

**TOWNSHIP OF LONG HILL
ORDINANCE # 360-15**

**MOVING THE TOWNSHIP TEMPORARY SIGN REGULATIONS FROM THE
LAND USE ORDINANCE TO THE POLICE REGULATIONS SECTION
OF THE TOWNSHIP CODE, ADDING SANDWICH BOARD REGULATIONS AND
AMENDING VARIOUS SECTIONS OF THE TOWNSHIP CODE**

STATEMENT OF PURPOSE: To designate the Township's temporary sign regulations as general police power rather than zoning regulations and to permit and regulate sandwich board signs in certain business zones.

WHEREAS, the courts have recognized that municipalities may regulate signs pursuant to their general police powers (State vs. Boston Juvenile Shoes, 60 N.J. 249, 253 (1972)); and

WHEREAS, the Township's temporary sign regulations are currently included in Section 155.3 of the Township Land Use Ordinance; and

WHEREAS, as a result, anyone seeking a waiver or relaxation of any of those regulations must apply to the Zoning Board of Adjustment for a variance; and

WHEREAS, applying for a variance in those situations is neither practical nor efficient, and can be very costly; and

WHEREAS, the Township Committee wants to improve the visibility of businesses in the Township by allowing sandwich board signs under certain conditions;

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, New Jersey, as follows:

Section 1. Section 155.3 of the Township Land Use Ordinance entitled "Permitted Temporary Signs" is hereby repealed in its entirety.

Section 2. Chapter III of the Township Code entitled "Police Regulations" is hereby supplemented and amended by adding a new Section 3-12 entitled "Temporary Signs" which reads as follows:

"3-12 TEMPORARY SIGNS

The following temporary signs are permitted in all areas. In no case shall a temporary sign be illuminated.

a. Real estate signs advertising the prospective sale or rental of the premises or property upon which they are located. Such signs shall be removed within seven (7) days of the sale or rental transaction and shall be restricted in size and number as follows:

1. Residential properties shall not display more than one (1) sign six (6) square feet in area, except that a corner property or through lot may display one (1) such sign on each street frontage.

2. Nonresidential property shall not display more than one (1) sign twelve

(12) square feet in area, except that a corner property or through lot may display one (1) such sign on each street frontage. Properties exceeding three hundred (300) feet of street frontage may display one (1) additional sign for each six hundred (600) feet of street frontage in excess of three hundred (300) feet.

3. All real estate signs shall be located at least ten (10) feet from any street cartway.

4. All "open house" realty signs not located on the property for sale shall be allowed from 7:00 a.m. to 6:00 p.m. on the day of the open house only. "Open house" signs located on the property for sale shall be permitted for not more than three (3) days, including the day of the open house, and shall be removed no later than 6:00 p.m. of the day of the open house.

b. Political campaign signs shall be permitted in all zones. Such signs shall not be permitted for a period exceeding thirty-one (31) days in any campaign or event, inclusive of primaries, shall not exceed twelve (12) square feet in area and shall be removed within forty-eight (48) hours of the conclusion of the campaign or event.

c. Signs are permitted on construction sites for the duration of the construction period. They shall not exceed eight (8) feet in height nor thirty-two (32) square feet in area. They shall be removed within seven (7) days after the completion of the construction work, or upon request for a certificate of occupancy. Not more than one (1) sign shall be located on each street frontage.

d. Temporary signs shall be permitted for special public and semipublic events and for private grand openings and special sales events. Special sales events shall be subject to the determination of individual business owners but shall not exceed two (2) such events in any calendar year. All temporary signs permitted under this subsection shall be removed within thirty (30) days of authorization.

e. Window and door signs located and displayed on the inside of windows and doors of business uses. Such signs shall not exceed twenty (20) percent of each window and door upon which such sign is displayed.

f. Announcements of the sale of an individual's personal property. Such signs shall not exceed six (6) square feet in area and shall not be displayed for a period exceeding thirty-one (31) days in any calendar year.

g. "Fill Wanted" signs. Properties that have secured a fill permit in accordance with the provisions of Section 145 of this Ordinance may display not more than one (1) "Fill Wanted" sign. Such sign shall not exceed six (6) square feet in area and shall display the fill permit number. The sign shall be removed within seven (7) days of completion of filling operations.

h. "Help Wanted" signs for any nonresidential land use.

i. Farm signs advertising the sale of farm products produced within the Township. They shall not exceed six (6) square feet in area. The signs shall be removed during

seasons when products are not being offered for sale. Not more than two (2) such signs shall be erected on any one (1) property.

j. In addition to the on-site signs authorized by paragraph I. above, farm stands shall be permitted to have two (2) off-site signs from April 1 through October 31 of each calendar year, provided the area of each sign does not exceed eight (8) square feet. Written permission of the owners of the sites on which the signs are to be located shall be presented to the Administrative Officer prior to the issuance of a sign permit.

k. Signs announcing any educational, charitable, civic, religious or like special event to be held in the Township shall be permitted in all zones. Such signs, however, shall not be permitted for a period exceeding fourteen (14) days per special event in any one (1) calendar year; shall not exceed twelve (12) square feet in area and shall be removed within forty-eight (48) hours of the conclusion of the event. There shall be not more than twelve (12) signs, Township-wide, advertising any such special event.

Section 3. Chapter III of the Township Code entitled "Police Regulations is further supplemented and amended by adding a new Section 3-13 entitled "Sandwich Board Signs", which reads as follows:

"3-13 SANDWICH BOARD SIGNS

3-13.1 Definitions.

As used in this Section:

"Sandwich Board Sign shall mean a self-supporting, portable sign, not attached to the ground or other permanent structure, "A" shaped, constructed with two sides (or planes), joined at the top, with two visible sides, containing commercial speech, and situated adjacent to a business, typically on a sidewalk."

3-13.2, Sandwich Board Signs Permitted in the B-1-5, B-1-20, M, M-H, B-2, B-3, and O Zones.

Sandwich board signs shall be permitted without any development approvals or permits in the B-1-5, B-1-20, M-H, M, M, B-2, B-3 and O Zones, subject to the following requirements:

1. Only one Sandwich Board is permitted for any one business. In a multi-tenant building, only one Sandwich Board shall be permitted per tenant.
2. Sandwich Boards shall be no more than thirty (30") inches in width and fifty (50") inches in height when extended. The sign shall be placed upon the ground or at grade, and the height of any such sign may not be artificially increased above the maximum allowable height by placing materials underneath the base of the sign.
3. Sandwich Boards may be displayed only during hours when the business is open to the public, and must be brought inside the building when the business is closed, except that Sandwich Board signs may be displayed during special events such as the street fair or the bike race when any such special event is being held in the immediate vicinity of the subject business.
4. A Sandwich Board may only be located in front of the business establishment

that it advertises.

5. No Sandwich Board shall be placed in a driveway, the paved portion or shoulder of a public street, within a sight triangle, within any public parking space, or impede the exiting of passengers from parked cars or pedestrian movement on a public sidewalk.

6. Sandwich Boards may not be permanently fixed, but must be secured to withstand winds to prevent a roadway or sidewalk hazard.

7. Sandwich Boards shall be constructed of weather resistant material, [and no plastic or magnetic lettering shall be permitted. Information in the form of words, or images, may be provided in either chalk or dry erase, in which case they shall be changed frequently.]

8. No Sandwich Board shall contain foil, mirrors, lights, or reflective material which could create a hazardous condition to a motorist, bicyclist, or pedestrian.

9. In the B-3 Zone Sandwich Board signs shall be permitted only on the sidewalk immediately in front of the business, and no Sandwich Board signs shall be permitted on the sidewalks along Valley Road.

Section 4. Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

Section 5. In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 6. This ordinance shall take effect immediately upon final passage and publication as required by law.

NOTICE

The foregoing ordinance having been introduced and passed on first reading by the Township Committee of the Township of Long Hill, in the County of Morris on Wednesday, July 22, 2015 will be considered for final passage and adoption at a public hearing held at a meeting beginning at 7:30 p.m. on **Wednesday, August 26, 2015**, 2015 at the Municipal Building, 915 Valley Road, Gillette, New Jersey when and where or at such time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance.

Cathy Reese, RMC, CMR
Township Clerk

1st Reading and Introduction: July 22, 2015

1st Publication: July 30, 2015

2nd Reading and Adoption:

2nd Publication: