

PROPOSED AMENDMENTS TO BILL NO. 130656

1. Delete Sections 1 through 5 of the Bill in their entirety.

2. Add new Sections 1 and 2, to read as follows:

SECTION 1. Title 14 of The Philadelphia Code is amended to read as follows:

TITLE 14. ZONING AND PLANNING

\* \* \*

CHAPTER 14-200. DEFINITIONS

\* \* \*

§14-203. Definitions.

\* \* \*

(81.1) Customary Maintenance. For [accessory] *all* signs, customary maintenance shall mean all manner of maintenance, repair, or component replacement of a legally permitted or lawful sign that is done to keep the structure and its various components in good repair. This definition applies to all parts of a sign, including the supporting structure, walkways, sign face, and all other component parts, except the foundation *of an accessory sign (in the case of a non-accessory sign, “customary maintenance” shall include the maintenance, repair, or replacement of the foundation)*. An increase in height, a change in dimension or location, replacement of the foundation *of an accessory sign*, or the addition of lighting or digital display does not constitute customary maintenance. *When required by Section A-301 of The Philadelphia Administrative Code, a building permit must be obtained before maintenance can be done on a sign.*

\* \* \*

CHAPTER 14-900. SIGNS

\* \* \*

§ 14-905. Non-Accessory Signs.

\* \* \*

(5) Height Regulations.

(a) The bottom edge of any outdoor advertising sign shall not be located more than 25 ft. above the road surface from which the advertising message is ~~visible~~ *intended to be principally viewed* and the sign shall not extend more than 20 ft. in height above its bottom edge, *except as provided in subsection 5(d).*

\* \* \*

*(d) Notwithstanding any other provision of this Code, if a noise barrier or permanent road sign erected by a governmental entity after a sign has been erected diminishes the visibility of the sign from the road surface from which the sign is intended to be principally viewed, then the height of the sign may be increased to the minimum height required to achieve the same degree of visibility from such road surface that the sign had prior to the erection of the noise barrier or permanent road sign. For purposes of this provision, a “noise barrier” is a standalone wall or similar structure designed for outdoor noise mitigation, whether denominated as a sound wall, sound berm, sound barrier, noise-attenuation barrier, acoustical barrier, or otherwise.*

\* \* \*

(7) Illuminated, Flashing, [and] Revolving Signs *and Special Effects Elements.*

(a) Signs may be illuminated, but the illumination shall be focused upon the sign itself, so as to prevent glare upon the surrounding areas, *except that this provision does not apply to digital signs.*

\* \* \*

*(d) Special Effects Elements that extend beyond the top and side edges of the sign face are permitted, provided such elements do not extend more than six feet from the top edge and no more than 36 inches from the side edges. Special effects elements may not extend below the bottom edge of the sign face. Those portions of such special effects elements that extend beyond the edges of the sign face shall be considered as embellishments whose total area may not exceed 288 square feet. A sign face and any extended elements may include three-dimensional features, provided such features do not extend more than 5 feet from the plane of the sign face.*

(8) Digital Billboards.

[{Reserved}]

*(a) Digital signs shall not be erected within 500 ft. of any Residentially zoned district, nor face any Residential district within 1,000 ft. of the sign.*

*(b) Digital Illumination Standards; Automatic Dimming. During daylight hours luminance of a digital billboard shall be no greater than 6,500 nits. At all other times, luminance of a digital billboard shall be no greater than 450 nits. In addition, digital billboards shall not*

operate at brightness levels of more than 0.3 foot candles above ambient light, as measured using a foot candle meter at the following preset distances:

<i>Nominal Face Size</i>	<i>Distance to be Measured From</i>
<i>12' x 25'</i>	<i>150'</i>
<i>10'6" x 36'</i>	<i>200'</i>
<i>14' x 48'</i>	<i>250'</i>
<i>20' x 60'</i>	<i>350'</i>

*Automatic dimming is required to keep luminance within permitted levels at all times.*

*(c) Motion. All motion is prohibited on digital displays. A display change between messages shall not constitute motion.*

*(d) Timing. The duration of each display shall be no less than eight (8) seconds.*

*(e) Digital Sign Conversions. Non-accessory signs which are located within 660 feet of I-95 and I-76 and which are intended to be principally viewed from those roadways may be converted to digital provided that they meet all of the other requirements of this code.*

\* \* \*

(12) Permits.

\* \* \*

(b) For each non-accessory sign erected *or converted to digital* in conformance with these provisions, ~~an existing sign~~ *or two existing signs* encompassing equal or greater sign area, other than a sign located in the Market Street East Advertising District, as defined in § 14-906, shall be removed.

\* \* \*

SECTION 2. Chapter 9-600 of The Philadelphia Code is amended to read as follows:

CHAPTER 9-600. SERVICE AND OTHER BUSINESSES

\* \* \*

§9-602. Outdoor Advertising.

\* \* \*

(3) No person shall erect or maintain any outdoor advertising sign unless they have obtained [appropriate licenses] *a license for such sign* from the Department [of Licenses and Inspections]. *Applications for such licenses shall be made on a form provided by the Department. Such licenses shall be issued and renewed for terms of five years. A single license shall be issued for multiple signs that share a common sign support structure.*

(4) Licenses for Outdoor Advertising Signs. No license shall be issued *or renewed* unless:

\* \* \*

(c) The applicant pays a license fee *for the five year license issuance or renewal period* in accordance with the following:

(.1) For commercial signs, [six hundred and fifty (\$650) dollars for each outdoor advertising sign face] *one dollar (\$1.00) per square foot of each outdoor advertising sign face, or such other amount as the Department may from time to time by regulation determine, provided such amount shall not exceed the cost of administering and enforcing this Section and Chapter 14-900.*

(.2) For non-commercial signs, no fee.

(d) [If the applicant is or proposes to engage an individual or company whose business is the erection, construction and/or maintenance of signs and/or sign structures, that individual or company possesses a valid annual license, as provided for below, allowing them to erect and maintain outdoor advertising signs.] *The applicant submits to the Department with its license application an inventory listing each outdoor advertising sign structure that the applicant owns or maintains in the City. The inventory shall identify for each listed sign structure:*

(.1) *the address and account number (as maintained by the Office of Property Assessment) of the property on which the sign structure is located, the name of the owner of such property, and the latitude and longitude coordinates, stated in North America decimal degrees to a minimum precision of five decimal places, of the location on the property where the sign is situated;*

(.2) *the number of sign faces and the area of each sign face, and a unique inventory number for each sign face as assigned by the applicant;*

(.3) *the number of supporting columns or uprights or supporting mechanism or construction situated upon the ground, a building or another structure, the purpose of which is to support a sign face; and a notation as to whether the sign face is affixed to a wall, a roof or is freestanding, and whether the sign is digital;*

(.4) *the road surface from which the sign is intended to be principally viewed, which must be within 350 ft. of the sign (once a license is issued, the licensee, for the duration of*

*the license period and any renewal periods, may not claim a different road surface as the one from which the sign is intended to be principally viewed);*

*(.5) the height of each sign face, as measured from the base of the sign and as measured from the height of the road surface from which the sign is intended to be principally viewed;*

*(.6) the permit numbers of any permits that have previously been issued with respect to such sign, if any, including zoning and building permits;*

*(.7) the date the sign was last inspected by the Department, or, if the date of last inspection is unknown or if the sign has never been inspected by the Department, evidence of the date of last inspection by the sign owner or the owner's agent and a certification that (i) at the time of such last inspection by the sign owner or the owner's agent, the sign, supports, braces, guys, anchors and foundations were in good condition, and (ii) to the best of their knowledge, the sign, supports, braces, guys, anchors, and foundations remain in good condition.*

\* \* \*

(5) *Reserved.* [Licenses for Individuals or Companies. Any individual or company, whose business is the erection, construction and/or maintenance of signs and/or sign structures, shall be required to obtain an annual license for the privilege of erecting signs. No annual licenses shall be issued unless:]

[(a)The applicant pays an annual license fee of one hundred fifty (\$150) dollars for the privilege of erecting, constructing and/or maintaining signs within the City.]

[(b)The applicant posts a bond satisfactory to the Law Department in an amount satisfactory to the Law Department to pay for the cost of removal and/or demolition of any sign that is found to be unsafe, to be a public nuisance, or is required to be removed under any terms of The Philadelphia Code. This bond is to be used only if, after a period of thirty (30) days from an order from the Department of Licenses and Inspections, the applicant refuses to remove an offending sign.]

[(c)The applicant does not have any outstanding violations, for which all legal appeals have been exhausted nor any outstanding court orders requiring the removal of any sign(s) for which all legal appeals have been exhausted, for erecting and/or maintaining outdoor advertising signs in violation of The Philadelphia Code.]

[(d)The applicant or the applicant's representative affixes on each outdoor advertising sign and/or sign structure information indicating the owner of the sign and (if applicable) the individual or company responsible for erecting and/or maintaining the sign and/or sign structure.]

[(e) The applicant submits to the Department on an annual basis an inventory of all outdoor advertising sign structures that the applicant owns or maintains in the City. The inventory shall identify the address (as maintained by the Board of Revision of Taxes) of each property on which a sign structure is located, and the number of sign structures, the number of sign faces, and the area of each sign face at each such address.]

(6) License Tags. [The Department shall annually issue licenses and license tags for each sign face to be erected and maintained in accordance with the following:]

[(a)For each outdoor advertising sign as defined in Section 9-602(2)(e), a license tag shall be issued by the Department of Licenses and Inspections.] *Applicants shall provide a license tag to be affixed to each sign face.* Each tag shall be of a size and color so as to be easily read from the footway and/or street or highway. The tag shall contain [a license number peculiar to] *the inventory number associated with that sign face as included in the inventory submitted under subsection 4(d)* and shall be affixed to the sign by the applicant so that it is visible from the footway and/or street or highway. *The Department may further detail the requirements of this subsection by regulation.*

[(b)For each outdoor advertising sign the Department of Licenses and Inspections shall issue a license, which the applicant shall maintain.]

[(c)The Department of Licenses and Inspections shall adopt appropriate regulations for the issuance of licenses and license tags for outdoor advertising sign faces which shall be consistent with this Section.]

\* \* \*