

Shaping the D&L Drive Scenic Byway



Outdoor Advertising Fact Sheet

Certain kinds of outdoor advertisements are prohibited along national and state byways that correspond with roads that are part of the National Highway System (NHS) or the Federal Aid Primary (FAP) in 1991. The maps to the right show the roads in Bucks and Northampton Counties that are part of the NHS (in red) or FAP (in green) system including:

- Route 32 (FAP)
- Route 611 (NHS)

Since the proposed D&L Drive Scenic Byway will correspond with roads within this system, an ordinance prohibiting the placement of certain kinds of outdoor advertisements along these roads must be adopted in order to receive a byway designation.

What kinds of signs are affected by the ordinance?

The ordinance only pertains to signs along the proposed byway (no other roads within a municipality are affected) and those that are considered to be off-premise advertisements. An off-premise advertisement is “a sign advertising a product, service, business or activity sold, located or conducted elsewhere than on the premises on which the sign is located, or which said product, service, business or activity is sold, located or conducted on such premises only incidentally, if at all.”

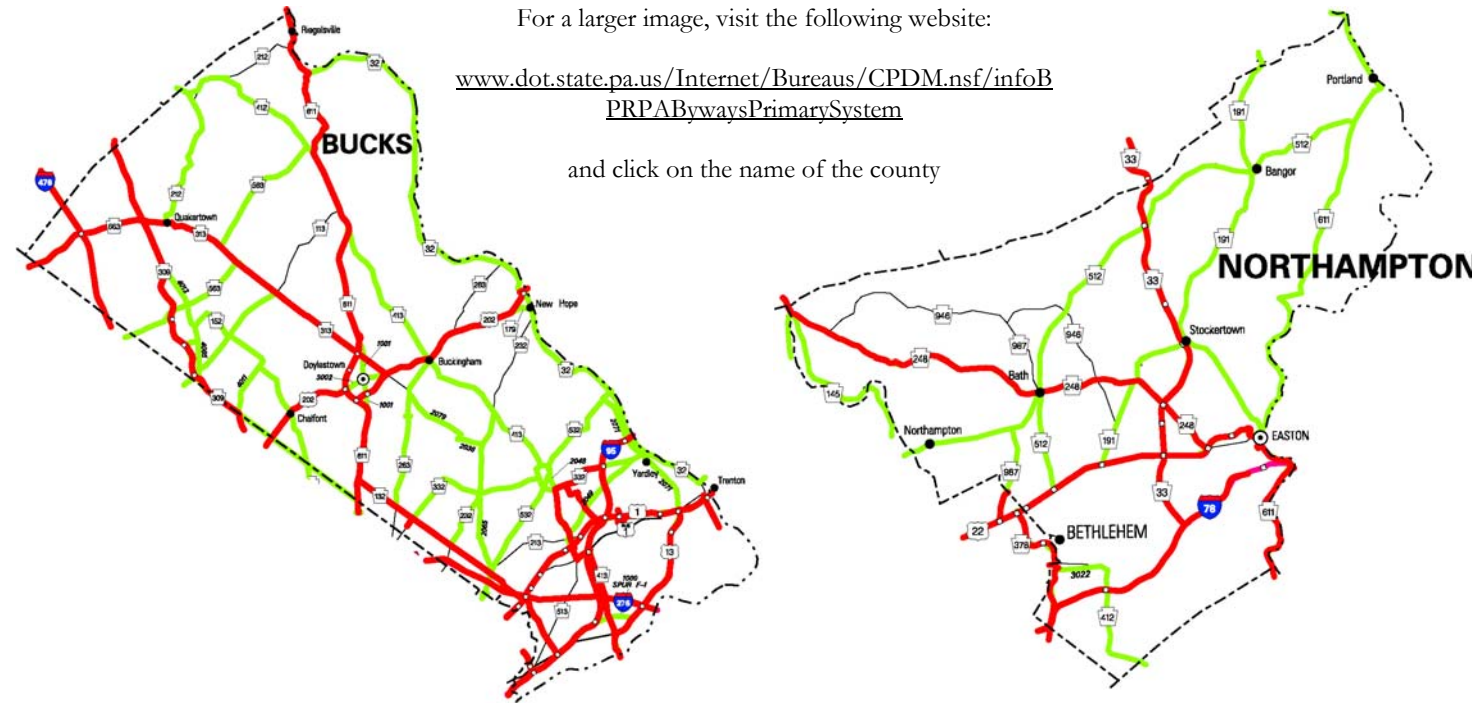
The following types of signs are allowed along a byway:

- (1.) The official signs and notices which are required or authorized by law which conform to the national standards promulgated by the Secretary of Transportation of the United States pursuant to 23 U.S.C. § 131 (relating to the control of outdoor advertising); and
- (2.) Outdoor advertising devices advertising the sale or lease of property upon which they are located; and
- (3.) Outdoor advertising devices promoting activities conducted on the property on which they are located,

For a larger image, visit the following website:

www.dot.state.pa.us/Internet/Bureaus/CPDM.nsf/infoBPRPABywaysPrimarySystem

and click on the name of the county



including devices which display a message that may be changed at reasonable intervals by electronic process or remote control; and

(4.) Directional signs, including, but not limited to, signs pertaining to natural wonders, scenic and historical attractions, and other points of interest to the traveling public which conform to the national standards promulgated by the Secretary of Transportation of the United States pursuant to 23 U.S.C. § 131; and

(5.) Outdoor advertising devices lawfully in existence on October 22, 1965, determined by the Commonwealth of Pennsylvania, subject to the approval of the Secretary of the United States Department of Transportation, to be landmark signs, including signs on farm structures or natural surfaces, or of historic or artistic significance, the preservation of which would be consistent with the purposes of this section.

What happens to existing off-premise signs?

The ordinance only prohibits new off-premise

advertising. Existing off-premise signs are allowed to remain unless one of two conditions occur:

- They become dilapidated or
- They are not used for advertising for a period of more than one year.

Who must adopt the ordinance?

There are two options for adopting the ordinance:

Municipal Option: This option requires all of the municipalities along the proposed byway to independently adopt the ordinance on their own and keep it in place for perpetuity. This option allows each municipality take action when ready to preclude the installation of new off-premise advertising while other municipalities are also in the process of adopting the ordinance.

Legislative Option: This option requires that the state legislature adopt the ordinance by passing a bill on behalf of all of the municipalities through which the byway passes and keeping it in place for perpetuity. This option is often utilized when a byway traverses many municipalities or where no local zoning exists.

What language must the ordinance contain?

The Pennsylvania Byways Program has provided a model ordinance for local municipalities to adopt that has been tailored to the proposed D&L Scenic Byway. A copy of this ordinance is included in the packet you received.

In addition, models of both a House and a Senate bill have been obtained and tailored to the proposed D&L Scenic Byway. Copies of these bills are available upon request.

What if the byway corresponds with a road in my municipality that is not part of the NHS or FAP system?

Since signs can adversely impact the aesthetics of the proposed byway and the associated driving experience, we recommend that off-premise advertising be restricted along these roads as well as part of the sign ordinance adoption process, regardless of whether the ordinance is adopted locally or through legislative action at the state level.

Who will be responsible for enforcing the ordinance?

Local municipalities will be responsible for enforcing the locally adopted sign ordinance, while PennDOT will be responsible for enforcing the sign ordinance if it is adopted by legislative action. Regardless of who is responsible, an inventory of existing off-premise signs along the proposed byway will need to be performed at the time the sign ordinance is adopted in order to document the existing signs that will be allowed to remain.

Questions?

Please contact us if you have any other questions about this information:

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or

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