

ORDINANCE NO. 07-2016

BOROUGH OF ROSELAND
COUNTY OF ESSEX, STATE OF NEW JERSEY

AN ORDINANCE AMENDING CHAPTER XXX ENTITLED "LAND DEVELOPMENT", SECTION 30-403.17 ENTITLED "SIGNS"

WHEREAS, the Mayor and Council of the Borough of Roseland wish to amend Chapter XXX "Land Development", Section 30-403.17 "Signs" to allow and regulate temporary signs.

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Roseland that Chapter XXX "Land Development", Section 30-403.17 "Signs" of the Revised General Ordinances of the Borough shall be amended as follows:

SECTION I

That section 403.17c. "General Sign Provisions", section 403.17i. "Sign regulations for Gasoline Service Stations", and section 403.17j. "Prohibited Signs" shall be amended as to add the following **thus** and delete the following **thus**, and new section 403.17l. shall be added:

30-403.17 Signs.

a. – b. No Change

c. *General Sign Provisions.*

1. Any signs not specifically permitted are hereby prohibited, **except in accordance with applicable law.**

2. – 10. No Change

11. Temporary Signs Permitted upon Approval of Zoning Officer. Temporary announcement or promotional signs shall be permitted in all non-residence zone districts only, upon review and approval of the Zoning Officer, and upon issuance of a Zoning Permit, and shall conform to the following provisions:

a. Temporary signs announcing a new or changed use or occupancy, or normal and customary anniversary of the same, shall be permitted in such quantity, size and location as the Zoning Officer shall determine for a period of no more than two weeks. All such signs, as approved by the Zoning Officer, shall require a zoning permit.

b. No more than one double-sided flag, banner, or curb sign is permitted.

c. The flag, banner, or curb sign cannot exceed thirty-two (32) square feet per side.

d. Flags, banners, or curb signs must be secured to withstand strong winds in order to prevent a roadway hazard.

e. No flag, banner, or curb sign shall be placed so as to obstruct vehicular traffic sight distance triangle requirements.

f. No flag, banner, curb sign shall be placed in the sidewalk area unless there is a clear pedestrian walkway of four-feet.

g. No flag, banner, or curb sign shall contain foil, mirrors, bare metal, or other reflective materials which could create hazardous contains to motorists, bicyclists, or pedestrians.

12. Sandwich Board Signs. Temporary sandwich board signs shall be permitted in the B-1, B-2, and RM zone districts only, upon review and approval of the Zoning Officer, and upon issuance of a Zoning Permit, and shall conform to the following provisions:

a. Only one double sided sandwich board sign per property, or one sign per business in an approved shopping center, shall be permitted.

b. Sandwich board signs shall be no larger than thirty-two inches in width and forty-eight inches in height and no materials such as papers, balloons, wind socks, etc. may be added to the sign to increase its height and/or width. The height of such signs may not be artificially increased above the allowed maximum by placing material underneath the base of said sign.

c. Sandwich board signs must be secured to withstand strong winds in order to prevent a roadway hazard.

d. Sandwich board signs may be used only during the hours when the business is open.

e. No sandwich board sign shall be placed so as to obstruct vehicular traffic sight distance triangle requirements.

f. No sandwich board sign shall be placed in the sidewalk area unless there is a clear pedestrian walkway of at least four feet.

g. All sandwich board signs shall be constructed of weather resistant material.

h. No sandwich board sign shall contain foil, mirrors, bare metal, or other reflective materials which could create hazardous conditions to motorists, bicyclists, or pedestrians.

d. – h. No Change

i. *Sign Regulations for Gasoline Service Stations.* Notwithstanding any other provisions of this chapter, gasoline service stations, where permitted, may display only the following signs which are deemed customary and necessary to their respective businesses.

1. One (1) freestanding sign advertising the name of the station and the principal products sold on the premises, including any special company or brand name, insignia, or emblem, and price information provided that the total area of such sign shall not exceed ninety (90) square feet in area on each side and that each component of such sign shall not exceed fifty (50) square feet. Such sign shall be placed not less than ten (10) feet within the property line and no portion of said sign other than supporting members shall be less than ten (10) nor more than twenty-five (25) feet above the ground. **Such sign may display the day's fuel prices in numerals no more than nine inches high. The numerals may be formed utilizing light-emitting diode (LED) technology. The brightness or intensity of any LED used in such numerals shall not exceed a maximum of 5,000 candelas per square meter during daytime hours, and 500 candelas per square meter between dusk and dawn, at the source.**

2-6 No Change

j. *Prohibited Signs.* The following signs are prohibited in all zones in the Borough.

1-11 No Change

12. Flags, banners, strings of banners, pinwheels, A-type signs, sandwich-type signs, curb signs, and similar advertising devices, **except as specifically permitted in sections 30-403.17c.11. and 30-403.17c.12.**

13-15 No Change

k. No change

l. *Special Community Activities or Events.* Temporary signs announcing special community activities or events deemed by the Zoning Officer to be of special interest to the general public shall be permitted as follows:

1. One temporary sign announcing a special community activity or event, of a size no greater than thirty-two (32) square feet, shall be permitted on the site of the special activity or event for the duration of the activity or event.

2. Temporary, supplemental signs announcing a special community activity or event shall only be permitted to be erected on Borough owned properties only, and in locations as approved by the Zoning Officer. No more than one sign per lot shall be permitted.

3. Temporary, supplemental signs announcing a special community activity or event shall be limited in size to four (4) square feet. Such signs shall be permitted to be erected no earlier than two weeks prior to the activity or event and must be removed at the conclusion of the activity or event.

SECTION II

If any section or provision of this ordinance shall be invalid in any court the same shall not affect the other sections or provisions of this ordinance except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

SECTION III

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION IV

This ordinance shall take effect upon publication as provided by law.

DATE OF INTRODUCTION: April 19, 2016

Motion to Introduce by: Councilman Tsilionis

Motion Seconded by: Councilman Smith

Introduction Approved: 5-1 Voice Vote (Leonard Nay)

ORINANCE AMENDED: May 17, 2016

Motion to Amend by: Councilman Tsilionis

Motion Seconded by: Councilman Smith

ROLL CALL

Aye: Jacobs, Leonard, Smith, Tsilionis, Tolli, Vidovich

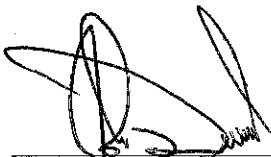
Nay: None

Abstain: None

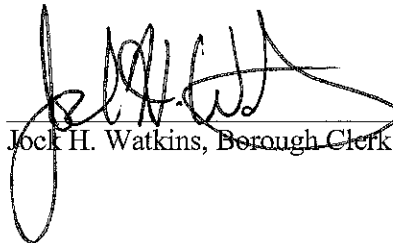
Absent: None

DATE OF ADOPTION: June 21, 2016

| COUNCIL | MOTION | SECOND | AYE | NAY | ABSTAIN | RECUSE | ABSENT |
|-------------------------------|--------|--------|-----|-----|---------|--------|--------|
| Council President Jacobs | | | X | | | | |
| Councilman Leonard | | | X | | | | |
| Councilman Smith | | X | X | | | | |
| Councilwoman Tolli | | | X | | | | |
| Councilman Tsilionis | | | | | | | X |
| Councilman Vidovich | X | | X | | | | |
| Mayor Duthie (In case of tie) | | | | | | | |
| VOTE: | | | 5 | 0 | | | |



John Duthie, Mayor



Jock H. Watkins, Borough Clerk

Date of Publication: June 30, 2016, The Progress