

§ 107-31. Signs.

A. Permit required: nonresidential zones. (Ord. No. 7-90, Ord. No. 3-96)

- (1) No permits are required for signs in residential zones. In all nonresidential zones, it shall be unlawful for any person to erect, paint or locate any signs, as defined by this chapter, without first obtaining a **sign** permit from the Construction Official. The Construction Official shall issue permits only for such signs as are specifically allowed for the particular premises and zone district in which the premises are located or as have been approved by the Planning Board during site plan or subdivision review.
- (2) Standard "for sale" or "for lease" real estate signs measuring no more than nine square feet are exempt from the permit requirement.

B. Area. The area of **sign** shall be computed as the total square foot content of the background upon which the lettering, illustration or display is presented, including any wall support or frame. If there is no circumscribed background, the **sign** area shall be computed as the product of the largest horizontal width and the largest vertical height of the lettering, illustration or display. This shall not be construed to include the supporting members of any **sign** which are used solely for such purpose. For signs with two display faces, the maximum area requirement shall be permitted on each side. Signs with more than two display faces are prohibited. A double faced **sign** having an included angle of over 45° is prohibited.

C. General regulations.

- (1) No **sign** shall be placed so as to interfere with or be mistaken for a traffic light, emergency vehicle signal or similar safety device.
- (2) All illuminated signs, in zones where permitted, shall be either indirectly lighted or of the diffusely lighted type. No **sign** shall be lighted by means of flashing, revolving or intermittent illumination. All lights used for the illumination of any use or building or the areas surrounding them or for the illumination of display merchandise or products shall be completely shielded from the view of vehicular traffic using any public thoroughfare. Floodlights used for the illumination of said premises or any **sign** thereon, whether or not such floodlights are attached to or separate from the building, shall not project more than eighteen (18) inches above the highest elevation of the front wall of the building or more than twenty (20) feet above the street level of the premises, whichever is less. (Ord. No. 3-96)
- (3) No **sign**, as permitted, shall extend or project above the highest elevation of the wall to which it is attached.
- (4) (Reserved)
- (5) Temporary signs used as an accessory to new construction or alternation on the premises are permitted only after a building permit for said construction and **sign** has been issued; provided, however, that said temporary **sign** shall not be larger than sixteen (16) square feet and must be removed prior to the issuance of a certificate of occupancy for said construction. (Ord. No. 3-96)
- (6) No **sign** shall have any moving or revolving parts to be illuminated with flashing, revolving or intermittent lighting.
- (7) (Ord. No. 7-90, Ord. No. 3-96) Real estate signs shall comply with the following regulations:
 - (a) They are not illuminated.

- (b) They must pertain only to the lease, future use or sale of the premises upon which they are placed.
 - (c) They shall not exceed nine (9) square-feet in total **sign** area.
 - (d) They shall be removed within seven (7) days after the consummation of the lease, rent or sale transaction.
 - (e) No more than one (1) real estate **sign** shall be permitted on a lot.
- (8) Signs deemed necessary to the public welfare by the borough, including but not limited to customary "no trespassing" and traffic or circulation direction signs, are permitted in all zones. Such signs shall not pertain to any company, individual or business establishment or organization, fraternal or otherwise.
 - (9) A **sign** advertising the name of a church on the church premises, its pastor and its coming activities shall not be more than thirty-two (32) square feet in total **sign** area. (Ord. No. 3-96)
 - (10) Signs painted directly on any part of any building wall are prohibited. (Ord. No. 7-90)

D. (Ord. No. 3-96) In residential zones, signs must comply with the following regulations:

- (1) No **sign** shall be placed within ten (10) feet of any property line or within a street right-of-way.
- (2) No **sign** shall exceed nine (9) square feet in total **sign** area.
- (3) No **sign** shall have a height greater than four (4) feet, as measured from the ground surfaces to the top of the **sign**.
- (4) No **sign** may be affixed or attached to a wall or roof of any structure.
- (5) Any **sign** displayed from a window shall not occupy more than twenty-five percent (25%) of the surface area of the window.
- (6) Signs may not be illuminated.
- (7) The maximum number of signs that may be displayed on a lot is two (2), and no **sign** may be closer than fifty (50) feet from any other ground **sign** on the same premises.
- (8) No **sign** may be displayed by a resident for a fee. (Ord. No. 6-2017)
- (9) Signs advertising and/or identifying commercial activities or enterprises, including but not limited to architects, internet or telephone providers, engineers, contractors, painters, landscapers and similar tradesman engaged in the construction, improvement, repair, refurbishing or landscaping of residential dwellings or properties, are prohibited, except for real estate signs on the residential property being sold. (Ord. No. 6-2017)

E. Requirements for signs in Office and Planned Industrial Park Districts. In the Office and P.I.P. Districts, no signs other than those accessory to the business conducted on the premises are permitted. All signs must comply with the provisions of Subsection C as well as the following requirements:

- (1) Every **sign** must be attached and parallel to the face of the building and shall not extend further than twelve (12) inches from the face of the building; provided, however, that where a **sign** extends more than three (3) inches from the face of said building, no portion of

said **sign** shall be closer than ten (10) feet to the ground level below said **sign**, and further provided that where a building has a permanent canopy or marquee constructed as an integral part of said building, a **sign**, as permitted in this section, may be placed on the front line of the marquee, provided that no part of said **sign** extends below or beyond the front edge of the canopy or marquee. For the purposes of administering this section, the permitted area of the **sign** on the canopy or marquee shall be determined by the area of the wall from which said canopy or marquee extends.

- (2) There shall be not more than one (1) such **sign**, as herein regulated, to each separate tenant of the premises; provided, however, that where a building is served with a rear entrance or entrance opening on a parking area and intended for use by the public as approved by the Planning Board, each tenant with such entrances or entrances in the building is permitted a second **sign** facing such parking area as regulated for the front of the building.
- (3) The total **sign** area for all signs permitted shall not exceed five percent (5%) of the area of the face of the wall of the building upon which said **sign** is attached.
- (4) The area of any single **sign** shall not exceed one-half (1/2) square foot for each linear foot of street frontage of the building or part thereof occupied by the tenant displaying said **sign**.
- (5) Either the horizontal or vertical dimension of any **sign** shall not exceed two (2) feet.
- (6) Signs may be illuminated in compliance with the provisions of § 107-31C(2) of this article.

F. Permitted signs for gas 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 for their respective business:

- (1) One (1) freestanding **sign** advertising the name of the station and/or the principal products sold on the premises, including any special company or brand name, insignia or emblem, provided that each such **sign** shall not exceed thirty (30) square feet in area on each side and 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 fifteen (15) feet above the ground.
- (2) Directional signs or lettering displayed over individual entrance doors or bays, consisting only of the words "washing," "lubrication," "repairs," "mechanic on duty" and other words closely similar in import, provided that there shall be not more than one (1) such **sign** over each entrance or bay, the letters thereof shall not exceed twelve (12) inches in height and the total area of each such **sign** shall not exceed three (3) square feet.
- (3) Customary lettering on or other insignia which are a structural part of a gasoline pump, consisting only of the brand name of gasoline sold, lead warning **sign**, a price indicator and any other **sign** required by law and not exceeding a total of two (2) square feet on each pump.
- (4) One temporary **sign** located inside the property line and specifically advertising special season servicing of automobiles, provided that such **sign** does not exceed six (6) square feet in area.
- (5) No streamers, signs or any other article shall be attached to any permitted **sign** or **sign** structure.

G. Required signs. All signs required by law or placed by the municipality shall be permitted.

BOROUGH OF NORTH CALDWELL
ORDINANCE NO. O-6-17

AN ORDINANCE AMENDING THE CODE OF
THE BOROUGH OF NORTH CALDWELL
SECTION 107-31 SIGNS TO PROHIBIT
CERTAIN COMMERCIAL SIGNS IN
RESIDENTIAL ZONES WITHIN THE
BOROUGH

WHEREAS, the Governing Body has determined for purposes of maintaining the positive visual appearance of the Borough, it is necessary to restrict the proliferation of commercial signage within residential zones; and

WHEREAS, through the process of codification certain restrictions which were previously in place and desired by the citizens of the Borough of North Caldwell were not made part of the recent codification of the Borough's Code;

NOW, THEREFORE, BE IT ORDAINED By the Mayor and Council of the Borough of North Caldwell, County of Essex, State of New Jersey as follows:

1. Section 107-31. Signs. Shall be amended to provide the following:
 - A. Section 107-31D(8) shall be amended to provide:

No sign may be displayed by a resident for a fee.
 - B. Section 107-31D(9) shall be added and shall read as follows:

Signs advertising and/or identifying commercial activities or enterprises, including but not limited to architects, internet or telephone providers, engineers, contractors, painters, landscapers and similar tradesman engaged in the construction, improvement, repair, refurbishing or landscaping of residential dwellings or properties, are prohibited, except for real estate signs on the residential property being sold.
2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
3. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this ordinance shall be deemed to be valid and effective.
4. This Ordinance shall take effect immediately upon passage and publication in accordance with law.

INTRODUCED: June 27, 2017
PUBLIC HEARING: August 8, 2017
APPROVED: August 8, 2017

ATTEST:

APPROVED:


NANCY A. BRETZGER, BOROUGH CLERK


JOSEPH H. ALESSI, MAYOR