



**2020
BOROUGH OF DUMONT
ORDINANCE**

MEMBERS	AYE	NAY	ABSTAIN	ABSENT
CHAE	✓			
ENGLESE	✓			
GORMAN	✓			
MANNA	✓			
ROSSILLO	✓			
STEWART				✓
MAYOR LaBRUNO				
TOTALS	5			1

Ordinance No. 1580

Date: September 15, 2020

Page: 1 of 23

Subject: Sign Ordinance

Purpose: Supplement and Amend

Dollar Amount: _____

Offered by: Manna

Seconded by: Englese

Prepared By: John Szabo

Certified as a true copy of an Ordinance Introduced and Passed by the Governing Body of the Borough of Dumont on the above date at a Public Meeting by:

Susan Connelly

Susan Connelly, RMC, Municipal Clerk
Borough of Dumont, Bergen County, New Jersey

SUPPLEMENTING AND AMENDING CHAPTER 350 OF THE BOROUGH CODE-SIGNAGE

WHEREAS, the Borough's sign ordinance has not undergone substantive review for many years;
and

WHEREAS, the Borough's sign ordinance requires amendments to reflect more current standards;
and

WHEREAS, updating the sign ordinance will provide improved design guidelines that will enhance the character of the community;

NOW THEREFORE, BE IT ORDAINED by the Council of the Borough of Dumont in the County of Bergen, State of New Jersey that Chapter 350 of the Borough Code entitled "Signs" is hereby supplemented and amended as follows (**note**: deletions are denoted as ~~strikeouts~~ while new provisions are denoted in ***bold italic***):

§ 350-1 Title.

This article shall be known and cited as the "Sign Ordinance of the Borough of Dumont."

§ 350-2 Definitions.

As used in this article, the following terms shall have the meanings indicated:

ALTERING

To make a change, modify, vary in some degree or change some of the elements, ingredients or details without substituting an entirely new sign or components or destroying the identity of the sign being changed.

AREA OF SIGN

The area enclosed by the perimeter of the sign, including its background, if any, but excluding the structure of the sign, ***and*** its supports ~~and ornamentation, if any~~. For wall signs having no background, an imaginary rectangle shall be calculated surrounding each letter or symbol. The summed area of each said rectangle shall be considered the total area of the sign. For parallel double-faced ground signs erected as a single or joined units, the maximum area permitted shall be calculated on one (the largest) side only.

AWNING

~~A shelter projecting from and supported by the exterior wall of a building constructed of either cloth or metal on a supporting framework.~~ ***Awning Sign shall mean roof-like covering extending over a walkway, sidewalk or exterior place, supported by a frame attached to the building and/or ground with a surface made of fabric or more rigid material and either retractable or fixed in place. The sign area of an awning or canopy sign shall be the total length times the total width of the area(s) of the canopy covered by any lettering, logo or other characters, symbols or figures.***

BANNER

Banner shall mean any temporary sign printed or displayed upon cloth or other flexible material, with or without frames.

BOCA CODE

~~The Building Officials and Code Administrators International Basic Building Code of 1981 and/or any subsequent amendments.~~

BILLBOARD SIGN

A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.

CANOPY SIGN (See Awning Sign).

CHANGEABLE COPY SIGNS

Static signs that have individual letters that are changed manually by hand and not by any electronic means.

DIRECTIONAL SIGN

A sign of a non-commercial nature which directs the reader to the location of public or educational institutions or to the location of historical structures or areas or to the location of public parks or buildings.

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.

ELECTRONIC MESSAGE CENTER (EMC)

A variable message sign that utilizes a computer or other electronic controlled means (whether digital, analog, incandescent lamp LCD, LED or other display technologies) to change and control a message displayed. EMC does not refer to the internal or external illumination of the sign, to a directly illuminated sign, or to an illuminated sign.

CONSTRUCTION OFFICIAL

The principal enforcement and administrative agent of the Borough of Dumont under this article.

DISTRICT

One of any zones or use districts as designated in Chapter 455 of the Code of the Borough of Dumont.

ERECT

To build, construct, attach, hang, place, suspend or affix and the painting of wall signs.

ELECTRIC CODE

Electrical Subcode (per NJAC 5:23-3.16) National Electrical Code (NFPA 70)/2017 or as amended and adopted by the State of New Jersey

~~GROUND SIGN~~ *FREESTANDING SIGN*

A sign supported directly on the ground by a footing, base and pedestal or by pole(s) or upright(s) set in or on a footing and/or base.

ILLUMINATED SIGN

Any sign having a source of light for illumination either externally or internally or a combination of both. An illuminated sign includes reflectorized, glowing and radiating signs.

- a. External Illumination shall mean a front lit sign where a light source shines on the graphics.*
- b. Internal Figure Illumination shall mean a backlit sign where the letters and symbols are translucent, and the background is opaque.*
- c. Internal Ground Illumination shall mean a backlit sign where the letters and symbols and opaque and the background is translucent.*

INTERNATIONAL BUILDING CODE

Building Code (per NJAC 5:23-3.14) International Building Code/2018, NJ ed (IBC w/ NJ edits from 3.14) or as amended and adopted by the State of New Jersey.

MAINTENANCE; MAINTENANCE OF SIGNS

Replacement without substantial change of any parts or supports of any signs and repainting without change of text, design or size of any sign, without removal of the sign from the wall or structure supporting it.

MANSARD

A sloped roof or roof-like facade, architecturally comparable to a building wall

MONUMENT SIGN

Ground mounted sign with a permanent foundation form the base of the sign that rests on grade.

NEON SIGN

A sign illuminated by the means of neon or other gases which produce a glowing sign.

NONCONFORMING SIGN

A sign legally erected but not complying with a subsequently enacted sign ordinance or a sign which does not conform to this article but for which a special permit or variance was granted.

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 sign shall include an outdoor advertising sign (billboard) on which space is leased or rented by the owner thereof to others for the purpose of conveying a commercial message.

ON-SITE SIGN

A sign which directs attention to a business, commodity, service, entertainment or attraction sold, offered or existing on the same lot where such sign is displayed; provided however that an on-site sign may also display a noncommercial message.

OWNER

A person listed as the owner on official public records. The owner of the property on which a sign is located shall be presumed to be the owner of the sign, unless facts to the contrary are officially recorded or brought to the attention of the Construction Official.

PARAPET

The extension of a false front or wall above a roofline.

PERSON

Any person, firm, partnership, association, corporation, company or organization of any kind.

POLITICAL SIGN

A sign announcing any political event or campaign.

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.

PROPERTY LINE

The sideline of any street, road or highway in which the public has acquired rights of use, which sideline marks the division line between such street, road or highway and lands privately owned.

PYLON SIGN

A structure in the form of a tower or pier, the chief purpose of which is to attract attention and display a sign.

REAL ESTATE SIGN

A temporary sign placed upon the property for the purpose of advertising to the public the sale or lease of the property.

RELETTERING

To change the lettering or descriptive symbols on a sign without changing any of the structural parts or components of the sign.

ROOFLINE

The top edge of a roof or building parapet, whichever is higher, excluding any minor decorative details or projections.

ROOF SIGN

A sign erected, constructed and maintained on or above the roof of any building or structure.

SIGN

Any device, structure, fixture or placard, made of combustible or incombustible materials, using electronic, stationary, lighted, painted or printed symbols and/or written

copy for the purpose of informing or directing members of the public or advertising, promoting or identifying any institution, establishment, product, goods, services or person. *This definition shall not include any form of artwork painted on a building independent of and unrelated to a particular business, on and off premises, provided further that such artwork shall not be otherwise incorporated, in any way, as part of a business brand in any advertising or materials relating to a business, in which case the artwork shall be considered a sign.*

TEMPORARY SIGN

A sign not intended for use for more than 60 days. This shall include any sign, banner, pennant, flag, valance or advertising display constructed of cloth, canvas, cardboard, wallboard or other light materials, with or without frames.

UNLAWFUL SIGNS

Any sign not meeting the requirements of this article and which has not received legal nonconforming status.

WALL SIGN

A sign attached to the exterior surface of a structure, parallel to and not extending more than 12 inches from the wall nor projecting beyond the top of the wall and at least eight feet above the sidewalk or ground beneath it. This definition includes individual-letter, painted and cabinet-mounted signs and signs on a mansard.

WINDOW SIGN

A sign installed only by painted lettering, without a contrasting background, inside a window or glazed door and intended to be viewed from the outside. The lettering may not occupy more than 15% of the glazed area of any window or door panel.

§ 350-3 Permit; plans and specifications; owner's consent.

A. Permit. No sign shall be erected or constructed until a permit has been issued by the Construction Official and the bond, if required, shall have been filed in accordance with § 350-6.

B. Plans and specifications. Prior to the issuance of a permit plans and specifications showing the dimensions, materials and required details of construction, including loads, stresses and anchorage, shall be filed with the Construction Official.

C. Owner's consent. All applications for the erection or construction of a sign shall be accompanied by the written consent of the owner or lessee of the premises upon which the sign is to be erected.

D. Alterations. No sign shall be enlarged or relocated except in accordance with the provisions of this article. The changing of movable parts of an approved sign that is designed for such changes or the repainting or reposting of display matter shall not be deemed an alteration, provided that the conditions of the original approval and the requirements of this article are not violated.

E. Time limits. Erection or alteration of a sign shall be completed within four months after the issuance of a permit. If the work is not completed within such time, the Construction Official may renew the permit for an additional four months, after which date the permit shall expire and be of no force and effect.

§ 350-4 Maintenance; inspections.

A. Maintenance. All signs, together with all their supports, braces, guys and anchors, shall be kept in repair in accordance with the provisions of this article and the New Jersey Uniform Construction Code. When not galvanized or constructed of approved corrosion-resistive noncombustible materials, signs shall be painted when necessary to prevent corrosion.

B. Housekeeping ***Responsibility to maintain signs in good condition.*** It shall be the duty and responsibility of the owner or lessee of every sign to maintain the immediate premises occupied by the sign in a clean, sanitary and healthful condition.

C. Inspection. Every sign shall be subject to the inspection and approval of the Construction Official.

D. Time and fees.

- (1) The Construction Official shall inspect, at least once every two years or at such time as he deems necessary, each sign for the purpose of ascertaining whether the same is secure or whether it is in need of removal or repair.
- (2) The inspection fee shall be \$10 ***as established by Borough Code Chapter 209, Fees.***
- (3) No inspection fee shall be charged during the calendar year in which the sign is erected.
- (4) Failure to pay the inspection fee shall automatically revoke the permit for such sign, and the Construction Official shall order the removal of the sign forthwith.

§ 350-5 Unsafe and unlawful signs.

- A. Unsafe signs. If any sign becomes insecure, in danger of falling or otherwise unsafe, the owner, lessee or person maintaining the same shall, upon written notice from the Construction Official, forthwith make the sign conform to the provisions of this article or remove it.
- B. Unlawful signs. If any sign is unlawfully installed, erected or maintained in violation of this article, the owner, lessee or person maintaining the same shall, within 10 days after written notice from the Construction Official, make the sign conform to this article or remove it.
- C. Enforcement. If the order of the Construction Official is not complied with, he shall remove the sign at the expense of the owner, lessee or person maintaining the sign.

§ 350-6 Bonds and liability insurance.

- A. Filing. A person shall not erect, install, remove, rehang or maintain over public or quasi-public property any sign for which a permit is required until ~~an approved bond in the amount of \$100,000 or an insurance policy providing public liability coverage in the amount of \$250,000.00 and property damage in the amount of \$500,000 is filed with the Construction Official~~ *issued to such person by a public liability insurance company authorized to do business in the State of New Jersey affording the coverages set forth below in the amounts specified. Such insurance policy shall name the Borough of Dumont, 50 Washington Avenue, Dumont, New Jersey 07628, its agents, officers, servants, representatives and employees as additional insured with respect to the operation and maintenance of the sign for bodily injury and property damage in the amount of \$1,000,000 combined single limit. The insurance coverage required by this section shall at all times be maintained for the full amount. The policy or certificate of insurance required by this section to be filed with the Building Department shall contain a clause obligating the company issuing the same to give not fewer than 30 days' written notice to the Building Department by certified mail, return receipt requested, before cancellation or amendments of any of the terms thereof. Notice of cancellation shall not relieve the company issuing such policy of liability for any injury or claim arising before the cancellation becomes effective. The cancellation of any such policy shall have the immediate effect of suspending the permit of such person to maintain such encroachment unless a new policy complying the provisions of this section is filed with the Building Department within 7 days of the effective date of the cancellation notice.*
- B. Conditions. ~~The bond or insurance policy shall protect and save the Borough of Dumont harmless from any and all claims or demands for damages by reason of any negligence of the sign hanger, contractor or agents or by any reason of defects in the construction or damages resulting from the collapse, failure or combustion of the sign or~~

~~parts thereof.~~ *No sign permit shall be issued until a statement agreeing to indemnify and hold harmless the Borough of Dumont, its agents, servants, representatives or employees from any or all claims, damages, judgment costs or expenses, including attorney's fees, which they or any of them may incur or be required to pay because of any personal injury, including death, or property damage suffered by any person or persons as a result of or related in any way to the operation and maintenance of the proposed sign.*

~~C. Notice of cancellation. The obligation specified in Subsections A and B shall remain in full force and effect during the life of every sign and shall not be canceled by the principal or surety until after a thirty day notice to the Construction Official.~~

§ 350-7 *Prohibited Signs and Lighting*

A. *The following signs are prohibited.*

- (1) Banners, except as a temporary sign.*
- (2) Billboards.*
- (3) Electronic Message Centers*
- (4) Changeable Copy Signs except as permitted by this chapter.*
- (5) Illuminated signs in which a device causes flashing, spelling or movement of all or part of the sign.*
- (6) Pylon signs except as permitted by this chapter.*
- (7) Roof signs.*
- (8) Off-site signs.*
- (9) Signs which compete for attention with or may be mistaken for a traffic sign or signal.*
- (10) Signs which are a menace to public safety, or which obstruct the views of any street, intersection or crosswalk.*
- (11) Temporary advertising signs affixed to the window of a door, but not including information signs such as "Push" and "Pull" and hours of operation.*
- (12) Signs placed on sidewalks or public rights-of-way.*
- (13) Signs placed above or below another sign or attached to another sign with the exception of directory signs.*
- (14) Signs erected or suspended across a street or alley, unless otherwise authorized by the Borough.*
- (15) Signs on fences, posts, utility poles or trees.*

- (16) Signs on abutments, retaining walls and embankments.*
- (17) It shall be unlawful to use a vehicle or trailer as the "structure" to which a sign is attached or placed.*
- (18) No revolving, rotating or moving signs are permitted.*
- (19) No signs shall project beyond any property line into public rights-of-way unless otherwise authorized by the appropriate governmental agency.*
- (20) No projecting sign shall be constructed or erected so as to extend above the roof line of the structure to which it is affixed.*
- (21) Wall painted signs.*
- (22) Signs using red, green, blue or amber illumination in a beam, beacon or flashing form resembling an emergency light or traffic light.*
- (23) Signs that resemble traffic safety devices.*

B. Lighting

- (1) No outside signs on any property abutting or visible from a residential district shall be lighted or remain lighted between the hours of 11:00 midnight and 6:00 a.m. This prohibition shall not apply to any establishment which is open for business to the public later than 12:00 midnight, in which event such establishment may continue the operation of the sign until the establishment is closed to the public.*
- (2) Temporary signs shall not be illuminated.*

§ 350-8 General requirements.

- A. Construction. All signs shall be designed and constructed in conformity with the provisions of the ~~BOCA~~ *International Building Code as adopted and amended by the State of New Jersey.*
- B. Permitted signs. Unless specifically permitted by this article, all signs and the location thereof shall be prohibited.
- C. Illumination. A sign shall not be illuminated by other than electrical means and electrical devices. All wiring shall be installed in accordance with the requirements of New Jersey Electrical Code, NFPA 70/2017, or as amended ~~listed in Appendix A of the BOCA Code~~ . Any open spark or flame shall not be used for display purposes unless specifically approved by the Construction Official and Fire Official of the Borough for locations outside the fire limits.
 - (1) Wall signs and ground signs may be illuminated only in the B2 Zoning District.

- (2) All illuminated signs shall be illuminated by indirect lighting through translucent letters, symbols or panels, or, if directly lighted, the light source shall be shielded to project only onto the sign area. ~~The only exception shall be those signs on which movable copy changes automatically on a lampbank, e.g., electrical or electronic time and temperature units.~~
- (3) Any light source used on or in signs shall be constant in its output and shall operate without generating audible sound or electronic emissions.
- (4) In no event shall red, yellow or green illumination be permitted, whether flashing or not, on any sign located in the same line of vision as a traffic-control signal.
- (5) Illumination tubing formed to make letters or symbols or installed to outline any building shape or strings of lights are prohibited. The only exception shall be for winter holiday decorative lighting, permitted in all zoning districts without a permit application or fee, for a period not exceeding 45 days.
- (6) All lighting of signs shall be extinguished by 11:00 p.m., prevailing time, or at the close of business served by said sign; provided, however, that the Construction Official may authorize exterior lighting at additional hours to assist in the protection of properties when so recommended, in writing, by the Chief of Police.

D. Except for election signs, temporary signs and garage and yard sale signs, the content of all signs shall pertain only to the use within the premises upon which the sign is located.

~~E. Every sign or other advertising structure hereafter erected shall have painted in a conspicuous place thereon, in letters not less than 1/2 inch in height, the date of erection, the permit number and the voltage of any electrical apparatus used in connection therewith.~~

~~F. All signage hereinafter constructed, erected or altered and shall be maintained with English language lettering and words. In the event that lettering or words in any language but for English is utilized on a sign, all phrases in that language shall be duplicated in English letters and works which are no less than four times as large as the letters and words in any other language.~~

§ 350-9 ~~Ground signs~~ ***Freestanding Signs.***

- A. Area. No ~~ground~~ ***freestanding*** sign shall exceed ~~46~~ **36**-square feet, and there shall be no more than one ~~ground~~ ***such*** sign per property.
- B. Height limitation. It shall be unlawful to erect any ~~ground~~ ***freestanding*** sign which has a total height greater than 15 feet above the level of the street upon which the sign faces or above the adjoining ground level if such ground level is above the street level.
- C. Space between sign and ground and other sign and structures. ~~Ground~~ ***freestanding*** signs shall have an open space not less than two feet between the baseline of said sign and the

ground level. This open space may be filled in with a platform or decorative lattice work which does not close off more than 1/2 of any square footage of such open space. No ground sign shall be nearer than five feet to any other sign, building or structure.

- D. **Setback line.** No ground sign shall be nearer to the street than 15 feet from the ~~curbline~~ **property line** and shall be placed further back if practicable. No ground sign may be erected within the triangular area formed by connecting with straight lines each of two points situated 40 feet distant along the curbing from the point of intersection of two streets forming a corner.
- E. **Sign materials.** No ground sign shall be erected of combustible material, except structural trim.

§ 350-10 *Monument signs.*

- A. **Area.** *No monument sign shall exceed 32-square feet, and there shall be no more than one such sign per property.*
- B. **Height limitation.** *It shall be unlawful to erect any monument sign which has a total height greater than 6 feet, inclusive of the base, above the level of the street upon which the sign faces or above the adjoining ground level if such ground level is above the street level.*
- C. *The monument sign may be externally or internally illuminated.*
- D. *The base of the monument sign shall be landscaped.*
- E. *No monument sign shall be nearer to the street than 15 feet from the property. No monument sign may be erected within the triangular area formed by connecting with straight lines each of two points situated 40 feet distant along the curbing from the point of intersection of two streets forming a corner.*

§ 350-11 *Wall signs.*

- A. **Materials.** Wall signs shall be constructed of metal or other approved noncombustible materials, except for structural trim.
- B. **Extension.** Wall signs shall not be erected to extend above the top or beyond the ends of the wall to which they are attached.
- C. **Size and design.**
 - (1) **Size.** All signs shall not exceed two square feet of sign for every lineal foot on the front facade of the structure occupied by the use advertised and shall conform to all other area limitations as hereinafter described.

(2) ~~Painted signs. Painted signs shall be enclosed by a molding or border.~~

(3) Projection above sidewalk and setback line. No wall sign shall be permitted to extend more than 10 inches beyond the building and shall not be attached to a wall at a height of less than eight feet above the sidewalk or ground.

§ 350-12 Gasoline stations and automobile dealers.

A. Pylon signs. Gasoline stations and automobile dealers shall, notwithstanding other provisions of this article, be permitted one freestanding pylon sign advertising the name of the station, agency or garage and for the principal products sold on the premises, including any special company or brand names, insignia or emblem, provided that each such sign shall not exceed 35 square feet in area on a side nor be erected within five feet of the property line and not less than 10 nor more than 20 feet above the ground. Such pole or pylon signs shall be illuminated only by internal illumination and shall be constructed of noncombustible materials, except that approved combustible faces may be permitted.

B. ~~Limitation of temporary signs. Gasoline stations and automobile dealers shall be permitted one temporary sign located inside the property line and specifically advertising the prices of fuel products, provided that said sign does not exceed seven square feet in area. A canopy sign identifying the gasoline service station brand including its logo is permitted on each side of the canopy provided that no such sign or logo or combination thereof shall exceed 35 percent of the area of the canopy face.~~

C. *EMC signs are permitted subject to § 350-18 Electronic Message Centers (EMC).*

§ 350-13 Awnings.

A. Construction material. Awnings shall be constructed of cloth or metal; provided, however, that all frames and supports shall be of metal.

B. Location.

(1) Height above sidewalk. All awnings shall be constructed and erected so that the lowest portion thereof shall not be less than eight feet above the level of the sidewalk or public thoroughfare.

(2) Setback from curbline *property line*. No awning shall be permitted to extend beyond a point ~~24 inches inside the curbline~~ *property line except as permitted per § 350-13 C(2) below provided further that proper bonding is provided pursuant to § 350-6.*

C. ~~Advertising. No advertising shall be placed on any awning, except that the name and street address of the owner or lessee and the business, industry or pursuit conducted within the premises may be painted or otherwise permanently placed in a space not~~

~~exceeding eight inches in height on the front portion thereof.~~ Permitted awning signs shall comply with the following standards:

- (1) *Awnings are permitted to extend the length of the building frontage.*
- (2) *Awnings shall not extend any further than 4 feet from a building.*
- (3) *Awning signs must comply with the regulations of this article as to surface display area. An awning sign shall represent no more than 60% of the total permitted surface display area for signs for the subject premises. Advertising shall be limited to the front of the awning and no advertising or lettering is to be permitted on the sides of the awning facing away from the building entrance.*
- (4) *No awning or awning sign shall be illuminated with a built-in source of lighting through a translucent face or panel. Only the individual letters or symbols of an awning sign may be internally illuminated.*
- (5) *No awning or awning sign shall have illumination involving intermittent or flashing lights.*

§ 350-14 *Canopy Signs*

- A. *Canopy signs are subject to the following regulations*
 - (1) *Shall have a maximum height of 2 ft. and a maximum area of 50 sq. ft.*
 - (2) *Canopy signs may not project more than 1 ft. from the face of the canopy.*
 - (3) *Canopy signs shall not extend beyond the ends of the canopy.*
 - (4) *Signs shall be limited to one sign per canopy and only permitted if no wall or awning sign exists on the facade.*
 - (5) *Canopy signs may be internally or externally illuminated. Internal illumination shall be limited to the letters and/or logo and subject to the same limitations as applied to awnings.*

§ 350-15 Existing signs.

- A. Removing or reconstructing signs. A sign heretofore approved and erected shall not be repaired, altered or moved, nor shall any sign or substantial part thereof which is blown down, destroyed or removed be re-erected, reconstructed, rebuilt or relocated unless it complies with all the applicable requirements of this article.
- B. Repair of unsafe signs. This section shall not be construed to prevent the repair or restoration to a safe condition of any part of any existing sign when damaged by storm or other accidental emergency, as directed by the Construction Official.
- C. Relocating signs. Any sign that is moved to another location on the same or other premises shall be considered a new sign, and a permit shall be secured for any work performed in connection therewith when required by this article.

§ 350-16 Removal of certain signs.

Any sign which no longer advertises a bona fide business conducted or a product sold shall be taken down and removed by the owner, agent or person having the beneficial use of the building or structure upon which such sign may be found within 10 days after written notification from the Construction Official, and, upon failure to comply with such notice within the time specified in such order, the Construction Official is authorized to cause the removal of such sign, and any expense incident thereto shall be paid by the owner of the building or structure to which such sign is attached.

§ 350-17 Temporary signs.

- A. Permission to erect temporary signs on or over any Borough-owned property or public right-of-way shall be granted only by approval of the Mayor and Council. All temporary sign permits shall be issued by the Construction Official.
- B. Duration of permits. Temporary sign permits shall authorize the erection of said signs and their maintenance for a period of not more than 60 days and shall be removed sooner if torn or damaged. No more than two permits may be issued to the same person in any calendar year.
- C. No temporary sign shall be placed to extend more than six inches over any sidewalk or public right-of-way, nor, in the case of street banners, shall they be suspended less than 16 feet above the street.
- D. The construction of all temporary signs, except temporary window signs, must be approved by the Construction Official.
- E. Election signs. No permit or fee shall be required for their installation. See § 350-20B and Article III of this chapter for further regulations.
- F. Temporary window signs. Temporary window signs may only be located on the interior of a window and shall not occupy more than 1/3 of the aggregate area of said window. No permit or fees shall be required for their use, but such signs shall not remain more than 28 consecutive days.
- G. Special temporary signs.
 - (1) Signs announcing or advertising any educational, charitable, philanthropic, civic, religious or similar campaign, drive, movement or event may be erected for one period not exceeding 28 consecutive days in any calendar year.

- (2) The total area of such signs shall not exceed 18 square feet and shall not be installed less than 10 feet from the curbline. Such signs may be erected anytime, without fee, on property owned or leased by the sponsoring organization. They may be erected in all zoning districts with the permission of the property owners, except District Nos. 1 and 2.

H. Garage and yard sale signs.

- (1) Application shall be made to the Construction Official for special permits to erect garage or yard sales signs. Upon payment of the required fee, a number shall be assigned to each permittee.
- (2) No more than two such permits will be issued to any one address in the Borough in each calendar year.
- (3) No more than four temporary signs may be erected under each permit, and each sign must show the permit number on the upper right-hand corner of the sign.
- (4) Such signs shall not exceed three square feet in size and can only be displayed during a period beginning the day before such sale and ending the day after, at which time they must be removed.
- (5) Such signs shall not be affixed to any tree or utility pole. They shall be mounted on their own stakes or stanchions along any public street in a safe manner, without projecting over the curbline *property line* or pedestrian walkway.
- (6) Any garage or yard sale sign not conforming to this article and found along the Borough right-of-way shall constitute prima facia evidence that the addressee shown on the sign has violated this article.

I. Real estate signs.

- (1) Signs indicating premises for sale or rent shall be no larger than six square feet in area, set back at least ~~15~~ 5 feet from the curbline *property line*, and shall not be illuminated.
- (2) Such signs shall ~~not remain for more than 90 consecutive days or more than 90 days during any one hundred eighty day period and may be erected by any broker or owner without a permit~~ **be removed within 14 days from a signed contract of sale or rental lease.**
- (3) For developments of three or more dwelling units, a sign may be installed by the developer, after application for a permit is granted by the Construction Official and the required fee is paid, not to exceed 32 square feet of area. Said sign shall not be closer than ~~25~~ 10 feet to the curbline *property line* and must be removed at the time the last dwelling unit is sold.

J. No street banner or other temporary sign shall exceed 100 square feet.

- K. The Construction Official shall have the discretion to prohibit erection and/or order the removal of any temporary sign he deems to present a hazard to the public.
- L. Grand opening signs, including flags, bunting and pennant strings, as well as other temporary wall signs, shall be permitted ~~only in Zoning Districts B2~~ for no more than ~~28~~ **60** consecutive days, only on advertised premises.
- M. Mobile signs of any kind are expressly prohibited if they are displayed in the street or on properties in close proximity thereto in all zones, except as provided herein.
- N. *Sandwich board signs or menu signs are permitted provided they do not exceed 12 square feet in area, are no higher than 4 feet and shall be placed so as to maintain at least 4 feet of sidewalk clearance so as to not obstruct pedestrian traffic flow.*

§ 350-18 Location; use signs.

- A. The following signs and none other, unless expressly permitted by another section of this article, are permitted to be erected in Zoning Districts RA and RB:
 - (1) House numerals not exceeding one square foot per individual numeral.
 - (2) Professional nameplates not exceeding six inches in height or 18 inches in length identifying lawful occupants of the premises.
 - (3) Bulletin boards or signs not to exceed 16 square feet in area for public, charitable or religious institutions, where the same are located on the premises of said institutions.
 - (4) denoting the architect, engineer or contractor or prospective use when placed upon work under construction and not exceeding 20 square feet in area, provided that the same are set back at least 15 feet from the curb, and, further, provided that the same are removed within 24 hours after the final certification of occupancy is issued.
 - (5) Memorial signs or tablets, names of buildings and date of erection, when cut into any masonry surface or when constructed of bronze or other incombustible materials.
 - (6) Traffic or other municipal signs, legal notices, railroad crossing signs and danger and such temporary emergency or nonadvertising signs as may be approved by the Construction Official.
 - (7) Flags of the United States, State of New Jersey or other governmental or quasi-public agencies.
 - (8) Signs of any governmental agency deemed necessary to the public welfare.
 - (9) Temporary election signs.
 - (10) Garage and yard sale signs.

(11) Special temporary signs.

(12) Real estate signs.

B. The following signs and none other, unless expressly permitted by another section of this article, are permitted to be erected in Zoning Districts B2 and LI:

(1) All signs permitted in Districts RA and RB.

(2) ~~Ground~~ *Freestanding* signs.

(3) *Monument Signs*.

(4) Wall signs shall not exceed two square feet of sign for every lineal foot of the front facade of the structure occupied by the use advertised.

(a) No such sign shall exceed 36 square feet of area.

(b) If the building is located on a corner lot, it may have a second sign on the wall facing the side street. Said second sign shall not exceed 50% of that permitted on the principal frontage or facade.

~~(c) In no event shall the total square footage of all signs, wall and freestanding, exceed 50 square feet of area.~~

(d) No separately leased area shall be permitted more than one wall sign, notwithstanding the actual number of tenants occupying such leased area.

(5) Directory signs. Directory signs shall be permitted. The total area shall not exceed eight square feet or one square foot per tenant, with a maximum of eight square feet. A directory sign shall not count in computing the footage of ground or wall signs.

(6) Window signs.

(7) Awnings.

C. Limitation on number of signs.

(1) For those buildings with principal street frontage of less than 75 feet, a maximum of two signs per building will be permitted, exclusive of directory signs.

(2) For larger buildings, one additional sign will be permitted for each additional 50 feet of building frontage over 75 feet.

(3) Any existing sign located in a district in which it would be prohibited if it were erected after the effective date of this article shall continue to have all rights to which it would be entitled if it were located in a permitted district.

D. The following signs and none other, unless expressly permitted by another section of this article, are permitted to be erected in the RP1 District:

(1) Monument signs:

- (a) One monument sign shall be permitted per parcel to identify the residential development.
 - (b) The total area of the monument sign, including the sign face and support structure, shall be limited to 40 square feet.
 - (c) The height of the sign shall not exceed a height of five feet above the grade.
 - (d) Monument signs shall be set back a minimum of 10 feet from any property line.
 - (e) A double-faced sign shall be counted as one sign.
 - (f) Monument signs may be illuminated by shielded floodlights only.
- (2) The provisions of §350-8 and §350-9 of the Borough Sign Code shall not apply to properties in the RP1 District.

§ 350-19 *Institutional signs.*

Signs of schools, colleges, churches, hospitals, nursing homes or other institutions of a similar public or semi-public type as permitted by this chapter may be erected and maintained with the following provisions:

- A. The minimum sign setbacks for the zone in which they are located are observed.*
- B. The area of any freestanding or ground sign does not exceed 36 square feet.*
- C. The height of any freestanding signs shall not exceed eight feet except along major arterial roadways where it shall not exceed 12 feet.*
- D. All signs must be located on the premises which they identify.*
- E. Changeable copy signage is permitted provided it is static and not an EMC as defined in this Chapter and is changed no more than once per day.*

§ 350-20 *Electronic Message Centers (EMC)*

- A. EMC signs shall be permitted only for displaying fuel prices at automobile service stations. EMC signs shall not be permitted at any other type of establishment nor for any other type of message or advertisement other than fuel prices.*
- B. EMC signs displaying fuel prices at automobile service stations shall adhere to the following regulations:*
 - (1) EMC signs may not change until a change in the price of fuel has occurred.*
 - (2) Electronic messages (text and logos) must be static or depicted for a minimum of 24 hours.*

- (3) Movement, including flashing, scrolling, or rotating so as to draw attention are prohibited.*
- (4) Animated signs, signs that change images, video signs, or tri-vision signs shall be prohibited.*
- (5) The maximum brightness levels for electronic message boards and fuel price signs shall not exceed 0.2 (two tenths) foot-candles over ambient light levels measured within 150 feet of the source.*
 - (a) The owner/user shall reduce the level of brightness if determined by the Borough Construction Official that the light level exceeds the levels specified.*
 - (b) The electronic message area shall be programmed to dim and brighten automatically in response to changes in ambient light.*
 - (c) Prior to the issuance of a permit for the sign, the applicant shall provide written certification from the sign manufacturer or installer that the light intensity has been preset to automatically adjust the brightness to these levels or lower. Reinspection and recalibration may be periodically required by the Township in its reasonable discretion, at the permittee's expense, to ensure that the specified brightness levels are maintained at all times.*
- (6) The electronic message area shall be controlled electronically by a computer or other similar device that has a manual override.*
- (7) The electronic message area shall be turned off at all times when the business or use that it serves is closed.*

§ 350-21 Appeals.

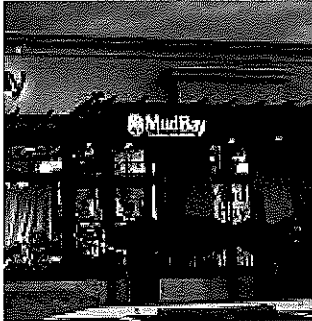
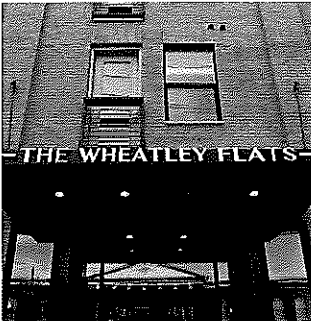
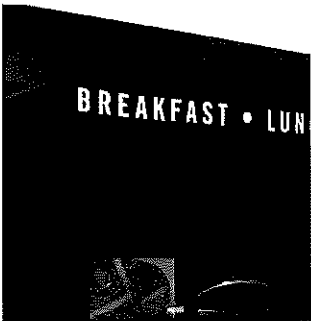
Any interested party may appeal a decision of the Construction Official with regard to this article by filing any appeal with the Borough of Dumont Joint Land Use Board within 20 days of the decision of the Construction Official, specifying the grounds of such appeal. Such appeal shall be considered by the Joint Land Use Board in accordance with the standards and time limitations of the New Jersey Municipal Land Use Act.

§ 350-22 Violations and penalties.

Any person violating any provision of this article, upon conviction thereof, shall be fined an amount not less than \$200 nor more than \$2,000, or imprisonment in the county jail for a term not to exceed 90 days, or both. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

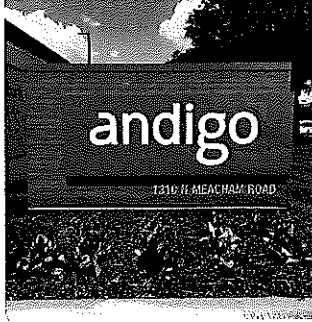
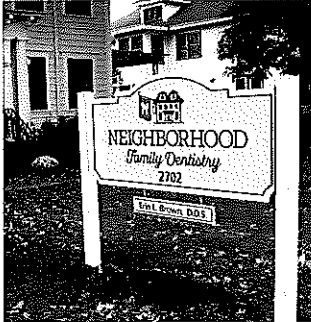
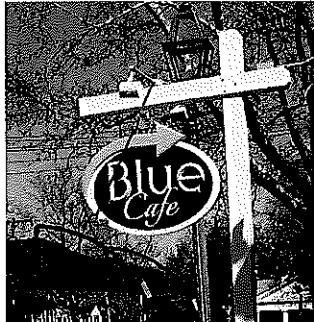
Note: See Appendix A for Illustrations of Sign Examples to be encouraged within the Borough of Dumont.

APPENDIX A ILLUSTRATION OF SIGN EXAMPLES



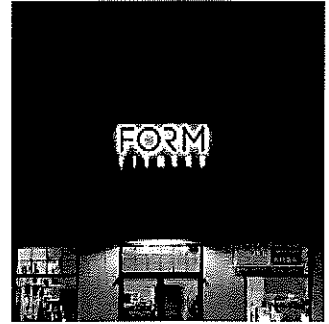
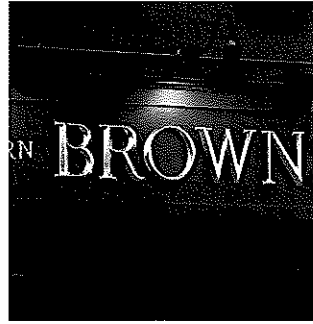
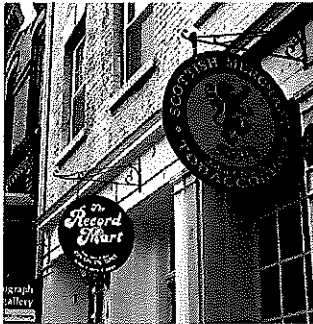
Examples of Awning Signs

Examples of Canopy Signs



Examples of Small Ground-mounted Signs

Examples of Large Ground-mounted



Examples of Projecting Signs

Examples of Wall Mounted Signs

Attest:

Susan Connelly, RMC
Municipal Clerk

Andrew LaBruno, Mayor

Introduction: September 15, 2020

Adopted: