

Chapter 17.48

SIGNS

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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

17.48.020 Exemptions.

The provisions of this chapter shall not apply to:

- A. The display of public notices of any governmental unit;
- B. The flag, emblem or insignia of a nation, political unit, charitable, educational or religious group;
- C. A temporary display in connection with a political campaign or a charitable, educational or religious drive or event, provided that such display shall not be maintained for more than forty-five (45) days;
- D. 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 (10) days after the premises has been sold or leased;
- E. Temporary warning signs during construction or repairs by any governmental unit or by any public utility or railroad company;
- F. Official traffic control signs, signals and devices;
- G. Signs setting forth the name or identifying the activity conducted on any premises owned by a charitable, educational or religious group and used for charitable, educational or religious purposes, except for portable signs or illuminated signs, provided that the same are located entirely within the property lines, and provided further that they do not exceed thirty (30) square feet in-sign area and that only one such sign shall be permitted for each premises;
- H. Any official street sign or marking;
- I. Any sign, nameplate, monument, marker, plaque or tablet authorized by any governmental unit;
- J. A professional sign or home occupation use sign not exceeding two square feet in sign area;
- K. A stationary, nonilluminated sign, not exceeding six square feet in sign area, attached or affixed securely to any residential structure above or alongside the principal entrance to such structure, and stating only the name and/or address and/or home occupation of the occupant or tenant therein;
- L. Traditional home Christmas decorations;
- M. Traditional decorations in connection with any holiday, anniversary or event of any religious or ethnic group; and
- N. Traditional decorations in connection with any national, state, county or municipal observation, holiday, anniversary or event. (Prior code § 40-167)

17.48.030 Permit application, fee and issuance.

- A. Application for a permit to erect a sign, awning, canopy or marquee shall be made upon blanks provided by

the building inspector, and which contain or have attached thereto the following information:

1. Name, address, and telephone number of the applicant;
 2. Location of the building, structure or lot to which or upon which the sign, awning, canopy or marquee is to be attached or erected;
 3. Position of the sign, awning, canopy or marquee and the structure of the sign in relation to lot lines, buildings, structures, streets, sidewalks, parking lots and other public or quasi-public rights-of-way;
 4. Two blueprints or ink drawings to scale of the plans and specifications and method of construction and erection, including details of the entire support system evidencing the manner and method of attachment to the ground, building or other structure, and if applicable, a diagram and/or description of the wiring and illumination;
 5. When requested by the building inspector, copy of stress sheets and calculations showing that the sign, awning, canopy or marquee is adequately designed for dead-load and wind pressure in any direction;
 6. Name of the person, firm, corporation or other business entity constructing and erecting the sign, awning, canopy or marquee, and constructing and erecting the structure of the sign;
 7. Written consent of the owner of the building, structure, or land to which or on which the sign, awning, canopy or marquee is to be erected;
 8. Any electrical or other permit required to be issued for such sign, awning, canopy or marquee;
 9. Insurance policy or bond satisfactory as to the financial responsibility of the surety, in the amount of one hundred thousand/three hundred thousand dollars (\$100,000.00/\$300,000.00) evidencing that the person, firm, corporation or other business entity erecting the sign, awning, canopy or marquee or structure of the sign is financially responsible for injury or death caused during the erection of such sign, awning, canopy or marquee or structure of a sign;
 10. Insurance policy or bond, as required, of the permittee and issued for such sign, awning, canopy or marquee or structure of a sign; and
 11. Such other information as the building inspector shall require to show full compliance with the intent and purpose of this chapter and with all other laws and ordinances.
- B. It shall be the duty of the building inspector, upon the filing of an application for a permit for the erection of a sign, awning, canopy or marquee or structure of a sign, to examine the plans, specifications, blueprints, drawings, insurance policies and bonds, electrical and other permits,

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.

- f. Gold leaf.
- g. Clear and colored acrylic.
- h. Neon, but restricted to ten percent of area inside window.

i. Stained glass.

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

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

- 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

(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.

C. The area of the sign cannot exceed 40 square feet.

D. The sign must be externally lit.

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

(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:

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

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