

SAXONBURG HISTORIC OVERLAY DISTRICT ORDINANCE

ORDINANCE NO. 428

Borough of Saxonburg, Pennsylvania

An Ordinance of Saxonburg Borough creating a historic district, defining its limits, providing for the appointment of a Historical Architectural Review Board (HARB) to give recommendations to Saxonburg Borough Council regarding the issuance of Certificates of Appropriateness Permits in connection with the granting or refusal of Permits within the Historic District and for appeals from such refusals.

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ARTICLE I

Section 100 – Legal Authorization

Pursuant to authority contained in the Act of June 13, 1961, Public Law 282, No. 167, as amended there is hereby created a historic district within the Borough of Saxonburg.

This Ordinance shall be known and may be cited as the Borough of Saxonburg Historic Overlay District Ordinance.

Section 101 – Purpose

This District is created for the following purposes: Pursuant to Article I, Section 27 of the

1. Pennsylvania Constitution, which states that:

The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and aesthetic values of the environment. Pennsylvania's public natural resources are the common property of all the people, including generations yet to come. As trustees of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people.

Now therefore it is the purpose and intent of the Borough of Saxonburg to promote, protect, enhance, perpetuate, and preserve historic districts through the preservation, protection and regulation of buildings, structures, appurtenances, and areas of historic interest or importance within the Borough of Saxonburg; to safeguard the heritage of the Borough by preserving and regulating historic districts which reflect elements of its educational, cultural, social, economic, political, and architectural history; to preserve and enhance the environmental quality of neighborhoods; to strengthen the Borough's economy and civic pride through recognition that visitors are interested in Saxonburg's historic past; to establish and improve property values; to foster economic development; and to preserve and protect the cultural, historical and architectural assets of the Borough for which the Borough of Saxonburg has been determined to be of local, state and national, historical and architectural significance.

ARTICLE II

Section 200 – Delineation of Historic Districts

The Historic District Map of the Borough of Saxonburg shall be located in the office of the Code Enforcement Officer and made available for public inspection.

The Borough of Saxonburg Historic District is described as follows:

100 – 313, 324, 328, 332 West Main Street

101 – 103 South Rebecca Street

105 – 135 North Butler Street

and conforms to the boundaries of the National Register Historic District as established by the Pennsylvania Historical and Museum Commission and the National Trust for Historic Preservation.

ARTICLE III

Section 300 – Definitions – For the purpose of this ordinance, all words used in the present tense include the future tense. All words in the plural number include the singular number and all words in the singular number include the plural number, unless the natural construction of the word clearly indicates otherwise. The word “shall” is mandatory. The word “used” includes “designated, intended, built, or arranged to be used.”

Section 301 – Definitions

- A. Alteration – Any change, modification or addition to a part or all of the exterior of any building or structure which is visible from the public way.
- B. Appurtenance – Any structure or object subordinate to a principal structure or site located within a listed property and visible from the public way.
- C. Building – Any structure, either temporary or permanent, having a roof or other covering and designed for shelter or enclosure of any person, animal, property, or vehicle of any kind, including tents and awnings situated on private property and used for purposes of a building.
- D. Building or Demolition Permit – An approval statement signed by the Code Enforcement Officer authorizing the construction, alteration, reconstruction, repair, restoration, demolition or razing of all or a part of any building, structure or appurtenance listed in the Borough of Saxonburg Historic District.
- E. Building Permit Application – The form filed by any person with the Code Enforcement Officer that seeks authorization to erect, alter, reconstruct, repair, restore, demolish, or raze all or a part of any building, structure or appurtenance listed in the Borough.
- F. Code Enforcement Officer – A municipal employee of or individual retained by the Borough of Saxonburg designated by the Borough as the individual who enforces compliance of building and fire codes.
- G. Certificate of Appropriateness – The permit signed by Saxonburg Borough Council which certifies approval of the historical appropriateness of an application for the erection, alteration, reconstruction, restoration, demolition, or razing of all or a part of any building, structure or appurtenance within a historic district.
- H. Completed Certificate of Appropriateness Permit Application – A completed Certificate of Appropriateness Permit Application is a form which conforms to the submittal criteria for specific historical projects, as determined by the Historic Overlay District Ordinance and is reviewed by the Code Enforcement Officer and the Historical Architectural Review Board (HARB).
- I. Construction – Any or all work necessary for the erection of a building or structure from a combination of materials that form a safe and stable structure.
- J. Demolition – The dismantling or tearing down of all or part of any building, structure or appurtenance.
- K. Demolition by Neglect – The absence of routine maintenance and repair which can lead to a building’s, structure’s or appurtenance’s structural weakness, decay and deterioration resulting in its demolition either in whole or in part.
- L. Demolition Request Due to Financial Hardship – The filing of a Certificate of Appropriateness Permit and/or Building Permit application for demolition or razing in which certain supplemental criteria is used to determine if any unusual and compelling

- circumstances or substantial economic hardship exists for the applicant in retaining the building or structure.
- M. Design Guidelines – The document adopted by HARB that sets forth the architectural, historical and cultural characteristics of a building, structure, appurtenance and site in the Borough of Saxonburg and provides design guidance for appropriate maintenance, construction, alteration, reconstruction, restoration, rehabilitation and repair.
 - N. Erection – The result of construction such as a building, structure, monument, sign, or appurtenance on the ground or on a structure or building.
 - M. Historical Architectural Review Board (HARB) - The advisory board that provides a resource within the community and that reviews Certificates of Appropriateness Permit applications for properties located within the historic district and makes recommendations to Saxonburg Borough Council concerning the issuance of such Permits.
 - O. Preservation - The act or process of applying measures to stabilize and sustain the existing form, style, integrity, and material of a building or structure.
 - P. Reconstruction – The act or process of reproducing by new construction the form and detail of a vanished building, structure, or appurtenance, or a part thereof, as it appeared at a specific period of time but not necessarily of original material.
 - Q. Rehabilitation – The process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural and cultural values.
 - R. Repair – Any or all work involving the replacement of existing work with equivalent material for the purpose of maintenance. Repair does not include any addition, change or modification of a building or structure and may or may not require a Building Permit.
 - S. Restoration – Any or all work connected with returning or restoring a building or part of any building to its original condition through the use of original or nearly original material.
 - T. Saxonburg or Borough of Saxonburg – Saxonburg Borough Council, the governing body of the borough.
 - U. Sign – Any display, structure, device or object which incorporates lettering, logos, colors, lights, or illuminated inert gas tubes visible to the public from a building or structure, which either conveys a message to the public, or intends to advertise, direct, invite, announce, or draw attention to goods, products, services, activities, or facilities, excluding window displays, merchandise and temporary signs.
 - V. Structure – Anything constructed or erected, having a permanent or semipermanent location on another structure or in the ground, including without limitation buildings, sheds, manufactured homes, garages, fences, gazebos, freestanding signs, billboards, antennas, satellite sending or receiving dishes, vending machines, decks, and swimming pools.

ARTICLE IV

Section 400 – Historical Architectural Review Board.

- A. Establishment of a Historical Architectural Review Board, hereafter referred to as HARB, is hereby authorized. HARB is to be composed of seven (7) or nine (9) members appointed by Saxonburg Borough Council. The membership of HARB shall be as follows:
- One (1) member shall be a registered architect;
 One (1) member shall be a licensed real estate broker;
 One (1) member shall be the Code Enforcement Officer;
 Four (4) or six (6) member(s) shall be person(s) appointed by Saxonburg Borough Council from a list of applicants, who are Borough residents and/or Borough property owners within the historic district, and/or from the community at large. Appointees shall have demonstrated interest, knowledge, ability, experience or expertise in the preservation of Saxonburg's historic buildings, structures and districts.
- B. Initial Terms of the first members shall be so fixed that no more than three (3) members shall be replaced or reappointed during any one calendar year. However, every member shall continue in office after expiration of the term until a successor has been appointed. Their successors shall serve for a term of three (3) years. The position of any member who ceases to be so engaged shall be automatically considered vacant. An appointment made immediately to fill a vacancy shall be only for the unexpired portion of the term.
- C. It shall be the duty of each HARB member to remain conscious of and sensitive to any possible conflict of interest, including financial considerations, that may arise by virtue of his or her membership on the HARB. A member, promptly upon determining he has a conflict relative to any matter brought before HARB, shall disqualify himself from participating, in any manner, publicly or privately.

Section 401 – Organization of HARB

- A. Advisory Role – HARB shall provide recommendations to Saxonburg Borough Council regarding the advisability of issuing any Certificate of Appropriateness Permit required to be issued, in accordance with the said Act of June 13, 1961, as amended and this ordinance.
- B. Organizational Rules– HARB may make and alter rules and regulations for its own organization and procedure, provided that they are consistent with the laws of the Commonwealth and all provisions of this ordinance.
- C. Removal of Members – Any board member may be removed for malfeasance or misfeasance or non-feasance pursuant to this Act, or for any other just cause by a majority vote of Saxonburg Borough Council, but not before the member has been given the opportunity of a hearing.
- D. Annual Reports – The members of HARB shall make an annual report to Saxonburg Borough Council, which shall include:
1. Recommendations for changes in the ordinance;
 2. Number and types of cases reviewed;

3. Number of cases for which a Certificate of Appropriateness Permit was either approved or denied;
 4. Number of HARB meetings which each member attended;
 5. Historic preservation/administration related training which each member attended;
 6. Narrative summary describing the state of preservation in the Borough with recommendations in policy, goals, and objectives for Saxonburg Borough Council consideration.
- E. Expenditures – Saxonburg Borough Council may appropriate funds for legal, secretarial, clerical, consultant and other technical assistance. HARB members shall serve without compensation, except that Borough Council may reimburse members for expenses incurred in the performance of their functions.
- F. Meetings – HARB shall meet publicly at least once a month and hold any additional meetings it considers necessary to carry out its functions. Meetings shall be opened to the public. A majority of HARB shall constitute a quorum and action taken at any meeting shall require the affirmative vote of a majority of the members present.
- G. Training – HARB members and HARB support staff shall be required to attend a minimum of six (6) hours annually of seminars, conferences, workshops or field trips related to historic preservation and HARB administration.

Section 402 – Functions of HARB

- A. To provide recommendations to Borough Council regarding the advisability of issuing a Certificate of Appropriateness Permit in accordance with the Act of June 13, 1961, as amended, and this Ordinance.
- B. To assist owners of historic buildings, structures, appurtenances and sites of historic preservation and restoration strategies for rehabilitation, repairs, maintenance and construction and available economic and tax incentives associated with such.
- C. To formulate an appropriate system of markers for selected historic and/or architectural sites and buildings including their installation and care.
- D. To formulate recommendations concerning the preparation and publication of maps, brochures and descriptive material about the Borough's historical and/or architectural sites and buildings and to promote public interest in the Borough's historic resources.
- F. To conduct a survey with pertinent facts of buildings, structures and appurtenances for the purpose of determining those of historic and/or architectural significance.
- G. To revise the detailed listing of the historic resources, appropriately classified with respect to local, state and national significance.
- H. To cooperate with and advise Saxonburg Borough Council and other Borough agencies in matters involving historically and/or architecturally significant sites and buildings.
- I. To cooperate with and enlist assistance from the National Park Service, the National Trust for Historic Preservation, Preservation Pennsylvania, the Pennsylvania Historical and Museum Commission and other agencies, public and private, from time to time, concerned with the preservation of historic sites and buildings.

ARTICLE V

Section 500 – Design Guidelines

I. In determining the recommendations to be made to Saxonburg Borough Council concerning the issuance of a Certificate of Appropriateness Permit, the HARB shall consider the following:

- A. The purpose of this Ordinance.
- B. The United States Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitation, Restoring and Reconstructing Historic Buildings.
- C. The effect of the proposed change upon the general historical and architectural nature of the Historic District.
- D. The appropriateness of the exterior architectural features, which can be seen from a public way, and of such features being capped with artificial materials.
- E. The general design, arrangement, texture and material (with limited exterior color recommendations) of a building, structure or appurtenance and the relation of such factors to similar features of buildings, structures or appurtenances in the Historic District.
- F. The height of any proposed modification to a building or structure, or of a new building or structure, exceeding the height of the tallest adjacent building or structure by more than ten (10) percent.
- G. Inappropriate, incompatible or destructive substitute materials or materials that have the potential to be destructive to the original fabric of a building or structure.
- H. Inappropriate, incompatible or artificial materials on masonry walls, such as brick chimneys and stone foundations,

II. **Adverse Economic Impact** - The HARB shall consider the financial feasibility of its recommendations in response to a request for a Certificate of Appropriateness Permit and/or Building Permit which the applicant has deemed financially unfeasible. Financial feasibility shall be determined by the HARB on the basis of an unreasonable cost for repair or replacement in-kind of whole or part of a building or structure.

- A. An applicant shall submit a minimum of three (3) estimates from bona fide contractors and/or vendors substantiating a claim that the financial feasibility of repair or replacement in-kind of whole or part is unreasonable.
- B. HARB considers the condition of said architectural feature based on its inspection or report from the Code Enforcement Officer or consultant.
- C. HARB shall assist the applicant with consideration for alternative methods and materials to include determination of financial incentives.

III. **Relationship to Existing Saxonburg Borough Ordinances**

- A. In addition to the above the Borough of Saxonburg zoning ordinance shall be so amended as to be compatible with the Historic Overlay District Ordinance.
- B. All other Borough of Saxonburg laws and ordinances shall be complied with, including the zoning, fire and subdivision ordinances.

ARTICLE VI

Section 600 – Application Procedure

I. Certificate of Appropriateness Permit Requirements

- A. Except for interior alterations, no person shall erect, construct, reconstruct, alter, restore, demolish, raze or change in appearance, any building or structure, in whole or in part, which is visible from a public way, within the Historic District, without first notifying the Code Enforcement Officer and obtaining a Building Permit and/or a Certificate of Appropriateness Permit issued by Saxonburg Borough Council.
- B. The Certificate of Appropriateness shall not be limited to work requiring a Building Permit according to the presently enacted ordinance, but will include building design, arrangement, texture and material which can be seen from a public way. This includes, by way of example, replacement or major repair of windows, doors, cornices, trim or other non-structural elements and other work affecting the visual appearance of the building, structure or appurtenance, as defined in this ordinance.
- C. No sign shall be erected, placed, altered, located or relocated anywhere in the Historic District until a Certificate of Appropriateness Permit is issued by the Code Enforcement Officer.

II. Application Review Procedure

- A. Code Enforcement Officer (CEO) Function - Upon receipt of an application for a Building Permit and/or a Certificate of Appropriateness Permit for work to be done in the Historic District, the CEO shall act in accordance with the procedures being followed in that office, except those procedures that are modified by the following requirements:
 - 1. The CEO shall forward copies of the completed application(s) for any permit(s) together with copies of any plot plan, building plans and specifications filed by the applicant to HARB.
 - 2. The CEO shall not issue a Certificate of Appropriateness Permit and/or a Building Permit for any erection, alteration, reconstruction, repair, restoration, demolition or razing of all or part of any building in the Historic District until HARB has approved the application and Saxonburg Borough Council has issued a Certificate of Appropriateness Permit. However, in the case of routine repairs that are minor and clearly meet the Design Guidelines in Section 500, the CEO, after HARB review, may issue a Certificate of Appropriateness Permit in conformance with Section 600-I. A,B of this Ordinance.
 - 3. If the CEO issues a Building Permit without a Certificate of Appropriateness Permit due to an administrative or clerical error said Building Permit and related work shall be considered on hold until a Certificate of Appropriateness Permit is issued.
 - 4. The CEO shall require applicants to submit a sufficient number of additional copies of material required to be attached to a completed

application for a Building Permit and/or Certificate of Appropriateness Permit so that the information needed to make the determination set forth in Section 600, will be available.

5. The CEO shall maintain in his office a record of all applications and final dispositions of the same.
- B. HARB Review of Applications – Upon receipt of a completed Building Permit or Certificate of Appropriateness Permit application under the jurisdiction of this Ordinance, HARB shall consider such at its next regularly scheduled meeting or special meeting.
 - C. Notification of Application of HARB Meeting – The person(s) applying for a Permit shall be advised of the time and place of said meeting and encouraged to attend. HARB may invite such other persons as it desires to attend its meeting.
 - D. Design Guidelines – In determining recommendations to be presented to Borough Council concerning the issuance of a Building Permit and/or a Certificate of Appropriateness Permit, HARB shall consider the Design Guidelines set forth in Section 500.
 - E. Time Frame for HARB Decision – HARB shall render a decision and recommendation on any application for a Permit under its review no later than one month after the hearing/meeting provided for in Section 601 unless the applicant waives the time limit in writing. HARB shall submit, in writing to Saxonburg Borough Council recommendations concerning the issuance of a Certificate of Appropriateness Permit.
 - F. Application Disapproval by HARB – If the HARB decides to advise against the granting of a Certificate of Appropriateness Permit, it shall so indicate to the applicant in writing as provided in G of this section. The disapproval shall indicate to the applicant the changes in plans and specifications, if any, which would protect the distinctive historical character of the historic district and the architectural integrity of the building or structure. If the applicant determines that necessary changes will be made, the applicant shall so advise the HARB in writing and consent to the changes will be reflected in HARB's written report to Borough Council.
 - G. Contents of Written Report – The written report to Saxonburg Borough Council concerning HARB's recommendations on the issuance of a Certificate of Appropriateness Permit shall set out the findings of fact that shall include but not be limited to the following matters:
 1. The exact location of the area in which the work is to be done.
 2. The exterior changes to be made or the exterior character of the structure to be erected.
 3. A list of the surrounding structures with their general exterior characteristics.

4. The effect of the proposed change upon the general historic and architectural characteristics of the District.
5. The appropriateness of exterior architectural features of the building, which can be seen from a public way.
6. The general design, arrangement, texture, and material of the building or structure and the relation of such factors to similar features of buildings and structures in the Historic District.
7. The opinion of HARB (including any dissent) as to the appropriateness of the work proposed as it will preserve or destroy the historic character of the District.
8. The specific recommendations of HARB as to the issuance by the Saxonburg Borough Council, or its refusal to issue a Certificate of Appropriateness Permit.

I. Notification of Applicant by Saxonburgh Borough Council - Upon receipt of the written report from HARB as provided in G of this section, Borough Council shall consider at the next regularly scheduled or special meeting, the question of issuing a Certificate of Appropriateness Permit and/or a Building Permit, authorizing for work covered by the application.

1. The applicant shall be advised by the Borough Secretary of the time and place of the meeting at which the application shall be considered and the applicant shall be encouraged to attend.

J. Approval - If Saxonburg Borough Council approves the application, it shall issue a Certificate of Appropriateness Permit.

K. Disapproval - If Saxonburg Borough Council disapproves, a written reason(s) shall be given to the Code Enforcement Officer, the applicant and to other pertinent local and state agencies. The disapproval shall indicate what changes in the plans and specifications would meet the conditions for protecting the distinctive historical character of the district and the architectural integrity of the building, structure or appurtenance.

1. Upon receipt of a written disapproval of Borough Council the Code Enforcement Officer shall disapprove the application for a building permit and so advise the applicant.
2. The applicant may appeal from the disapproval as provided by law.

L. Final Notification by Saxonburg Borough Council – In either case of approval or disapproval the Saxonburg Borough Council shall notify the applicant of its decision within five (5) working days of its meeting at which the application was considered. If the Borough fails to notify the applicant of its decision, it shall be assumed, as a matter of law, that the application is deemed approved, unless the applicant waives the time limit in writing.

Section 601 – Review Procedure for a Certificate of Appropriateness Permit

- A. A completed application as determined by a criteria developed by the Historical Architectural Review Board is submitted to the Code Enforcement Officer. (Refer to Section 600)
- B. The Code Enforcement Officer sends a completed application for review to the Historical Architectural Review Board (HARB). (Refer to Section 600)
- C. The Historical Architectural Review Board reviews the application and if necessary, sets a hearing/meeting date with the applicant to review the application. From the hearing/meeting date or if none is necessary, HARB will review the application at its next regularly scheduled or special meeting. (Refer to Section 600)
- D. The Historical Architectural Review Board makes a decision within one month if it is satisfied that it has all the information that it requires to review the proposed project. It then notifies the Code Enforcement Officer and Saxonburg Borough Council of its recommendations. (Refer to Section 600)
- E. Saxonburg Borough Council considers the application and HARB's recommendations at its next regularly scheduled meeting or special meeting. (Refer to Section 600)
- F. Saxonburg Borough Council makes a decision and then notifies the applicant within five (5) working days after its meeting. (Refer to Section 600)

ARTICLE VII

Section 700 – Demolition Request

I. Demolition

- A. Demolition or razing should be considered by a property owner only after all other options have been exhausted.

II. Claim of Economic Hardship

- A. Unreasonable Economic Hardship - An applicant claims he/she is unable to obtain a reasonable return or a reasonable beneficial use from a building, structure, or appurtenance and seeks Permit(s) to demolish said building, structure or appurtenance.
- B. Required Information – The owner of record shall submit by affidavit to the HARB and/or its consultant, some or all of the information below, at the discretion of the HARB:
 - 1. Date the property was acquired by its current owner.
 - 2. Price paid for the property (if acquired by purchase) and a description of the relationship, if any, between the buyer and the seller of the property.
 - 3. Mortgage history of the property, including current mortgage and the annual debt service, if any, for the previous two (2) years.
 - 4. Current market value of the property, determined by a certified real estate appraiser.
 - 5. Equity in the property.
 - 6. Past and current income and expense statements for the past two (2) years.

7. Past capital expenditures during ownership of current owner.
8. Appraisals of the property obtained within the previous two years.
9. Income and property tax factors affecting the property.
10. All appraisals obtained within the previous two (2) years by the owner or applicant in connection with purchase, offerings for sale, financing or ownership of the property, or state that none was obtained.
11. All studies commissioned by the owner as to profitable renovation, rehabilitation or utilization of any building, structure, or appurtenance on the property for alternative use, or a statement that none were obtained.
12. Estimate(s) of the cost of the proposed erection, reconstruction, alteration, restoration, demolition or razing and an estimate(s) of any additional cost(s) that would be incurred to comply with the recommendations of the HARB for changes necessary for it to approve a Certificate of Appropriateness Permit.
13. Form of ownership or operation of the property, whether sole proprietorship, for-profit or nonprofit corporation, limited partnership, joint venture or other.

- C. HARB may require that an applicant furnish additional information relevant to its determination of unreasonable economic hardship.
- D. All information obtained by HARB and/or its consultant is to be considered confidential and any breach of such confidentiality will result in action by Saxonburg Borough Council against the offending member(s) and/or consultant(s) and may include fines and expulsion from HARB and its contractual arrangements.

III. HARB Considerations - Should the HARB determine that the owner's present return is not reasonable, it must consider other options, such as

- A. Other uses currently allowed that would provide a reasonable return including an investment in such rehabilitation.
- B. A recommendation to Saxonburg Borough Council that special economic incentives be developed to assist the owner of the resource in maintaining it and obtaining a suitable economic return or achieving a reasonable beneficial use.
- C. Seek the assistance of appropriate local, state or national preservation organizations in developing solutions, which would relieve the owner's economic hardship.
- D. If the HARB provides a plan to explore such options, the Saxonburg Borough Council may delay issuing a Certificate of Appropriateness for demolition on the basis of economic hardship for a period of ninety (90) days in addition to time periods otherwise applicable.

IV. HARB approval of Demolition Request - Should the applicant satisfy the HARB that he will suffer an unreasonable economic hardship if a Certificate of Appropriateness Permit is not approved, and should the HARB be unable to develop with the Borough or appropriate local, state and national preservation organizations, a solution which can relieve the owner's economic hardship, the HARB must recommend a Certificate of Appropriateness Permit for Demolition.

- V. **HARB Recommendations** –If the HARB recommends and Saxonburg Borough Council approves the demolition of a historic building, structure or appurtenance, the following recommendations are to be made:
- A. A good faith effort shall be made by the Saxonburg Borough Council and the owner(s) of the building, structure or appurtenance, to move the building/structure to a proximate site.
 - B. If moving is economically or practically infeasible, efforts shall be made to salvage architectural features of the building, structure or appurtenance, for use within the Borough.
 - C. None of this is intended to make the Borough of Saxonburg responsible for any costs other than that which it decides to incur.
- VI **Demolition by Neglect**
- A. All buildings, structures and appurtenances within the Borough of Saxonburg Historic District are considered local, state and national historic resources and shall be maintained in good repair, structurally sound and reasonably protected against decay and deterioration.

ARTICLE VIII

Section 800 – Signs

- A. No sign or permanent external advertising display of any kind shall be erected, altered or used in the historic district except for advertising to, or informing the public of, a service, business, occupation or profession carried on, in or about the property on which such sign or permanent external advertising display appears. In conjunction with this, no such sign or advertising display of any kind or for any purpose shall be erected or altered notwithstanding zoning sign approval, until an application for a Certificate of Appropriateness Permit to make such erection or alteration has been approved. HARB reviews the application for the signs conformity in exterior material composition, exterior structural design, external appearance and size with similar advertising or information media used in the architectural period of the district and a permit granted thereon.
- B. All other requirements of any Borough Ordinance must be complied with. Historical markers may be authorized by HARB subject to the provisions stipulated and such markers shall not be considered as signs but are to be erected in accordance with the requirements established for historic markers by HARB.
- C. Signage will contain the following purpose and/or intent: to promote commerce and protect property values; to promote safety, convenience and well-being of the users of streets, roads and highways; to avoid distractions and obstructions from signs which would adversely affect vehicular and pedestrian safety and to alleviate hazards caused by signs projecting over or encroaching upon public ways; to avoid excessive visual competition in signs and ensure that signs aid orientation and adequately identify uses and activities to the public.

To preserve or enhance the Borough's unique historic character by requiring new and replacement signs, which encourage distinctive design in the overall image and visual environment of the Borough and its Historic District and are compatible with the surroundings, including historic building period styles and the streetscape, in order to

enhance the appearance of the business community and to stimulate the economic vitality of the Historic District. Signs should be appropriate to the type of activity they identify. To ensure that signs are adequate, but not excessive for their intended purpose, they should be expressive of the identity of individual proprietors or of the community as a whole. Signs should be readable by virtue of size, the spacing and the proportion of the lettering, with all advertising messages conforming to Business and Advertising signs as provided as examples in the Saxonburg Design Guide.

Section 801 – Definitions of Signs

- A. Advertising Sign – a sign which directs attention to a business, product, service or activity, sold or conducted at a location other than upon the premises where the sign is located.
- B. Animated Sign – a sign with action or motion or whose illumination is not kept at constant intensity at all times when in use and which exhibits changes in light, color, direction or animation.
- C. Awning – any structure made of a folding frame covered with flexible material that is attached to the building and projects from it when in use and can be retracted to a position flat against the building when not in use.
- D. Awning Sign – a sign painted on or attached to the cover of a movable frame of the hinged, roll or folding type of awning.
- E. Banner – a temporary, decorative sign made of flexible material, mounted on poles, wires or on the façade of a building which has symbolic significance or which proclaims greetings, holidays or special occasions.
- F. Business Sign – a sign which announces or directs attention to a business, product, service or activity sold or conducted on the premises where such sign is located.
- G. Canopy – a frame with standards and covered with flexible or inflexible material, attached to a building and which functions as a shelter extending from a doorway over a walkway.
- H. Cornerstone – a stone set into the wall of a building or structure, normally at a corner, identifying on its face the date of construction of the building or structure and/or the name of the organization which erected or which owns the building or structure and other matter pertinent to the nature of the organization.
- I. Date Stone-Date Sign – a stone set into a wall of a building or structure or any plaque, board or numerals, painted or attached to the wall of a building or structure to identify the date of its construction. A cornerstone bearing only a date is also a date stone.
- J. Decorative Flag – a sign made of a flexible material, mounted on poles, wires or on the façade of a building, which is not the official symbol of national, state and local government and agencies, past and present, or private corporations.
- K. Fixed Canopy – a frame covered with either flexible or inflexible material which functions as a shelter and may or may not be attached to a building.
- L. Flag – a sign made of flexible material mounted on poles, wires or on the façade of a building, which is the official symbol of national, state or local government or any agency, past and present, or private corporation.

- M. Free Standing Sign – a sign which is supported by uprights, columns, or pole(s) etc., in or upon the ground and not attached to any building. A sign attached to a flat surface not a part of the building, such as a fence or wall, shall be considered a free standing sign.
- N. Frontage – that linear footage of a business property along a public street, way or alley and which includes the main entrances(s).
- O. Ground Sign - Monument Sign – a free standing sign, the bottom of which is less than one (1) foot above the ground and not attached to any building.
- P. No Impact Home Based Business – Home Office Identification – a use which is incidental or secondary to the residential use of a dwelling and which is conducted entirely within the dwelling by a resident.
- Q. Identification Sign – a sign which identifies only the occupant of the premises, the profession of an occupant and/or the name of the building upon which the sign is placed.
- R. Illuminated Sign – a sign incorporating a source of light in order to make the message readable.
- S. Marquee – a permanent structure extending out from the front of a building, typically over the entrance, for advertising events or programs that change frequently.
- T. Memorial Plaque – a sign attached to the wall of a building or structure and which provides information commemorating a person or event pertinent to the history of the building or structure or events occurring on the site.
- U. Minor Sign Change - change in the wording of a sign that does not affect color, style of lettering, symbols, shape, size, lighting or suspension; and/or relocation of a sign that will not affect the historic character of a building or streetscape as determined by the Code Enforcement Officer.
- V. Mobile Sign – Signs mounted on vehicles or trailers to be moved by vehicles for easy mobility other than signs permanently fixed to or painted on vehicles which identify the vehicles as those used by the particular business in its day-to-day operations. Under no circumstances shall a temporary mobile sign whether lit internally or upon which lights are moving or attached be permitted for any use in a Historic District.
- W. Moveable Sign – any portable sign standing in front of or on the premises of a business for the purpose of advertising daily specials or other current matters related to the business and which is removed at the close of each business day.
- X. Obsolete Sign – A sign designating or advertising a business, product, or event no longer existing, being offered, or occurring.
- Y. Pennant – a flag or banner that measures greater in length than in height and which often tapers to a point.
- Z. Projecting Sign – a sign which is attached to a building or other structure and extends beyond the front line of said building or structure.
- AA. Public Service Sign – a sign providing information or instructions for public convenience.
- BB. Reviewable Sign – any new sign or proposed change to an existing sign affecting color, style of lettering, symbols, shape, size, lighting or suspension; and/or relocation of a sign

that will affect the historic character of a building or streetscape, as determined by the HARB.

- CC. Sign – any display, structure or device, excluding window displays and merchandise, which incorporates lettering, logos, colors, lights or illuminated inert gas tubes visible to the public from outside of a building or from a traveled way which either conveys a message to the public or intends to advertise, direct, invite, announce or draw attention to, directly or indirectly, goods, products, activities, services or facilities available on the property bearing the sign.
1. A separate structure with flat or curved surfaces upon which information is portrayed, including its supporting element.
 2. A structure or device attached or fastened to another structure, such as a wall or roof of a building, upon which information is portrayed.
 3. Direct Elements of Signage include:
 - a. Lettered signs of all kinds
 - b. Sign supports, frames and mounts
 - c. Sign materials and structural elements
 - d. Sign ornaments, symbols, colors, shapes and configurations
 - e. The positions and sizes of signs relative to buildings and other adjacent objects
 - f. The impact of signs on the streetscape or in the neighborhood
 4. Indirect forms of advertising include:
 - a. The style and construction of the building
 - b. The ornamentation and colors on the building
 - c. The tidiness of the building site
 - d. The overall appearance of the building
 - e. The condition and state of repair of the building
 - f. The appropriateness and enhancement value of temporary furnishings and features
 - g. Sample products displayed outside the building
 - h. Services provided outside the building
- DD. Sign Accessories – Any materials or items attached to signs such as chains, symbols, ribbons, ornaments of various types, extensions of frames, mounting devices, brackets and support stands, bases, poles or posts.
- EE. Sign Area – the area of a sign computed by multiplying the maximum horizontal measurement by the maximum vertical measurement. Both measurements include all ornamentations surrounding the information area but exclude the supporting structure. The supporting structure shall not include any signs as defined under the terms in this Part. Double faced signs two (2) sign faces, back to back, and not more than two (2) feet from each other) shall be counted as one (1) sign.
- FF. Sign Height – The height of a sign shall be computed as the difference between the average ground level at the base of the sign and the elevation of the uppermost extremity of the sign or sign support structure.
- GG. Street Clock – a timepiece erected upon or in a frame or structure placed or located upon the sidewalk for the convenience of the public and which also serves as a business sign.
- HH. Temporary Sign – a sign placed or erected for a period not to exceed thirty (30) days. Exceptions for pennants, banners and similar devices intended for civic purposes may be

granted by special permit. They may also identify a business or building, pending approval for permanent use or pending approval of other permanent signs by the Code Enforcement Officer.

- II. Wall Sign – a flat sign which extends outward less than six (6) inches and is affixed to the wall of a building or structure and which does not extend above the parapet, eaves, or façade of the building or structure.
- JJ. Wind Activated Sign – includes signs with moving parts such as whirly-gigs.

Section 802 –Sign Administration Standards

- A. In considering appropriateness of proposed signs, the HARB shall take the following into account:
 - 1. Appropriateness to the architectural style and period of the building at which it will be located.
 - 2. Material composition, shape, colors, overall design, type of lettering, illustrative material or logo, spacing, lighting, suspension.
 - 3. Accuracy of statements on the sign pertaining to historical or architectural matters and compatibility of these factors with other signs in the Historic District.
 - 4. In addition, the HARB may advise on matters of grammar, spelling and punctuation but approval may not be denied on these grounds.
- B. No animated, revolving or moving signs shall be permitted.
- C. Illumination of any sign shall be indirect, fully shielded or otherwise arranged so that illumination of the sign rather than the source of light is visible from the public right-of-way. Internally lighted and inert gas tube signs are reviewed by HARB with special provision for their use.
- D. No freestanding signs shall be more than eight (8) feet high.
- E. Projecting signs extending more than two (2) feet over any public walkway or right-of-way shall be at least eight (8) feet above the walk grade and at least fourteen (14) feet above any vehicular right-of-way.
- F. No sign shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision; or at any location where, by reason of its position, shape or color, it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device.
- G. No sign shall be located so as to prevent or hinder free ingress or egress from any door, window or fire escape. No sign shall be attached to a standpipe or fire escape.
- H. No signs shall be attached to, or placed on, any public utility pole or tree located within any public right-of-way.
- I. Should the HARB deem the design of a temporary sign inappropriate for placement in the Historic District, the applicant may refer the matter for review and recommendation to Borough Council. A time limit of thirty (30) days for a temporary sign may be recommended by the HARB.
- J. All other requirements of the Borough Sign Ordinance must be adhered to.

Section 803 – Sign Permit Administration

- A. Certificate of Appropriateness Permit - Except as otherwise provided, no sign shall be erected, placed, altered, located or relocated anywhere in the Borough until a Certificate of Appropriateness Permit for such has been issued by the Code Enforcement Officer. Such application may be filed by the owner of the land or building or any person who has the authority to erect a sign on the premises.
- B. Issuance of Permit - The Code Enforcement Officer shall issue a permit after examining the application and accompanying information and the premises upon which the sign is proposed to be located if it shall appear that the proposed sign is in compliance with all of the requirements of this part and any other applicable ordinance.
 - 1. Such permit shall be valid for a period of nine (9) months and all work for which the permit has been issued shall be completed within that period of time. If work has not commenced or been completed within the nine (9) month period, it shall be necessary for the applicant to apply for another permit, just as if no previous permit had been issued.
 - 2. The Code Enforcement Officer shall act within thirty (30) days of receipt of such application together with the required fee.
- C. Permit Fees - Every applicant, before being granted a permit, shall pay to the Borough a permit fee, according to a schedule of fees, which shall be set by resolution of Saxonburg Borough Council.
- D. Revocation of Permits and Licenses. The Code Enforcement Officer is authorized to revoke any permit upon failure of the applicant to comply with any provision of this Part.
- E. Unsafe and Unlawful Signs. If the Code Enforcement Officer finds that any sign or part thereof is unsafe, insecure, a menace to the public, not in good condition or repair or has been constructed or located in violation of the provisions of this Part, he shall notify the owner thereof to comply with the provisions of this Part within fifteen (15) days from receipt of such notice. If the owner fails to comply with such notice within the prescribed period, the Code Enforcement Officer is hereby authorized to remove the sign or take whatever corrective action is necessary to bring it into compliance with this Part and to collect the costs associated with such removal or corrective action, together with a penalty of an additional fifty (50) percent from the owner in the manner provided by law. The Code Enforcement Officer shall refuse to issue any new sign permit to any applicant who refuses to pay any assessed costs.
- F. Signs may not: Be structurally unsafe; Be hazardous to the public safety and health; Be obstructions to any entrance or exit from a required, door, window or fire escape; Obstruct light or air or interfere with proper functioning of the building; Be capable of causing electrical shock.
- G. The Code Enforcement Officer may cause any sign or part thereof, which is an immediate danger to persons or property to be removed summarily and without notice. Any unlawful banner or temporary sign shall be removed within five (5) days.
- H. HARB reserves the right to rescind any sign approval within sixty (60) days of installation due to the misrepresentation of any regulation including external illumination made by the applicant.

Section 804 – General Provisions

- A. Signs within the Historic District shall be subject to the approval of the Historic Architectural Review Board in accordance with the procedures set forth in the Historic Overlay District Ordinance.
- B. All signs shall be constructed of durable materials and shall be kept in good condition and repair.
- C. Every sign for which a permit has been issued shall have the permit clearly displayed on the street-face side of the building during installation of the sign.
- D. The height of any sign shall be measured from the ground, sidewalk, or top step of a business entrance up to the lowest point of the sign.
- E. No sign shall be painted directly on any surface which is not in itself the sign structure except for a sign or lettering painted or placed directly on a door or store window identifying the occupant or activity of a building or structure. Exceptions may be made for wall murals or the repainting of historic wall signs, which can be adequately documented.
- F. No sign or part thereof shall project over or extend beyond a point two (2) feet inside the curb line or edge of street pavement.
- G. No part of any sign shall project or extend over any pedestrian walkway for a distance of more than four (4) feet and every such sign projecting out for more than one (1) foot shall have a clear space of at least eight (8) feet below all projecting parts. Signs extending over the pedestrian walkway for a distance of more than four (4) feet must be documented historically and found to have existed in the period of time of which the building or structure determined such use.
- H. National trademark signs and logos of companies other than the business on premises are prohibited.
- I. The total square footage of sign areas allowed for a business property shall be one (1) square foot of sign for each linear foot of frontage, but under no circumstances shall the total permitted sign area for a single business or activity exceed twenty-four (24) square feet. Should more than one business have a common frontage in a single property, the total sign area allowed among the several businesses shall be apportioned equally. In the case of a business that has two separate street entrances, each equally important, on two different ordained thoroughfares and each street entrance is totally obscured from the other, then the frontage on each street may be treated as a separate business.
- J. Signs indicating the current time and/or temperature are permitted provided they meet all other provisions of this part and/or meet the standard of the appropriate technology of the documented period of time within a historic district.
- K. All signs shall be located on the same property as the business.
- L. Lettering, Accessories, and Colors
 - 1. Historic spelling, lettering, and wording should be consistent with the documented period in time in the history of Saxonburg.
 - 2. HARB will review words that are misspelled for commercial purposes.
 - 3. HARB will not approve words or messages that, in the judgment of a majority of the HARB misrepresent the business, are misleading, or are offensive to significant numbers of people in the general population. An applicant may appeal HARB's judgement to Borough Council.
 - 4. Sign accessories are considered parts of signs and must be approved by the HARB.

5. Sign accessories may be included in the overall size of a sign for purposes of calculating the size of a sign, as well as the visual impact of a sign on adjacent structures and surrounding buildings.
6. Any sign accessories symbolizing history must be consistent with the documented history of Saxonburg.
7. Colors should be compatible with the business and the related building.
8. Fluorescent and day-glow paints and colors will not be approved for use in a historic district.

M. Materials, Mounting, and Quality

1. Materials selected for the construction of signs must be compatible with the building materials to which a sign is to be attached.
2. Sign construction materials exposed to public view must be visually consistent with the style and historic period of the related building.
3. The sign construction materials selected should also enhance both the purpose and the message of the particular business or service.
 - a. Pressed or compositional boards are acceptable when completely covered with paint which substantially hides the identity of the material.
 - b. Decal letters which have the appearance of painted letters are permitted.
 - c. Plywood is permitted, but for older buildings its edges must always be covered with framing material so as to hide the laminations.
 - d. Plastics may be approved only for use on or adjacent to buildings consistent in style with a period during which plastics were used in advertising.
 - e. Unpainted aluminum shall not be permitted on 19th Century and early 20th Century buildings.
 - f. Other materials such as, but not necessarily limited to, copper, brass, bronze, and neon may be approved for use on buildings built during a period in which such materials were in common use or on buildings showing dominant architectural features of the period in which such materials were in common use.
4. Materials must always be of sufficiently high quality to be durable for the anticipated life of the sign.
5. A sign must always be erected in such a way that there is no danger of it falling under ordinary circumstances.
6. Consistent with requirements of safety, stability, and strength, flat signs and projecting signs must be attached to a building with a minimum number of fasteners inserted with the least amount of damage possible to building materials.
7. On masonry surfaces, all penetrating points of attachment must be in mortar joints. No drilling, chipping, hammering, or penetrating of bricks, terra cotta or stone shall be permitted.
8. The mounting of signs on ornamental architectural masonry, metal, or wood or on metal, wood or asphalt roofing materials shall not be permitted unless historically documented.
9. Mounting materials must not be subject to rust or corrosion, which may over time, damage or deface any part of a building. The HARB reserves the right to terminate approval of any sign constructed of, or mounted with materials found to be damaging the building or staining or defacing the building. This includes, but is not necessarily limited to the destructive effects of rusting iron imbedded in building material.

10. All signs must be of professional quality. HARB reserves the right to rescind approval of any sign within 60 days of its installation, if the sign does not meet acceptable professional standards of quality. However, this is not intended to discourage individual artwork and craftsmanship on the part of people who are not professional sign makers.

N. **Lighting**

1. External illumination will be approved in order to provide sufficient light for reading a sign.
2. Internally illuminated signs shall not be permitted even for modern buildings in the Historic District without HARB's review of specific examples of this type of sign specification.
3. In no case shall illumination of a sign of any kind be permitted to make a particular sign distinctly brighter than neighboring signs.
4. The effect of any sign illumination on adjacent or neighboring buildings must be carefully considered prior to approval by HARB.

Section 805 – Permit Exempt Signs

The exemption from the permit and licensing provisions of this Part shall not be construed as relieving the owner or person in control of the sign from complying with all other applicable provisions of this Part.

- A. Only signs which refer to a permitted use or an approved conditional use as set forth in the Zoning Ordinance are permitted, provided such signs conform to the provisions of this section. The following is a list of signs for which no permit is required. Although no permit shall be required for the following signs, the Code Enforcement Officer must review the proposed sign design, type, specifications and placement before installation.

1. Public service signs erected by public agencies in locations approved by Borough Council and of a size not larger than permitted by State highway regulations or this or other Borough ordinances including signs for regulatory purposes such as traffic control signs, trespassing signs, parking control signs, etc.
2. Signs for directional or informational purposes such as street name signs, location of public facilities, historic signs or markers, utility information signs, etc.
3. Signs or bulletin boards of schools, colleges, churches, hospitals and other similar institutions provided that:
 - a. The sign area of any directional or information sign shall not be more than twenty-four (24) square feet.
 - b. The sign area of any other such sign shall not be more than twenty-four (24) square feet.
4. Memorial plaques, cornerstones or historic markers, built-in or attached to the walls of structures, bearing only the name or use of the structure, the date of erection of the structure and/or reading matter commemorating a person or event.
5. Street address numerals or signs not exceeding one (1) square foot in area of each main structure.
6. Identification signs, provided that:
 - a. There is no more than one (1) such sign for each business or activity.
 - b. Such signs are attached to the buildings or structure in which the business or activity is located.

- c. The sign area is not more than two and one-half (2 ½) square feet per business.
- 7. Temporary signs of contractors, architects, mechanics or craftsmen:
 - a. If placed on only the property where such work is being performed.
 - b. If not exceeding twelve (12) square feet for a single contractor and twenty-four (24) square feet for the general contractor and subcontractors.
 - c. If removed promptly upon completion of work.
- 8. Signs indicating the private nature of a driveway, etc. or trespassing signs provided that the size of any such sign shall not exceed two (2) square feet.
- 9. Temporary real estate signs:
 - a. Advertising the sale or rental of premises, provided that the sign area of such sign shall not exceed five (5) square feet and no more than two (2) such signs shall be placed on any property held in single ownership.
 - b. Indicating the location of premises in the process of development, provided that the sign area of any such sign shall not exceed twelve (12) square feet and no more than one (1) such sign shall be placed for each five hundred (500) feet of street frontage.
- 10. Temporary signs inside store display windows concerning special sales which are available only for a very limited period of time.
- 11. One (1) temporary garage, yard or similar sale sign for each sale is allowed.
 - a. If placed only on the day of the sale.
 - b. If not exceeding two and one-half (2 ½) square feet in area.
 - c. If placed only on the property where the sale is being held.
 - d. If removed promptly at the end of the sale.
- 12. Political signs are allowed:
 - a. If they are stationary, unlighted and temporary.
 - b. If they are put up no sooner than two (2) weeks prior to the day of the election if pertinent to electing candidates.
 - c. If they are taken down no later than seven (7) days after the election if pertinent to electing candidates.
 - d. If they are not attached to any public property of the Borough including street sign posts, etc.
 - e. If they are not attached to any utility pole.
 - f. If limited to two (2) per lot.

Section 806 – Prohibited Signs

- A. Any sign larger than twenty-four (24) square feet.
- B. Outdoor advertising (billboards) shall be prohibited in the Historic District.
- C. Roof signs, unless historically documented in Saxonburg history.
- D. Permanent signs attached to, or placed on, any public utility pole or tree located within any public right-of-way.
- E. Signs, which flash, rotate or have motorized moving parts and signs containing reflective elements which sparkle or twinkle in the sunlight.
- F. Moving, animated, flashing, revolving or wind activated signs.
- G. National trademark signs and logos of companies other than the business on the premises.
- H. Any sign advertising or identifying a business or organization which is either defunct or no longer located on the premises, except landmark signs or historic markers.

- I. Signs which by reason of position, shape or color may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device.
- J. Signs or commercial displays that utilize strings of electrical bulbs, except those clearly identified with a national or religious holiday.
- K. Signs which constitute a hazard to pedestrian or vehicular traffic because of intensity, direction or illumination.
- L. Internally illuminated and inert gas signs on the outside of a building and/or structure,
- M. Backlit awnings.

Section 807 – Specific Regulations

- A. Wall signs shall not extend more than six (6) inches from the building to which they are attached.
- B. Projecting signs shall not extend more than four (4) feet from the building or structure to which they are attached except for General Provision Paragraph 8 as provided historically.
- C. Any glass used in a projecting sign must be safety glass.
- D. Freestanding signs.
 - 1. The height of a freestanding signs shall be the common door height but not to exceed eight (8) feet above the ground.
 - 2. No part of any ground sign shall be closer than eight (8) feet to a street curb line or edge of driveway.
 - 3. No part of any ground sign shall be closer than five (5) feet to any adjacent lot or property line.
- E. Movable signs.
 - 1. The height of a moveable sign shall not exceed four (4) feet.
 - 2. No moveable sign may exceed twelve (12) square feet in size.
 - 3. Moveable signs may not obstruct free passage of a pedestrian way nor any entrance or exit and must allow at least four (4) feet of clearance on the sidewalk.
 - 4. Only one (1) moveable sign will be permitted for each property even if a property contains more than one (1) business.
- F. Awnings and Canopies and Marquees
 - 1. No awning or canopy shall be erected to that the lowest part is less than eight (8) feet above the sidewalk.
 - 2. No part of any awning, canopy, or marquee shall be permitted to extend more than two (2) feet inside the curb line unless documented as existing in a period of time historically.
 - 3. Only the name of the owner or the business or activity conducted on the premises may be placed on any awning or canopy. Such names are to be painted or otherwise permanently place in a space not exceeding eight (8) inches in height on the front or sides of the valance. All paintings will be considered signage and be added into the allowed total square footage.
- G. Street Clocks
 - 1. Street clocks erected on the sidewalk shall not be more than twelve (12) feet in height.
 - 2. Only the name of the owner and/or name of the business or activity conducted on the premises shall be permitted to appear on the clock.
 - 3. Flashing or blinking lights are not permitted to indicate the time and/or temperature.

H. Illumination

1. All signs except street clocks shall be nonilluminated or externally illuminated with steady, stationary, shielded light sources directed solely onto the sign without causing glare.

I. Placement Restrictions

1. Signs shall not be attached to utility pole, antenna, satellite dish, tree or shrub.
2. Signs shall not be mounted on roofs including mansard roofs or extend above the roof line unless mounted on a parapet wall which extends above the roof line in which case the sign may not extend above the top of the parapet.
3. Projecting signs shall not extend into a street, alley or drive or be less than eight (8) feet above a pedestrian way.
4. Signs shall not cover architectural details such as arches, sills, moldings, cornices and transom windows.

J. Banners

1. The size of any banner may not exceed more than ten (10) percent of the façade of the structure on which it is used.
2. A banner will be permitted for not more than thirty (30) calendar days per calendar year for each property. The thirty (30) days may be divided into not more than three (3) parts per year. Each part (i.e. separate banner) requires a separate permit.
3. All banners are subject to permit restrictions.
4. Banners may only be placed on the property of the business, charitable, religious or civic organization requesting the permit.

K. Nonconforming Signs - Every sign in existence at the time this Part becomes effective, which does not conform with the provisions herein, shall be removed, altered or replaced so as to conform with this Part after any change of use or ownership of property upon which the sign is erected, upon the change of ownership or name of any business for which the sign is erected or upon replacement or alteration of the existing nonconforming sign, not conforming to this Part. Any existing sign placed within the Historic District must adhere to the regulations herein within one hundred twenty (120) days of notice to the building owner or proprietor by the Code Enforcement Officer.

L. Penalties. Any person, firm or corporation who shall be convicted of a violation of any provision of this Part shall be sentenced to pay a fine of not more than six hundred dollars (\$600.00) every day that a violation of this Part continues and each shall constitute a separate offense.

ARTICLE IX

Section 900 – Notice of Violation

The Code Enforcement Officer shall serve a notice of violation on the person in violation of this ordinance, which would result in, but not be limited to failure to apply for a Certificate of Appropriateness Permit or a Building Permit required for the erection, reconstruction, alteration, restoration, demolition, demolition by neglect, or razing of any building, structure or appurtenance which can be seen from a public way, or failure to comply with HARB approved work. Such notice shall direct the abatement of said violation.

Section 901 – Enforcement

The Code Enforcement Officer or his designated representative shall have the power to institute any proceedings at law or in equity necessary for the enforcement of this Ordinance.

Section 902 – Penalty

Any person, property owner, occupant, firm or contractor failing to obtain a Building Permit and/or Certificate of Appropriateness Permit or Demolition by Neglect pursuant to this Ordinance shall be fined up to \$300.00 for each day the violation is unabated.

Section 903 – Repealer

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

Section 904 – Severability Clause

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

Section 905 – Amendments

The provisions of the Ordinance may be amended by Saxonburg Borough Council after notice and hearing as provided by law.

Section 906– Effective Date/Certification by Pennsylvania Historical and Museum Commission

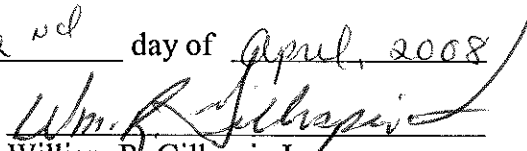
Immediately upon the adoption of this Ordinance, the Borough of Saxonburg Secretary shall forward a copy thereof to the Pennsylvania Historical and Museum Commission. This Ordinance shall not take effect until: (1) the said Commission has certified, by resolution, to the historical significance of the Borough of Saxonburg Historical District and, (2) it has been duly advertised once in the newspaper of general circulation in the Borough of Saxonburg as required by law.

Section 907 – Enactment

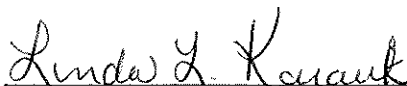
This Ordinance enacted and ordained on this 2nd day of April, 2008



Mayor Brian Antoszyk



William R. Gillespie Jr.
President of Council



Linda L. Kovacik
Secretary

(SEAL)

Borough of Saxtonburg
Butler County, Pennsylvania
Saxtonburg Historic Overlay District

