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**TOWNSHIP OF EPHRATA**  
**Lancaster County, Pennsylvania**  
**ORDINANCE NO. 244**

**AN ORDINANCE TO AMEND ARTICLE V, SECTION 507 OF THE EPHRATA TOWNSHIP ZONING ORDINANCE OF 2000, AS AMENDED, TO ADD A NEW SECTION 507.A.12 AND AMEND SECTION 507.B.4 TO PERMIT AND PROVIDE STANDARDS FOR ELECTRONIC VARIABLE MESSAGING SIGNS AND ARTICLE X TO PROVIDE DEFINITIONS FOR ELECTRONIC VARIABLE MESSAGING SIGNS AND NITS.**

BE AND IT HEREBY ORDAINED AND ENACTED by the Board of Supervisors of the Township of Ephrata, Lancaster County, Pennsylvania, as follows:

**Section 1.** The Ephrata Township Zoning Ordinance of 2000, as amended, Article X – Definitions, Section 1003, Terms, shall be amended by inserting the following definitions in alphabetical order:

**Electronic Variable Messaging Sign (EVMS).** A sign, a portion thereof, where the message copy includes characters, letters or illustrations that can be changed or rearranged electronically from a remote location without touching or physically altering the primary surface of the sign. Signs used solely for the display of automobile fuel prices are considered electronic variable messaging signs but are exempt from the setbacks found in Section 507.A.12.a.

**Nit.** A measure of light emitted from an LED or like type display and equaling one (1) candela per square meter.

**Section 2.** The Ephrata Township Zoning Ordinance of 2000, as amended, Article V, Section 507.B.4.a shall be deleted in its entirety and replaced with the following language:

- a. Signs which incorporate in any manner any flashing or moving illumination or with illumination which varies in intensity or which varies in color, and signs which have

any visible moving part, visible revolving parts, or visible mechanical movement of any description, or other apparent visible movement achieved by electrical pulsation or by action of normal wind currents, with the exception of electronic variable messaging signs subject to the requirements of Section 507.A.12, clocks, hanging signs which move with air currents, time and temperature signs and barber poles, provided that the otherwise comply with all other provisions of section 507.

**Section 3.** The Ephrata Township Zoning Ordinance of 2000, as amended, shall be amended by adding a new section 507.A.12.

12. Electronic Variable Messaging Signs (EVMS).

- a. Signs incorporating electronic message displays, as defined herein, shall not be permitted except within the Commercial, Mixed Use and Industrial Zoning Districts and not under the followings circumstances:
  - (1) Within five hundred (500) feet of a signalized traffic intersection.
  - (2) Within two hundred (200) feet of a residential dwelling unit located on an adjoining property unless there is a written agreement, approved by the Township, waiving the setback requirement.
  - (3) Within 200 feet of any Residential Zoning District.
- b. The display shall have a maximum luminance of 3,500 nits during daylight hours and a maximum luminance of 125 nits for dusk through dawn.
- c. The message displayed on the sign shall be static and non-animated and shall remain fixed for a minimum of fifteen (15) minutes.
- d. When the message is transitioned, it shall be accomplished in one (1) second or less with all moving parts or illumination changing simultaneously and in unison.
- e. The electronic variable messaging sign area shall be calculated as part of and must comply with the permitted square footage of the permitted sign for the designated use under Section 507.A. The electronic variable messaging sign shall be located below the name of the business and is only permitted as part of the freestanding sign.
- f. The sign shall contain a default design that will freeze the sign on one (1) position if a malfunction occurs or, in the alternative, shut down.
- g. The sign shall not display any message that moves, appears to move, scrolls, or changes in intensity during the fixed display period.
- h. The electronic variable messaging sign shall not be used as a billboard to advertise off-site uses or products.
- i. There shall be a maximum of one (1) electronic variable messaging sign per property.

**Section 4.** The Ephrata Township Zoning Ordinance of 2000, as amended, Article V, Section 614 shall be deleted in its entirety and replaced with the following language:

Billboards. Signs which advertise products or services other than those which are sold on the premises where the sign is located may be erected in any commercial or industrial zoning district provided that the surface area does not exceed three hundred (300) square feet; no sign shall be erected less than six hundred (600) feet from an existing residential structure; there shall

be a minimum of one thousand (1,000) feet between billboard signs; no sign shall be more than twenty-five (25) feet high; and the sign shall be set a minimum of thirty (30) feet from the street right-of-way line. Billboards where the message copy includes characters, letters or illustrations that can be changed or rearranged electronically from a remote location without touching or physically altering the primary surface of the sign must comply with the standards for Electronic Variable Messaging Signs found in Section 507.A.12 of the Zoning Ordinance.

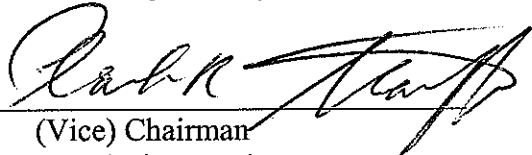
**Section 5.** All other sections, parts and provisions of the Ephrata Township Zoning Ordinance of 2000, as amended, shall remain in full force and effect as previously enacted and amended.

**Section 6.** In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses or parts of this Ordinance, it being the intent of the Board of Supervisors that the remainder of the Ordinance shall be and shall remain in full force and effect.

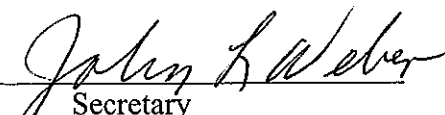
**Section 7.** This Ordinance shall take effect and be in force five (5) days after its enactment by the Board of Supervisors of the Township of Ephrata as provided by law:

**DULY ORDAINED AND ENACTED** this 4<sup>th</sup> day of September, 2012, by the Board of Supervisors of the Township of Ephrata, Lancaster County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF EPHRATA  
Lancaster County, Pennsylvania

By   
(Vice) Chairman  
Board of Supervisors

Attest:

  
Secretary  
(SEAL)

CERTIFICATE

I, the undersigned, Secretary of the Township of Ephrata, Lancaster County, Pennsylvania (the "Township"), certify that the foregoing is a true and correct copy of an Ordinance of the Board of Supervisors of the Township (the "Board"), which duly was enacted by affirmative vote of a majority of all members of the Board at a meeting of the Board duly convened and held according to law on September 4, 2012.

Date:

9/4/2012

Secretary

(SEAL)