

**AMENDMENT TO GREENE TOWNSHIP ORDINANCE NO. 54**  
**RESOLUTION 91-5 SIGN ORDINANCE OF 1991**

**WHEREAS**, on February 25, 1991, the Board of Supervisors for Greene Township adopted a Sign Ordinance regulating the erection, construction, repair, alteration, maintenance and location of signs and advertising devices; and,

**WHEREAS**, on February 25, 1991, the Board of Supervisors for Greene Township, Pike County, adopted a Sign Ordinance regulating the erection, construction, repair, alteration, maintenance and location of signs and advertising devices; and,

**WHEREAS**, under Article II, Section 3, the enacted Ordinance regulated certain special events for political signs, posters, flyers, and other election materials; and,

**WHEREAS**, Article II, Section 1(c)(3), regulated political signs, posters, flyers, other election material, carnival signs, posters or any similarly-related signs; and,

**WHEREAS**, that portion of the Sign Ordinance applicable to political signs has been challenged as to its enforceability; and,

**WHEREAS**, the Board of Supervisors are desirous of amending the Greene Township Sign Ordinance with regards to political signs, and do hereby adopt this Amendment for purposes of effectuating said Amendment.

**ENACTED** this 2<sup>nd</sup> day of December, 2009, it is Ordained that Article II, Section 1, Paragraph 3 shall read as follows:

(a). Political signs, posters, flyers, and other election materials may be erected within the Township without any applicable permit and/or fees;

(b). Any political signs, posters, flyers, or other election materials which shall be erected within a road right of way or on private or public property which creates a clear traffic hazard by virtue of sight obstruction and/or significant distraction as to create an unreasonably dangerous condition for traveling motorists upon the public roadways within the Township may be removed in accordance with the provisions of this Ordinance at any time that it is determined by the Sign Enforcement Officer that such erected signage poses a clear traffic hazard and/or unreasonably dangerous condition for traveling motorists. An unreasonably dangerous condition shall exist when any political sign, poster, flyer or other election material is placed or so situated on a public roadway or right-of-way as to cause an unreasonable interference with the motorist traveling said roadway. An unreasonably dangerous condition shall exist when any political sign, poster, flyer or other election materials are placed or are so situated as to cause an unreasonable interference with a motorist's attention while traveling the roadway. Any political sign, poster, flyer, or other election material that is so placed or is so situated as to cause a traveling motorist to swerve or change lane location shall be deemed an unreasonably dangerous condition and unreasonable distraction. Any political sign, poster, flyer or other election material which is placed and is so situated as to likely contact or appear likely to physically contact a motor vehicle traveling upon a public highway shall be deemed an unreasonably dangerous condition. Any hanging political sign or banner directly above a public highway shall

be deemed an unreasonably dangerous condition and unreasonably dangerous distraction. Any election material placed in a public roadway or within the right-of-way by being on the edge of the pavement or the traveled portion of the roadway shall be deemed an unreasonably dangerous condition and unreasonable distraction. Any political sign, poster, flyer or other election material placed on a traffic sign, traffic light, bridge, guardrails, or such other traffic control devices and signage shall be deemed an unreasonably dangerous condition and unreasonable distraction.

(c). Upon complaint and/or observation, the Sign Enforcement Officer shall view the proposed sign, poster, flyer, and other election material which is erected within a public right of way and/or on public or private property for purposes of determining whether said placement constitutes a clear traffic hazard or unreasonably dangerous condition to the traveling motorist, upon any public highway within the Township. If the Sign Enforcement Officer believes that said political sign, poster, flyer, or other election material constitutes a clear traffic hazard or unreasonably dangerous condition to the traveling motorist, he or she shall photograph said sign, poster, flyer, or other election material for purposes of documenting the location of said item, and the manner and form in which it poses a clear traffic hazard and/or unreasonably dangerous condition.

(d). After removing the political sign, poster, flyer, or other election material from its location which the Sign Enforcement Officers believes to constitute a clear traffic hazard or a reasonably dangerous condition, a written statement or report shall be compiled, detailing the location and the reason for removal.



(e). After photographing the political sign, poster, flyer, or other election material, the Sign Enforcement Officer shall remove said signage, and deposit the same in the municipal building for safekeeping.

(f). Within ten (10) days of removal of any political sign, poster, flyer, or other election material which shall be deemed to be a clear traffic hazard and/or unreasonably dangerous condition, the Sign Enforcement Officer shall notify the political candidate and/or his or her committee of the offending political sign, poster, flyer, or other election material, and offer to provide copies of the photographic documents as well as the written report upon written request, within ten (10) days from said written request.

(g). Nothing herein shall preclude a private property owner from removing a political sign, poster, flyer, or other election material which is situated upon private property without prior approval or consent.

(h). All political signs, posters, flyers, or other election materials shall be removed within thirty (30) days after the date of the subject election.

(i). If political signs, posters, flyers, or other election materials are not removed within the thirty (30) day period, the Township shall have the right to remove said signs and recover the actual costs for said removal as authorized herein.

(j). In the event that any political sign, poster, flyer, or other election material is removed from its location because it was deemed a clear traffic hazard and/or an unreasonably dangerous condition, the political candidate and/or his or her

representative shall retrieve said material from the Township within thirty (30) days of said removal, or within thirty (30) days of the subject election, whichever is later.

(k). Any political candidate or his or her representative who places or causes to be placed a political sign, poster, flyer or other election material which is not removed and/or retrieved in accordance with the provisions of Section 408.15(i) and/or 405.15(j) shall reimburse the Township the actual costs of removal and/or disposal by remitting the sum of Five (\$5) Dollars for each political sign, poster, flyer or other election material within thirty (30) days of receiving an invoice for reimbursement.

(l). Any political candidate or his or her representative who violates any provision of this Section shall be subject to the penalties set forth in Section 8(B) of this Ordinance.

(m). It is the intent of this Amendment that political signs, posters, flyers and other election materials shall not be interpreted or otherwise construed or enforced by any other statutory sections set forth in Ordinance No. 54 Resolution 91-5 Sign Ordinance of 1991, unless specifically referenced in this Amendment, and any other Township Ordinance, Resolution and Regulation which is specifically inconsistent with the provisions of this Amendment are repealed.

The Board of Supervisors of Greene Township further amends the Greene Township Sign Ordinance to provide for a Sign Enforcement Officer to be appointed by the Board of Supervisors at their annual reorganization meeting every January, for

purposes of enforcing, prosecuting, and administering the provisions of the Greene Township Sign Ordinance.

**Attest:**

*Linda J. Keames*  
Secretary

**GREENE TOWNSHIP, PIKE  
COUNTY, BOARD OF  
SUPERVISORS:**

*Mary A. Hubbell*  
Supervisor

*Tom [unclear]*  
Supervisor

*Edward N. Simon*  
Supervisor