

TOWNSHIP OF EPHRATA  
LANCASTER COUNTY, PENNSYLVANIA

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ORDINANCE NO. 277

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AN ORDINANCE OF THE TOWNSHIP OF EPHRATA, LANCASTER COUNTY, PENNSYLVANIA, TO AMEND THE ZONING ORDINANCE OF EPHRATA TOWNSHIP, AS AMENDED, TO INCREASE THE MAXIMUM PERMITTED LUMINANCE OF ELECTRONIC VARIABLE MESSAGING SIGNS (EVMS) FROM 3,500 NITS TO 5,000 NITS DURING DAYLIGHT HOURS; TO REDUCE THE MINIMUM REQUIRED MESSAGE DISPLAY INTERVAL RATE OF ELECTRONIC VARIABLE MESSAGING SIGNS (EVMS) FROM 15 MINUTES TO 1 MINUTE; TO AUTHORIZE A MAXIMUM OF TWO ELECTRONIC VARIABLE MESSAGING SIGNS (EVMS) ON CERTAIN QUALIFYING PROPERTIES SUBJECT TO CRITERIA; TO ADD A REQUIREMENT THAT THE DISPLAYS OF ELECTRONIC VARIABLE MESSAGING SIGNS (EVMS) BE PERPENDICULAR TO THE STREET FROM WHICH THEY ARE INTENDED TO BE VISIBLE; AND TO ADD A REQUIREMENT REGULATING EMERGENCY AND TOWNSHIP MESSAGING ON ELECTRONIC VARIABLE MESSAGING SIGNS (EVMS).

**WHEREAS**, Ephrata Township has conducted a public hearing to consider an amendment to the Zoning Ordinance of Ephrata Township, as amended (the "Zoning Ordinance"); and

**WHEREAS**, prior to the public hearing, the proposed amendment was provided to the Ephrata Township Planning Commission and to the Lancaster County Planning Department for comments as provided by law; and

**WHEREAS**, after a public hearing and after consideration of all information, comments and questions, members of the Board of Supervisors of Ephrata Township have deemed it beneficial to the residents of Ephrata Township and to the promotion of the health, safety, morals, convenience, order and welfare of present and future inhabitants of Ephrata Township to amend the Zoning Ordinance as hereinafter set forth.

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

**SECTION 1:** The Zoning Ordinance of Ephrata Township, as amended, Article V, Section 507.A.12.b shall be deleted in its entirety and replaced with the following language:

12. Electronic Variable Messaging Signs (EVMS).

- b. The display shall have a maximum luminance of 5,000 nits during daylight hours and a maximum luminance of 125 nits for dusk through dawn.

**SECTION 2:** The Zoning Ordinance of Ephrata Township, as amended, Article V, Section 507.A.12.c shall be deleted in its entirety and replaced with the following language:

12. Electronic Variable Messaging Signs (EVMS).

- c. The message displayed on the sign shall be static and non-animated and shall remain fixed for a minimum of one (1) minute.

**SECTION 3:** The Zoning Ordinance of Ephrata Township, as amended, Article V, Section 507.A.12.i shall be deleted in its entirety and replaced with the following language:

12. Electronic Variable Messaging Signs (EVMS).

- i. Except as provided hereafter, there shall be a maximum of one (1) electronic variable messaging sign per property. On properties that satisfy each of the following criteria, two (2) electronic variable messaging signs shall be permitted:

- (1) The property fronts on and gains access from at least two different streets classified as arterial, major collector or minor collector streets.
- (2) The property contains a minimum of 8 gross acres.
- (3) The property is improved with a building containing at least 75,000 square feet of gross floor area.

**SECTION 4:** The Zoning Ordinance of Ephrata Township, as amended, Article V, Section 507.A.12 shall be amended by adding a new Section 507.A.12.j as follows:

12. Electronic Variable Messaging Signs (EVMS).

- j. Multiple electronic variable messaging signs located on the same property shall be spaced at least 500 feet apart and shall not be intended to be visible from the same street.

**SECTION 5:** The Zoning Ordinance of Ephrata Township, as amended, Article V, Section 507.A.12 shall be amended by adding a new Section 507.A.12.k as follows:

12. Electronic Variable Messaging Signs (EVMS).

- k. The electronic variable messaging sign shall be placed so that the display is perpendicular (not parallel) to the street from which it is intended to be visible.

**SECTION 6:** The Zoning Ordinance of Ephrata Township, as amended, Article V, Section 507.A.12 shall be amended by adding a new Section 507.A.12.1 as follows:

12. Electronic Variable Messaging Signs (EVMS).

1. Owners of EVMS shall permit applicable authorities to display, when appropriate, emergency information important to the traveling public, including Amber Alerts, Silver Alerts, and weather or other emergency information. Further, owners of EVMS shall cooperate with the Township and Township-affiliated non-partisan non-profit entities including, without limitation, the Ephrata Police Department, the Ephrata Pioneer Fire Company and the Ephrata Area School District to periodically display community-related messages and event advertisements, subject to the approval of the owner of the EVMS, in its reasonable discretion. Any such entity requesting to display a message or advertisement on the EVMS shall be solely responsible for designing the message or advertisement. Messages or advertisements prepared by Township-affiliated entities shall be delivered to the Zoning Officer for the Township's review and approval. All messages and advertisements shall be delivered by the Township or its authorized representative to the owner of the EVMS in an electronic file with the correct design specifications and format to enable immediate transmittal of the message or advertisement to the EVMS. This Section 507.A.12.1 shall not apply to Billboards as regulated by Section 614 of this Zoning Ordinance.

**SECTION 7:** All other provisions of the Zoning Ordinance of Ephrata Township, as amended, not amended or changed shall remain in full force and effect.

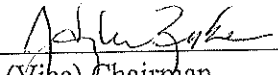
**SECTION 8:** In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, 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 9:** This Ordinance shall take effect and be in force from and after its enactment as provided by law.

DULY ORDAINED AND ENACTED this 5<sup>th</sup> day of April, 2022,  
by the Board of Supervisors of Ephrata Township, Lancaster County, Pennsylvania, in lawful  
session duly assembled.

**TOWNSHIP OF EPHRATA**  
Lancaster County, Pennsylvania

ATTEST:   
(Assistant) Secretary


BY:   
(Vice) Chairman  
Board of Supervisors

(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 April 5, 2022.

Date: 4/5/2022

BY:   
Secretary

(SEAL)