of (4) inches high and two (2) inches wide in a plain blocked font.

4.6. Obstructions: Obstructions (including snow) shall be removed to permit the sign to be visible for a distance of not less than fifty (50) feet from the sign in both directions of travel.

4.7. Sign Location - Street number signs may be mounted flat on the wall of the principal building facing the addressed street provided the wall is minimum five (5) feet and maximum twelve (12) feet from the edge of the street shoulder and the sign is plainly visible from the addressed street. If the principal building is greater than twelve (12) feet from the addressed street or the sign cannot be mounted so it is plainly visible from the addressed street, the street number sign shall be mounted as follows:

- a. Sign Orientation - All street number signs shall be oriented perpendicular to the named street, so as to be visible to drivers approaching from either direction. On cul-de-sacs and circles, signs shall be oriented so that the numbers are visible to traffic entering the cul-de-sac or circle.
- b. Sign Height The bottom of the street number sign blade shall be between three (3) feet and six (6) feet maximum above the ground elevation where the sign is mounted.
- c. Sign Mounting - The signpost shall be placed to the right of the intersection of the driveway and the named street, as viewed from the street facing the driveway. The post shall be offset approximately four (4) feet horizontally from the driveway and not more than twelve (12) feet from the shoulder of a named street. Signposts, post foundations, and sign mountings shall be so constructed as to hold signs in a proper and permanent position and to resist displacement by wind or vandalism. If used, concrete bases shall be flush with the ground. Signs may also be placed on mailboxes, provided the mailbox is on the same side of the street as the house, or on trees, which are fully visible from the street with no obstructions blocking view of sign, i.e., branches, bushes, snow banks, etc.

Section 5. Enforcement.

5.1 Code Enforcement Officer. The Township Board of Supervisors shall appoint by resolution Code Enforcement Officer(s) (hereinafter "Code Officer"), who shall have the authority to enforce this ordinance. The Code Officer shall have the authority to use reasonable discretion in approval and/or enforcement of signs in new or existing residential communities and/or for properties that already have erected 9-1-1 signs.

5.2 9-1-1 Building Number signs: Building Permit; Certificate of Occupancy New Subsection:

- a) No building or zoning permit for a new residence, a new or existing building intended for human occupancy (either for residential or temporary lodging purposes), or a new initial principal nonresidential building, shall be issued until a temporary street number sign is placed on the property. The temporary sign shall be fixed on the property in such manner that it can be seen from the front yard roadway, with letters at least four (4") inches in height and said sign shall be weatherproof.
- b) No building or zoning permit shall be issued for an existing principal or unattached accessory building, unless there is a street number sign on each of the properties in question, that meets the requirements of Section IV of this Ordinance.
- c) No Certificate of Occupancy ("C.O.") or Certificate of Use shall be issued for any new principal or unattached accessory building until a street number sign has been installed on the property where such building is located in accord with this Ordinance.

Section 6 Implementation

6.1 Building Number Signs

Nonconforming building number signs shall be “grandfathered” and allowed to remain, provided: 1) the sign have reflective numbering on a contrasting background, meeting the requirements of Section 4.4 and 4.5 above ; and 2) can be seen from the front yard roadway; however, if it is more than twenty-five (25) feet from the addressed street or it is too low to the ground to be visible from the said street, then the street number sign shall be mounted in accordance with the provisions of Section 4 above. A Certificate of Nonconformance shall be issued by the Code Officer for such signs, upon request. In the event that the property with the grandfathered sign is sold or otherwise transferred, or the sign is destroyed, then a new sign meeting the requirements of Section 4, shall be posted within 120 days of such transfer. All other nonconforming signs shall be removed within one (1) year of the re-adoption of this Ordinance and a new sign meeting the requirements set forth in Section 4 shall be installed. Any owner of a building that does not have a Building Number Sign, as required in Section 4 above, shall erect said sign within one (1) year of the re-adoption of this Ordinance.

6.2 Planned Communities

With respect to the Planned Communities (as that term is defined in the PA Planned Communities Act) within the Township that have a Property Owners Association (“Association”) or management company (“Company”), the said Association or Company shall be responsible for providing notification, in a manner acceptable to the Township, to the property owners of all improved properties within their development, to come into compliance with the provisions of this Ordinance within the one (1) year period set forth. The Association or Company shall also be responsible at the end of that one (1) year period for providing notification to any property owners of improved properties who have not erected a Building Number Sign in conformance with the requirements of this Ordinance and shall work with the Township to make a list of properties that are still not in compliance with the requirement set forth in Sections 4.1 and 6.1 of this Ordinance.

Section 7. Modifications of Requirements

7.1 Intent

The provisions of this Ordinance are intended as a minimum standard for the protection of the public health, safety, and welfare. If the literal compliance with any mandatory provision of these regulations is shown by a person responsible for the installation of a sign required by this Ordinance to be unreasonable or to cause undue hardship, as it applies to a particular sign, the Code Officer, after consultation with the Township’s emergency services (ambulance and fire) responders, as well as the Township Fire Commission, the Township Supervisors and/or the Township Solicitor, as may be applicable, may grant a modification or waiver from such mandatory provision, if the Code Officer determines that the intent of this Ordinance can be met. In granting such modification or waiver, the Code Officer shall establish a period of time for the waiver and prepare a written justification for the granting of same and keep it on file with the Township. A Certificate of Nonconformance shall be issued for such sign, noting that a modification or waiver was approved. However, the granting of a modification or waiver shall not have the effect of making null and void the intent and purpose of this Ordinance. An

example would be where an obstruction, such as a culvert pipe, interferes with the sign location required in Section 4.

7.2 Conditions

In granting modifications, the Code Officer may impose such conditions as will, in his/her sole discretion and judgment, substantially meet the objectives, standards and requirements of this Ordinance.

7.3 Procedure

All requests for modifications shall be in writing and shall include:

- a. The specific sections of this Ordinance in question.
- b. Provisions for the minimum modification necessary as an alternate to the requirements.
- c. Documentation, including photographs, and justification for the modification including the full grounds and facts of unreasonableness or hardship.

Section 8 Violations, Penalties & Remedies

8.1 Violations; Penalties

Any person or other legal entity, whether as principal or agent, who violates this Ordinance or assists or abets its violation, shall upon conviction thereof before any District Justice, be subject to the fines and penalties prescribed by the Pennsylvania Second Class Township Code, as amended. Each day of violation shall constitute a separate offense, for which a summary conviction may be sought. All fines collected for the violation of this Ordinance shall be paid to Lackawaxen Township.

8.2 Equitable and Other Remedies

In addition to the fines and penalties prescribed in 8.1, the Township may enforce this Ordinance by equitable, injunctive and other remedies of law, and shall recover from the violators reasonable attorney fees, court costs and other costs incurred by the Township in enforcing this Ordinance.

Section 9 Severability

Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole, or any parts thereof.

Section 10 Repealer

All other Ordinances or sections of ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

Section 11 Adoption

This Ordinance is hereby adopted and enacted this _____, 2014 and shall become effective five (5) days after its enactment.

LACKAWAXEN TOWNSHIP SUPERVISORS

Attest:

Township Secretary