

#### **40-7.24 Signs.**

All signs shall conform to the provisions of this section and to the applicable requirements of the New Jersey Uniform Construction Code.

a. *General Objectives.*

1. To protect the public health, safety and welfare by restricting signs which impair the public's ability to receive information, violate privacy, or which increase the probability of accidents by distracting attention or obstructing vision.
2. To encourage signs which promote a desirable visual environment through creative yet orderly design arrangements.
3. To encourage signs which aid orientation, identify activities, describe local history and character or serve other education purposes.
4. To encourage the replacement of non-conforming signs by conforming signs through the strict enforcement of the procedures and requirements of this section.

b. *Application Procedures.* Application for Development Permit.

1. Application shall be made to the Administrative Officer (Zoning Officer) for the issuance of a Development Permit by any person wishing to erect, alter, modify, or expand any sign, except "Exempt Signs."
2. If the Administrative Officer (Zoning Officer) determines that a sign requires the issuance of a Development Permit, is not part of an application for site plan, subdivision, conditional use, or variance approval, is permitted as an accessory structure within the zone and meets the applicable sign schedule requirements, the officer shall issue a Development Permit. The applicant may then apply for a sign construction permit and any other permits that may be required.
3. If the Administrative Officer determines that the proposed sign is part of subdivision, site plan, or conditional use application or that it does not comply with applicable regulations, sign schedule requirements or other sign regulations, the officer shall instruct the applicant that Planning Board or Board of Adjustment approval of an Application for Development is required and the officer shall further advise the applicant which Board has jurisdiction in accordance with the following schedule:

Sign Type	Board Jurisdiction
Signs indicated on plats which are part of a development application before the Planning Board	Planning Board
Signs indicated on plats which are part of a development application before the Board of Adjustment	Board of Adjustment
Signs Not Permitted	Board of Adjustment

c. *General Standards.* The following general standards shall apply to all signs:

1. Prohibited Signs. All signs not specifically permitted are prohibited.

2. Signs to Relate to Use of Property. All signs, unless specifically stated otherwise in this section, shall relate to the use or occupancy of the property upon which the sign is located, except for signs operated by the Borough of Belmar. No billboards shall be erected or replaced.
3. Modification of Graphic Content. The graphic content of a sign may be modified without obtaining a Development Permit, provided that the proposed graphic content complies with all applicable provisions of this section, except that any condition of approval contained in a resolution of either the Planning Board or Board of Adjustment, which specifies graphic content of the sign, shall require that a new or amended approval be issued by said Board prior to graphic content modification.
4. Illumination.
  - (a) Unless specifically stated otherwise in a Resolution of Approval or in this section, all signs may only be illuminated in accordance with the performance standards found in this Article.
  - (b) No sign shall contain blinking, flashing, flickering, tracer or sequential lighting and shall remain stationary and constant in intensity and color at all times, except at Christmastime.
  - (c) All wiring for permanent illuminated signs shall be installed and maintained so that it is not within public view. The running of wiring or conduit along the exterior wall of a building to access a sign is specifically prohibited except that the Construction Official may permit exterior conduit if in the judgement of the Official there is no practical way to run the conduit so that it is not within public view.
  - (d) No sign with red, green, yellow or blue illumination in a beam, beacon, strobe or flashing form resembling an emergency light shall be erected in any location.
5. Obstruction of Access Ways. No sign or sign structure shall obstruct a fire escape, door, window, or other required access way. No sign shall be attached to a standpipe or fire escape, except those signs required by the Municipal Authority.
6. Obstruction of Glass Surface. For light, safety and health reasons, no sign shall project over, occupy or obstruct more than twenty (20%) percent of any glass window surface.
7. Traffic Safety. The Administrative Officer and/or the Municipal Agency may seek and rely upon the opinion of the Chief of Police with regard to interpretation/enforcement of this section.
  - (a) No sign shall be maintained at any location where by reason of its position, size, shape, content or color, it may obstruct, impair, obscure, interfere with the view of, or be confused with, any traffic control sign, signal or device, or where it may interfere with, mislead or confuse traffic.
  - (b) No sign which uses the words "Stop", "Look", "Caution", "Danger", or any similar wording, which may confuse or mislead the public, shall be permitted.
  - (c) No sign, nor any part of a sign, shall obstruct a sight triangle required by Article 9 of this chapter.
8. Signs in Rights-of-Way. No sign or any part of a sign, except publicly owned or authorized signs, shall be placed in or extend into or over any public right-of-way.

9. Sign Permanency. All signs shall be securely affixed in a permanent manner to either the ground or building, unless specifically stated otherwise in this section.
10. Signs Affixed to Certain Structures. No sign shall be affixed to any roof, tree, fence, utility pole, or other similar structure nor placed upon motor vehicles which are continually or repeatedly parked in a conspicuous location to serve as a sign, however, nothing is intended to prohibit the placement of signs not exceeding three (3') feet in any dimension, directing traffic or identifying various parking locations within a lot on light poles and utility poles erected therein. Signs painted on pavement surfaces shall be restricted to traffic control markings only.
11. Advertising Flags, Banners, Pinwheels. No advertising flags, banners, pinwheels, portable signs, or similar advertising devices shall be permitted.
12. Animated or Moving Signs. No animated or moving signs shall be permitted, except for the required movement of time and temperature displays, and for signs operated by the Borough.
13. Painted Signs. No sign may be painted directly on the surface of any building, wall, fence or similar structure.
14. Sparkling and Glittering Signs. No sign may utilize reflection enhanced or fluorescent colors or contain any material which sparkles, reflects or glitters, however, nothing herein is intended to prohibit the use of reflective paint on signs directing traffic or identifying various locations within a property.
15. Sign Measurement.
  - (a) Area to be included. Unless it is part of the message or sign face, the supporting structure or bracing of a sign shall be omitted in measuring the area of the sign except if such structure or bracing has a total horizontal projected width more than twenty (20%) percent of the sign width or twelve (12") inches. Where a sign has two (2) sign faces back-to-back or parallel to each other, the area of only one (1) face shall be included in determining the area of the sign.
  - (b) Area of signs with backing. The area of all signs with backing shall be measured by computing the area of the sign backing.
  - (c) Area of signs without backing. The area of all signs without backing shall be measured by computing the area of the smallest geometric figure which can encompass all words, letters, figures, emblems and other elements of the sign message with a clearance of at least four (4") inches from any such element.
  - (d) Height of Signs. Sign height shall be measured between average grade and the highest point of the highest element of the sign.
16. Multiple Sign Faces. No sign may contain more than one sign face, except that two (2) sign faces back-to-back and parallel to each other (no angle between sign faces) (commonly known as a double faced sign) shall be permitted. No double faced sign shall be greater than eighteen (18") inches in thickness as measured between sign faces.
17. Graphic Content Coverage. The maximum coverage of any sign face by graphic contents shall not exceed sixty (60%) percent.

18. Awning Signs. Awnings or canopies containing graphic content shall be deemed to be "Wall Signs" and shall meet the requirements of this section, Schedule 40-7-1 and the zone district requirements.

19. Construction, Limitations, and Erection of Property Signs.

(a) Every Projecting Sign, including the frames, braces and supports thereof, shall be designed by a structural engineer or manufacturer, and shall be approved by the Building Official as in compliance with the Building Code of the Borough of Belmar and by the Board of Fire Underwriters, as in compliance, and shall be constructed of incombustible material and be two (2) faced.

(b) If illuminated, any Projecting Sign reflectors shall be provided with the proper glass lenses concentrating the illumination upon the area of the sign and preventing glare upon the street or adjacent property; and no floodlight or spotlight shall be permitted on projecting signs.

(c) The lettering or advertising designs to be illuminated may be composed of glass tubing or other transparent or semi-transparent incombustible material.

(d) Any movable part of any Projecting Sign such as the cover of a service opening shall be securely fastened by chains or hinges.

(e) Projecting Signs shall be limited in area to six (6) square feet for each side.

(f) The distance measured between the principal faces of any Projecting Sign shall not exceed eighteen (18) inches.

(g) Every Projecting Sign shall be placed at least ten (10) feet above the public sidewalk over which it is erected and a distance not greater than eighteen (18) inches from the face of the wall to which it is attached, measuring from the point of the sign nearest thereto, nor shall any sign or part thereof extend nearer the curb line than one (1') foot. Every Projecting Sign erected over public driveways, alleys and thoroughfares shall be placed not less than fifteen (15') feet above the level of same.

(h) No Projecting Sign shall be erected, relocated, or maintained so as to prevent free ingress to or egress from any door, window or fire escape. No Projecting Sign shall be attached to a stand-pipe, fire escape or to any steel tower of any structure or building.

(i) No Projecting Sign shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision; or at any location where by reason of the position, shape or color, it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device; or which makes use of the words "STOP," "LOOK," "DANGER" or any other word, phrase, symbol or character in such a manner as to interfere with or mislead or confuse traffic.

(j) Projecting Signs shall be attached to walls with galvanized bolts at least three-eighths (3/8") of an inch in diameter, shall be fixed in the wall by means of bolts extending through the wall, shall contain the proper size metal washer or plate on the inside of the wall, and shall be designed and constructed to withstand a wind pressure of not less than forty (40) pounds per square foot of area; and shall be constructed to receive dead loads as required in any ordinance or code which has been adopted by the Borough of Belmar. Suitable toggle bolts or lag bolts with shields may be substituted.

(k) No Projecting Sign shall be secured with wire, strips of wood or nails.

d. *Permitted Signs.*

1. Exempt Signs. The following signs shall be exempt from the requirement of obtaining a Development Permit.
  - (a) Governmental Signs; erected or authorized by a governmental unit, including privately owned and erected signs required by any law or regulation.
  - (b) Nameplate Signs; provided that such signs are limited to no more than one (1) wall or ground sign per occupancy; are no more than seventy-five (75) square inches in area; are non-illuminated, or externally illuminated; and, if a ground sign are no more than three (3') feet in height.
  - (c) Warning Signs; provided that such signs are limited to no more than two (2) wall or ground signs per occupancy; are no more than three (3) square feet in area each; are non-illuminated; and if a ground sign are no higher than three (3') feet in height.
  - (d) Construction Signs; provided that such signs are limited to no more than one (1) wall or ground sign per parcel; are no more than thirty-two (32) square feet in area; are non-illuminated; and are maintained for no more than fourteen (14) days following the conclusion of the construction in question.
  - (e) Temporary Glass Surface Signs; provided the area of glass surface signs displayed does not exceed either twenty (20%) percent of the area of the glass surface in which they are shown or five (5%) percent of the aggregate area of all glass surfaces in the building facade.
  - (f) Public Events Signs; provided that there are no more than three (3) placed in any business at any given time and they are non-illuminated, and are maintained for a period of no longer than thirty (30) days before the applicable event nor more than three (3) days after such event.
  - (g) Real Estate Signs; temporarily advertising the sale, rental or lease of the premises; provided that such signs are limited to no more than one (1) wall or ground sign per property; are not more than six (6) square feet in area per residential lot; are no higher than six (6') feet if a ground sign. Such signs shall be removed within thirty (30) days after the termination or completion of the matter being advertised.
  - (h) On-site Informational Signs; provided that each sign is limited to a wall, window or ground sign of not more than two (2) square feet in area and not more than seven (7') feet in height above grade. The sign may include a business name or logo but shall not include any advertising message. In locations where more than one (1) business share a common vehicular access, signs marking entrances and exits shall contain only the name of the shopping or business center. Multiple signs identifying each tenant or use are specifically prohibited.
  - (i) Flags and Emblems of a government or of a political, civic, philanthropic, educational or religious organization occupying the premises.
  - (j) Commercial Sale and/or Event Signs; provided that such signs are no more than six (6) square feet in area; are located entirely on the premises where such sale or event is to be conducted or on other private property pursuant to the owner's consent; are clearly marked with the name, address and telephone number of the person responsible for the removal of such sign; are erected not more than thirty-six (36) hours in advance of such sale or forty-five (45) days in advance of such event; and area removed on the day following the

conclusion of such sale or event. No more than four (4) signs may be placed on any business property nor more than one (1) on any residential property. "For Sale" signs on vehicles, boats, trailers or other items in any residential zone are specifically prohibited.

- (k) Portable Signs for Motor Vehicle Service Stations; subject to these restrictions:
  - (1) Maximum size forty-eight inches by sixty (48" x 60") inches.
  - (2) Maximum two (2) per Motor Vehicle Service Station.
  - (3) May only display price or special sale information.
  - (4) May only be displayed when station is open for business.
- (l) Traffic Signs and Signals; temporary or permanent traffic signs and signals installed or authorized by the Borough, County, or State for the purpose of directing and regulating the flow of traffic.
- (m) Public Transportation Signs; signs indicating public transportation stops when installed or authorized by the Borough or a Public Transportation Authority or agency.
- (n) Vacated Property Signs; provided that only one (1) such sign shall be provided either affixed to a building wall or located within a window; not exceeding six (6) square feet in area; nor displayed for longer than sixty (60) days following vacating the property.
- (o) School and church signs not to exceed four (4') feet in height or twenty (20) square feet in area, either free-standing or attached.
- (p) Signs on Machines; signs which are an integral part of vending machines, including gasoline pumps, milk and ice machines, provided that they do not collectively exceed three (3) square feet in area per machine.
- (q) Interior Signs; signs which are located within buildings and not within thirty-six (36") inches of a window visible from a public street or public parking facility.
- (r) Political Signs; provided that such signs are not more than twelve (12) square feet in area if located in a nonresidential district or more than six (6) square feet in area if located in a residential district; are limited to not more than one (1) per lot; are located entirely on private property pursuant to the owner's consent; are erected not more than forty-five (45) days prior to such election; and are removed within seven (7) days following such election.
- (s) Historical or Architectural Designation Signs; provided that such signs are limited to no more than one (1) wall or ground sign per occupancy; are not more than six (6) square feet in area; are not illuminated and contain no commercial advertising.
- (t) Home Occupation Signs; provided that such signs are limited to no more than one (1) wall sign per occupancy; are no more than one (1) square foot in area; and are non-illuminated.
- (u) Blackboard Signs; one (1) such sign may be affixed to a building wall or located within a window; it may not exceed ten (10) square feet in area and may only be used to display information concerning goods or services available on the premises.

(v) Portable "Sandwich Board" signs for display on sidewalks directly in front of the business advertised by the sign; provided there is no more than one (1) such sign per business, it is no more than four (4') feet high, does not occupy a ground area of more than six (6) square feet and does not impede the passage of pedestrians or create a traffic safety hazard. All other portable signs are specifically prohibited.

(w) Unused/obsolete signs, stanchions, pylons and other sign supports and components thereof, not in use and/or conforming to the requirements of this chapter shall be removed.

2. Exempt Sign(s) Limitations.

(a) Signs permitted by subsections 40-7.24d,1, (e), (f) and (j) may be displayed thirty (30) days before and three (3) days after the sale, event or activity.

(b) Signs permitted by subsections 40-7.24.d,1, (e), (f) and (j) may be displayed no more than three (3) times during any calendar year.

c. Unless approved by the Municipal Agency, no building may display a total of more than twelve (12) exempt signs, and no individual occupancy may display a total of more than six (6) signs permitted by subsections 40-7.24d, 1,(e), (f), (h), (j), (k), (n), (t), and (u).

3. Regulated Signs. Permitted signs which are not exempt are regulated signs. They shall meet the requirements of this section, Schedule 40-7-1 and the zone district requirements.

(Ord. No. 1992-32 § 7.24; Ord. No. 1994-20 § 7 )

**SCHEDULE 40-7-1 SCHEDULE OF SIGN REGULATIONS**

SIGN TYPE	NUMBER PERMITTED	MAXIMUM SIGN AREA	MAXIMUM GRAPHIC CONTENT COVERAGE	SIGN HEIGHT	METHOD OF SUPPORT PERMITTED		SIGN SETBACKS		PERMITTED METHOD OF ILLUMINATION	
				MAXIMUM PERMITTED HEIGHT	ON GROUND	POLE MOUNTED	MINIMUM FRONT SETBACK	MINIMUM SIDE SETBACK	INTERNAL	EXTERNAL
Ground	(See Notes A, C & D)	16 s.f.	60%	8' (B)	Yes	No	10'	10'	Yes	Yes
Wall	(See Note A)	10% of signable area; 30 s.f. max.	60%	---	---	---	---	---	Yes	Yes
Window	(See Note A)	15% of the window area	---	---	---	---	---	---	No	Yes
Exempt	(SEE SUBSECTION 40-7.24.d.)									
NOT E	(A)	Where permitted by the zone district regulations, each building is allowed one on-site sign. The sign may be a window, ground, or wall sign. However, if more than one use occupies the ground floor of a building, and each use has a separate exterior entrance, then each said use is allowed either a wall or a window sign. Wall signs shall not exceed the smaller of 30 s.f. or 10% of the signable window area. An activity which occupies the second floor of a building is permitted one window sign within a second floor window. Where parking and								

public entry is provided at the rear or side, each building may have one wall sign not exceeding six (6) square feet in area affixed to the rear or side of the building wall. The contents of a rear or side wall sign shall be limited to the name of the activity, activity logo, and identification of the building entry. One rear or side wall sign is permitted for each activity served by a separate rear or side entrance. When more than one activity shares a common entry, no additional sign shall be permitted. However, each activity receiving access through the common entrance may list its name and logo on the permitted rear wall sign.

- (B) If the sign height exceeds 2 1/2', landscaping must be provided at the base of the sign.
- (C) Ground signs are subject to the following:
  1. Ground signs are not permitted in the CBD-1 OR B-C zone districts
  2. A ground sign which is more than six (6) square feet in area may only be displayed on a frontage of one hundred (100) feet or more.
  3. The building on premises must be set back at least thirty-five (35) feet from the public right of way.
  4. A ground sign which is more than six (6) square feet in area may not be closer than one hundred (100) feet to any other ground sign which is more than six (6) square feet.
  5. In residential districts, only ground level signs will be a permitted accessory structure to a nonresidential use.
- (D) Ground signs which exceed eight feet in height are deemed to be pylon signs and shall be treated as prohibited structures.