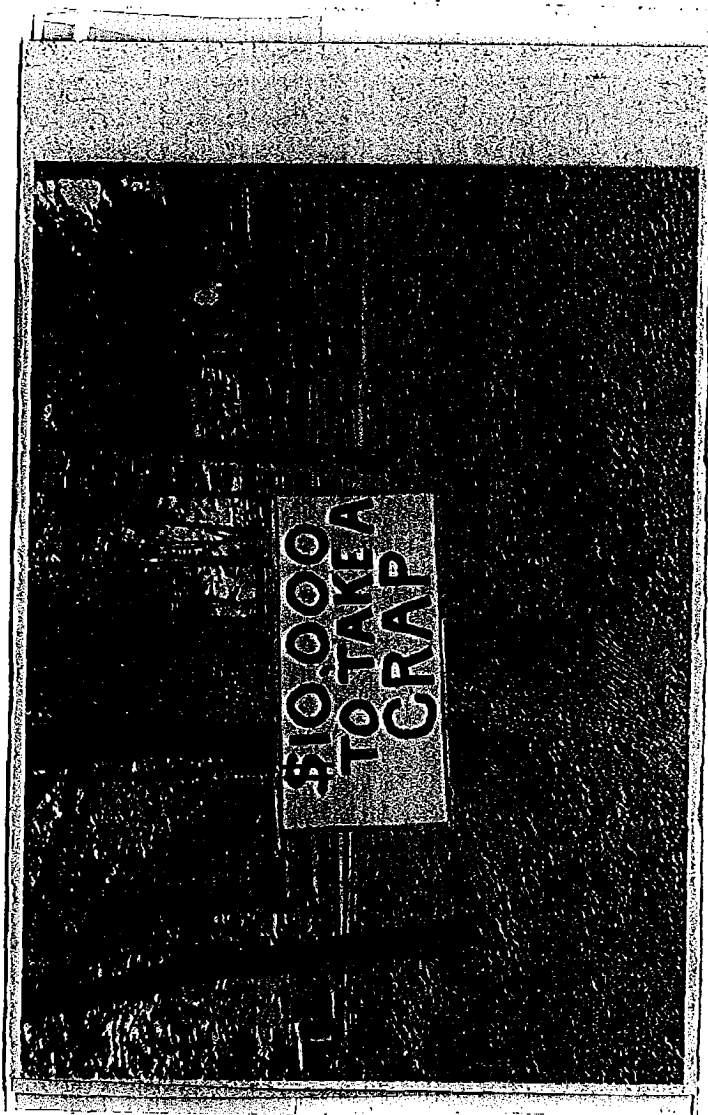


Kliss v. East Hanover Township et al.

U.S.D.C. (M.D. Penna.) No. _____

EXHIBIT “A”



\$10,000
TO TAKE A
CRAP

Kliss v. East Hanover Township et al.

U.S.D.C. (M.D. Penna.) No. _____

EXHIBIT “B”



Light-Heigel & Associates, Inc.
 ENGINEERS • SURVEYORS • BUILDING CODE INSPECTORS
 MUNICIPAL SERVICES

- CIVIL
- STRUCTURAL
- MUNICIPAL
- ENVIRONMENTAL
- HYDROLOGY
- INSPECTIONS
- SOILS TESTING
- LAND SURVEYS
- AERIAL SURVEYS
- LAND DEVELOPMENT
- STORM WATER DESIGN
- ZONING ENFORCEMENT
- FARM PRESERVATION
- BUILDING CODE SERVICES

ENFORCEMENT NOTICE

July 22, 2010

David and Joanne Kliss
 436 Pheasant Road
 Hummelstown, PA 17036

RE: Tax Parcel I.D. 25-019-032

Mr. and Mrs. Kliss;

Please be advised that East Hanover Township has received a complaint about construction of signs on your property. These signs are in violation of the following sections of the East Hanover Township Zoning Ordinance:

1. Section 314.2.13: No Loud, Vulgar, Indecent, or Obscene Advertising matter shall be displayed in any manner. On Monday July 19, 2010, East Hanover Township received a complaint in reference to the attached signs stating that the signs were offensive.
2. Section 314.2.16: No Sign shall be permitted which is permanently attached to public utility poles nor trees which are within the right-of-way of any street.
3. Section 314.2.20: No point of any sign including trim, border and supports, shall be located within ten feet (10') of any side or rear yard property line or within the street right-of-way line. *33' from center of road*
4. Section 314.5.2: Prohibited Signs - The following types of signs shall not be permitted in the Township: Any sign located in or extending into a public right-of-way, except those owned or operated by a duly constituted government. *16' from*
5. Section 701.1.1.F: A Zoning Permit shall be required prior to the erection or alteration of any signs specified in Section 314 of this Ordinance as requiring a Zoning Permit.

SIZE 2' x 5'

BERKS
 Suite 102, Grande Plaza
 1103 Rocky Dr.
 West Lawn, PA 19609
 610-678-7560
 Fax: 610-678-7686

BUCKS
 16 North Franklin St.
 Doylestown, PA 18901
 215-348-1980
 Fax: 215-348-1983

DAUPHIN
 806 North River Rd.
 Halifax, PA 17032
 717-838-8881
 Fax: 717-838-9145

DAUPHIN/SCHUYLKILL
 730 West Grand Ave.
 Tower City, PA 17980
 717-647-4755
 Fax: 717-647-4681

LANCASTER
 805 Estelle Drive
 Suite 111
 Lancaster, PA 17601
 717-852-7002
 Fax: 717-852-7020

LEBANON/DAUPHIN
 430 East Main St.
 Palmyra, PA 17078
 717-838-1351
 1-800-257-2190
 Fax: 717-838-3820

MONTGOMERY
 617 West Main St.
 Lansdale, PA 19446
 610-678-7560
 Fax: 610-678-7686

NORTHUMBERLAND/UNION
 142 Main St.
 P.O. Box 120
 Montandon, PA 17850
 570-524-7742
 Fax: 570-524-7746

SCHUYLKILL
 39 Dock St.
 Schuylkill Haven, PA 17972
 570-385-3439
 Fax: 570-385-5788

PLEASE REMOVE THESE SIGNS WITHIN FIVE (5) DAYS OF THIS NOTICE.

40D

Political sign?

E.H. Web Site

Corporate Office

320 PLAZA DRIVE • PALMYRA, PA 17078 • 717-838-5672 • FAX: 717-838-5630
 www.light-heigel.com

Section 606 states that no person shall be allowed to file any proceeding with the Zoning Hearing Board later than 30 days after an application for Development, Preliminary, or Final, has been approved by the Zoning officer or the agency responsible for granting such approval if such proceeding is designed to secure reversal or to limit the approval in any manner unless such person alleges and proves that he had no notice or knowledge, or reason to believe that such approval had been given. If such person has succeeded to this interest after such approval, he shall be bound by the knowledge of his predecessor in interest. The failure of anyone other than the landowner to appeal from an adverse decision by the Zoning officer on a challenge to the validity of this Ordinance or the official zoning map pursuant to Section 916.2 of the act, as amended, shall preclude an appeal from a final approval except in the case where the final submission substantially deviates from the approved tentative preliminary approval.

Section 700.4 states that any Person, Partnership or Corporation who or which has violated or permitted the violation of the provisions of the Zoning Ordinance enacted under the act or prior enabling laws shall upon being found liable therefore in a Civil Enforcement Proceeding commenced by the Township, pay a judgment of not more than five hundred dollars (\$500.00) plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or be payable until the date of the determination of a violation by the District Justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that the Violation continues shall constitute a separate violation, unless the District Justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the ordinance to have believed that there was no such violation in which event there shall be deemed to have been only one such violation until the fifth date following the date of the determination of a violation by the District Justice and thereafter each day that a violation constitutes shall constitute a separate violation.

Sincerely,
David A. Smith
Light-Heigel & Associates, Inc.
East Hanover Township Zoning Officer

DAS/lmi

P:\PROJECTS - 2010\EAST HANOVER ZONING\KLISS, DAVID AND JOANNE ENFORCEMENT NOTICE 072210.DOC

Kliss v. East Hanover Township et al.

U.S.D.C. (M.D. Penna.) No. _____

EXHIBIT “C”

Type of Use	Number Spaces Per	Gross Floor Area
Undertaking establishment or funeral parlor	None	First 3,000 square feet
	1.0	3,000 to 5,000 square feet
	+1.0	Each additional 10,000 square feet (or fraction)
Wholesale or warehousing (except mini-warehousing)	None	First 1,500 square feet
	1.0	1,500 to 10,000 square feet
	+1.0	Each additional 40,000 square feet (or fraction)

312.4. All off-street loading shall be designed and constructed in accordance with Section 608 of the Subdivision and Land Development Ordinance. This requirement will even apply for projects that do not require approval as a subdivision or land development; in such cases any deviation to the off-street loading design standards will require approval of a variance under this Zoning Ordinance instead a waiver under the SLDO.

Section 313 Screening and Landscaping Requirements

313.1. All screening and landscaping shall be provided in accordance with Section 618 of the Subdivision and Land Development Ordinance. This requirement will even apply for projects that do not require approval as a subdivision or land development; in such cases any deviation to the screening and/or landscaping regulations will require approval of a variance under this Zoning Ordinance instead a waiver under the SLDO.

Section 314 Outdoor Signs

314.1. General Intent:

The sign regulations, controls and provisions set forth in this part are made in accordance with an overall plan and program for the provision of public safety, land development, preservation of property values, and the general welfare of the Township of East Hanover and are intended to:

1. aid in traffic control and traffic safety;
2. preserve and protect property values;
3. lessen congestion of land and air space;
4. provide against undue concentrations of signs which distract and endanger traffic safety and traffic flow;
5. establish reasonable standards for commercial and other advertising through the use of signs in order to maintain and encourage business activity and development;
6. recognize the rights of the public in roads, streets, highways and the areas

adjacent to those roads, streets and highways;

7. preserve the wholesome and attractive character of the Township; and,
8. recognize that the general welfare includes a community that shall be beautiful as well as healthy, spacious as well as clean, and well-balanced in its growth and development.

314.2. General Regulations for All Signs:

1. Signs must be constructed of durable material and maintained in good condition;
2. No sign shall be maintained within the Township in such a state of disrepair as to have the appearance of complete neglect, which is rotting or falling down, which is illegible, or has loose parts separated from original fastenings;
3. Whenever a sign becomes structurally unsafe or endangers the safety of the building or premise, or endangers the public safety, the Zoning Officer shall give written notice to the owner of the premises on which the sign is located that such sign must be made safe or removed within five (5) days;
4. Advertising painted upon or displayed upon a barn or other building or structure shall be regarded as a flat wall sign and the regulations pertaining thereto shall apply;
5. Each sign shall be removed when the circumstances leading to its erection no longer apply;
6. Signs may be interior lighted with non-glaring lights, or may be illuminated by floodlights or spotlights that are shielded so there is no direct light transmitted to other properties, public rights-of-way or in an upward direction;
7. Directly illuminated signs, designed to give forth artificial light directly or through transparent or translucent material from a source of light within such sign, including, but not limited to neon, will be permitted providing that the light being emitted from the sign shall not cause a glare or emit light onto the surrounding area or in an upward direction;
8. Except for signs that display the time and temperature, no sign shall be of the intermittent flashing or rotating type, unless located within the (I) Zone;
9. No sign shall be located so as to interfere with visibility for motorists at street or driveway intersections;
10. No sign located within one hundred fifty feet (150') of any traffic light shall be illuminated with red, green, or yellow lights or neon tubing;
11. All electrically illuminated signs shall be constructed to the standards of the National Board of Fire Underwriters;
12. Signs must be positioned so that they do not interfere with any clear sight triangle;
13. No loud, vulgar, indecent, or obscene advertising matter shall be displayed in any manner, including, but not limited to:

- A. Any graphic illustration pertaining to specified sexual activities and/or specified anatomical areas; and,
 - B. Scenes wherein artificial devices are employed to depict, or drawings are employed to portray any of the prohibited signs, photographs or graphic representations described above;
14. No sign shall be erected or located as to prevent free ingress or egress from any window, door or fire escape;
 15. No sign shall be placed in such a position that it will obscure light or air from a building or which would create a traffic danger;
 16. No sign shall be permitted which is permanently attached to public utility poles nor trees which are within the right-of-way of any street;
 17. No sign located within the Floodplain Overlay Zone shall exceed six (6) square feet of area per side;
 18. In the event that a symbol, trademark or other such figure is used as a sign post or standard which could be construed to indicate or identify a particular use or business, that symbol, trademark or figure is to be computed as part of the total allowable sign area;
 19. Except in the case of billboards, only those signs referring directly to services, materials or products made, sold, or displayed on the premises shall be permitted;
 20. No point of any sign, including trim, border and supports, shall be located within ten feet (10') of any side or rear property line or within the street right-of-way line;
 21. Any sign attached to a building shall not be placed on the roof or be higher than the wall to which it is attached;
 22. No point of a wall projecting sign shall be located less than eight and one-half feet (8½') above the grade directly below the sign;
 23. Nothing in these regulations shall be construed as prohibiting signs intended for viewing principally from within a building or signs temporarily attached to the inside face of a display window, announcing a sale or similar feature, provided that the latter shall not occupy more than thirty-three and one-third percent (33-1/3%) of the total display window area for a period not to exceed ten days; and,
 24. Determination of Size of Sign Area - The area of a sign shall be construed to include all lettering, wording and accompanying designs and symbols, together with the background, whether open or enclosed, on which they are displayed, including any border framing or decorative attachments, but not including any supporting framework or bracing incidental to the display itself. Where the sign consists of individual letters or symbols attached to a building, wall or window, the area of the sign shall be considered to be that of the smallest rectangle or other regular geometric shape which encompasses all of the letters and symbols.