

Ordinance #11

Regulating Certain Uses of Highways.

Be it hereby enacted and ordained by the Borough of Deer Lake, Schuylkill County, Pennsylvania, in Council assembled, and it is hereby enacted and ordained as follows:

Section 1.

Any structure, material, or thing or groups of things, animate or inanimate, or part or portion thereof (whether for sale or use, whether intended to be movable or immovable and whether as part of or as a convenience, addition, or ornament to any building or business, and whatsoever the use or purpose may be), on, under, or over any portion of highway (including the sidewalks thereof) is hereby declared to be unlawful and to be a nuisance and removable as such, except only in the following instances and circumstances, and provided that in these excepted instances and circumstances it is maintained or used in the judgment of the Council so as not to endanger the safety of persons or property, so as not to injure or interfere with the health, comfort, and convenience of the users of the highway and the inhabitant residing thereon, and so as to carry out the purposes for which they are permitted.

Exemptions Allowed.

Exemption A.

Any construction or use under a valid borough ordinance, not inconsistent with the specific provisions of this ordinance.

Exemption B.

Any construction or use which can not be subjected to municipal regulation of the character herein proposed.

Exemption C.

Any construction or use made or maintained by the borough itself.

Exemptions Allowed under Permits.

In the following instant and circumstances exemptions to the general restrictions of this section are allowed after obtaining a permit therefore and upon compliance with all other provisions of this ordinance or any subsequent borough ordinance.

Exemption A.

Signs may be erected upon application and permit granted by vote in Council, which application shall contain or have attached plans or specifications under which the sign is constructed and maintained, and which permit shall be granted and be valid only after the following instructions are observed:

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No part of a sign shall extend into the highway farther than eighteen (18) inches from the building line.

No sign shall be more than eight (8) feet by sixteen (16) feet in measurements.

No sign more than two (2) feet by four (4) feet or weighing more than twenty-five (25) pounds shall be erected or maintained unless and until and only as long as a bond in the sum of Five Hundred (\$500.00) Dollars shall be given to the borough to indemnify it against damages by reason of the construction and maintenance of such sign. Every sign shall be erected under the supervision of someone designated by Council and under his requirements and shall be maintained according to his instructions.

Section 2.

Any person, firm, or corporation doing, causing, or permitting anything contrary to this ordinance, directly or indirectly, or in any way violating the provisions hereof is subject to a fine for each offense not exceeding twenty-five (\$25.00) Dollars or imprisonment not exceeding five (5) days; each weekly repetition or continuation shall be considered a separate offense. The penalty herein provided shall be in addition to any fees required, costs of removal, or damages resulting.

Ordained and enacted into an ordinance this 8th day of June, 1954.

Approved: June 8th, 1954