

ORDINANCE 08-2012

CITY OF ABSECON

AN ORDINANCE AMENDING CHAPTER 224, LAND USE AND DEVELOPMENT, SECTION 224-162, DEFINITIONS AND 224-169, SIGNS IN THE PUBLIC RIGHT-OF-WAY.

NOW THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF ABSECON CITY, NEW JERSEY that Chapter 224 – Land Use and Development be amended as follows:

§ 224-162, SIGN, PROJECTING definition is amended to include the following additional sentence:

“This includes business identification signs for commercial establishments/professional offices fronting on New Jersey Avenue between Shore Road and New Road; Station Avenue between New Jersey Avenue and Shore Road subject to specifications described in § 224-169 C”

§224-162. SIGN, SANDWICH definition is added to read as follows:

“A sign that is portable, removable, lightweight, durable, weatherproof material and can be placed by hand on the sidewalk, subject to specifications described in § 224-169 C”

The following section is added:

§ 224-169, C, PROJECTING AND SANDWICH SIGN SPECIFICATIONS.

1. PROJECTING AND SPECIFICATIONS:

- a. Sign can only project perpendicular out from the building face a maximum distance of 5 feet over the public sidewalk.
- b. Sign height clearance from surface to sidewalk 9' minimum.
- c. Maximum height of sign – 14' above sidewalk surface.
- d. Maximum sign area – 20 SF. Sign area (each side) is in addition to the permitted maximum sign area.

2. SANDWICH SIGN SPECIFICATIONS:

- a. Maximum sign width over public sidewalk – 2'6”.
- b. Sign shall be placed in such a manner as to not block pedestrian access in the public sidewalk. Construction Code Official has the authority to remove sign from the public sidewalk if the official determines that it is blocking public access and may be a hazard to the public.
- c. Maximum height of sign – 4' above the sidewalk surface.

- d. Maximum sign area – 9 SF. Sign area (each side) is in addition to the permitted maximum sign area.
- e. Sign must be made of durable weatherproof material.
- f. Sign cannot be placed within 25' of another adjoining sandwich sign in the public sidewalk.
- g. Sign shall only be placed in front of the commercial establishment in which it advertises.
- h. Owner must remove the sign at the closing of the establishment each day.

3. LICENSE REQUIRED.

- a. No person shall erect or allow a projecting sign or sandwich sign that encroaches into the public sidewalk area without having received a license from the City. A license is not required in the event the sign is located on private property.

4. FEE, PURPOSE.

- a. The license fee for a projecting sign and/or sandwich sign complying with the provisions of the ordinance shall be \$50.00 for each of the different type of signs for each property and/or building which contains an approved projecting sign and/or sandwich sign.

5. REQUIREMENTS.

- a. The structure and construction of the projecting sign shall comply with the NJ Uniform Construction Code were applicable.
- b. The signage shall be maintained in good condition and repair. Any sign, which is not maintained, shall, after notice from the Construction Code Official and an opportunity to correct any deficiency, be required to be removed at the owner's expense.
- c. Projecting Signs and Sandwich Signs shall only be permitted on New Jersey Avenue between Shore Road and New Road; Station Avenue between New Jersey Avenue and Shore Road, subject to the specifications in §224-169, C1 and C2. Each property shall be permitted one of each sign, projecting and sandwich signs.
- d. Logos and Images that convey a message are encouraged in addition to lettering on the signage.
- e. Projecting signs shall be externally illuminated with down lighting. Internally illuminated signs are not permitted. Signs shall be routed signs similar to the Absecon Fire Department Sign or the FNBA sign.

- f. Projecting Signs in existence at the time of the adoption of the sign ordinance, Article XXIII, November 17, 1996, and as inventoried in Inventory of Signs compiled in 1995-1996, on file with the Construction Code Official are pre-existing non-conforming and grandfathered. All other non-conforming projecting signs shall comply with the current ordinance. Should the pre-existing non-conforming sign that meets the grandfather clause described above be damaged to the extent that it requires total replacement, the new sign shall comply with the current ordinance.
- g. Any sign along any public highway, road, street, land or easement may be subject to the Roadside Sign Control and Outdoor Advertising Act (N.J.S. 27:5-5) and require a permit from the Department of Transportation Office of Advertising Services.

6. LICENSE REQUIRED

- a. Any applications for licensing shall be made to the Construction Code Official and shall be reviewed. The application shall contain whatever information is determined to be necessary

PUBLIC NOTICE – Public Notice shall be required in accordance with N.J.S.A. 40:55D-12.

BE IT FURTHER ORDAINED, by the City Council of the City of Absecon that:

1. Any Ordinance or parts of Ordinances, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of any such inconsistency.
2. This Ordinance shall take effect upon final adoption and publication as required by law.

Dated: December 20, 2012

APPROVED: _____
Peter C. Elco, Mayor

ATTEST: _____
Carie A. Crone, RMC, Municipal Clerk

Passed on first reading at a work and regular meeting of the Municipal Council held on December 6, 2012. Laid over and advertised for public hearing and final adoption on December 20, 2012. Notice is hereby given that the foregoing Ordinance was approved for final adoption by the Municipal Council of the City of Absecon at a work and regular meeting held on December 20, 2012.