

ORDINANCE 2009-05

AN ORDINANCE AMENDING THE WANTAGE TOWNSHIP LAND USE REGULATIONS, SPECIFICALLY CHAPTER XIII, THE ZONING ORDINANCE, TO AMEND AND CONSOLIDATE THE REGULATIONS FOR SIGNS THROUGHOUT THE TOWNSHIP

BE IT ORDAINED by the Township Committee of the Township of Wantage that Chapter XIII be and is hereby amended as follows:

Paragraph 1

It is the intention of this Ordinance to consolidate all sign regulations for the Township of Wantage and to supersede all references to any sign specification within the Ordinance of the Township and this Ordinance shall govern.

Paragraph 2

The following Ordinance Sections are specifically deleted:

13 - 2.83

13 - 2.84

13 -12.7

13 - 5.8

13 -13.15

13 - 6.6

13 - 8.8

13 - 9.7

Paragraph 3

SECTION 1. Section 13 – 17 currently designated **Supplementary Sign Regulations** shall be deleted and the following shall be substituted:

13 – 17 Signs

13 – 17.1 SCOPE AND DEFINITIONS.

Scope: This ordinance covers the construction, erection and maintenance requirements for signs and outdoor display structures with respect to safety, size, attachment or anchorage, geographical location, height, age, projection and other regulations.

Definitions: For the purpose of this ordinance, the following terms and phrases shall have the meaning given herein:

A. Sign: Any device used to attract the attention of the public for advertising purposes or message conveyance. The word sign include letters, figures, drawings, lines, trademarks, photographs and other markings encompassed within the area of the sign.

B. Area of a Sign: The area of a sign shall be computed by multiplying the greatest vertical dimension by the greatest horizontal dimension of the sign space. The framing or edging of the sign shall be considered part of the sign area. For the purpose of calculation the sign permit fee, the total area, including both faces of a double-faced sign is included, but for calculating maximum area permitted, the area of only one (1) face of a double-faced sign is counted toward the maximum area permitted.

C. Awning Sign-Canopy Sign: Roof like covering extending over a walkway, sidewalk or exterior place supported by a frame attached to a building and/or ground with a surface made of fabric or more rigid material and either retractable or fixed in place, covered by any lettering, logo, or other characters, symbols or figures.

D. Banner: Any temporary sign printed or displayed upon cloth or other flexible material.

E. Billboard Sign: See "Off-Site Sign".

F. Directional Sign: A sign of noncommercial nature which directs the reader to the location of; public or educational institutions; historical structures; historical areas, public parks, or public buildings.

G. Freestanding Sign: See "Pylon Sign"

H. Directory Sign: A sign which directs attention to a business conducted on the premises or to a product sold or service supplied by such business.

I. Ground Sign: A sign which is supported by one or more upright or braces in or upon the ground.

J. Illuminated Sign: Any sign having a source of light for illumination either externally or internally or a combination of both.

K. Facade: Principal face of a building.

L. Official Sign: Any sign erected and maintained by a Federal, State, County, or local government agency for public purposes.

M. Off-site Sign: A sign which directs attention to a business, commodity, service, entertainment or attraction sold, offered or existing elsewhere than upon the same lot where such sign is displayed. The term off-site shall include an outdoor advertising sign (Vehicle, Billboard, Trailer, Utility Pole).

N. Nonconforming Sign: Any sign which exists, but does not meet the requirement of this section, at the time of adoption of this section.

O. Political Sign: A sign related to any political event, issue or campaign.

P. Projecting Sign: A sign which is affixed to any building and projecting beyond the building wall or parts thereof, structure, building line or property line more than eight (8) inches, but which is not constructed or erected so as to extend above the roof line of the structure to which it is affixed.

Q. Pylon Sign (or Freestanding Sign): A structure in the form of a tower or pier, the chief purpose of which is to attract attention and display a sign.

R. Real Estate Sign: A temporary sign placed upon the property for the purpose of advertising to the public the sale or lease of said property.

S. Roof Sign: A sign erected, constructed and maintained on or above the roof of any building or structure. Decorative façade is not considered a roof if it is affixed to but separate from the main building structure and serves an aesthetic purpose only.

T. Sign Permit: A document obtained from the Zoning Official upon payment of required fees, which grants permission to erect the sign described therein.

U. Temporary Sign: a sign or advertising display constructed of cloth, canvas, fabric, plywood, paper or other light material and designed or intended to be displayed for a short period of time.

V. Wall Sign: A sign which is affixed to or painted on an exterior wall of any building, when such signs shall project not more than twelve (12) inches from the building wall of parts thereof. No wall sign shall be constructed or erected above the roof line of the structure to which it is affixed.

W. Window Sign: A sign which is affixed to the inside of any window or glass portion of any door.

X. Sandwich or A-Frame signs: Temporary signs placed upon the property for the purpose of advertising items sold or services supplied.

13 – 17.2 MAINTENANCE

All signs, together with their supports, braces, guys and anchors, shall be kept in good repair. All signs shall be so maintained that their appearance is in keeping with the standards of Wantage Township and does not constitute a blighting factor for adjoining property owners.

13 – 17.3 CONSTRUCTION

A. No sign shall be erected, constructed or maintained so as to obstruct any fire escape, or any window, door or opening used as a means of egress or for firefighting purposes, or so as to prevent free passage from one part of a roof to any other part thereof. No sign shall be attached in any form, shape or manner to a fire escape.

B. All connections of signs to frame structures shall be by steel angle plates properly secured to the building with bolts or lag screws. No sign shall be secured with wood strips or light gauge wire. All signs shall be constructed to resist a wind pressure of fifty (50) pounds per square foot. Other constructions techniques are acceptable if approved by the Construction Official.

C. All electrical wiring to free standing signs shall be underground.

13 – 17.4 PROHIBITIONS

The following are prohibited:

A. String banners, string flags, aluminum ribbons or similar attention-getting devices, except as a temporary sign.

B. Illuminated signs which flash, spell or display any portion intermittently.

C. Tubing or stringing of lights outlining roof lines, doors, windows or wall edges of any building, excluding seasonal decorations.

D. Roof signs.

E. Signs which are a menace to public safety or which obstruct the views of any street, intersection or crosswalk.

F. Signs placed on sidewalks or public right-of-ways.

G. Revolving, rotating or moving signs.

H. Freestanding pylon signs located in public rights-of-way or approved sight easements.

I. Signs that extend above the roof line of the structure to which it is affixed.

- J. Temporary signs which are illuminated.
- K. Billboards.
- L. Any flashing, moving or animated or sequentially lighted signs.
- M. Any sign whose lighting or central mechanism causes radio or television interference.
- N. Signs utilizing the colors red or green in their illuminations within 100 feet of a street intersection.
- O. Signs which resemble, simulate or may be mistaken for a traffic sign within 20 feet of a roadway.
- P. Signs affixed to trees, rocks or other natural things.
- Q. Signs affixed or painted on water towers or similar structures.
- R. Signs which obstruct motorists' vision, traffic signs or signals or business identification signs outside the lot on which the business is located.
- S. All billboards, signboards, advertising signs, vehicular signage, bus shelters signage, or devices not expressly related to the business being conducted on the premises.

13 – 17.5 PUBLIC SIGNS

Nothing in this Ordinance shall be deemed to restrict or prohibit the erection, construction or maintenance within the Township of Wantage of signs or markers for use in policing, directing or controlling of traffic or parking when legally authorized by the State of New Jersey and/or the County of Sussex, and/or the Township of Wantage.

13 – 17.6 TERMINATION OF USE

At the termination of any use of any premises, building structure or lot, the permission to display signs associated with such use shall terminate. All signs and the brackets and posts which support the signs shall be removed from the premises within ninety (90) days from the date of termination of such use, unless approval for any extension of time is requested from and granted by the Zoning Official.

13 – 17.7 TEMPORARY SIGNS

A. Real Estate Signs: Signs designating property for sale shall be set back at least ten feet from all street lines. Real Estate Signs may be one of the following two types:

1. **Real estate "for sale/for lease/sold" signs.** One sign per lot to advertise the sale or rental of premises upon which the sign is located by the owner or real estate agent or broker. The Building Department must be notified. The sign is not to exceed eight square feet in residential districts or 16 square feet in all other districts. The sign shall be removed within seven days after consummation of a sale or lease transaction.
2. **Real estate "Open House" sign.** One sign, in addition to the "for sale" sign, may be placed on the subject property. The sign shall not exceed six square feet in size and may be placed up to seven days prior to the open house and shall be removed immediately following the open house.

B. Removal, New Occupancy, Special Event or Banner Signs: Removal or new occupancy signs shall not exceed ten (10) square feet in area. They shall be removed within fifteen (15) days of removal or new occupancy. No outdoor banner, flag, paper, canvas or cloth signs used to advertise a special event shall be erected until the proper permit is obtained. Special Event signs may be placed 14 days before the event and removed no later than 2 days after the event.

C. Charitable Organization Drives: Signs for campaign or money-raising drives for religious or charitable organizations shall not exceed sixteen (16) square feet in area. Signs shall be erected no sooner than two weeks prior to the publicized event and shall be removed no later than 48 hours after the event.

D. Construction Signs: Signs pertaining to the construction, repair, remodeling or any building shall be located at the principal entrance to the building. They shall not exceed sixteen (16) square feet in area. They shall be removed within seven (7) days after the completion of the construction work.

E. Window Signs: Temporary Window signs designed to promote the sale of any article or business activity shall not exceed in total sign area fifteen (15) percent of any total window area. Such signs shall not remain in a window longer than thirty (30) continuous days. They shall be removed within two (2) days after the event or activity has taken place.

F. Political Event Signs: Political signs announcing political events, issues or campaigns may be erected providing that they do not constitute safety hazard by blocking sign distance, pedestrian or vehicular traffic and the like. Such signs shall be removed within seven (7) days after completion of the event or campaign and shall in no event be displayed for a period exceeding 21 days.

G. Sandwich Signs: Signs which direct attention to products sold or services supplied. Two signs permitted per property, 6 sq.ft. per side, must be removed nightly and may not interfere with pedestrian or vehicular traffic. Properties with multi-business (plaza/centers) are limited to two sandwich signs. May not be erected until the proper permit is approved.

H. Garage Sale Signs: one sign per lot to advertise the sale of household items may be placed one week before and removed immediately after.

13 – 17.8 R2 – R5 RESIDENTIAL SIGNS

Signs permitted:

- A.** Temporary real estate signs as described.
- B.** Public ground signs as described.
- C.** An announcement sign not exceeding one (1) square foot in area indicating the practice permitted and occupancy on the premises, and the name of the practitioner.
- D.** One ground or wall sign not exceeding ten (10) square feet in area identifying the name of the premises of an apartment house, farm, condominium, or townhouse. This sign may be illuminated with uncolored electric lights.
- E.** Signs erected upon the premises of houses of worship and charitable and nonprofit organizations shall not exceed twenty-four (24) square feet in area.
- F.** Signs advertising charitable organization drives as described,
- G.** Construction signs as described,
- H.** Political event signs as described,
- I.** One name plate sign for each family housed in a residence, not to exceed one (1) square foot in area per sign.
- J.** Off-site signs, except for billboards, shall be permitted as conditional uses.
- K.** Home occupations and professional occupations may have one sign not to exceed three square feet in area and shall be set back a minimum of ten feet from the street line. Professional occupations may also have one additional sign attached to the structure not to exceed three square feet in area.

13 – 17.9 SIGNS PERMITTED IN OTHER THAN R-2 AND R-5 (RESIDENTIAL)

Signs permitted:

A. All signs permitted in the Residential District R-2/R-5 as well as the following signs:

1. Signs which direct attention exclusively to a permitted business conducted on the premises on which such a sign is located, or to a product sold or service supplied by such business.

2. Two (2) signs painted on the windows and/or doors of each business bearing the name, street number and/or type of business of the principal occupant, provided that there shall be no more than one such sign on each window or door, and that the total area of all signs shall not exceed ten (10) square feet.

3. Credit card signs and trading stamp signs may be displayed on windows provided that the total area of all such signs shall not exceed three (3) square feet in area.

4. Signs required by law to be exhibited by the occupancy of the premises, provided the same do not exceed six (6) square feet in total area.

5. Special signs serving the public convenience, such as “*notary public*”, “*public telephone*” “*store hours*”, “*food menu*”, or words or directions of similar import, provided that each sign does not exceed three hundred (300) square inches in total area, and only one sign of each type is displayed.

6. Awnings and canopies: A sign on an awning, marquee or canopy shall be considered part of a main business sign and shall be counted in determining the maximum sign area permitted (10 percent of the first floor building front) on the face of the building. Approval must be made by the Land Use Board.

7. Clear Line Of Sight: Signs and sign structures of all types shall be set back or elevated sufficiently to allow a clear, unobstructed line of sight from points of ingress or egress for at least 1000 feet along all abutting streets and highways.

B. Ground Signs.

Regulations:

Height and Area. No post or ground sign shall exceed ten (10) feet in height measured from the ground level or thirty (30) square feet in area. Not more than one such sign shall be erected for one business occupancy.

C. Wall Signs. The total area of all wall signs on any one building shall not exceed in area fifteen (15) percent of the total area of the first story or ground level fact of the building on which they are erected or forty (40) square feet, and shall be designed to be architecturally compatible with the building.

Regulations:

1. Supports and Attachments. Shall be in compliance with the N.J.U.C.C.

2. Placement. Wall signs shall be placed in the front of the building only.

3. Projection. No wall sign shall project higher than the highest point of the façade of the building upon which it is to be erected and it shall not project more than eight (8) inches from the façade of the building.

4. Number. No more than one wall sign per face of a building which fronts on a street shall be permitted to any one business occupancy.

5. Size. The total area of all wall signs on any one building shall not exceed in area fifteen (15) percent of the total area of the first story or ground level fact of the building on which they are erected or forty (40) square feet, and shall be designed to be architecturally compatible with the building.

6. Corner Properties. Corner properties fronting on two or more streets shall be permitted no more than one illuminated wall sign, fastened or painted on each wall fronting upon a street.

D. Freestanding or Pylon Sign.

Only one freestanding or pylon sign advertising the company or brand name, or insignia or emblem, shall be permitted, provided that the sign shall not exceed 40 square feet per side in area within a maximum of two sides. The bottom of the sign shall not be less than 10 feet from level of the center line of the adjacent road to the bottom of the sign.

E. Projecting Sign

Regulations:

1. **Materials:** All projecting signs shall be built of material with a minimum of one-hour fire-resistance rating.
2. **Supports and Attachments:** Shall be in compliance with the N.J.U.C.C.
3. **Projection, Height and Area:** A projecting sign shall not project beyond the building line more than four (4) feet, and in no case shall a projecting sign project beyond any property line into public rights-of-way. The bottom of the sign shall be at least eight (8) feet clear above the walk or ground. The area of the sign shall not exceed thirty (30) square feet.
4. **Quantity Allowed:** Only one projecting sign shall be permitted for each building or structure or use.

13 - 17.10. Electrical Equipment.

Shall be in accordance with the N.J.U.C.C.

13 – 17.11. Nonconforming Signs.

Any sign lawfully in existence prior to the effective date of this Section may be continued, provided that the same shall be regularly maintained and kept in good repair. However, no change in lettering, content, size, construction, location or lighting of such sign shall be permitted except by approval of the Land Use Board.

No non-conforming sign may be enlarged or altered in such a way as to increase its non-conformity. All non-conforming shall be removed or shall be altered to conform to the provisions of this Section when any such sign is changed or modified in either in shape, size, illumination or structure. Should any non-conforming sign be damaged by any means to an extent of more than fifty (50%) percent of either its replacement cost or structural elements at time of damage, such sign shall not be reconstructed except in conformity with the provisions of this Section.

13 – 17.12. Permits, Fees and Enforcement.

1. Permit.

A. Temporary Real Estate Signs and Political Event Signs 16 square feet or less in size: No permit or fee shall be required.

B. All Other Signs: No other sign shall be erected, constructed, altered or structured condition repaired until approval has been obtained from and a permit has been issued by the Zoning Official and the required fee has been paid.

2. Regulations.

A. Fees: Fees shall be collected by the Zoning Official in accordance with the Wantage Township Fee Ordinance. Fee shall be required for all new signs and all signs replacing existing signs.

B. Exemptions. The requirements for a permit fee shall not apply to:

1. Temporary window signs.
2. Temporary signs of a political nature.
3. Temporary signs advertising charitable fund raising events.
4. Temporary Real Estate Signs
5. General Maintenance and Upkeep on an existing permitted sign
6. Amendment/Alteration of advertising copy on an existing permitted sign

3. Enforcement.

A. Inspection: The Zoning Official shall inspect each sign for which a permit is required upon completion of its installation.

B. Unsafe Signs: In the event that any sign is found to be in a dangerous structural condition, the Zoning Official shall notify the owner of such sign and/or the owner of the property on which it is erected in writing and advise in what manner the owner shall make the same safe and secure. In the event the owner does not comply with the requirements as specified within seventy-two (72) hours from receipt of such notice, the sign may be removed by the Township of Wantage, in which case the owner of the sign and the owner of the building shall be jointly and severably liable to the Township for the costs of removal.

C. Defective Signs: In the event any sign is found to be in violation of size, number or location provisions of this ordinance, the Zoning Official shall notify the owner of such sign and the owner of the property on which the sign is erected of such violation in writing, and the owner shall within ten (10) days, correct such violation.

D. Penalties: Violation of and/or non-conformance with this Ordinance shall be subject to the penalties as set forth in Paragraph 3-1.1 of the Wantage Township General Ordinances.

13 – 17.13 SUBMISSION REQUIREMENTS FOR NEW SIGN APPLICATIONS

A. Submission of Application; Requirements.

1. The applicant shall file at least 21 days before the date of the regular public meeting of the Land Use Board eight copies of a site plan or plat and three copies of an application for a special permit sign, together with all other drawings, and documentation required herein or by any rule of the Land Use Board, with the Township Clerk. The applicant shall obtain all necessary forms from the Township Clerk. The Secretary of the Board shall inform the applicant of the steps to be taken to initiate applications and of the regular meeting dates of the Board.

2. Approval by County Planning Board Required. All applications for site plan approval for signs on a county road shall be submitted to the County Planning Board for its review and recommendations and, where applicable, approval where required by state statute or county requirements. The applicant shall furnish proof of such submission within 10 days of the submission of his application to the Township Reviewing Board by presenting a copy of his site plan with an indication from the county that it has been filed with it. Any application for site plan approval shall not be deemed complete in the absence of proof that it has been filed with the County Planning Board, if required. If the County Planning Board has failed to grant or deny approval of the site plan at the time of approval of the applicant's application, such approval shall be conditioned on approval of such site plan by the County Planning Board.

B. Notice and Publication Required.

A public hearing, after proper notice and publication by the applicant in accordance with the Land Use Procedures Ordinance of the Township, shall be held on all applications.

C. Plat Details.

A complete application for a special permit sign shall also consist of the following:

- (1) A plat or map with the following details and information.
 - (a) The boundaries of the tax lot where the proposed sign is to be located and dimensions of said lot.
 - (b) The tax lot and block number of said lot.
 - (c) The location of all structures within 100 feet of the proposed sign location, including underground utilities.
 - (d) The location and dimensions of the existing paved surface.
 - (e) The distance from the paved surface of the road.
 - (f) A sketch showing the design of the proposed sign and the dimensions of the same. Said sketch may be contained on the same sheet as the map showing the location of the sign but in a separate area thereof. Said drawing shall be of sufficient size to clearly show the proposed sign design, including the height of the lettering. The materials to be used in the construction of the sign shall be specified thereon, as well as sign colors.
- (2) An affidavit of ownership and consent of the property owner shall be submitted if the applicant is not the owner of the subject property where the sign is to be located.
- (3) The applicant shall submit, in written narrative form, a statement specifying:
 - (a) The necessity for the sign.
 - (b) Whether the sign will obstruct the view of motorists in the area.
 - (c) The nature of the sign, e.g., advertising, directional, informational, decorative, etc.
- (4) The Board may require the applicant to submit a survey of the subject premises, showing the location and dimension of the road right-of-way, the exact location of the proposed sign and requirements of Subsection D(1) above. Said survey shall be prepared, signed, sealed and certified to by a surveyor or engineer licensed under the laws of the State of New Jersey.
- (5) All details subject to review by the Land Use Board Engineer.

Section 2. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason by any Court of competent jurisdiction, such provision(s) shall be deemed severable and the remaining portions of this Ordinance shall remain in full force and effect.

Section 4. All ordinances or parts of ordinances or resolutions that are inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

Section 5. The Municipal Clerk is hereby directed to give notice at least ten days prior to the hearing on the adoption of this ordinance to the County Planning Board and to all other entities thereto pursuant to the provisions of N.J.S.A. 40:55D-15. Upon the adoption of this ordinance, after public hearing thereon, the Municipal Clerk is further directed to publish notice of the passage thereof and to file a copy of this ordinance, as finally adopted, with the Sussex County Planning Board, as required by N.J.S.A. 40:55D-16.

Section 6. This ordinance shall take effect after publication and passage according to law.

Parker Space, Mayor

ATTEST:

James R. Doherty, Administrator/Clerk

NOTICE

TAKE NOTICE that the above entitled ordinance was introduced at a regular meeting of the Township Committee of the Township of Wantage, on February 26, 2009, and will be considered for final passage after public hearing at a regular meeting of the Township Committee of the Township of Wantage to be held on April 9, 2009, at 7:00 p.m. in the Municipal Building, 888 Route 23 South, Wantage, New Jersey.

James R. Doherty
Administrator/Clerk

13 – 17.12 Schedule of Sign Regulation. [added 09-18-01]

Use	Maximum Total Number of Signs	Maximum Area Sign Face (sq.ft.)	Minimum Setback From any Lot Line	Maximum Height above Ground (feet) a*
Single-family Residential	1 per unit	2	20	8
Farmer's roadside sign	2	32 total area of sign	15	12
Apartment/ Townhouse Multiple-Family				
Freestanding	1 per arterial or collector street	40	30 from street right-of-way: 50 from property line	18
Façade	1 per building	2	–	–
Highway Commercial (single establishment)				
Freestanding	1 per establishment	40 per side (max. of 2 sides)	20	18
Façade	1 per establishment	10% of front façade	–	c*
Highway Commercial (2 or more Establishments)				
Freestanding	1 per establishment	40 per side (max. of 2 sides)	20	18
Directory sign attached to the freestanding sign	1 per establishment	2 per establishment for attached directory sign	–	–
Façade sign(a*)	1 per establishment	10% of front façade	–	c*

Use	Maximum Total Number of Signs	Maximum Area Sign Face (sq.ft.)	Minimum Setback From any Lot Line	Maximum Height above Ground (feet) a*
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Neighborhood Commercial Sign requirements of the Residential Zone apply to residential uses, and sign requirements of the High – Commercial Zone apply to highway commercial use.

Shopping Village

Freestanding	1	50	20	18
Façade	–	10% of the façade	–	c*

Industrial District

Freestanding	1	100	50	18
Façade	–	5% of front façade	–	c*

Industrial District (park)

Freestanding	1 per arterial or Collector road on which the industrial park abuts	200	–	35
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Limited Industrial

Freestanding	1	100	50	18
Façade	–	5% of front façade	–	c*

Notes:

- a*. The height of the sign shall be measured from the center line of the road which the sign abuts to the top of the sign.
- b*. Each lot is permitted one directory sign attached to the freestanding sign and one directory sign attached to the façade.
- c*. Not above the roof line of the building.
- d*. Buildings with a street setback of 400ft. or more may expand their Façade an additional 5%.