

**ORDINANCE 12-2013
TOWNSHIP OF MENDHAM
MENDHAM COUNTY – NEW JERSEY**

**AN ORDINANCE OF THE TOWNSHIP OF MENDHAM AMENDING
CHAPTER: XII GENERAL DEFINITIONS AND CHAPTER XXI ZONING
REGULATIONS, SECTION 4.5B SUPPLEMENTARY
REGULATIONS, SIGNS**

BE IT HEREBY ORDAINED by the Township Committee of the Township of Mendham as follows:

SECTION ONE: Chapter XII- DEFINITIONS of the general ordinances of the Township of Mendham is hereby amended as follows:

GENERAL DEFINITIONS

The definitions of “SIGN” and “SIGN AREA” are deleted.

SECTION TWO: Chapter XXI -ZONING REGULATIONS
Section 21 Supplementary Regulations -4.5 b. Signs is hereby deleted and replaced with the following new section:

Signs.

- A. Purposes of Regulations. The purposes of these regulations are:
1. To maintain and preserve the Township of Mendham as a pleasing and attractive environment so as to improve the quality of life of all residents of the Township
 2. To aid in preserving and enhancing the aesthetic, environmental and historic character of the Township.
 3. To protect, conserve and enhance property values.
 4. To enable the identification of places of residence and business.
 5. To allow for the communication of information necessary for the conduct of commerce.
 6. To minimize the size and number of signs and sign messages necessary to identify a residential or business location and the nature of any such business.
 7. To lessen hazardous situations, confusion and visual clutter caused by proliferation, improper placement, illumination, animation, excessive height, area and bulk of signs which compete for the attention of pedestrian and vehicular traffic.

B. Definitions.

SIGN. Any device, free-standing or attached to a building or post or anything requiring support from the ground, or erected, painted, represented or reproduced upon or in any building or structure, which displays, reproduces or includes any letter, word, name, number, model, insignia, design, device or representation used for, but not limited to, one or more of the following purposes: to identify the premises or occupant or owner of the premises, to advertise any trade, business, profession, industry, service or other activity; to advertise any product or item; or to advertise the sale or rental or use of all or any part of any premises, including that upon which it is displayed. A name painted upon or attached to a box for the delivery of mail or a notice to the public of any kind erected by or at the direction of the state, county or the township shall not constitute a sign for purposes of this ordinance.

SIGN AREA. The area of a sign shall be computed by multiplying the greatest horizontal dimension of the display surface by the greatest vertical dimension of the display surface, and any framing or edging shall be considered as part of the display surface. In the case of a free-standing sign, posts or other supporting devices shall not be included in computing the area of the sign.

C. Permit Required

1. All signs hereafter erected or altered, except those exempted as identified below shall conform to the provisions of this chapter. Any signs not specifically permitted are hereby prohibited.
2. Permits required. It shall be unlawful for any person to erect, structurally alter or relocate any sign without first obtaining a permit and making payment of the required fee. Permits shall be reviewed and issued by the Zoning Officer. Except that a complying exempt sign shall not require a permit fee.
3. Consent. No sign permit will be issued without the written consent of the landowner or the person in control of the premises.

D. Sign Permit Exemptions. Exemptions shall not be construed as relieving the owner of such signs from the responsibility of complying with applicable provisions of this chapter. The exemption shall apply to the requirement for sign permit only. No sign permits shall be required for the following signs:

1. Any public notice or warning required by a valid and applicable Federal, State or local law, regulation or chapter.
2. Any sign which is inside a building, not attached to a window or door, and is not readable from a distance of more than three (3) feet beyond the lot line of the lot or parcel nearest to where such sign is located.

3. Holiday lights and decorations with no commercial message.
4. Any sign indicating the name of a building and/or date of construction and/or other incidental information about its construction, which sign is cut into a masonry surface or made of bronze or similar permanent material including historic tablets, cornerstones, memorial plaques and emblems which do not exceed four (4) square feet in area from a single viewpoint.
5. Traffic control signs on private property, the face of which meets the Department of Transportation standard, and which contain no commercial message of any sort.
6. Flags of the United States, New Jersey, the Township of Mendham, foreign nations having diplomatic relations with the United States, other flags adopted or sanctioned by an elective legislative body of competent jurisdiction and flags flown in conjunction with the flag of the United States, provided that such a flag does not exceed sixty (60) square feet in area and is not flown from a pole in excess of forty (40) feet in height. A flag's area shall be in reasonable proportion to the length of the pole from which it is displayed. Not more than three (3) flags may be flown from any one (1) pole. The statutory requirements associated with flags and general accepted standards of flag display etiquette shall be observed.
7. Signs forbidding trespassing, hunting, fishing or trapping as authorized by the fish and game laws not to exceed one (1) square foot in size and further provided that no such sign shall be located less than fifty (50) feet from one another.
8. Signs or banners advertising public or quasi-public events that are posted with the permission of the Township Committee or of any person to whom the Township Committee has delegated this authority according to guidelines set by the Township Committee.
9. U.S. Postal signage and regulation mailboxes.
10. Decorative flags which include no commercial message.
11. Farm and residential property identification signs, street number designations, postal boxes and customary farm warning signs in each case not to exceed two (2) square feet in area.

E. Temporary signs in all zones.

No permits are required to be issued for temporary signs. The following temporary signs shall be permitted in all zones, and shall comply with the following regulations.

1. Temporary signs inside windows and doors of commercial establishments not covering more than twenty (20%) percent of any

given window or door and which shall be removed within thirty (30) days of the date of erection. These signs shall not unreasonably obstruct light and visibility. Three such signs per calendar year shall be permitted.

2. Signs denoting the architect, engineer, contractor or tradesman, when placed upon property in which there is work under construction and not exceeding six (6) square feet in area. Such signs shall be removed within ten (10) days of the completion of the work.
3. Temporary signs indicating a political preference or a political event, provided that such signs do not exceed sixteen (16) square feet in area on any one surface. The signs shall be removed within fifteen (15) days after the completion of the political function. Nothing herein shall be deemed to permit the erection or installation of any political signs upon any pole, tree or in a public right of way, and their erection or installation is hereby specifically prohibited.
4. Temporary signs advertising the sale or rental of the premises upon which it is situated, provided that such signs do not exceed four (4) square feet, and which shall be removed within seven (7) days of when the purpose of the sign is fulfilled. Balloons may only be attached to signs permitted at the premises on weekends and legal holidays. Separate open house signs and direction signs to the open house shall also be permitted in the public right of way at the closest intersections to the property on weekends and legal holidays only.
5. Banner signs sponsored by a charitable, religious, educational, public or other public service oriented entity or organization announcing a special event or function. Any such signs shall be erected no earlier than thirty (30) days prior to the event and shall be removed no later than ten (10) days after the event.

F. Prohibited Signs

1. No sign shall be erected, used or maintained in any way which simulates official, directional or warning signs erected or maintained by the State of New Jersey, by any county or municipality, or by any public utility or similar agency concerned with the protection of public health or safety.
2. No sign shall be lighted by means of flashing or intermittent illumination. This shall include Electronic Message Centers (EMC's), which are also referred to as digital signs or computer-controlled electronic signs that change copy or images more frequently than once per minute.
3. No sign or any part of any sign shall be moving or give the illusion of movement.

4. No neon or similarly illuminated sign or decorative element shall be permitted. No sign shall have exposed high-intensity illumination or reflective material.
5. No sign shall obstruct any window, door, fire escape, stairway or opening intended to provide light or ingress or egress to or from any building or structure, with the exception that twenty (20%) percent of any window or door may be occupied by signage as permitted in Section E.1 above.
6. No sign shall be placed, located or displayed upon any sidewalk or area between the sidewalk and curb.
7. No sign shall be placed upon or above any roof.
8. No signs shall be allowed that are placed on or affixed to vehicles and/or trailers which are parked on a public right of way, public property or private property so as to be visible from a public right of way where the apparent purpose is to advertise a product, service or activity or direct people to a business or activity located on the same or nearby property. This is not intended, however, to prohibit signs placed on or affixed to vehicles or trailer where the sign is incidental to the primary use of the vehicle or trailer.
9. No sign shall be illuminated by other than white, non-flashing, non-moving illumination. The direct source of light shall not be visible from any point along the boundary lines of the property.

G. Signs Permitted for Residential Zones and Uses

1. Name plate signs not exceeding one square foot in area, or professional or announcement signs not exceeding two square feet in area. Said signs may be placed anywhere in the front yard.

H. Signs Permitted for Nonresidential Zones and Uses

One business sign not exceeding four (4) square feet in area shall be permitted as an accessory use on each lot. The sign shall be attached flat to the wall of the building and may be illuminated only by indirect which illumination, non-flashing and non-moving. All signs shall be properly maintained. Whenever a business use is terminated, the sign accessory thereto shall be removed.

I. Signs Permitted for Institutional Uses

Institutional uses as defined in this ordinance shall be permitted one (1) freestanding monument sign not exceeding twenty-four (24) square feet in area and no higher than six (6) feet above the adjacent ground elevation. Such signs shall be either internally or externally illuminated as approved by the reviewing agency.

SECTION THREE

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason found to be unconstitutional or unenforceable, such decision shall not affect the remaining portion of this ordinance.

SECTION FOUR

All ordinances of the Township of Mendham which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION FIVE

This ordinance shall take effect upon final passage and publication thereof as provided by law.

INTRODUCED: 11-26-2013

ADVERTISED: 12-04-2013

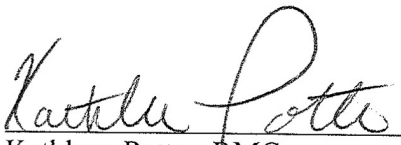
PUBLIC HEARING: 12-23-2013

ADOPTED: 12-23-2013

ADVERTISED: 12-28-2013

ATTEST:

TOWNSHIP OF MENDHAM
IN THE COUNTY OF MORRIS


Kathleen Potter, RMC
Township Clerk


Richard A. Merkt
Mayor