

- **Chapter 17.48 - SIGNS**

Sections:

- **17.48.010 - Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

"Awning" means any structure made of cloth, plastic, metal or other substance, with a frame attached to a building or other structure and projecting over a public or quasi-public right-of-way, when the same is so erected as to permit it to be raised to a position against the building or structure when not in use.

"Business sign" means a sign which directs attention to a person, organization, institution, activity, event, place, object, product, commodity, business, entertainment, service or profession which is located, sold, produced, provided, conducted or offered upon the premises where such sign is located or to which it is affixed.

"Canopy" means any structure, other than an awning or marquee, made of cloth, plastic, metal or other substance and providing a roof-like shelter over a public or quasi-public right-of-way.

"Flashing sign" means a sign, the illumination of which is not kept constant in intensity at all times when in use.

"Illuminated sign" means a sign having characters, letters, figures, designs or outlines illuminated by electric light or luminous tubes as a part of the sign.

"Indirectly illuminated sign" means an illuminated, nonflashing sign whose illumination is derived from an external artificial source and is so arranged that no direct rays of light are projected from the artificial source into an area where anyone resides or into any public street or public way.

"Marquee" means a permanent, roof-like structure extending from part or all of a building or other structure over a public or quasi-public right-of-way and constructed of some durable material such as metal, glass or plastic.

"Nameplate sign" means a sign which states the name or address, or both, of the occupant of the premises where the sign is located.

"Obstructing railroad overpass" means a railroad overpass which does not provide a minimum clearance from the highest point in the curvature of the road surface to the lowest point on the structure of the overpass of thirteen and one-half (13½) feet or to such other maximum vehicular height as may be authorized from time to time by N.J.S.A. 39:3-84 or similar provision of law.

"Portable sign" means a sign, signboard, lightpost, awning, canopy, marquee, framework, flagpole or other similar object which is not securely affixed to the ground or otherwise affixed in a permanent manner to a building or other structure.

"Professional sign" means a sign listing only the name or profession, or both, of a person practicing a profession on the premises where the sign is located.

"Sign" means any name, identification, description, display or illumination which is affixed to or painted on or represented directly or indirectly upon a building, structure, or parcel of land, and which directs attention to a person, organization, institution, activity, event, place, object, product, commodity, business, entertainment, service or profession or which conveys any message, notice or greeting.

"Sign area" means the entire area within a contiguous perimeter enclosing the limits of a sign and including the frame of the sign, but not including structural elements outside the limits of such sign and not forming an integral part thereof. For double-faced signs, only one display face shall be measured in computing the total sign area where the sign faces are parallel or where the interior angles formed by the faces are ninety (90) degrees or less.

"Structure of the sign" means all frames, glass or other coverings, gooseneck arms, lightbulbs, lights, shields, shades, reflectors, supports, brackets, braces, screws, bolts, fastenings or other items or devices which constitute a part of the support system for any sign, awning, canopy or marquee.

(Prior code § 40-166)

- **17.48.020 - Exemptions.**

The provisions of this chapter shall not apply to:

- A.
The display of public notices of any governmental unit.
- B.
A temporary sign in connection with a political campaign or a charitable, educational or religious drive or event, provided that such sign shall not be maintained for more than 45 days, shall not exceed 75 square feet, and shall be removed from the premises ten days after the election or event date.
- C.
Temporary real estate signs, other than portable signs or illuminated signs, stating real estate for sale or lease, provided that the same do not exceed four square feet in sign area, and provided further that they are removed within ten days after the premises has been sold or leased.
- D.
Traditional decorations in connection with any holiday, or event of any religious or ethnic group.
Traditional decoration in connection with any national, state, county or municipal observation, holiday, anniversary or event. Decorations must be removed 20 days after occasion, holiday or event.

(Ord. No. 4078, § 1, 10-27-2009; prior code § 40-167)

- **17.48.030 - Permit application, fee, issuance and fines.**

A.

The city construction office shall supply to any sign/awning applicant the proper application and sign/awning design guidelines. The applicant shall submit:

1.

City official sign/awning application (original), plus six photocopies.

2.

Any other information as the construction code official shall require to show full compliance with the intent and purpose of this chapter and any structural requirements which may be necessary.

3.

Every applicant before being issued a permit shall pay to the city construction department a fee of \$20.00 to construct a sign or awning within the city.

4.

The applicant for any sign or awning must supply one set of photographs of; the current store front, two store fronts on the left side and two store fronts on the right side of the proposed sign/awning location.

5.

Any person erecting a non conforming/illegal sign/awning has 20 days to remove said sign/awning after notification. If the non conforming sign/awning is not removed after 20 days fines shall be issued by the city of \$100.00 per day, assessed to the owner of the property and the occupant of the business. The city also reserves the right to remove/lien the sign/awning and invoice the property owner for the cost of removal. The city shall not be liable for any damages to the facade as the result of removal being the property owner did not comply with the request of removal.

6.

Rendering of the proposed sign and how it will be featured on the building.

(Ord. No. 4078, § 1, 10-27-2009; prior code § 40-168)

Editor's note— Ord. No. 4078, § 1, adopted October 27, 2009, changed the title of [section 17.48.030](#) from "Permit application, fee and issuance" to "Permit application, fee, issuance and fines." The historical notation has been preserved for reference purposes.

- **17.48.040 - Structural regulations.**

A.

If the building inspector shall determine that any sign, awning, canopy or marquee, or the structure of any sign, now or hereafter erected or maintained, is unsafe or insecure or is a menace to the public, or has been constructed or erected or is being maintained in such a manner as to pose a hazard to persons or property, or has been constructed or erected or is being maintained in violation of the provisions of this chapter or any other law or ordinance, her or she shall give written notice to the permittee, and, if there is no permittee, to the owner of the premises, of the violation. If the permittee or owner fails to remove or alter the sign, awning, canopy, marquee or structure of the sign within thirty (30) days after such notice, such sign, awning, canopy, marquee or structure of the sign may be removed or altered by the building inspector at the expense of the

permittee or owner of the premises upon which it is located. The building inspector shall thereafter refuse to issue a permit for erection of any sign, awning, canopy or marquee in the city to any permittee or property owner who refuses to pay the costs so assessed. The building inspector may cause any sign, awning, canopy, marquee or structure of a sign which is an immediate peril to persons or property to be removed summarily and without notice.

B.

All signs, awnings, canopies, marquees and structures of the sign attached to the ground or to a building or other structure shall be thoroughly and rigidly secured and shall be repaired and maintained as necessary to keep them secure, safe and free from causing any danger or damage to persons or property.

C.

All illuminated signs shall comply with the electrical code of the city, in particular, the requirements of Chapter [15.04](#) of this code.

D.

No sign, awning, canopy, marquee or structure of the sign shall be erected or maintained so as to obstruct access to any fire escape, window, door, exit or standpipe, or obstruct passage by either vehicular or pedestrian traffic on any public or quasi-public right-of-way.

E.

Signs, awnings, canopies, marquees and structures of the sign shall be constructed and erected in such a manner as to allow for the effects of high winds and other natural forces, and the building inspector shall require copies of the stress sheets and calculations showing that the sign, awning, canopy or marquee is adequately designed for dead-load and wind pressure in any direction, in any situation where such information may be helpful in determining whether such sign, awning, canopy or marquee can be safely constructed, erected or maintained.

(Prior code § 40-169)

- **17.48.050 - Maintenance and appearance—Aesthetic considerations.**

A.

All signs, awnings, canopies, marquees and structures of the sign shall be maintained in a clean and neat-appearing condition, and such maintenance, where applicable, shall include regular cleaning; regular painting and removal of any peeled, chipped or blistered paint; the renewal or replacement, in whole or in part, of any sign, awning, canopy or marquee or structure of the sign which has been caused to crack, break, peel or otherwise disintegrate or fall apart.

B.

Any sign, now or hereafter erected or maintained, which no longer advertises a bona fide business conducted or product sold, or notice of a current or future event, shall be taken down and removed by the permittee or by the owner of the premises, if there is no permittee, within thirty (30) days after such business ceases, such product ceases to be sold or such event occurs. Upon failure to comply, the building inspector is authorized to cause the removal of such sign and any expense incident thereto shall be paid by the permittee or owner of the premises upon which such sign is located. The building inspector shall thereafter refuse to issue a permit for the erection of any sign, awning, canopy or marquee in the city to any permittee or property owner who refuses to pay the costs of such removal.

C.

No flashing signs shall be permitted in the city except signs displaying the time and/or temperature.

D.

No sign, awning, canopy or marquee shall contain any name, word, identification, description, display or illustration of an indecent or immoral nature; nor contain any libelous, defamatory or sacrilegious language; nor urge, advocate or glorify any unlawful activity or conduct.

E.

No advertising sign or business sign shall be permitted in any residential district, nor be placed facing any residential district, except for business signs located in a nonresidential district.

(Prior code § 40-170)

- **17.48.060 - Permitted uses in zoning districts.**

A.

Residential Districts. Only signs meeting the following conditions shall be permitted in any residential district within the city:

1.

Professional office or home occupation sign; being that the use within the structure meets all city codes. The sign shall not exceed six square feet in sign area. Such signs shall only bear the name and/or address of the person residing on the premises, and the profession or home occupation being conducted on the premises. These signs shall not be illuminated.

2.

Non illuminated, temporary signs on new construction sites, not exceeding ten square feet in sign area, and provided that such signs shall be removed within ten days after completion of construction.

3.

In R-3 and R-4 districts only, a sign shall be permitted for the purpose of identifying a multifamily dwelling project (over nine units) and shall be no greater than 20 square feet in area, whether it be on the lawn or attached to the building.

4.

Only one sign shall be permitted for any use in a residential zone, except corner lots where two signs shall be permitted. Corner lots shall have only one sign permitted per each street frontage.

5.

No more than one sign shall be permitted for each use or activity permitted in the residential zone.

B.

Commercial Districts.

1.

Only signs meeting the following criteria shall be permitted within all of the city's business districts:

a.

One business sign for each facade, corner business's are permitted signs on two sides (facades), but only sign per street frontage.

Sign cannot protrude 12 inches from the facade, unless placed on an awning.

Sign Dimensions—Maximum height 14 feet from ground level measured at building frontage to top of sign, maximum sign width 80 percent of store width, maximum sign box height 24 inches. The dimensions listed above apply to letter size also when said sign consists of fixed letters to the building facade.

Only the business name, logo, street number are permitted on the sign.

No marquee signs are permitted, unless for use by a motion picture theater, provided that same may not interfere with pedestrian and vehicular traffic and provide a clearance of not less than 15 feet.

Second floor businesses are limited to one window sign. Sign height for second floor is permitted to be higher than 14 feet but cannot exceed 22 feet.

b. Display windows may have the name of the store, store description, and/or logo of the store inscribed on the glass by any of the following means, and may not exceed 25 percent of the total window area:

i. Gilt lettering.

ii. Painted lettering.

iii. Professionally created decal.

iv. Stained or sandblasted glass.

c. The only signage that is permitted on the glass of the entry door is the name of the store, store description, and/or logo of the store inscribed on the glass by any of the means described above for display window signs, and a listing of business hours.

d. Special signs serving the public convenience, such as "notary public," "public telephone," "rest rooms" or words of direction or other signs of similar import, provided that each such sign does not exceed one square foot in sign area, and provided further that only one sign of each type shall be displayed.

e. Signs required by law to be exhibited by the owner or occupant of the premises.

f. Nonilluminated, temporary signs advertising the premises for sale or lease, provided that the same do not exceed eight square feet in sign area, and provided further they shall be removed within ten (10) days after the premises are sold or leased.

g.

One awning may be placed upon the front facade of the building.

h.

One canopy may be placed over the principal entrance to the building, provided that no awning is placed upon the front facade of the building.

i.

Stressed fabric canopies may be placed on the facade of a building where limited to a vertical dimension of four feet and a horizontal projection of three feet with signage limited to a vertical height of sixteen (16) inches and containing only the name of the business and/or the street address.

2.

Reserved.

C.

Manufacturing Districts. No signs, awnings, canopies or marquees shall be permitted in any manufacturing district except:

1.

Those signs, awnings, canopies and marquees permitted in the C-3 and C-4 districts.

2.

Business signs, provided that the aggregate area of all such signs on the lot shall not exceed the sum of six square feet for each linear foot of lot frontage, and provided further that such signs attached to the building shall not exceed in the aggregate twenty-five (25) percent of the area of the front facade of the building.

(Ord. No. 4078, § 1, 10-27-2009; prior code § 40-171)

- **17.48.061 - Sign specifications.**

A.

Only signs meeting the following criteria shall be permitted within all of the city's business districts:

1.

Forms of Signage. The following forms of signage are permitted:

a.

Channel-letter (standard, reverse/halo, or open neon).

b.

Carved.

c.

Neon.

d.

Two-dimensional board.

e.

Three-dimensionality is preferred over two-dimensional design.

All other sign types not listed above are prohibited. f.

Permitted Sign Materials. 2.

Painted or carved wood. a.

Carved wooden letters. b.

Epoxy letters. c.

Galvanized sheet metal. d.

Slate, marble or sandstone. e.

Gold leaf. f.

Clear and colored acrylic. g.

Neon, but restricted to ten percent of area inside window. h.

Stained glass. i.

Sign Graphics. Signs may not be hand-lettered, unless created by a professional sign artist. 3.

Awning Signs. Signs on awnings are permitted only when they meet the following provisions: B.

1. Lettering no larger than 16 inches in size.

2. Sign/lettering width shall be no greater than 60 percent of store width.

3. The business name and logo, street number are permitted on the valance section of the awning, and may not cover more than 50 percent of the length of the valance.

4. Only the business name and logo are permitted on the upper section of the awning.

5.

Texture shall be of cloth fabric only.

6.

Colors are to be coordinated with existing colors of other awnings on the same city block.

7.

Maximum height to the top of awning shall be 15 feet measured from the grade in front of the building.

8.

Maximum height of the actual fixed awning shall be three and one-half feet.

9.

Maximum projection from building facade for a fixed awning shall be three feet.

10.

Retractable awnings shall have a maximum projection of six feet.

11.

Awning shall be of a sloping style (angular) beginning flush at the top and sloping outwards as it proceeds downward.

12.

A clearance height of eight feet must be maintained.

13.

The framing of a canopy must not provide any opportunity for birds to perch beneath the canopy.

(Ord. No. 4078, § 1, 10-27-2009)

- **17.48.070 - Gas stations and shopping centers with off-street parking.**

Notwithstanding the provisions of [Section 17.48.060](#), any gasoline service station or shopping center providing contiguous off-street parking between the curb of any street on which such shopping center fronts or sides and the facade of the structure or structures located thereon shall be allowed to erect and maintain customary identification and product signs, including emblems and brands, provided that the same do not exceed sixty (60) square feet in sign area, and provided further that the display portion thereof is raised at least fifteen (15) feet above grade level. No such sign shall exceed forty (40) feet in height. Only one such sign shall be permitted per gasoline service station site, and only one such sign per two hundred (200) feet of frontage on any street or side street shall be permitted for any such shopping center. Gasoline service stations shall be permitted to post signs on gasoline pumps stating the price per gallon and other information required by law, and, in addition thereto, gasoline service stations shall be permitted to erect price signs, except portable signs, within the property lines, provided that the same do not exceed eight square feet in sign area, and provided further that only one such sign shall be permitted per station, except for those gasoline service stations located on two or more streets which shall be permitted to erect one such sign for each street on which the station is located.

(Prior code § 40-172)

- **17.48.080 - General provisions.**

A.

No ground or wall sign shall have its highest section higher than the height requirement established for buildings in the particular zone and district, or forty (40) feet, whichever is lesser. No wall sign shall project above the wall to which it is attached.

B.

No roof sign shall project beyond the walls of the building with the exception of its gooseneck arms which hold shades or reflectors; nor shall any roof sign be permitted to extend higher than thirty-five (35) feet above the roof at the point of mounting.

C.

In the case of two or more business uses occupying the same structure, the front wall area to be used in determining permitted sign area shall only include that portion of the front wall area occupied by the use in question.

D.

Where a business structure or professional structure is located at the intersection of two (2) public streets, an additional sign may be erected or inscribed upon the side wall on the street side, provided it does not exceed the permitted sign area.

E.

Where the side or rear of a business or professional structure adjoins a public parking area or a private parking area intended for the use of the structure in question, signs may be placed or inscribed on said side or rear wall to identify the business use or uses in the structure and access thereto. Such signs shall not exceed ten (10) square feet or two percent of the wall, whichever is the lesser.

F.

Awnings and canopies shall be so constructed and erected as to provide a minimum clearance of eight (8) feet, and marquees shall be so constructed and erected as to provide a minimum clearance of fifteen (15) feet.

G.

All illuminated signs and indirectly illuminated signs shall be shielded so as to prevent any glare and no sign shall be illuminated by lighting of intermittent or varying intensity.

H.

Any sign awning, canopy or marquee, which in the opinion of the building inspector shall pose a threat of personal injury or property damage because of its size, weight, shape, construction, or erection or because of its location in, on, over or adjacent to any public or quasi-public right-of-way, shall not be erected unless and until the applicant for the erection permit shall file with the city adequate evidence of financial responsibility to pay for any personal injury or property damage which may reasonably be caused thereby. Because of the differing potentials for such loss or damage, the amount of public liability coverage necessary to satisfy this requirement may be fixed from time to time by the building inspector after consultation with the business administrator and the director of law.

(Ord. No. 4373, § 8, 5-14-2013; prior code § 40-173)

- **17.48.090 - Prohibited signs.**

The following types of signs shall not be permitted in any zone or district:

A.
Flashing, fluttering or animated signs, except for time and/or temperature signs which may be erected in any commercial or manufacturing district, and flashing, fluttering or animated signs for hotels with two hundred (200) rooms or more. All signs erected pursuant to the provisions of this chapter must comply with all other county, state and federal laws, rules and regulations;

B.
Signs with any lighting or control mechanism which may cause radio or television interference;

C.
Any sign so constructed, erected or maintained as to obstruct or be attached to any fire escape, window, door or opening used as a means of egress or ingress, or for fire-fighting purposes, or placed so as to interfere with any opening required for ventilation;

D.
Any sign which is of such a form, shape or character as to confuse or dangerously distract the attention of an operator of a motor vehicle;

E.
Any sign or marking on an obstructing railroad overpass, except for authorized traffic signs, markings or devices;

F.
Any sign which uses a series of two or more signs or units, placed in a line or in parallel, or in similar fashion, all carrying a single message, part of which is contained on each sign;

G.
Signs which in any way simulate authorized traffic directional or warning signs erected or maintained by any governmental unit or by any railroad, public utility or similar agency concerned with the protection of the public health or safety;

H.
Portable signs; and

I.
Revolving, rotating, gyrating, undulating or otherwise vibrating signs.

J.
Temporary Signs on Glass. Temporary signs may not be affixed to the glass of the display window or of the door.

(Ord. No. 4078, § 1, 10-27-2009; prior code § 40-174)

- **17.48.100 - Nonconforming signs, awnings, canopies and marquees.**

A.
No nonconforming sign, awning, canopy or marquee shall be structurally changed or altered except to bring such sign, awning, canopy or marquee into compliance with this chapter. This provision shall not be deemed to relieve any person owning or controlling any existing sign, awning, canopy or marquee from maintaining the same in accordance with the safety and aesthetic standards set forth herein.

B.

All portable signs shall be removed from the city within fifteen (15) days of the effective date of the ordinance codified in this chapter.

C.

All signs on obstructing railroad overpasses, except for authorized traffic warning signs, markings or devices, shall be removed within thirty (30) days of the effective date of the ordinance codified in this chapter.

D.

The building inspector shall review his or her sign inventory and shall, within ninety (90) days of the effective date of the ordinance codified in this chapter, classify all signs located in the city as follows:

1.

Signs which are unsafe or insecure or menace the public and cannot reasonably be altered to make them safe, secure and hazard free. As to these signs, the building inspector shall direct their removal within thirty (30) days unless they constitute an immediate peril to persons and property, in which case they shall be removed summarily.

2.

Signs which are unsafe or insecure or menace the public but can be altered to make them safe, secure and hazard free. As to these signs, the building inspector shall direct their immediate alteration to make them safe, secure and hazard free.

3.

Signs which require cleaning or painting; removal of peeled, chipped or blistered paint; renewal or replacement, in whole or in part, of the sign or structure of the sign because of any cracking, peeling or breaking, or because the sign or structure of the sign has otherwise been caused to disintegrate. As to these signs, the building inspector shall direct their immediate renewal.

4.

All Other Signs.

E.

The building inspector shall have continuing authority to direct the removal, repair, cleaning, painting, and renewal, in whole or in part, of any nonconforming sign, awning, canopy, marquee or structure of the sign.

(Prior code § 40-175)

- **17.48.110 - Violations and penalties.**

A.

No person, corporation or other business entity which refuses to obey the proper direction of the building inspector to remove, alter, repair or renew any sign, awning, canopy, marquee or structure of the sign or which erects or maintains any prohibited sign shall thereafter be issued a permit for the erection of any sign, awning, canopy or marquee in the city.

B.

The provisions of [Section 1.12.010](#) shall be applicable to this chapter.

(Prior code § 40-176)

- **17.48.120 - Portable signs prohibited.**

No portable sign shall be placed, installed, erected, transported or maintained within the city. All existing portable signs shall be removed from the city within fifteen (15) days after the effective date of the ordinance codified in this chapter.

(Prior code § 120-2)

- **17.48.130 - Exceptions.**

This chapter shall not apply to:

- A.
Any portable sign which is being transported by the manufacturer, installer, owner or agent of the same to a location within or without the city where it is to be permanently erected, providing that such sign shall be safely and securely loaded on or attached to the vehicle transporting the same.
- B.
Any portable sign used by the state of New Jersey, county of Union or city of Elizabeth or by any utility company, telephone company or railroad company, provided such portable sign is intended for the safety and protection of the public.
- C.
Any portable sign placed or located within the interior of any building or structure.

(Prior code § 120-3)

- **17.48.150 - Portable signs—Manufacturing, constructing and storing.**

This chapter shall not limit the business of manufacturing, fabricating, assembling, forging, shaping or otherwise constructing, processing or storing portable signs within the city, providing the same is done on premises owned or controlled by the operators or managers of such business and reasonable precautions are taken to protect the public from personal injury or property damage caused by such portable signs while the portable signs are on those premises.

(Prior code § 120-4)

- **17.48.160 - Monument signs.**

Monument signs shall be only permitted for non residential uses in all zones within the city as long as the signs and the site meets the following requirements:

- A.
The site must contain a minimum of six parking spaces.
- B.
The height to the top of the sign must not exceed five feet measured from the surrounding ground.

The area of the sign cannot exceed 40 square feet.

C.

The sign must be externally lit.

D.

One monument sign is permitted for every two driveways at the site.

E.

(Ord. No. 4078, § 1, 10-27-2009)

- **17.48.170 - Pole mounted signs.**

Pole mounted signs shall be permitted for non residential uses granted that the signs and its site meet the following requirements:

The height of the sign shall not be greater than 20 feet to the top of the sign.

A.

The square footage of the sign lettering area shall not exceed 50 square feet in area.

B.

Only one pole mounted sign is permitted per project or property.

C.

Pole mounted signs shall only be permitted along the following roadway corridors, Route 1 and 9, NJ Turnpike, North Avenue between 1 and 9 and McLester Street.

D.

(Ord. No. 4078, § 1, 10-27-2009)