

RESOLUTION NO. 2024-09

A Resolution of the Township of Fairview, York County, Pennsylvania Providing for the Erection and Removal of Banners or Signs over State Highways

Whereas, various organizations within the Township of Fairview or adjacent to Fairview Township have occasion to advertise certain events and functions taking place within the Township or adjacent to the Township, and which are open to the public, by use of banners or signs over certain state highways; and

Whereas, the Pennsylvania Department of Transportation requires local municipalities to adopt a resolution approving the erection of banners over state highways for submission to the Pennsylvania Department of Transportation for review and approval;

Now therefore it is hereby resolved as follows:

1. New Cumberland Olde Town Association is hereby given permission to display a banner to advertise the Octoberfest in the Park from October 7, 2024 through October 28, 2024, at the following location, subject to all the conditions and provisions set forth in this Resolution:

Bridge No. 661002-01002780 on SR1003 (Old York Road)

2. All signs and banners shall be constructed of durable and flexible cloth, fabric or material, shall be securely fastened, and shall be legible and maintained in good appearance by the group or entity sponsoring the event. The size of the requested banner shall be twelve (12) feet in length and six (6) feet in height and shall not be less than seventeen and one-half (17 1/2) feet above the roadway surface.

3. The Township hereby assumes responsibility for the erection of said sign or banner by approval of this Resolution as well as all liability for damage occurring to persons or property due to any act or omission associated with the erection, maintenance, display or removal of same, whether or not said actions or matters may be delegated to others, subject to the condition that the Township may seek indemnification and/or contribution from the entity or organization identified in this Resolution, and any entity or organization shall, by requesting permission from the Township to erect any sign or banner, be deemed to have agreed to indemnify and hold harmless the Township of and from any and all liability, damages, costs, expenses, attorney's fees and any other obligations imposed upon it be reason of any organization or entity violating any provision of this Resolution or act or omission of said organization or entity, its agents, employees, representatives, officers or contractors in any way relating to the entity's or organization's erection, maintenance, display or removal of any sign or banner or its use of any public right-of-way for such purposes. Notwithstanding anything to the contrary stated herein, this indemnification of the Township shall not extend to any bodily injury suffered by any Township employee or employee of any contractor hired or arranged by the Township to erect, maintain or remove said sign or banner; the Township agrees to rely on workers compensation for sole remedy and recourse.

4. No banner or sign shall be erected or displayed without the prior consent of Fairview Township. Any banner or sign erected or displayed without prior permission by Fairview Township or not removed within the time period set forth above, shall be subject to removal by the Township at any time with or without prior notice, with the reasonable costs of such removal to be paid by the entity or organization responsible for said sign or banner.

5. All traffic control will be performed in accordance with the most current PennDot Publication 203, as amended.

Resolved this 30th day of September, 2024

Board of Supervisors
Fairview Township
York County, Pennsylvania

Chairman

Attest:



Secretary