

Chapter 13

SIGNS AND BILLBOARDS

Sections:

13-010	Definitions.
13-020	Permitted Signs.
13-030	Procedure.
13-040	Nonconforming Uses.
13-050	Construction Regulations.
13-060	Exemptions.

13-010 Definitions.

For the purposes of this chapter, unless the context otherwise clearly indicates, the following words and terms shall be construed to have the meanings given herein.

Billboard. A sign not affixed to a building or structure, the contents of which does not advertise or promote the interest of the occupant, business, or profession of an occupant or user of the premises upon the lot and at the immediate and approximate location of the site upon which such sign is located and erected.

Erect. To build, construct, reconstruct, attach, suspend, hang or affix. It shall also include the painting of wall signs and the painting of signs or displays on the exterior surface of any building or structure, and also the change in the color, paint, letters, figures, characters, design or outline of any sign.

Farm Produce Sign. A sign advertising for sale at a farm produce market, stand or table, farm or garden vegetables, fruits, plants, shrubs, or other farm garden, orchard or nursery produced, all grown or principally grown, at or upon the premises where the same are displayed for sale; or a sign to advertise the picking and gathering of currently growing farm produce by the public, for a charge, upon the farm premises upon which such sign or signs are located, or giving the name or breed of any animal, raised, bred or trained upon the premises together with the name of the owner or occupant and any name or designation given such premises.

Freestanding Sign. Any sign not affixed to a building, but standing apart therefrom, whether affixed to the realty or movable, the area of which shall be considered to be the maximum height times the maximum width; in no event shall either dimension be more than twice that of the other. Such sign shall have two sides only, the limitation as to square foot area being that of one of the sides only, and shall be located no closer than twenty-five feet of the right-of-way line of any street, avenue, road or highway, or of any property line, or within any sight triangle.

Illuminated Sign. Any sign which has letters, figures, characters, designs or outlines illuminated by electric lights, whether such lights be incandescent bulbs, fluorescent tubes, mercury vapor lights, flood or spot lights and whether or not such lights are a part of the sign proper or focused upon it from a location or source separate and apart from such sign. The light source shall be from the bottom or below the sign and angled no closer to the horizontal than two vertical to one horizontal and shall be shielded or have a translucent fixture or covering to reduce off-site effects. Such sign shall not include any beam, beacon, flashing, or rotating light or device, or give the illusion of any of these.

Nonpermanent Sign. A cloth, canvas, paper or other similar combustible material, with or without a frame, or of a banner design, which is usually attached to the outside of a building upon a wall, or upon standards, columns or poles separate from the buildings, or within the window area of a building.

Portable Sign. A sign, which is not permanently installed, located inside the property line.

Projecting Sign. A sign other than a wall sign suspended from or supported by a building or structure, or supported by a structure specifically or partially designed to suspend same, and projecting out from any of the foregoing structures.

Roof Sign. A sign attached to the roof framing, walls and/or columns of the building upon which the entire advertising display is above the roof level.

Side. Wherever a sign is applied or attached to any facade of a wall, fence or other structure which comprises a part of an integral and decorative en-

trance or gateway to lands and premises from a public highway, street, avenue or road, which entrance is at least six feet wide, each such facade shall be considered one side of a single sign notwithstanding the fact that such walls or structures may be structurally independent and separate from each other.

Sign. Every announcement, declaration, demonstration, display, illustration, insignia, flag, or banner used or intended to advertise or promote the interest of any person, partnership, firm, company, or corporation or product or service when the same is placed either indoors or out-of-doors in such a manner that it is in view of the general public, but shall not mean or include any flag, badge or insignia of any public, quasi-public, civic, charitable or religious group nor shall it mean or include the flags of the United States of America or the state of New Jersey.

Temporary Sign. A sign which is intended to be displayed for a period not in excess of ninety days.

Wall Sign. Any sign attached to or erected against or painted upon the exterior wall of a building, water tower, fence, retaining wall, yard enclosure, or any other type of structure or surface whatsoever, with the display surface of the sign being generally parallel with or identical with the surface of the building or other structure upon which same is erected, attached, or painted.

Other Definitions. The definition of any other term used in or applicable to this chapter shall be considered to be used and have such definitions as set forth in the zoning chapter of the township.

13-020 Permitted Signs.

13-020.1 Signs Permitted in RA, Residential, Agricultural Districts.

The following signs shall be permitted in RA, residential, agricultural districts:

A. One nameplate or identification sign, which may be illuminated and may include the address of the premises, situated within the property lines and not exceeding one square foot in area on either of two sides.

B. One sign, which may be illuminated, identifying a permitted residential professional office, which

shall indicate only the address of the premises, and name and profession of the resident, and shall be situated not closer than ten feet to any property line, and shall not exceed two square feet in area on either of two sides.

C. One sign, which may be illuminated, identifying a school, church, public building, playground, hospital, or other such permitted use, which is situated on the property to which it relates, not less than twenty-five feet from a street, unless the building is closer than that to the street, in which case it shall be not less than one-half the distance from the building to the street and shall not exceed ten square feet in area on either of two sides.

D. One farm produce sign, not illuminated, which shall not exceed eight square feet in area.

E. One temporary sign indicating that the property is for sale or lease, or pertaining to construction on the property, which shall not be illuminated, and shall not exceed six square feet in area on either of two sides, and shall be situated not closer to the front property line than one-half the distance between the building and the front property line, nor ten feet from the side property lines, and shall not be placed on trees. If there is no structure on the property, the sign shall be not closer than ten feet from any property line. All such signs shall be promptly removed when the premises are sold or rented, or when construction has been completed, and not more than three days thereafter, in any instance. No signs shall be posted announcing any property as having been sold.

F. One temporary sign pertaining to the development of more than one residential structure on a group of adjacent lots or properties, which shall not be illuminated, and shall not exceed sixteen square feet in area on either of two sides, nor be situated closer than ten feet from any property line.

G. Not more than two signs upon a single property, advertising a golf course, country club, private swimming club, marina, tennis club, equestrian trail, private stable or similar or related open area, provided that no such sign shall exceed ten square feet on any one side, and shall be upon the property so advertised.

H. No sign shall exceed six feet in height as measured from the adjacent grade level.

13-020.2 Signs Permitted in C, Commercial Districts. The following signs shall be permitted in the C, commercial districts:

A. All signs permitted in the RA, residential agricultural district shall be permitted in this district.

B. One freestanding identification sign for each garden apartment development which may show or include the name of the development, the presence or lack of vacancies, the location of the rental agent's office and his telephone number, and the project's address. Such signs shall not, in the aggregate, exceed six square feet in area on either of two sides, and may be illuminated. Such sign may be located in any of the required yard areas but shall not be closer than twenty-five feet to a property line or street line unless the building is closer than twenty-five feet to the street, in which instance it shall not be less than one-half the distance from building to street.

C. One freestanding identification sign for each townhouse development which may show or include the name of the development. Such sign may be illuminated and shall not in the aggregate exceed twelve square feet in area on either of two sides. Such sign may be located in any of the required yard areas but shall not be closer than twenty-five feet to a property line or street line unless the building is closer than twenty-five feet to the street, in which instance it shall not be less than one-half the distance from building to street.

D. One freestanding sign, which may be illuminated, for each shopping center, advertising the name of the shopping center or the uses found therein, in accordance with the following:

1. No freestanding sign shall be closer to the point of intersection of any two street lines than fifty feet.

2. The total height of each sign shall not exceed fifteen feet.

3. No freestanding sign shall be closer to the right-of-way line than twenty feet.

4. Total area of each sign shall not exceed one hundred square feet.

5. The lowest edge of any sign shall not be less than three feet above the ground level.

6. Illuminating lights shall be so located and shielded so as to prevent any glare or blinding effects upon any adjacent property or streets, avenues, roads, and highways.

7. No moving or flashing parts shall be permitted. ✓

8. No neon or similarly illuminated signs shall be of red, yellow or green color when located in such a fashion as to diminish or detract in any way from the effectiveness of any traffic signal or similar safety or warning device.

9. In a shopping center having walkways roofed over with a permanent canopy or some similar other structural device, there may be one illuminated sign or nonilluminated sign for each structure, store, facility, use, activity or occupant in the shopping center. Such sign may be hung from the underside of the canopy and shall not exceed eight square feet on one side.

E. One freestanding sign, not exceeding fifteen feet in total height, which may be illuminated and shall be nonmoving and nonflashing, for each service station, not exceeding forty square feet in area, and one wall sign not exceeding twenty square feet in area nor exceeding twenty feet in total height above the ground level.

F. One wall sign, which may be illuminated, upon the front facade of a building, other than a service station, for each permitted use or activity.

1. Such sign in the aggregate shall not exceed two square feet in area for each lineal foot of public frontage of such building. If a use is upon a corner, then one such sign may be placed on each facade of the building. In addition, one sign may be placed on the rear facade of a building which faces upon a parking area, and if such building is more than one hundred feet distant from the nearest street to the rear of the property, then such sign may be two square feet in area for each lineal foot of rear, public frontage of such building.

2. Such signs shall not project more than fourteen inches beyond the building facade on which or in front of which they are displayed, and shall be at least seven feet above the sidewalk or ground level, and shall not be higher than the highest point of the parapet or facade of the building.

G. A retail shopping facility occupied by a single store, facility, use, activity or occupant or operated as a single entity, which encompasses ten or more contiguous acres of land in use as a part of such commercial activity, may have one freestanding sign for each public street, road or highway on which it has public frontage, provided that the main building is set back a minimum of two hundred feet from any property line or street right-of-way line, and such sign shall not exceed ten square feet of surface area on any one side for each acre of land in use as a part of the commercial activity. In no case shall any such sign exceed one hundred square feet of surface area on any one side. Such sign shall be for no other purpose than identifying the facility, and may be located within any required yard area, but shall not extend beyond any property line, and shall not be erected more than fifteen feet in total height above the ground level.

13-020.3 Signs Permitted in I, Industrial Districts. The following signs shall be permitted in I, industrial districts:

A. One freestanding sign, which may be illuminated, identifying a permitted industrial user or occupant of the premises on which such sign is located and is erected in accordance with the following:

1. All signs shall be set back a minimum distance of twenty feet from the edge of the right-of-way of any public street, road or highway, and shall not be located so as to interfere with the view of adjacent industrial properties. Such signs shall not be closer than two hundred feet from any residential property line.

2. No sign shall be closer to the point of intersection of any two street lines than fifty feet.

3. The total height of each sign shall not exceed fifteen feet.

4. The lowest edge of any sign shall not be less than three feet above the ground level.

5. Total area of each sign shall not exceed one hundred square feet.

B. No more than two wall signs advertising the name, products and insignia or emblem of an industry shall be permitted in accordance with the following:

1. Signs shall be permanently attached to or constructed with the main building and shall be limited to one sign per facade.

2. Signs shall not extend more than fourteen inches from the facade of the building.

3. The height of letters shall not exceed two feet.

4. No sign shall extend above the parapet, facade or roof line of the building to which it is attached.

5. The total advertising space of a sign shall not exceed one hundred square feet or ten percent of the gross area of the facade to which it is attached, whichever is less.

6. Illumination of signs shall be in such a manner as to cause no glare or blinding light to adjacent properties, streets, roadways or highways.

7. The building may be illuminated in lieu of a sign or in addition to, but only upon the site plan approval.

13-030 Procedure.

13-030.1 Permit Required. No sign which exceeds two square feet in area, nor any sign of any size which would cover up to twenty-five percent of the glass area of part of the interior-exterior of a structure, shall be erected, unless a permit for the same has been issued by the construction official. No person shall erect and no artisan, mechanic or contractor shall perform any work requiring a sign permit, unless such person has first satisfactorily determined that a permit has, in fact, been issued for such work, and any such artisan, mechanic or contractor who performs any work for which such a permit has not been issued, shall be deemed in violation of this chapter and shall be subject to the

penalties set forth in the zoning chapter of the township.

13-030.2 Application Requirements. A permit shall be issued only upon a written application for the same directed to the zoning officer. Such application shall contain the following information:

A. The name, address and telephone number of the applicant.

B. The location of the property upon which the sign shall be situated.

C. The position of the sign in relation to nearby buildings and structures.

D. The name of the person who will erect, maintain, remove, alter or repair such sign.

E. Such other information as shall be necessary, in the opinion of the zoning officer, to assure, under the circumstances, full compliance with this chapter and all other ordinances of the township.

13-030.3 Fees. An application fee and a licensing fee shall be paid, in accordance herewith, to the township for an amount as set forth in the procedural manual of the township committee.

A. **Application Fee.** Each application shall be accompanied by the required fee except for those signs which are authorized and permitted pursuant to paragraph 13-030.1.

B. **Licensing Fee.** In addition to the abovementioned application fee there shall be an official licensing fee as set forth in subsection 19-030.1(I), payable during the month of January of each calendar year, for each sign permitted to exist in a commercial or industrial district by the terms of this chapter, an annual license issued therefor by the township clerk.

13-030.4 Appeals. All appeals from the denial of the aforesaid permit or license shall be filed with and processed by and before the township zoning board of adjustment in accordance with applicable statutes, rules and regulations.

13-040 Nonconforming Uses.

13-040.1 Nonconforming Signs. Any presently

existing sign which was legally erected and legally maintained under the terms of any ordinance regulating the same in effect at the time of its erection but which does not conform to the provisions of this chapter may continue to exist at its present location, but such sign shall not be altered, rebuilt, enlarged or extended unless such action is directed at and does, in fact, effect the creation of a conforming use.

The failure to keep a nonconforming sign in good repair for a period of one year shall constitute an abandonment of the same, and such sign shall then be subject to removal by the order of the construction official directed to the owner or occupant of the premises upon which such sign is located.

13-040.2 Nonconforming Certificate. A. Any owner or occupant of any lands or premises affected by the adoption of this chapter as shall render any presently existing sign a nonconforming sign, shall be required within thirty days of June 10, 1977, to obtain from the construction official of the township a certificate of nonconformance as to each such nonconforming sign upon written application to the zoning officer.

B. Application shall be made upon a form supplied by the construction official upon which the applicant shall certify under oath the existence of such nonconforming sign, the date of its erection, a description of the wording or contents of the same, materials of which it is constructed, colors, dimensions, height, type and location, to which application shall be attached a sketch or drawing of such sign.

C. The construction official shall verify, by his investigation, the alleged existence of such sign on June 10, 1977, as described in the application, and thereupon either sign and issue such certificate of nonconformance, or refuse to sign and issue such certificate if such use is not verified to his satisfaction. In each instance he shall record the issuance or refusal to issue such certificate upon such application, and shall maintain a copy of each certificate of nonconformance so issued.

D. Failure to apply for a certificate of nonconformance and to obtain the issuance of same for any

sign which does not conform to the terms of this chapter shall be a final determination and presumption that such sign or signs did not exist on June 10, 1977, and such sign or signs shall be subject to removal by order of the construction official directed to the owner or occupant of the premises where such signs are located.

13-050 Construction Regulations.

13-050.1 Permitted Wall Sign Areas. A. The area for a skeleton-letter type sign of individual letters, without background except for the face of a building or structure, shall be considered to be the aggregate area of all the smallest rectangles which shall enclose each of the letters, symbols or devices which constitute such sign. The area of the smallest rectangle enclosing all letters, symbols, or other devices shall not be more than double the allowable area for signs of the enclosed type.

B. The area of an enclosed sign of a solid background or material constituting the background of such sign shall be that rectangular area bounded by the lines in a horizontal and vertical plane delineating the extreme limits of lettering or border constituting the sign surface on any building, wall or surface of any other structure.

C. Window signs painted on the inside of windows shall be included in computing the maximum allowable wall sign area, and shall not exceed twenty-five percent of each individual window area on each facade of a single building or structure.

13-050.2 Sign Material and Maintenance. All signs, except nonpermanent signs, shall be constructed of substantial and durable materials, and, except for portable signs and moveable freestanding signs, shall be in a permanent location, and maintained continuously in a clean and sanitary condition, free from peeling of paint, rusting or corroding of metal, or other deterioration of materials by reason of age, weather, vandalism, accident or other cause. Structural requirements shall be in accordance with the township building code, and the area at the base, foundation, and immediate location of every sign shall be continuously maintained free of tall grass,

weeds and similar vegetation, and of papers, debris, litter and similar refuse.

13-050.3 Removal of Signs. The construction official of the township shall be authorized to effect the removal of any sign, by his written order giving ten days' notice that such sign shall be removed by the owner, occupant, tenant, leasee, or agent of any of the foregoing, in any one of the following circumstances, situations, or instances relative to such sign:

A. It is in violation of any term, condition, or provisions of this chapter or any other ordinance of the township.

B. It is an abandoned nonconforming sign.

C. It presents a possible danger to the health, safety or welfare of the residents of the township, or other persons, by reason of lack of maintenance, repair, damage, deterioration, design, construction, or other similar matters.

D. No permit was obtained to erect same.

E. Nonpayment of the annual licensing fee.

13-060 Exemptions.

13-060.1 Signs Excepted. The provisions of this chapter shall not apply to any of the following:

A. Federal, state, county and municipal, historical markers, and political subdivision limit or boundary signs or markers.

B. Traffic, directional, danger, cautionary, warning, street, highway or road designation or name signs erected by official federal, state, county or municipal governments, agencies, or departments, railroad crossing or danger, warning or cautionary signs as may be required or erected permanently or temporarily by any government entity or public utility employees while performing construction, repairs, maintenance or other official duties and services.

C. Any sign or billboard, poster, placard or banner of any public, quasi-public, nonprofit, civic, charitable or religious group or federal, state, county or municipal government or agency announcing any social event, celebration, gathering, dinner, picnic, contest, or similar activity open to the participation

of the general public, which sign, billboard, poster, placard, or banner shall not be erected more than thirty days prior to the date of the event so announced and which shall be removed within ten days following the occurrence of such announced date or event.

D. Any sign or billboard, poster, placard or banner of any candidate, candidates, or slate of candidates for any public elective office, or of any political party, or relating to any public question to be voted upon in any federal, state, county, municipal, school, or other public election, either primary, general, or special, which sign, billboard, poster, placard or banner shall not be erected more than 60 days prior to the election to which same relates and which shall be removed within ten days following the occurrence of such election.

E. Signs used on public or private property prohibiting or warning the public concerning parking, hunting, trespassing, loitering, littering or dumping thereon, or giving warning of some danger thereon.

F. Names and addresses upon individually owned mailboxes used for delivery of mail to persons by the United States Postal Service.

G. Farm produce signs which are nonpermanent and/or freestanding and are located upon the premises where the farm produce market, stand or table is located, or upon which the farm, garden, orchard, or nursery produce so advertised is grown or principally grown.

H. Any nonpermanent sign of a property owner advertising the premises, or some portion thereof, whereon same is located or displayed as being for rent, lease, or sale.

13-060.2 Prohibited Signs. The following are hereby expressly prohibited:

A. Billboards, other than as permitted by paragraph 13-060.1(C).

B. Signs attached or fastened to, placed in, or painted upon any car, motorcycle, truck, fire engine, tractor, wagon or other similar vehicle which has been temporarily or permanently parked at a location for the purpose of bearing such sign in view of the general public.

C. The use, as a sign, of any vehicle or any goods, wares, merchandise and chattels either in their usual form, size, shape or color, or in a reproduced, enlarged or re-scaled version.

D. The erection of any sign or billboard so located as to obstruct the line of sight for at least three hundred feet from the stop-line of any intersection of two or more streets, measured from the curbend extremity of such stop-line, or the intersection of a driveway and a street, or located closer than one hundred feet from the intersection of any two driveways within a parking or loading area.

E. The continued erection, maintenance and location of any sign relating to any agricultural, commercial, or industrial business, enterprise, activity, or use, ninety days following the termination of active use of the lands and premises for the business, enterprise, activity or use announced upon such sign.

F. All signs expressly prohibited by any statute of the state of New Jersey, any resolution of the County of Burlington Board of Chosen Freeholders, any federal statute, or any rule or regulation of any department, bureau, division or agency of any of the foregoing shall have any sign or location in the Township of North Hanover.

G. All signs not expressly permitted by the terms of this chapter or any other ordinance of the township.

