

ORDINANCE NO. 1318

**AN ORDINANCE OF THE BOROUGH OF SOMERSET CREATING AN UPTOWN
SIGN DISTRICT, ESTABLISHING REGULATIONS FOR NEW SIGNS WITHIN
SAID DISTRICT, AND PROHIBITING REPLACEMENT OF EXISTING NON-
CONFORMING SIGNS REQUIRING SIGNIFICANT REPAIR OR
REPLACEMENT**

BE IT, AND THE SAME IS HEREBY ORDAINED AND ENACTED as follows:

1. Affected Area. The following regulations shall apply to the Uptown Sign District, which is hereby defined to be that portion of the Borough of Somerset bounded by:
 - Fairview Street on the North;
 - Kimberly Avenue on the East;
 - Patriot Street on the South;
 - Rosina Avenue on the West;which shall also include those portions of the Borough of Somerset that abut any of the boundary streets hereinabove identified which are on the opposite side of the street from the area enclosed by said boundary streets.
2. Materials.
 - a. Sign materials shall be consistent with, or at least complement, the original construction materials and architectural style of the building façade on which they are to be displayed.
 - b. All signs shall be made of wood, metal, or composite material designed to have the appearance of wood.
 - c. If plywood is used, it must have exceptionally smooth and weather resistant surfaces, such as those obtained with medium-density overlay ("MDO") board.
 - d. Internally lit plastic signs are out of context with the period and style of uptown buildings.
3. Size. Signs must have dimensions appropriate for the sign type and its location and placement. The signs must also not obscure important architectural details or features, as noted above.
 - a. Signs identifying commercial establishments shall generally be placed within a long, continuous information band immediately above the storefront or shall be applied directly onto the display window.
 - b. The information band shall generally be between 18" and 26" in its vertical dimension and must never be allowed to cover transom windows (just above the display windows) or the second floor windows.

- c. Signs on adjacent storefronts shall be coordinated in height and proportion and, wherever possible, shall use the same sign format (or they shall at least both employ identical backgrounds).
 - d. Not more than one and a half sq. ft. (1.5 sq. ft.) of total signage shall be permitted per linear foot of storefront.
 - e. If a building has frontage on two streets, the total sign surface area that is oriented toward a particular street may not exceed the portion of the building's total sign surface area allocation that is derived from frontage on that street.
4. Lettering. Lettering styles shall complement the style and period of the building on which they appear.
- a. Traditional block and curvilinear styles that are easy to read are preferred.
 - b. No more than two different type styles shall be used on the same sign, to avoid a cluttered appearance.
5. Measurement of Sign Area.
- a. Sign measurement shall be based upon the entire sign area of the sign, with a single continuous perimeter enclosing the extreme limits of the actual sign surface.
 - b. For a sign painted on or applied to a building, the area shall be considered to include all lettering, wording and accompanying designs or symbols, together with any background of a different color than the natural color, or finish material of the building.
 - c. For a sign consisting of individual letters or symbols attached to or painted on a surface, building, wall, or window, the area shall be considered to be that of the smallest rectangle or other shape which encompasses all of the letters and symbols.
 - d. The area of supporting framework (e.g. brackets, posts, etc.) shall not be included in the area if such framework is incidental to the display.
 - e. When a sign has two (2) or more faces, the area of all faces shall be included in determining the area, except where two faces are placed back to back and are at no point more than two (2) feet from each other. In this case, the sign area shall be taken as the area of either face, and if the faces are unequal, the larger shall determine the area.
6. Illumination
- a. The type of lighting that is most appropriate to the character of the uptown is direct illumination from a shielded light source. Internal illumination is prohibited, with the exceptions specified in this section.
 - b. Exceptions can be made for internally lit signs having individual letters with translucent faces, containing soft lighting elements inside each letter.

- c. Also, individual solid metal letters with internal lighting tubes that backlight the wall in a "halo" effect may also be allowed.
 - d. Neon window signs may be permitted in cases where they are custom designed to be compatible with the building's architectural character. Neon signs shall meet the same dimensional requirements as other signs in the district.
 - e. Illuminated signs shall not be permitted to shine directly onto adjacent properties or streets.
7. Number
- a. There shall be no more than three (3) types of signs employed per building, regardless of number of occupancies (e.g. freestanding, awning, window; or wall, window and awning).
 - b. Each ground floor occupant of a building shall not display more than two (2) signs.
 - c. Each occupant in an upper level of a building shall not display more than one sign.
8. Location
- a. Signs shall be concentrated near the pedestrian level.
 - b. The upper facades of buildings shall not be cluttered with signs.
 - c. Signs shall not obscure important architectural details or features such as windows, transom panels, sills, moldings, and cornices.
 - d. Wall signs identifying commercial establishments shall be placed within an information band immediately above the storefront. The information band shall be confined to the vertical distance separating windows on the ground and second floors, or shall be no more than two (2) feet in height, whichever is lesser.
 - e. Signs on adjacent storefronts within the same building shall be coordinated in height and proportion, and shall be encouraged to use the same signing format.
9. Colors
- a. Colors shall be chosen to complement, not clash with the façade color of the building.
 - b. Signs shall not normally contain more than three colors, except in instances of an illustration.
 - c. Dark backgrounds with light-colored lettering shall be required. Examples of preferred background colors are burgundy, red, forest green, chocolate brown, black, charcoal, and navy blue.
10. Awning Signs These are signs painted on or attached to the cover of a moveable metallic frame, of the hinged, roll, or folding type of awning.
- a. Such signs shall be painted on or attached flat against the surface of the awning, but not extend beyond the valance or be attached to the underside.

- b. Letters shall not exceed ten (10) inches in height.
 - c. A minimum of eight (8) feet above sidewalk level shall be allowed for pedestrian clearance.
11. Freestanding Signs These are self-supporting signs not attached to any building, wall, or fence, but in a fixed location. Can be pole sign or ground sign. Does not include portable or trailer-type signs, which are prohibited.
- Pole signs:
- o Shall not exceed 10 feet in height
 - o Maximum of 10 sq. ft. in area
 - o Minimum of 7 ft. ground clearance
- Ground signs:
- o Shall not exceed 4 feet in height
 - o Maximum of 16 sq. ft. in area
12. Marquee Signs A sign painted on, attached to, or consisting of an interchangeable copyreader, on a permanent overhanging shelter which projects from the face of a building.
- a. Such signs may be painted on or attached flat against the surface of, but not extending beyond or attached to the underside of the overhang.
 - b. Letters or symbols shall not exceed twelve (12) inches in height.
 - c. A minimum clearance of ten (10) feet above the sidewalk level shall be allowed for pedestrian clearance.
13. Moveable Signs
- a. Moveable signs shall be made only of metal, wood or composite materials, and stand on legs not over four (4) feet in total height.
 - b. Not included in total sign square footage allowable on property.
 - c. Maximum of 8 sq. ft. in area
 - d. Must be moved indoors during non-business hours.
 - e. Cannot be placed so as to impede pedestrian access to sidewalks and walkways.
 - f. Multiple tenant buildings limited to one moveable sign.
 - g. Not considered a sign category in determining the number of sign types set forth in Section 6(a).
14. Multiple Signs A group of signs clustered together in a single structure or compositional unit. Multiple signs are used to advertise several occupants of the same building or building complex.
- a. The display board shall be of an integrated and uniform design.
 - b. The maximum sign area permitted shall not exceed sixteen (16) sq. ft. for the sign bearing the name of the building or office complex, and four (4) sq. ft. for the name of each business or office located there.

15. Off-Premises Signs. Signs identifying businesses located off of the lot on which the sign is located shall not generally be permitted in this district.
16. Painted Wall Signs. A permanent mural or message painted directly onto a building surface.
 - a. Painted wall signs shall comply with the dimensional requirements of a wall sign.
17. Projecting Signs. A wall-mounted sign perpendicular to the building surface.
 - a. If flat, each face shall not exceed ten (10) sq. ft.
 - b. The total area of a three dimensional sign shall be determined by enclosing the largest cross-section of the sign in an easily recognizable geometric shape and computing its area which shall not exceed nine (9) sq. ft.
 - c. Projecting signs shall be hung at right angles to the building and shall not project closer than two (2) feet to the curb line.
 - d. The supporting framework shall be in proportion to the size of such sign.
 - e. The top of the sign shall be suspended in line with one of the following, whichever is the most successful application of scale, linear continuity, and visibility as determined by the Zoning Officer:
 1. Suspended between the bottom sills of the second story windows and the top of the doors and windows of the ground floor; or,
 2. The lowest point of the roof of a one-story building.
 - f. Projecting signs shall have a minimum clearance of eight (8) feet above grade when located adjacent to or projecting over a pedestrian way. If projecting over an alley or driveway, the clearance shall be at least thirteen (13) feet.
18. Wall Signs. A sign that is attached parallel to the exterior surface of a building or structure.
 - a. Signs shall not project more than fifteen (15) inches from the building surface.
 - b. Signs shall not obscure architectural features of the building, not limited to features such as arches, sills, moldings, cornices, and transoms.
 - c. Signs shall not extend above the lowest point of the roof, nor beyond the ends of the wall to which it is attached.
 - d. Wall signs shall not have an aggregate area not exceeding 1.5 sq. ft. for each lineal foot of building face parallel to a street lot line, or ten percent (10%) of the wall area to which it is attached, whichever is less. Where a lot abuts more than one street, the aggregate sign area facing each street frontage shall be calculated separately.

- e. Where two (2) or more wall signs are affixed to one wall, the gross display area shall be the sum total of all signs.
 - f. Wall signs shall not extend higher than the eave line or top of the parapet wall of the principal building.
 - g. No part of a wall sign, including the display surface, shall extend more than six (6) inches from the building surface.
19. Window Signs. Any sign which is painted or mounted onto a windowpane, or which is hung directly inside the window with the purpose or effect of identifying any premises from the street or sidewalk.
- a. Window signs shall not exceed more than thirty percent (30%) of the window area in which they are displayed.
 - b. Non-temporary signs hung inside windows shall be made of clear materials such as Plexiglas with lettering painted on them.
 - c. Not included in total sign square footage allowable on property.
20. Prohibited Signs. The following signs are not permitted in the Uptown Sign District:
- a. Billboards, streamers, pennants, spinners or other similar devices. Exceptions include flags and buntings, and other decorations exhibited to commemorate national holidays, and temporary banners announcing charitable or civic events.
 - b. Flashing signs, roof signs, signs containing moving parts or messages, and signs containing reflective elements which sparkle or twinkle in the sunlight are not permitted. Signs indicating the current time and/or temperature are permitted provided they meet all other provisions of these regulations.
 - c. No sign shall be larger than sixty-four (64) sq. ft.
 - d. No sign, except for traffic, regulatory, or informational sign, shall use the words "stop," "caution," or "danger," or shall incorporate red, amber, or green lights resembling traffic signals, or shall resemble "stop" or "yield" signs in shape or color.
21. Non-Conforming Signs to be Replaced. Whenever any non-conforming sign comes into significant disrepair, or it to be replaced, no such non-conforming sign shall be replaced with another non-conforming sign. Significant disrepair shall mean a condition of a sign and/or its supporting structure which has been rendered unsightly and/or unsafe by reason of wear and/or casualty.
22. Attached Figures. The attached Figures labeled 1 through 9 are intended to be used only as examples and aids in interpreting and construing this Ordinance, but are not intended to be a part of this Ordinance. Should any conflict be detected between the terms of this Ordinance and the Figures, the text of this Ordinance shall control.

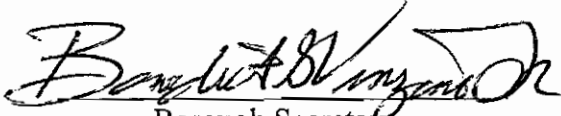
23. Repeal of Inconsistent Provisions. All existing ordinances or parts thereof that are inconsistent herewith are hereby repealed.

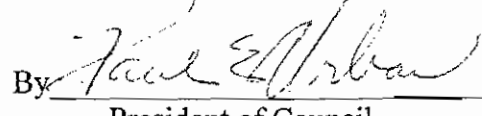
24. Effective Date. This Ordinance shall take effect thirty (30) days following final adoption.

ENACTED AND ORDAINED this 30th day of October, 2006, by the Borough Council of the Borough of Somerset.

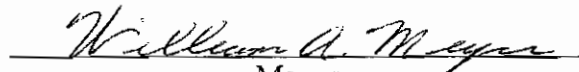
ATTEST:

BOROUGH OF SOMERSET



Borough Secretary

By 
President of Council

APPROVED this 30 day of October, 2006.


Mayor

This is to certify that the above is a true copy of an ordinance adopted and signed on October 30, 2006, and advertised in the Somerset Daily American on October 18, 2006.


Borough Secretary

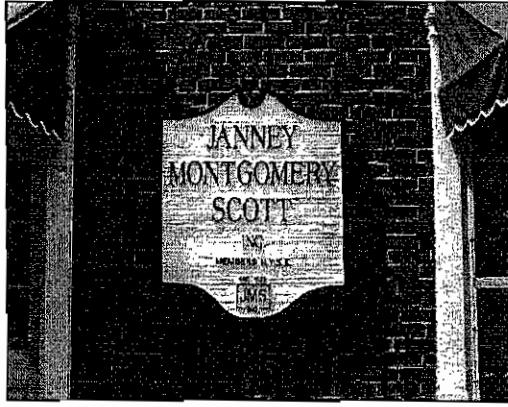
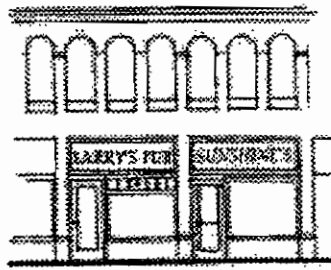


Figure 1 - Traditional style sign using composite material.

Figure 2



These signs block building Elements and create a chaotic image



These signs complement the building form and create a more orderly appearance.

Figure 3 - Letter Styles

F
M

Utilize simple serif or san serif alphabet

B

Avoid corny lettering styles

HARD TO
READ

Discourage typefaces which are hard to read

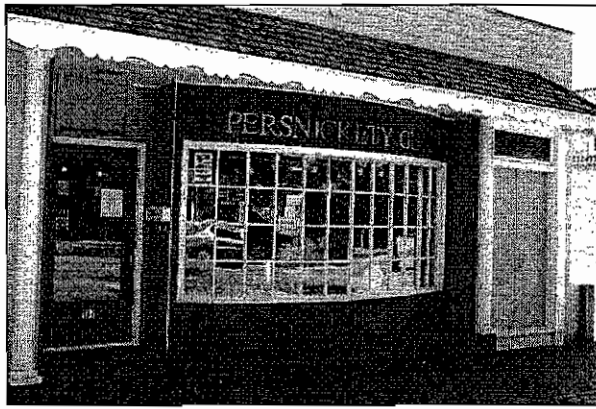


Figure 4 - Wall sign showing proper location above storefront



Figure 5- Small pole sign. Attractive lettering and landscaping.

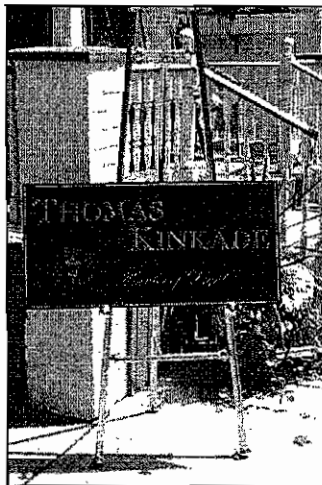


Figure 6 - Moveable sign.



Figure 7 - Multiple tenant wall sign.

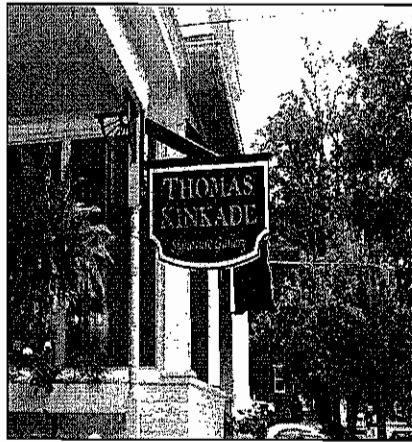


Figure 8 - Projecting sign.

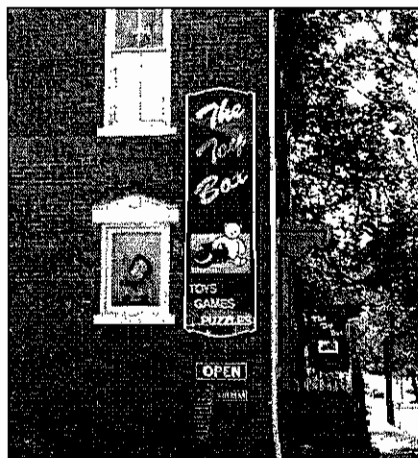


Figure 9 - Wall sign.