

## **Title 15 BUILDINGS AND CONSTRUCTION**

### **Chapters:**

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## **Chapter 15.04 CONSTRUCTION CODE ENFORCEMENT**

### **Sections:**

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### **15.04.010 Freehold Borough construction code department.**

- A. Establishment—Composition. There is established in Freehold Borough a State Uniform Construction Code enforcing agency to be known as the Freehold Borough construction code department consisting of a construction official, building subcode official, plumbing subcode official,

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electrical subcode official, fire protection subcode official, and such other subcode officials for such additional subcodes as the Commissioner of the Department of Community Affairs, state of New Jersey, shall hereafter adopt as part of the State Uniform Construction Code. The construction official shall be the chief administrator of the enforcing agency. The duties of the personnel and procedures and policies of the code enforcing agency may be supplemented and amended from time to time by resolution of the borough council.

- B. **Qualifications for Official Positions.** Each official position created in subsection A of this section shall be filled by a person qualified for such position pursuant to P.L. 1975, C. 217, R.S. 52:27D-119 et seq., as amended and N.J.A.C. 5:23; provided that, in lieu of any particular subcode official, an onsite inspection agency may be retained by contract pursuant to N.J.A.C. 5:23. More than one such official position may be held by the same person; provided that such person is qualified pursuant to P.L. 1975, C. 217, R.S. 52:27D-119 et seq., and N.J.A.C. 5:23 to hold each such position.
- C. **Office Location for Public.** The public shall have the right to do business with the enforcing agency at one office location except for emergencies, and unforeseen or unavoidable circumstances.

(Prior code § 11A-1)

### **15.04.020 Appeals.**

Appeals from decisions by the Freehold Borough construction code department may be taken to the Monmouth County board of appeals.

(Prior code § 11A-2)

### **15.04.030 Building contractors—Insurance.**

Any person performing work requiring a construction permit shall provide to the Freehold Borough construction code department, simultaneous to the application for the construction permit, proof of insurance by presenting a valid, current policy or certificate demonstrating that the applicant has workers' compensation insurance if and when required by law and comprehensive liability insurance in an amount not less than one hundred thousand dollars (\$100,000.00) per incident and two hundred thousand dollars (\$200,000.00) per annual aggregate; provided however, this insurance requirement is not applicable to individuals building or repairing a single-family residence or any part thereof upon the person's own real estate for the occupancy of the person or of the person's family.

(Prior code § 11A-4)

### **15.04.040 Annual report.**

The construction official shall, with the advice of the subcode officials, prepare and submit to the mayor and the council not less than annually, a report recommending a fee schedule based on the operating expenses of this code enforcing agency and any other expenses of the borough fairly attributable to the enforcement of the State Uniform Construction Code Act.

(Prior code § 11A-5)

### **15.04.050 State of New Jersey training fees.**

In order to provide for the training, certification and technical support programs required by the Uniform Construction Code Act and regulations, the borough, as enforcing agency shall collect, in

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addition to the fees specified above, a surcharge fee of \$.0016 per cubic foot of volume of new buildings and additions. Volume shall be computed in accordance with N.J.A.C. 5:23-2.28 as it may be amended and supplemented. The fee for all other construction shall be eighty cents (\$0.80) per one thousand dollars (\$1,000.00) of value of construction. This surcharge fee shall be remitted to the Bureau of Housing Inspections, Department of Community Affairs, on a quarterly basis for the fiscal quarter ending September 30th, December 31st, March 31st and June 30th, and not later than one month next succeeding the end of the quarter for which it is due.

The borough, as enforcing agency, shall report annually at the end of each fiscal year, to the bureau of housing inspection; the total amount of the surcharge fee collected in the fiscal year.

(Prior code § 11A-6)

### **15.04.060 Fire limits.**

- A. Established. The fire limits of the borough are established as the following blocks and lots as set forth on the current tax map of the borough: Blocks 4-B, 9, 10, 10-A, 10-B, 10-C, 10-D, 10-E, 18, 18-A, 18-B, 18-C, 23, 23-A, 34, 35, 36, 37, 38, 40, 51, 52, 53, 62, 63, 64, 71, 72, 73, 76, 77, 80, 83, 85, 86, 87, 93, 106, 108, 110; Block 39, Lots 7 to 24 inclusive; Block 41, Lots 1 to 9 inclusive and 11 to 19 inclusive; Block 55, Lots 4 to 7 inclusive; Block 82, Lots 11 to 23 inclusive; Block 105, Lots 1 and 2.

In addition, all nonconforming uses are part of the fire limits.

- B. Biannual Report—Recommendations for Fire Limits. The construction official shall prepare and submit to the mayor and the council of the borough biannually a report reevaluating the delineation of the fire limits. This report shall indicate the recommendations of the construction official, the building subcode official, and the fire subcode official regarding those areas which should be designated as within fire limits, with the reasons therefor.

(Prior code § 11A-7)

### **15.04.070 Smoke alarms—When required.**

Prior to the sale, resale, rental, or leasing of any residential dwelling unit located within the borough, the seller shall be required to install smoke alarms in the unit. It shall be the responsibility of the officer issuing a continued certificate of occupancy or a certificate of code-compliance to insure that prior to the issuance of said certificate, there shall have been the installation of smoke alarms in accordance with the terms and provisions of this section.

(Prior code § 11A-9)

### **15.04.080 Demolition permits.**

Prior to the issuance of any demolition permit for a structure, the construction code official shall obtain a certificate from a duly licensed exterminator certifying that the structure has been recently exterminated of any pests, rodents or other vermin that may migrate from the structure being demolished to adjacent structures during the demolition process.

(Prior code § 11A-10)

**15.04.090 Disposal and recycling requirements.**

Prior to the issuance of a construction and/or demolition permit, each applicant must advise the construction official as to the method to be used to properly contain and dispose of all construction debris including the recycling of those items determined by the Monmouth County solid waste management plan as being subject to recycling regulations. Prior to the issuance of a final certificate of occupancy or certificate of completion, the applicant shall notify the construction official as to the final disposition of all construction and/or demolition debris and the approximate tonnages involved in this demolition. All construction and/or demolition debris may only be disposed of and/or recycled by vendors, contractors, or locations licensed by the county of Monmouth and the state of New Jersey for the processing of construction debris.

- A. The construction official can waive this requirement for minor construction permits which will generate less than six cubic yards of material, provided that the applicant executes an affidavit accepting responsibility for the proper disposal of the construction debris in accordance with county and borough regulations and specifies the actual method to be used for this disposal.
- B. No person shall park or leave unattended any waste or refuse container, commonly called a roll-off dumpster or roll-off container, on or along any public right-of-way for the storage and/or transportation of construction and/or demolition debris without first having obtained a written approval by the police chief of the borough police department of the location to be used for this container. No container may remain on public right-of-way for more than seven calendar days without specific written approval from the construction official. All containers parked on the right-of-way shall be clearly identified with the proper traffic hazard signs, reflectors and markings. As a minimum on each side of the roll-off container facing a public right-of-way, there shall be at least one eighteen (18) inches by eighteen (18) inches diamond shaped reflective triangle mounted at the edge of the dumpster or container nearest the path of the traveling vehicles and located at least three feet up from the surface of the roadway. All roll-off dumpsters may only be located in areas which will not constitute a traffic hazard and which are not currently restricted for no parking by the traffic regulations of the borough. To obtain written approval, the applicant must provide information as to the owner of the dumpster or container, the owner's address and the telephone number available twenty-four (24) hours a day, should an emergency arise concerning the dumpster or container. In addition, the applicant or the owner of the dumpster or container shall provide evidence of insurance for the container or dumpster with a minimum liability coverage of one million dollars (\$1,000,000).

(Ord. 31/96: prior code § 11A-11)

**Chapter 15.08 CONSTRUCTION PERMIT FEES <sup>[1]</sup>**

**Sections:**

[15.08.010 Construction permit fee.](#)

[15.08.020 Plan review fee.](#)

[15.08.030 Demolition fees.](#)

[15.08.040 Removal of building fee.](#)

[15.08.050 Sign construction fee.](#)

[15.08.060 Certificate of occupancy fees.](#)

[15.08.070 Elevator/escalator fees-installation-reinspection.](#)

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[15.08.110 Variance application fee.](#)

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[15.08.130 Annual construction permits.](#)

[15.08.140 Exemptions.](#)

[15.08.150 Waiver of building permit fees.](#)

[15.08.160 Waiver of building permit fees—Volunteers.](#)

[15.08.170 Waiver of building permit fees, senior citizens.](#)

**15.08.010 Construction permit fee.**

The fee for a construction permit shall be the sum of the subcode fees listed in subsections A. through C. of this section and shall be paid before the permit is issued.

A. Building Subcode Fee. The building subcode fee shall be:	
1. For new construction and/or additions:	\$.027 per cubic foot of building or structure volume provided that the minimum fee shall be \$50.00.
2. For renovations, alterations and repairs:	
;b2;Up to \$50,000.00	\$24.00 per \$1,000.00 of estimated cost of such work.
;b2;From \$50,001.00 to \$100,000.00	\$18.00 per \$1,000.00 of estimated cost of such work.
;b2;For \$100,001.00 and above	\$15.00 per \$1,000.00 of estimated cost of such work, provided that the minimum fee shall be \$50.00.
The foundation system plus external utility connections	

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in pre-manufactured construction are subject to these fees.	
3. For combinations of renovations and additions	The sum of the fees computed separately as renovations and additions.
4. Swimming Pools.	
The fee for an above-ground pool:	\$75.00
The fee for an in-ground swimming pool:	\$125.00
5. Omitted	
6. Energy Inspection.	
;b2;One- and two-family and single point control commercial	\$50.00
AU others	\$250.00
B. Plumbing Subcode Fee. The plumbing subcode fee shall be:	
1. For the installation, including replacement of a plumbing fixture, stack or vent, all as defined in the National Standard Plumbing Code, including filing of the application and review thereof:	\$10.00 for each fixture, stack or vent, with a minimum fee of \$55.00.
2. The fee for construction and connection of a new septic and/or dry well system:	\$200.00
A fee for under slab inspection:	\$30.00
The fee for repairs of septic systems:	\$100.00
The fee for installation of a water or sewer service:	\$50.00
The fee for inspection of a percolation test:	\$75.00
3. The fee for lawn sprinkler installations:	

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Up to 25 heads:	\$50.00
For each additional head:	\$2.00
4. The fee for inspections regarding grease traps, oil separators, water cooled air conditioning units, refrigeration units, backflow preventors, steam boilers, hot water boilers, hot water heaters, gas piping, gas service entrances, active solar systems, sewer pumps, interceptors and fuel oil piping:	\$60.00
C. Electrical Subcode Fees.	
1. For installation or replacement of outlets, receptacles, fixtures, including lighting outlets, wall switches, fluorescent fixtures, convenience receptacle or similar fixture, line voltage smoke detectors, burglar alarm systems, and motor or devices of less than one horsepower or one kilowatt, the fee shall be as follows:	
a. From 1 to 50 devices:	\$55.00
b. For each additional 25 devices:	\$20.00
2. For each motor or similar electrical device, the fee shall be as follows:	
a. For 1 to 10 horsepower:	\$25.00
b. For 11 to 50 horsepower:	\$60.00
c. For 51 to 100 horsepower:	\$105.00
d. For over 100 horsepower:	\$450.00
3. For transformers and generators over one kilowatt:	
a. For up to 10.0 kw.:	\$25.00
b. For up to 45.0 kw.:	\$60.00
c. For 112.5 kw.:	\$105.00

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d. For over 112.5 kw.:	\$450.00
4. For electrical service entrance, service panel, sub-panel installations or replacements, the fees shall be as follows:	
a. For up to 200 amps:	\$75.00
b. For 201 amps to 900 amps:	\$125.00
c. For over 900 amps:	\$450.00
5. For the purpose of computing these fees, all motors, except those in plug-in appliances shall be counted, including control equipment, generators, transformers and all heating, cooking or other devices consuming or generating electrical current	
6. The fees to be charged for other electrical equipment or fixtures not specified above are as follows:	
a. Protective signaling systems: This includes but is not limited to, fire alarm devices; smoke and heat detectors; burglar alarm devices, nurse call systems, communications systems, etc.:	
i. For 1 to 15 devices:	\$50.00
ii. For each additional five devices:	\$15.00
2. Swimming Pools:	
a. Above-ground:	\$75.00
b. In-ground:	\$125.00
7. The minimum electrical subcode fee shall be:	\$55.00
D. Fire Subcode Fee. The fire subcode fee shall be:	
1. For smokelheat detectors:	

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For 1 through 20 heads:	\$65.00
For each additional detector:	\$2.00
2. For fire suppression systems:	\$75.00
3. For kitchen exhaust systems:	\$50.00
4. For sprinkler systems:	
For 1 through 20 heads:	\$75.00
For 21 through 100 heads:	\$100.00
For 101 through 200 heads:	\$125.00
For over 200 heads:	\$350.00
5. Standpipe fees:	
a. Per riser:	\$225.00
b. Per fire pump:	\$375.00
6. For incinerator/crematoriums:	\$365.00 each
7. For gas or oil fired heating equipment:	\$50.00 each
8. For the installation of flammable or combustible liquid tanks:	\$50.00 each
9. Annual inspection fee for sprinkler heads:	\$50.00
10. For any fire subcode item not enumerated hereinabove:	The actual cost with a minimum fee of \$50.00

(Ord. No. 2009/3, 4-6-09)

**15.08.020 Plan review fee.**

The fee for plan review by the enforcing agency shall be twenty percent (20%) of the amount to be charged for the construction permit in accordance with the provisions of N.J.A.C. 5:23-2.26 et seq.

(Ord. No. 2009/3, 4-6-09)

**15.08.030 Demolition fees.**

The fee for a permit for the demolition of a one- or two-family residential dwelling unit or a garage shall be one hundred dollars (\$100.00). The fee for demolition of all other structures shall be two hundred dollars (\$200.00). The fee for the closure (removal or abandonment in place) of underground storage tanks shall be:

- A. Up to five hundred (500) gallons capacity: \$50.00
- B. In excess of five hundred (500) gallons: \$75.00

(Ord. No. 2009/3, 4-6-09)

**15.08.040 Removal of building fee.**

The fee for a permit for the removal of a building or structure from one lot to another or to a new location on the same lot shall be twenty dollars (\$20.00) per one thousand dollars (\$1,000.00) of the sum of the estimated costs for moving, for new foundations and for placement in a completed condition in the new location; provided, that the minimum fee shall be fifty dollars (\$50.00).

(Ord. No. 2009/3, 4-6-09)

**15.08.050 Sign construction fee.**

The fee for a permit to construct a sign shall be one dollar (\$1.00) per square foot of the surface area of the sign; provided that the minimum fee shall be forty dollars (\$40.00). In the case of a double face sign, the area of the surface of only one side of the sign shall be used for purposes of fee computation.

(Ord. No. 2009/3, 4-6-09)

**15.08.060 Certificate of occupancy fees.**

The fees for certificates of occupancy shall be:

- A. Ten (10) percent of the construction permit fee which would be charged by the department pursuant to these regulations. The minimum fee shall be fifty dollars (\$50.00) for new construction and twenty-five dollars (\$25.00) for renovations, alterations or additions.
- B. The fee for a certificate of continued occupancy granted pursuant to a change of use group shall be one hundred dollars (\$100.00).
- C. The fee for a certificate of occupancy granted pursuant to a change of use shall be one hundred dollars (\$100.00).
- D. There shall be no fee for a temporary certificate of occupancy.
- E. Continued use/change use certificate of occupancy—Commercial properties only: one hundred dollars (\$100.00).

(Ord. No. 2009/3, 4-6-09)

**15.08.070 Elevator/escalator fees-installation-reinspection.**

The fee for a permit to install an elevator/escalator shall be two hundred dollars (\$200.00); and, for each yearly reinspection, the fee shall be forty dollars (\$40.00).

(Ord. No. 2009/3, 4-6-09)

**15.08.080 Renewals and revisions.**

- A. The fee for renewal of any permit provided for herein where there are no changes to the original application shall be ten percent (10%) of the original permit fee; provided, that the minimum fee shall be fifty dollars (\$50.00).
- B. The fee for a revision to a permit shall be twenty-five dollars (\$25.00) plus one cent per cubic foot of additional volume, if any, or, in case of a renovation, alteration or repair, twenty-five dollars (\$25.00) plus ten dollars (\$10.00) per one thousand dollars (\$1,000.00) of additional estimated costs, if any.
- C. In the case of a revision to a permit for new construction the plan revision fee shall be calculated on the revision as set forth in Section 15.08.020, which additional fee shall be credited up to twenty-five percent (25%) against the cost of the construction permit as set forth in Section 15.08.010.

(Ord. No. 2009/3, 4-6-09)

**15.08.090 Asbestos abatement.**

The abatement fee for an asbestos abatement permit: One hundred forty dollars (\$140.00). The fee for an asbestos abatement certificate of occupancy: Twenty-five dollars (\$25.00).

(Ord. No. 2009/3, 4-6-09)

**15.08.100 State training surcharge fee.**

- A. The state training surcharge fee shall be \$0.00265 per cubic foot of new construction or addition.)
- B. The fee for all other construction shall be one dollar and thirty-five cents (\$1.35) per one thousand dollars (\$1,000.00) of value of construction.

(Ord. No. 2009/3, 4-6-09)

**15.08.110 Variance application fee.**

The fee for a variance application to the construction codes shall be one hundred dollars (\$100.00).

(Ord. No. 2009/3, 4-6-09)

**15.08.120 Lead hazard abatement.**

- A. The permit fee for lead hazard abatement work shall be one hundred and forty dollars (\$140.00).

B. The permit fee for a lead abatement clearance certificate shall be twenty-eight dollars (\$28.00).

(Ord. No. 2009/3, 4-6-09)

**15.08.130 Annual construction permits.**

The fee for annual construction permits for plant maintenance workers shall be two hundred and twenty-five dollars (\$225.00) for one to twenty-five (1—25) employees plus five dollars (\$5.00) for each additional employee.

(Ord. No. 2009/3, 4-6-09)

**15.08.140 Exemptions.**

County and school board property located within the borough of shall be exempt from fees or charges required to secure construction permits for the erection or alteration of any public building or part thereof in accordance with the provisions of N.J.S.A. 52:27D-126C.

(Ord. No. 2009/3, 4-6-09)

**15.08.150 Waiver of building permit fees.**

- A. No person shall be charged a construction permit surcharge fee or enforcing agency fee for any construction, reconstruction, alteration or improvement designed and undertaken solely to promote accessibility by disabled persons to an existing private structure or any of the facilities contained therein,
- B. A disabled person, or a parent, sibling or child of a disabled person, shall to be required to pay a municipal fee or charge in order to secure a construction permit for any construction, reconstruction alteration or improvement designed and/or undertaken solely to promote accessibility to his or her living unit.
- C. "Disabled person" means any person who meets the requirements as set forth in the definition of N.J.S.A. 52:27D-126(E) and N.J.S.A. 40:55D-8 as same may be amended from time to time.

(Ord. No. 2009/3, 4-6-09)

**15.08.160 Waiver of building permit fees—Volunteers.**

- A. In recognition of the vast contributions of nonprofit corporations, societies or associations organized exclusively for religious, charitable or educational purposes, which benefit society, the borough shall waive the first five hundred dollars (\$500.00) of the local construction permit fee or local enforcing agency fee for any construction, reconstruction, alteration or improvement designed and undertaken on a property owned by such nonprofit corporation, society or association organized exclusively for religious, charitable or educational purposes and used or to be used by the qualified entity in furtherance of its religious, charitable or educational purposes. The total fee waived shall not exceed five hundred dollars (\$500.00) per calendar year.
- B. Definitions. As used in this section:  
  
"Nonprofit corporation, society or association" shall mean any such corporation, society or association organized exclusively for religious, charitable or educational purposes and which would qualify as same under the Charitable Immunity Act.

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- C. Qualification for Benefits. The provisions of this section shall be available to those nonprofit corporations, societies or associations organized exclusively for religious, charitable or educational purposes.

Any such nonprofit corporations, societies or associations requesting a waiver or partial waiver of the local construction permit fee or local enforcing agency fee shall submit proof of its status and that it is organized exclusively for religious, charitable or educational purposes as recognized by the State of New Jersey and which would qualify as same under the Charitable Immunity Act.

Any such nonprofit corporations, societies or associations requesting a waiver or partial waiver of the local construction permit fee or local enforcing agency fee shall submit proof that the construction, reconstruction, alteration or improvement is designed and undertaken on a property owned by such nonprofit corporation, society or association and is used or is to be used by the qualified entity strictly in furtherance of its religious, charitable or educational purposes.

(Ord. No. 2009/3, 4-6-09)

(Ord. No. 2009/23, § I, 12-21-2009)

**15.08.170 Waiver of building permit fees, senior citizens.**

- A. In recognition of the vast contributions made by senior citizens who are long time residents which benefit society as a whole and recognizing that senior citizens live on a fixed income, senior citizens age sixty-five (65) and over shall not be charged a local construction permit fee or local enforcing agency fee for any construction, reconstruction, alteration or improvement designed and undertaken on a residential property owned and occupied (or co-owned as tenants by the entirety with a spouse) by such senior citizen.
- B. Definitions. As used in this section:
1. Senior citizen shall mean any individual borough resident age sixty-five (65) or older.
  2. Qualification for Benefits. The provisions of this section shall be available to those individuals who are and have been residents of the Borough of Freehold for a period of at least ten (10) years and shall apply only to residential property occupied by the senior citizen. To qualify for this exemption, all taxes, water and sewer fees and all other fees of the borough relating to the property which is the subject of the application must be current at the time of the application and issuance of the exemption. To qualify for this exemption, applicants must submit proof of age and residency and payment of all taxes and other fees together with the permit application. In the event such proof is not included with the application for permit, no waiver or exemption shall be granted.

(Ord. No. 2009/3, 4-6-09)

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FOOTNOTE(S):

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**Editor's note**— Ord. No. 2009/3, adopted Apr. 6, 2009, repealed the former Ch. 15.08, §§ 15.08.010—15.08.170, and enacted a new Ch. 15.08 as set out herein. The former Ch. 15.08 pertained to similar subject matter and derived from Ord. 2003/25 § 1; Ord. 2003/10 § 1; Ord. 17/99 § 1; Ord. 20/96; Ord. 27/95 §§ 1—3; prior code §§ 11A-3.1—11A-3.12; and prior code §§ 11A-3.14, 3.15, 3.18. ([Back](#))

## **Chapter 15.12 HOUSE NUMBERING**

### **Sections:**

[15.12.010 Numbers required.](#)

[15.12.020 Violation—Penalty.](#)

### **15.12.010 Numbers required.**

It shall be the duty of the owners and occupants of every house in the borough to have placed thereon, in a place visible from the street, figures, at least two and one-half inches high, showing the number of the house.

(Prior code § 5-15.1)

### **15.12.020 Violation—Penalty.**

Any person who shall fail to so number any house, building or other structure occupied by him or her, and who after receiving notice to do so from the borough clerk, shall continue in his or her failure to so number a house, after a complaint shall be signed by the code enforcement officer and shall appear in the borough court. If such person is found guilty, the judge, in his or her discretion, may levy a fine in the sum of one dollar for each day during and in which a failure to do so number shall continue.

(Prior code § 5-15.2)

## **Chapter 15.16 SIGNS**

### **Sections:**

[15.16.010 Purpose.](#)

[15.16.020 Definitions.](#)

[15.16.030 General regulations.](#)

[15.16.040 Signs requiring a permit.](#)

[15.16.050 Violation—Penalty.](#)

### **15.16.010 Purpose.**

- A. The borough is rich in history and architectural design of the Victorian, Federal and Colonial era. This chapter has been written to encourage and preserve the designs of that period and to regulate any sign erected, altered, posted, painted, maintained, used, removed or relocated. All signs shall

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comply with the provisions of this chapter and any and all other ordinances and requirements of the borough.

B. Overview. Sign regulations in the borough exist on three levels:

1. Signs permitted in all zones;
2. Signs permitted in a specific zone if required specifications are met;
3. Signs that are prohibited.

This chapter is written to reflect the regulations in effect in specific zones. The procedures governing the sign applications and review process are the same for all zones and are found in Section 15.16.030(F). In addition to permanent signs, a business is entitled to temporary signage for specific events as outlined in Appendix F.

(Ord. 11/96 (part): prior code § 20-1)

### 15.16.020 Definitions.

As used in this chapter:

"Abandoned sign" means a sign which no longer serves to advertise a bonafide business conducted, service provided or product sold.

"Advertising structure" means any rigid or semi-rigid material with or without a sign displayed thereon, situated upon or attached to real property for the purpose of furnishing a background, base or support on which a sign may be posted or displayed.

"Awning sign" means a sign painted on or attached to the vinyl, cloth, or metal cover on a movable frame of the hinged roll or folding type that projects from the face of a building.

"Billboard" means a free-standing sign or one attached to a building or structure that is rented or leased by an outside business whose business is such signage and whose signs generally advertise a service or product not offered on location.

"Canopy sign" means a sign painted on or attached to a vinyl, cloth or metal cover on a non-movable frame that projects from the face of a building.

"Carved sign" means lettering cut into wood or comparable material such as sign foam.

"Channel letters" means three dimensional metal letters with translucent faces internally illuminated with neon tubing or other types of lighting.

"Directory of occupants sign" means a sign attached to the facade or a building or attached to or embossed on a door, or a freestanding sign listing the tenants or occupants thereof, and their respective professions or business activities. A sign attached to the facade shall not be located above the level of the entrance door.

"Double-faced sign" means a sign with two parallel or nearly parallel faces, back-to-back and located not more than twenty-four (24) inches from each other.

"Facade" means the area of the wall of a structure measured from existing ground level to the top of the highest point of the structure and extending the full width of the front part or any side of a building that faces a street or other open space.

"Flashing sign" means a sign whose illumination is not kept constant in intensity at all times when in use and which exhibits changes in light, color, direction or animation.

"Fluorescent sign" means a sign lighted internally or externally with fluorescent bulbs.

"Free-standing sign" means a self-supporting sign connected to the ground in one fixed location and not attached to any building, wall or fence.

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"Illuminated sign" means any sign lighted internally or externally by electric bulbs, fluorescent lights or neon tubes. Neon tubes used as abstract, graphic, decorative or architectural elements shall be considered to constitute an illuminated sign.

"Landmark sign" means an older sign of artistic or historic merit, uniqueness or extraordinary significance to the borough.

"Nonconforming sign" means those signs which do not meet the criteria of this chapter for any reason, such as but not limited to size, location, construction, attachment or affixture to building or ground.

"Official sign" means any sign, symbol or device erected and maintained by the federal, state, county or local government agency for the purpose of informing or guiding the public or for the protection of health, safety, convenience and general welfare as determined by the planning board.

"Permanent window sign" means any sign mounted on or inside of a window for permanent display to the public passing by outside the window on foot or in motor vehicles.

"Political sign" means a sign expressing support for or against a candidate for public office or an issue specific to a current election or referendum.

"Portable sign" means any sign, whether on its own trailer, wheels or otherwise, which is designed to be transported from one place to another.

"Real estate sign" means a sign placed by an owner of real property or of a licensed real estate broker that indicates that a particular parcel or portion of real property is available for sale or lease.

"Reverse channel letters" means three-dimensional metal letters internally lighted with neon tubing or other types of lighting to produce an external halo or glow.

"Sign" means any display of lettering, logos, colors, lights or illuminated neon tubes visible to the public from the outside of a building, or from a traveled way, or from a public parking area, which either conveys a message to the public or intends to advertise, direct, invite, announce or draw attention to, directly or indirectly, a use conducted, goods, services, or products, or facilitates either on a lot or any other premises, excluding window displays for merchandise or services offered for sale within.

"Sign area" means the area of any freestanding sign which includes the area of all sign elements, excluding supports and ornamentation. Sign area for all other signs shall be the sum of the areas of the minimum imaginary rectangles, triangles or circles which fully contain all words, numbers, figures, devices, designs or trademarks by which anything is made known. The term "sign area" shall also include the backdrop or backer material on which the sign is painted or carved, or the sign letters which are attached to or are a component thereof. The backer board or materials which are a part of the sign area shall include all the materials that are painted or colored a different color than either the dominate facade or trim color utilized on the balance of the building.

"Sign foam" means opaque manufactured material resembling wood used for signs and sign letters.

"Wall-mounted sign" means signage mounted parallel to the face of the building and projecting not more than twelve (12) inches from the building. The area of individual letters, figures, or signs shall be the area of the simple geometric form (rectangle, triangle, etc.) necessary to enclose same.

"Wall sign" means a sign which is attached parallel to the exterior surface of a building or structure.

"Window display" means the arrangement of merchandise for sale within a store in a front display window or cabinet visible from the street, together with the necessary display props to show the merchandise including signs specifically relating to the displayed merchandise and not the general services or other merchandise offered within the store.

"Window sign" means any sign which is painted or mounted onto a window pane, or which is hung inside the window with the purpose or effect of identifying any premises or the use thereof from the walkway or street.

(Ord. 11/96 (part): prior code § 20-2)

**15.16.030 General regulations.**

A. Signs authorized in any zone without a permit.

The following signs are authorized signs in the borough without a permit:

1. Directional signs: those identifying parking areas, entrances, exits and loading zones and authorized by the borough;
2. Governmental signs: signs posted by government agencies such as historical tablets, cornerstones, memorial plaques and emblems which do not exceed six square feet in surface area; public information and traffic signs;
3. Holiday artwork: window decorations and seasonal greetings erected not more than six weeks prior to a holiday, nor more than two weeks after the holiday;
4. Lawn signs: identifying residences which do not exceed one square foot in surface area or if double faced, a total of two square feet are permissible;
5. Name and street number: sign plates which identify a house or apartment or mailbox, by name and number, not exceeding sixty (60) square inches;
6. Real estate signs: advertising the sale, rental or lease of the property upon which the sign is located. These signs may not exceed six square feet of surface, or if double faced, twelve (12) square feet in total. The sign shall not be illuminated and shall not be located within three feet of the lot line as defined by the zoning ordinance of the borough where the building is set back three feet or more from the lot line. No more than one real estate sign shall be erected facing each street or public parking area on which the building fronts;
7. Restaurant menus: must be wall-mounted, not free standing; shall not exceed eight square feet, and must have no exterior illumination other than that of a gallery light type not exceeding twenty-five (25) watts. In areas leased from the borough and used as an outdoor cafe, a restaurant menu not exceeding six square feet may be located on an easel which shall be placed within the leased area during the authorized season only;
8. Gasoline pump and vending machine signs: which are an integral part of such equipment and do not exceed two square feet of advertising area or price information per pump or vending machine;
9. Warning and no trespassing signs: not to exceed one square foot;
10. Political: signs promoting individuals, parties or issues must be removed within five days after voting day or the resolution of the issue. The sign shall not be located closer than three feet of the property line as defined by the zoning ordinance of the borough;
11. Landmark sign: as identified by the local historical commission or by the mayor and council;
12. Signs required by federal or state laws or regulations.

B. Signs authorized in any residential zone without a permit.

The following signs are authorized in residential zones in the borough without a permit:

1. Informational signs or bulletin boards: which identify public institutions or facilities such as but not limited to churches, hospitals, nursing homes, private schools and service organizations. Such signs may be illuminated but may not be larger than twenty (20) square feet in area. The signs shall be set back from any lot line a minimum of fifteen (15) feet.
2. Freestanding or wall mounted professional notice signs: which advertise the fact that the residential unit in front of which such signs are erected also contains the professional office of the resident. Such signs may be illuminated, but shall not exceed one square foot of surface area if single sided, or two square feet of surface area if double sided. Such signs shall not exceed four feet in height and shall be set back a minimum of fifteen (15) feet from the sidewalk or road surface in those instances where no sidewalk exists.

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3. Temporary signs: advertising fund raising events for charitable or religious institutions which do not exceed thirty-two (32) square feet of surface area and which are located on the premises owned by the organization sponsoring the event or the location where the event shall occur. Such signs may not be illuminated and must be removed within seven days after the event advertised has occurred. These temporary signs shall not be located closer to any lot line than one-half the distance between the lot line and the building line. Such signs shall not exceed eight feet in height from ground level to the top of the sign.
4. Residential or commercial development: in the case of a residential or commercial development under construction, one nonilluminated temporary freestanding real estate sign of not more than thirty-two (32) square feet of sign surface may be permitted on the premises where the construction is taking place.
  - a. Completion of development. Upon issuance of the certificate of occupancy for all of the houses/units to be constructed in a development all signs shall be removed.
  - b. Rental or sales Office. The rental or sales office of such residential sign identifying it as a rental or sales office only. Such sign shall not exceed twelve (12) square feet for a single-face sign or twenty-four (24) square feet for a double-face sign.
- C. Prohibited signs and activities in any zone. The following signs, sign components or activities are not permitted in any zone of the borough:
  1. Colors. Signs using red, amber or green lights or sign backer board that projects red, amber or green color which may conflict with traffic control signals placed within one hundred (100) feet of traffic control signals.
  2. Motion. Signs moving or revolving and those using waving, blinking, flashing, vibrating, flickering, tracer or sequential lights.
  3. Reflection. Signs using materials which sparkle or glitter by movement.
  4. Indecent. Signs advertising matters of an indecent or obscene nature.
  5. Traffic Hazard. Signs using words such as "stop", "look", or "danger" which constitute a traffic hazard or which otherwise may interfere with the free and unobstructed flow of traffic.
  6. Interference. Signs causing interference with radio, television, or communication equipment transmissions or reception.
  7. Obstructing Signs. Signs which obstruct visibility of and access to and through doors, fire escapes, windows or stairways.
  8. Tree Signs. Signs placed upon trees, utility poles or bridges.
  9. Sequential Signs. Advertising signs placed in a series carrying a single advertising message, a part of which is contained on each sign.
  10. Roof Signs. Signs mounted on roofs or extended above the lowest part of the roof line or parapet or covering architectural details such as arches, sills, molding, cornices and transom windows.
  11. Billboards. Freestanding signs advertising services or products not provided on the specific site.
  12. Wall Signs. Signs painted directly on walls, unless of a decorative design of public interest approved by the planning board.
  13. Off-Premises Signs. Signs advertising a product or service not sold on the premises.
  14. Non-Permitted Signs. Any signs not expressly permitted by this chapter.
  15. Projecting Signs. Signs affixed or attached to the facade of a building which are perpendicular to the facade of a building other than those permitted in Appendix A.

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16. Vacated Signs. Signs advertising an establishment or use no longer in existence.
17. Advertising Devices. Flags, banners, pinwheels, sandwich type, sidewalk signs, curb signs or similar advertising devices except as allowed in Appendix F.
18. Paper window signs or posters not specifically otherwise permitted by this chapter.

### D. Safety Standards.

1. Unsafe. Whenever a sign becomes structurally unsafe or endangers the safety of the building or the public, or falls into disrepair, the zoning officer shall order the sign to be repaired, made safe, or removed. Such order shall be complied with within thirty (30) days of the receipt thereof by the person, firm or corporation owning or using the sign, or the owner of the building or premises upon which such sign is affixed or erected. Failure to repair or remove said sign shall be a violation of this chapter.
2. Maintenance. Whenever a sign is not properly maintained, the zoning officer shall order the sign to be repaired or removed. For purposes of this chapter, proper maintenance includes, but is not limited to:
  - a. Replacement of burned out or nonfunctional light bulbs or other means of illumination;
  - b. Repairing, repainting faded or chipped paint;
  - c. Replacing missing or broken letters;
  - d. Reattaching signs or portions of signs which have become or are becoming detached from the building or structure to which they are mounted or affixed.

Such order shall be complied with within thirty (30) days of the receipt thereof by the person, firm or corporation owning or using the sign, or the owner of the building or premises upon which such sign is affixed or erected. Failure to remove or repair the sign shall be a violation of this chapter.

### E. Nonconforming Signs.

1. Continuance. A nonconforming sign lawfully existing at the time of adoption or subsequent amendment of the ordinance codified in this chapter may continue provided that the sign is maintained in accordance with said ordinance. Any lawfully existing sign cannot be enlarged, redesigned or altered in any way including repainting in a different color, except to conform to the requirement of this chapter. No such nonconforming sign shall be replaced in the event of its removal or destruction.
2. Replacement. Any sign replacing a nonconforming sign shall conform with the provisions of this chapter, and the nonconforming sign shall no longer be displayed.
3. Commercial Billboards. Those billboards in existence and utilized at the time of the adoption of the ordinance codified in this chapter may continue in operation. The sign message and design may be periodically changed, but the sign area and support structure cannot be altered.

### F. Applications, Permits and Annual Licenses.

1. A sign permit shall be secured from the borough prior to the erection, alteration or reconstruction of any sign not expressly exempted from this requirement by the provisions of this chapter. The fee for a sign permit shall be seventy-five cents per square foot in a minimum amount of twenty-five dollars (\$25.00).
2. Forms. Permits shall be on forms prescribed by the zoning officer. All permit applications shall include a scale drawing specifying shape, dimensions, inscription, letter size, letter style, colors, materials, support systems, location on land or buildings with all measurements and illumination details. Upon receipt of a complete application for a new sign, together with the fee required to be paid, the zoning officer shall have not more than fourteen (14) days to approve or deny the application. If the zoning officer does not act within fourteen (14) days of the date of its submission, the application shall be deemed to have been denied.

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3. Applicant. Such permits may be filed by the owner of the subject real estate or any person having an interest therein with the written consent of the owner.
  4. Annual Sign Permits. Every sign, whether permitted or otherwise approved by this chapter, unless specifically exempted of the permit requirement, shall be licensed annually by the person on whose premises the sign is located or their authorized agent.
    - a. To offset the cost of inspecting each sign for which a permit is issued/renewed, the following permit fees must be submitted with the application for sign license renewal:
      - i. To Fifty (50) Square Feet: for signs or advertising structures having a sign area of up to fifty (50) square feet, ten dollars (\$10.00).
      - ii. Over Fifty (50) Square Feet: for signs or advertising structures which exceed the display area of fifty (50) square feet, the fee shall be ten dollars (\$10.00) plus ten cents for each square foot in excess of fifty (50) square feet.
    - b. For multiple signs attached to an advertising structure, one license is required based upon the total area of the advertising structure. For double-faced signs, the license fee shall be based upon one side only.
- G. Revocation of Permits and Licenses.
1. A permit to erect or maintain a sign may be revoked for any one or more of the following causes:
    - a. Whenever the information used in obtaining a permit is false or misleading;
    - b. Whenever any of the provisions of this chapter are violated;
    - c. Whenever a licensed structure is not being maintained in a safe, structurally sound condition;
    - d. Whenever a licensed sign is not being maintained so that the sign message is easily readable without distracting the passing motoring vehicle to decipher the sign message, thereby causing an unsafe condition to passing motor vehicle traffic.
  2. No sign permit or license may be revoked for any of the above-referenced reasons until written notice has been served upon the sign permit applicant or licensee by personal service or first class mail. A permit applicant or licensee shall have ten (10) days within which to request a hearing before the planning board or correct the violation cited to conform with this chapter. The hearing request must be submitted in writing and addressed to the zoning officer/sign officer. The hearing before the planning board shall determine whether or not the sign permit should be revoked. The sign permit shall be revoked if the applicant fails to request an appeal hearing; fails to appear at the hearing; fails to correct the violation in a timely manner, or fails to comply with the planning board conditions of approval.
  3. Sign Removal. If a sign permit is revoked, pursuant to the provisions of this chapter, the applicant or licensee shall remove the sign or advertising structure within forty-five (45) days of written notification from the zoning officer/sign officer. Each day that a sign remains after the forty-five (45) day period shall be deemed a separate violation of this chapter.
- H. Appeals. Where the zoning officer has denied an application for a sign permit for failure of the applicant to comply with the provisions of this chapter, the applicant may:
1. Appear before the sign subcommittee established by the mayor and council herein, in any instance in which the proposed sign is not specifically permitted but which is not specifically prohibited under this chapter. The applicant shall prepare and submit to the sign subcommittee a notice of appeal prepared on a form approved by the subcommittee which application shall also include a detailed rendering of the proposed sign indicating its dimensions, proposed location, configuration, materials, colors, illuminations and a complete description of all particulars in which the proposed sign does not conform with the requirements of this chapter. The subcommittee shall conduct a hearing at which time the applicant shall present sworn

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testimony and evidence to support its application for a design waiver. The subcommittee may grant such a waiver where it is satisfied by the evidence presented by the applicant that the strict application or literal enforcement of one or more of the provisions of this chapter is impractical or will exact undue hardship upon the application. The subcommittee shall not grant a design waiver unless it is also satisfied that the relief can be granted without substantial detriment to the public good, will not substantially impair the intent and purpose of the sign ordinance, and the waiver requested is the minimum practical deviation from the sign ordinance to accomplish the applicant's reason for the waiver. Applicants may be the property owner or business operator (with the consent of the owner) and may appear before the sign subcommittee without an attorney. An owner or business operator must be represented by an officer of the applicant. The applicant shall pay an appeal filing fee of twenty-five dollars (\$25.00) for each sign for which a design waiver is sought or where multiple signs are involved, a total fee computed as the less of twenty-five dollars (\$25.00) per sign or one hundred dollars (\$100.00) total.

2. In all instances where the proposed sign is a prohibited sign under this chapter, or in such instances where the applicant wishes to appeal the decision of the sign subcommittee, the applicant may appeal to the planning board of the borough for a design waiver allowing variations from the requirements of this chapter. The applicant shall pay an appeal filing fee of twenty-five dollars (\$25.00) for each sign for which a design waiver is sought or where multiple signs are involved, a total fee computed as the less of twenty-five dollars (\$25.00) per sign or one hundred dollars (\$100.00) total. The applicant shall prepare and submit to the planning board a notice of appeal prepared on a form approved by the planning board which application shall also include a detailed rendering of the proposed sign indicating its dimensions, proposed location, configuration, materials, colors, illumination and a complete a description of all particulars in which the proposed sign does not conform with the requirements of this chapter. The planning board shall conduct a hearing at which time the applicant shall present sworn testimony and evidence to support its application for a design waiver. The planning board may grant such a design waiver where the waiver requested is the minimum practical deviation from the sign ordinance to accomplish the applicant's reason for the waiver and where it is satisfied by the evidence presented by the applicant that the strict application or literal enforcement of one or more provisions of this ordinance is impractical or will exact undue hardship upon the applicant due to any of the following conditions:
  - a. Exceptional narrowness, shallowness or irregular shape of the subject property or the building thereon, or where compliance with this chapter would adversely effect the aesthetics of the building's architectural facade;
  - b. Exceptional topographic conditions or physical conditions uniquely affecting the property or the buildings thereon;
  - c. Any other extraordinary and exceptional situation uniquely affecting the properties or the building thereon or the products or services to be offered thereon;
  - d. Circumstances where the applicant's proposed alternate sign materials, colors, or illumination are required due to circumstances beyond the applicant's control such as the necessity to advertise the registered trade or service mark and provided that the proposed alternate substantial conforms to an approved prototype.
3. The sign subcommittee shall consist of three members appointed by the mayor on an annual basis. The members shall consist of one or more members of the planning board and the director of code enforcement.
4. In the event of an appeal from a denial of the sign subcommittee or where the proposed sign is a prohibited sign or requires a variance, the applicant shall give notice of the application to all property owners within two hundred (200) feet of the subject premises, which notice shall include a description of all particulars in which the proposed sign does not conform with the requirements of this chapter.

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(Ord. 3/99 § 1; prior code § 20-3)

**15.16.040 Signs requiring a permit.**

Permits shall be obtained from the zoning officer of the borough in accordance with the application procedures set forth in Section 15.16.030(F) for all other signs. The guidelines governing these signs are set forth in the following appendices:

Appendix A:	General commercial district, B2 zone
Appendix B:	Office/commercial district, B1 zone
Appendix C:	Neighborhood commercial area, RCR zone; CM zone when adjoining residential area, and sites located in the B2 and B2A zones when there are a number of separate commercial establishments on a site under single ownership.
Appendix D:	Highway commercial district A, CM zone.
Appendix E:	Highway commercial district B-for structures located in the CM zone when not abutting residential property land and in the B2B zone and containing more than two separate businesses.
Appendix F:	Temporary signs.
Appendix G:	Signage color.

(Prior code § 20-4)

**15.16.050 Violation—Penalty.**

Any person found guilty of violating any provision of this chapter shall be fined the sum of fifty dollars (\$50.00) for a first offense. Upon conviction of a second offense pursuant to the terms of this chapter, the fine shall be one hundred dollars (\$100.00). Third and subsequent offenses shall result in fines of one hundred fifty dollars (\$150.00) per conviction. Each day the violation continues unabated shall be deemed

a separate offense. Any sign which is found to be in violation of the terms of this chapter shall be ordered removed and shall not be permitted to be displayed.

(Prior code § 20-5)

## **APPENDIX A    GENERAL COMMERCIAL DISTRICT, B2 ZONE**

### **General Commercial District, B2 Zone.**

Signage shall be consistent with or compliment the original construction and/or facade design. For this reason, wood or opaque materials made to look like wood are required. A proposed sign application must be brought before the planning board for review unless it conforms to one of the prototypes explained in detail under subsection (1) below. First floor occupancies may have one of the following prototype signs. Upper story businesses may have a "directory of occupants" wall sign or entrance door sign (item 10 below). The approved prototype sign, except the directory of occupancy sign (item 1C) or the freestanding sign (item 1G) must be located in the facade area between the first and second floors of a multi-story building, or in a comparable location in a single story building.

1. Approved Prototypes: The following prototype signs, if adhered to in all detail, do not require planning board approval:
  - a. Wall Sign:
    1. Sign Area: Not to exceed two feet high, width of first floor business less one foot on each end, maximum thickness four inches.
    2. Material: Carved or incised wood or comparable materials such as sign foam or solid raised letters at least five-sixths of an inch thick.
    3. Lettering Size: Not to exceed sixty percent (60%) of total sign area.
    4. Perimeter Border: Framed with molded or routed material or architectural aluminum.
    5. Colors: All colors listed in Appendix G.
    6. Illumination: External shielded illumination of soft intensity.
  - b. Individual Lettering Attached to Facade:
    1. Sign Area: For purpose of overall measurement shall be an imaginary sign area not to exceed two feet high and the width of the first floor.
    2. Materials: Solid material at least five-sixths of an inch thick.
    3. Lettering Size: Not to exceed sixty percent (60%) of the sign area.
    4. Colors: All colors listed in Appendix G.
    5. Construction: Attached directly to the facade, or if extended from the facade, maximum total distance is six inches including the letter thickness.
    6. Illumination: External shielded illumination of soft intensity.
  - c. Directory of Occupants: Subject to the requirements of the approved prototype for the office/commercial district, Appendix B.
  - d. Open Backed, Box Letter Mounted Away from Facade:
    1. Material: Wood, Metal or opaque materials made to look like wood.
    2. Sign areas: Not to exceed sixty percent (60%) of an imaginary sign area not greater than two feet high, the width of the first floor business, less one foot on each end and not greater than eight inches in depth.

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3. Colors: All colors listed in Appendix G.
4. Illuminations: Internally shielded neon tubing or equivalent within back of letters.
- e. Awning:
  1. An awning which has lettering identifying the business no greater than six inches in height on the front skirt is permitted as an addition to the other signs approved for the building.
  2. An awning which has letters no greater than twelve inches (12") on the awning is permitted in lieu of other sign types, not in addition thereto. The lettering shall not exceed twenty-five percent (25%) of the total sign area.
  3. All awnings shall consist of canvas or comparable fabric.
  4. Colors: All colors listed in Appendix G.
- f. Canopy Sign: This sign is in lieu of other sign types, not in addition to:
  1. Material: Plastic (or durable cloth).
  2. Lettering Size: Maximum height twelve (12) inches.
  3. Colors: All colors listed in Appendix G.
  4. Illumination not permitted.
  5. Size: Maximum vertical elevation of four feet; maximum projection two feet from facade; maximum width-store frontage.
  6. The lettering shall not exceed twenty-five percent (25%) of the total sign area.
- g. Free Standing Sign: Subject to the requirements in the approved prototype for the office/commercial district, Appendix B.
2. Window Signs: In addition to the approved prototype sign, window signs are permitted throughout the district subject to the following restrictions:
  - a. A window sign includes a sign painted/affixed directly to the inside or outside of any glass window or glass portion of a door, and any sign hung inside the building designed to be read from the outside.
  - b. One neon sign indicated that the business is "open" may be installed as a part of this permitted sign area. A neon sign is defined as a sign constructed solely of visible lighted tubing. This neon sign may not exceed twelve (12) inches by twenty-four (24) inches in size, including any backer board or other mounting or display material included with the neon sign, and this neon sign area, together with other signage in the window, cannot exceed ten percent (10%) of the total window area.
  - c. In no event shall any sign or combination of signs constituting window signage exceed ten percent (10%) of the area of the window in which it or they are located. In no event shall there be more than one neon sign per business. Any neon sign shall be located on the street level (first floor) of the structure.
  - d. For temporary signs, see Appendix F.
3. A structure with frontage on two or more public streets may have signage on each frontage. A structure with access to and/or visibility from a public parking lot may have signage facing this parking lot. In each case, each side of the structure is considered as a separate sign application.

(Ord. 34/98 (part))

## **APPENDIX B OFFICE/COMMERCIAL DISTRICT, B1 ZONE**

### **Office/Commercial District, B1 Zone.**

Signage shall be consistent with the age and architecture of the structures located within this zone. The proposed sign application must be brought before the planning board for review unless it conforms to the prototypes explained in detail under (i) below. Each location may have a freestanding sign and either a wall-mounted directory of occupants sign or an entrance door directory of occupants sign.

1. Approved Prototypes: The following Prototype signs, if adhered to in all detail do not require planning board review:
  - a. Directory of Occupants: Limited to one per building, or one per building facade, for each facade where there is a business entrance facing a street or parking area.
    1. Freestanding - refer to Section B below.
    2. Wall Sign: (Attached to building):
      - a. Materials: Wood or sign foam;
      - b. Sign Area: Not to exceed two feet by three feet (2' x 3').
      - c. Lettering size: Not to exceed sixty percent (60%) of sign area;
      - d. Colors: All colors listed in Schedule G.
      - e. Illumination: Not permitted.
    3. Entrance Door Sign: For upper floor businesses, limited to one business or firm name per business or firm, in lieu of a directory of occupancy sign.
      - a. Material: Painted directly on the door;
      - b. Lettering size: All lettering not to exceed sixty percent (60%) of the door area.
      - c. Colors: Black, white or twenty-three (23) karat gold leaf.
      - d. Illuminations: Not Permitted.
  - b. Freestanding Sign: A sign located in the front yard provided that the sign be set back at least four ft. from the building side of the sidewalk.
    1. Dimensions:
      - a. Maximum height including advertising structure: not to exceed five feet for single post sign or four feet for dual post signs.
      - b. Maximum width: four feet overall.
      - c. Minimum Distance: Bottom of sign to finished grade not less than eighteen (18) inches for dual post signs and twenty-four (24) inches for single post signs.
    2. Colors:
      - a. Post and backboards: White or varnished natural wood.
      - b. Lettering: Carved in or painted on wood, metal or similar material using the colors listed in Appendix G.
    3. Supporting Posts: four by four inches (4" x 4")
    4. Lighting: Signs may be illuminated by a maximum of two white external stationary lights of an intensity not to exceed seventy-five (75) watts each, shielded and directed solely at the sign.

5. Signs shall be located and be of a size and design as not to interfere with motor vehicle sign triangles.

## **APPENDIX C NEIGHBORHOOD COMMERCIAL AREAS, RCR ZONE, CM ZONE**

### **Neighborhood Commercial Areas, RCR Zone, CM Zone.**

When adjoining residential area, and sites located in the B2 and B2A zone where there are a number of separate commercial establishments on a site under single ownership. Signage shall be designed to have the minimum visual impact on surrounding residences. The proposed sign application must be reviewed by the planning board unless it conforms to one of the prototype signs detailed in Section I below. Each site may have a shopping center identification sign, item 1g below. Individual store front locations may have window signs and any one other sign in the facade area between the first and second floors of a multi-story building, or in a comparable location in a single story building.

1. Approved Prototypes: The following prototype signs, if adhered to in all detail, do not require planning board approval:
  - a. Wall Sign:
    1. Sign area: not to exceed one and one-half feet high, one-half width of face of building, and maximum thickness four inches.
    2. Material: Carved or incised wood, or comparable material such as sign foam, or solid raised letters at least five-sixths of an inch thick.
    3. Lettering Size: Shall not exceed sixty percent (60%) of total sign area.
    4. Perimeter Border: Framed with molded or routed material or architectural aluminum.
    5. Colors: All colors listed on Appendix G.
    6. Illumination: Externally shielded illumination using white light of soft intensity.
  - b. Individual Lettering Attached to Facade:
    1. Sign area: Not to exceed one and one-half feet high and one-half width of face of building.
    2. Material: Solid material at least one inch thick.
    3. Lettering size: Shall not exceed sixty percent (60%) of the sign area.
    4. Colors: All colors listed in Appendix G.
    5. Illumination: Externally shielded illumination using white light of soft intensity.
    6. Construction: Attached directly to the facade, or if extended from the facade, maximum total distance is six inches, including the letter thickness.
  - c. Internally Illuminated Boxed Sign (Soft Glow Illumination):
    1. Sign Area: Not to exceed one foot in height; width one-half the business and protruding eight inches from facade.
    2. Materials: Glass or plastic, with metal brackets.
    3. Lettering: Name of business applied to a white glass or plastic background. Lettering: name of business applied to white glass or plastic background. Lettering size not to exceed sixty percent (60%) of the total sign area.
    4. Illumination: Illumination from this sign cannot adversely affect adjoining residents.
    5. Colors: All colors listed in Appendix G.
  - d. Awning: This sign is in lieu of other sign types, not in addition to.

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1. Material: Canvas or comparable fabric.
  2. Lettering size: Script, capitals; maximum height eighteen inches (18"). Block-maximum height twelve inches (12").
  3. Colors: All colors listed in Appendix G.
- e. Canopy Sign: This sign is in lieu of other sign types, not in addition to.
1. Material: Plastic or durable cloth;
  2. Lettering size: Script, capitals; maximum height eighteen inches (18"). Block-maximum height twelve inches (12").
  3. Colors: All colors listed in Appendix G.
  4. Illumination: Internally shielded neon tubing or white light of soft intensity.
  5. Size: Maximum vertical elevation of four feet, maximum projection two feet from facade, maximum width: store frontage.
- f. Shopping Center Identification Sign: Neighborhood shopping centers shall be permitted one freestanding sign identifying the entire center and the individual occupants.

A neighborhood shopping center is a site under single ownership in the B2 and B2a zone that has at least separate and distinct commercial establishments.

1. Material: Carved or painted wood, painted metal.
  2. Sign area: Not to exceed eight feet high and six feet wide. Single or double faced sign to include both center name and directory of occupants.
  3. Lettering size: Not to exceed sixty percent (60%) of sign area.
  4. Advertising Structure: Double post pediments of wood or brick. The maximum overall height of the advertising structure and is not exceed nine feet.
  5. Colors: All colors listed in Appendix G.
  6. Illumination: External shield illumination using white light of soft intensity.
2. Window Signs: In addition to the approved prototype sign, window signs are permitted throughout the district subject to the following restrictions:
- a. A window sign includes a sign painted/affixed directly to the inside or outside of any glass window or glass portion of a door, and any sign hung inside the building designed to be read from the outside.
  - b. One neon sign indicated that the business is "open" may be installed as a part of this permitted sign area. A neon sign is defined as a sign constructed solely of visible lighted tubing. This neon sign may not exceed twelve (12) inches by twenty-four (24) inches in size, including any backer board or other mounting or display material included with the neon sign, and this neon sign area, together with other signage in the window, cannot exceed ten percent (10%) of the total window area.
  - c. In no event shall any sign or combination of signs constituting window signage exceed ten percent (10%) of the area of the window in which it or they are located. In no event shall there be more than one neon sign per business. Any neon sign shall be located on the street level (first floor) of the structure.
  - d. For temporary signs, see Appendix F.

(Ord. 34/98 (part))

## **APPENDIX D HIGHWAY COMMERCIAL DISTRICT A-CM ZONE**

### **Highway Commercial District A.**

For structures located in the CM zone when not abutting residential property or in the B2b zone and containing not more than two separate businesses. The proposed sign application must be reviewed by the planning board unless it conforms to one of the prototypes detailed in Section 1 below. Each site may have a freestanding sign (item 1c below) or any other sign in the facade area between the first and second floors of a multi-story building, or in a comparable location in a single story building. Window signs are also permitted (item 2 below).

1. Approved Prototypes: The following prototype signs, if adhered to in all detail, do not require planning board approval:
  - a. Wall Sign: Externally shielded illumination using white light of soft intensity. No more than one per occupancy.
    1. Material: Carved wood, painted wood or metal.
    2. Sign Area: Not to exceed one and one-half feet high, width limited to three-fourths the width of the building or sixteen inches (16"), whichever is less, maximum thickness eight inches.
    3. Lettering size: not to exceed sixty percent (60%) of the sign area.
    4. Colors: All colors listed in Appendix G.
  - b. Wall Sign-Internally shielded illumination using neon tubing:
    1. Materials: Plastic, metal brackets.
    2. Sign Area: Not to exceed one and one-half foot height, width one-half the width of the business or sixteen feet (16'), whichever is less, protruding eight inches from the facade.
    3. Lettering size: Lettering on a white plastic background. Lettering size not to exceed sixty percent (60%) of the total sign area.
    4. Colors: All colors listed in Appendix G.
  - c. Freestanding, No More than One Per Site:
    1. Material: Carved wood, painted wood or metal, or colored plastic letters on a white translucent background.
    2. Sign Area: Not to exceed nine feet high, six feet wide; single or double faced to include center name and directory of occupants.
    3. Lettering Size: Not to exceed sixty percent (60%) of the sign area.
    4. Colors: All colors listed in Appendix G.
    5. Illumination:
      - a. External, shielded illumination using white light of soft intensity only.
      - b. Internal illumination using neon tubes.
    6. Advertising Structure: Single or double post of wood or metal with a maximum overall height of structure and sign of fifteen (15) feet. There shall be a minimum distance setback of sixteen (16) feet to any side property line.
  - d. Individual Lettering Attached to Facade:
    1. Sign Area: Not to exceed one and one-half feet high and three-fourths the width of face of building or sixteen (16) feet, whichever is less.

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2. Material: solid material at least five-sixths of an inch thick.
  3. Lettering size: not to exceed sixty percent (60%) of the sign area.
  4. Colors: All colors listed in Appendix G.
  5. Illumination: External shielded illumination of soft intensity.
  6. Construction: Attached directly to the facade, or if extended from the facade maximum total distance is six inches including the letter thickness.
- e. Reverse Channel Letters Mounted Away from Facade:
1. Lettering size: Not to exceed sixty percent (60%) of an imaginary sign area not greater than two feet high, three-fourths the width of the first floor business or sixteen (16) feet, whichever is less and not greater than eight inches in depth.
  2. Colors: All colors listed in Appendix G.
  3. Illumination: Internally shielded neon tubing or equivalent within back of letter.
- f. Awning Sign: This is in lieu of other sign types, not in addition to.
1. Material: Canvas or comparable fabric.
  2. Lettering size: Script, Capitals-Maximum Height eighteen inches (18"). Block-Maximum height twelve inches (12").
  3. Colors: All colors listed in Appendix G.
- g. Canopy Sign: This sign is in lieu of other sign types, not in addition to:
1. Material: Plastic or durable cloth.
  2. Lettering size: Script, Capitals-Maximum height eighteen inches (18"). Block-Maximum height twelve inches (12").
  3. Colors: All colors listed in Appendix G.
  4. Illumination: Internally shielded neon tubing or white light of soft intensity.
  5. Size: Maximum vertical elevation of four feet, maximum projection two feet from facade; maximum width: store frontage.
2. Window Signs: In addition to the approved prototype sign, window signs are permitted throughout the district subject to the following restrictions:
- a. A window sign includes a sign painted/affixed directly to the inside or outside of any glass window or glass portion of a door, and any sign hung inside the building designed to be read from the outside.
  - b. One neon sign indicated that the business is "open" may be installed as a part of this permitted sign area. A neon sign is defined as a sign constructed solely of visible lighted tubing. This neon sign may not exceed twelve (12) inches by twenty-four (24) inches in size, including any backer board or other mounting or display material included with the neon sign, and this neon sign area, together with other signage in the window, cannot exceed ten percent (10%) of the total window area.
  - c. In no event shall any sign or combination of signs constituting window signage exceed ten percent (10%) of the area of the window in which it or they are located. In no event shall there be more than one neon sign per business. Any neon sign shall be located on the street level (first floor) of the structure.
  - d. For temporary signs, see Appendix F.

(Ord. 34/98 (part))

## APPENDIX E HIGHWAY COMMERCIAL DISTRICT B

### Highway Commercial District B.

For structures located in the CM zone when not abutting residential property and in the B2b zone and containing more than two separate businesses. The proposed sign application must be reviewed by the planning board unless it conforms to one of the prototypes detailed in Section (1) below. Each site may have a freestanding sign (item 1d below). Individual store front locations may have window signs and any other sign located in the facade area between the first and second floors of a multi-story building, or in a comparable location in a single store building.

1. Approved Prototypes: The following prototypes, if adhered to in all detail, do not require planning board approval:
  - a. Wall Sign Externally shielded illumination using white light of soft intensity.
    1. Sign Area: Not to exceed two and one-half feet high and one-half the width of face of the building or twenty inches (20"), whichever is less; maximum thickness eight inches.
    2. Material: Carved or incised wood or comparable material.
    3. Lettering Size: Not to exceed sixty percent (60%) of total sign area.
    4. Colors: All colors listed in Appendix G.
    5. Illumination: External shielded illumination using white light of soft intensity.
  - b. Wall Sign - Internally shielded illumination using neon tubing:
    1. Sign area: not to exceed one and one-half feet in height; width one-half the width of the business; or twenty (20) feet, whichever is less protruding eight inches from the facade.
    2. Materials: Plastic, metal brackets.
    3. Lettering: Lettering on a white plastic background. Lettering size not to exceed sixty percent (60%) of the total sign area.
    4. Colors: All colors listed in Appendix G.
  - c. Individual Letters Attached to Facade:
    1. Material: Carved or painted wood, painted metal or comparable material such as sign foam.
    2. Lettering size: Not to exceed sixty percent (60%) of the sign area.
    3. Colors: All colors listed in Appendix G.
    4. Illumination: External shielded illumination using white light of soft intensity.
    5. Sign area: Not to exceed one and one-half foot height; width limited to one-half of building or twenty (20) feet, whichever is less.
  - d. Freestanding: Primary advertising structure for shopping center. Not more than one per site.
    1. Material: Carved or painted wood; sign foam or metal or colored plastic letters on a white transparent background.
    2. Sign Area: Not to exceed fifteen (15) feet high; twelve (12) feet wide, and two feet thick.
    3. Lettering Size: Not to exceed sixty percent (60%) of the sign area.

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4. Colors: All colors listed in Appendix G.
  5. Illumination:
    - a. External: Shield illumination using white light of soft intensity only.
    - b. Internal: Using neon tubes.
  6. Advertising Structure: Single or double post of wood or metal with a maximum overall height of the structure and sign of thirty-one (31) feet set any side yard and ten (10) feet front yard.
- e. Open Backed, Box Letters Mounted Away from Facade:
1. Material: Wood or metal.
  2. Lettering Size: Not to exceed sixty percent (60%) of sign area.
  3. Sign area: Not to exceed one and one-half feet high; one-half the width of the first floor business or twenty (20) feet, whichever is less, and not greater than eight inches (8") in depth.
  4. Colors: All colors listed in Appendix G.
  5. Illumination: Internally shielded neon tubing or equivalent within back of letter.
- f. Awning Sign: This sign is in lieu of other sign types, not in addition to.
1. Material: Canvas or comparable fabric.
  2. Lettering Size: Script, Capitals: Maximum height eighteen inches (18"). Block: Maximum Height twelve inches (12").
  3. Colors: All colors listed in Appendix G.
- g. Canopy Sign: This sign is in lieu of other sign types, not in addition to:
1. Material: Plastic or durable cloth.
  2. Lettering Size: Script, Capitals: Maximum height eighteen inches (18"). Block: Maximum height twelve inches (12").
  3. Colors: All colors listed in Appendix G.
  4. Illumination: Internally shielded neon tubing or white light of soft intensity.
  5. Size: maximum vertical elevation of four feet, maximum projection two feet from facade; maximum width: store frontage.
2. Window Signs: In addition to the approved prototype sign, window signs are permitted throughout the district subject to the following restrictions:
- a. A window sign includes a sign painted/affixed directly to the inside or outside of any glass window or glass portion of a door, and any sign hung inside the building designed to be read from the outside.
  - b. One neon sign indicated that the business is "open" may be installed as a part of this permitted sign area. A neon sign is defined as a sign constructed solely of visible lighted tubing. This neon sign may not exceed twelve (12) inches by twenty-four (24) inches in size, including any backer board or other mounting or display material included with the neon sign, and this neon sign area, together with other signage in the window, cannot exceed ten percent (10%) of the total window area.
  - c. In no event shall any sign or combination of signs constituting window signage exceed ten percent (10%) of the area of the window in which it or they are located. In no event shall there be more than one neon sign per business. Any neon sign shall be located on the street level (first floor) of the structure.

- d. For temporary signs, see Appendix F.

(Ord. 34/98 (part))

## **APPENDIX F TEMPORARY SIGNS**

### **Temporary Signs.**

The following regulations govern temporary signs at commercial establishments in designated business zones:

1. Advertising Banners Not Requiring a Permit: Printed paper, paperboard, or fabric banners or signs may be temporarily attached to the inside of store windows in the business zones of the borough provided that the following guidelines are observed:
  - a. Window mounted advertising banners or signs may not obscure more than twenty percent (20%) of the glazed area of any window.
  - b. Advertising banners stating "going out of business", "lost our lease" or other similar business termination notices shall not be posted as an advertising banner.
  - c. No advertising banner may be mounted or affixed to the exterior of a building or business premises under this subsection.
  - d. No paper sign may remain posted for more than ten (10) days, nor shall there be more than two paper signs posted at any time by any store or other business establishment. Once removed, the same paper sign cannot be reused for a thirty (30) day period.
2. Temporary Sign Permit: New Businesses: A newly established business may obtain a permit for a temporary sign for a period of up to thirty days upon application to the zoning officer of the borough, and the payment of a ten dollar (\$10.00) application and review fee. A new business is permitted to display no more than two twenty-four (24) square foot signs or other temporary advertising displays at any one time. Advertising flags, banners or similar advertising devices are permitted during this time period provided that they are contained on the premises of the business.
3. Temporary Sign Permit: Sales Promotions: A business may obtain no more than four permits per year for a temporary sign(s) for a period of up to fifteen (15) days per permit upon application to the zoning officer of the borough and the payment of a ten dollar (\$10.00) application and review fee. A business is permitted to display not more than two twenty (20) square foot signs or advertising banners at any one time provided that these temporary signs do not exceed forty percent (40%) of the store front area. Advertising flags or similar advertising devices are not permitted during this period. For the period between Thanksgiving and the end of December, one thirty (30) day permit is allowed in lieu of one of the permitted fifteen (15) day permits cited above.
4. Temporary Sign Permit: Distressed Sales: A business which has obtained the necessary permit from the Borough of Freehold to conduct a distressed sale may receive a temporary sign permit in accordance with the standards outlined in No. 3 above for the duration of the permit issued by the Borough Clerk.
5. Temporary Sign Permit: Spanning Streets: Signs or banners spanning public right of ways are prohibited unless specifically authorized on a temporary basis by a duly adopted resolution of the governing body of the borough for the purpose of advertising or promoting a public event or organizational fund raiser deemed to be in the public interest. No more than two banners can be on any one street for a period not to exceed fourteen (14) days, and must be removed within seven days of the end of the special event.
6. Application Requirements: Any application for a temporary sign permit pursuant to Section B, C or D of this subsection shall include a sketch of the structure indicating where the temporary sign will be located on the building and two sketches of the proposed sign(s). Signs using words

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such as "stop", "look" or "danger", or signs which are placed in a manner or position which, in the judgment of the zoning officer could interfere with pedestrian or vehicular traffic or the safe access to or from the building, or which constitute any other potential safety hazard shall not be permitted. All temporary signs and advertising displays shall be removed by the date specified on the temporary sign permit.

7. Violations: A citation for the violation of the borough's zoning ordinance as provided for in Section 20-5 of Chapter XX of the Code of General Ordinances of the Borough of Freehold may be issued for each day that an advertising banner or a temporary sign is displayed contrary to the provisions of this section.
8. Sunday Open Signs: A retail or service store in the B2, B2a, and B2b zone may display on Sunday only or during special events endorsed by the borough, a banner or flag not exceed four feet in length and two feet in width containing the single message "Open". This banner/flag must be hung from the facade of the structure, perpendicular to the building, so that the lower most point is at least eight feet from the ground. A permit is not required for this "Sunday Open" temporary sign.

### **APPENDIX G SIGNAGE COLOR**

#### **Signage Color.**

The sign area and all lettering displayed thereon shall conform to the coordinated colors listed in this Appendix. Sign coloring must be sympathetic to the architecture of the building. In choosing a sign color scheme, an applicant must consider a complimentary relationship to the building. Colors will be limited to a selection of three: one for background; one for lettering and one for accent. Gold as an accent or for outlining is always acceptable. Below are approved color combinations using Benjamin Moore Paints. Alternate manufacturer products are acceptable provided that they are of comparable hue/tone.

Boothbay Gray	HC165
Brilliant White	01
Largo Teal	742
Capte Blue	37
Jamestown Blue	HC148
Bordeaux Red	1365
Hamilton Blue	36
Richmond Bisque	54
Essex Green	43
Richmond Gray	HC96

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Landcaster Whitewash	HC174
Park Green	40
Old Salem Gray	HC94
Sandpiper	69
Country Redwood	23
Saybrook Sage	HC114
Louisburg Green	HC113
Essex Green	43
Stratton Blue	HC142
Wythe Blue	HC143
Olympus Green	679
Shaker Beige	HC45
Palace White	956
Hamilton Blue	36
Briarwood	73
Fairview Taupe	HC85
Country Redwood	23
Georgetown Pink Beige	HC56
Winthrop Peach	HC55

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Waterbury Green	HC136
Navajo White	72
Kensington Green	710
Galeigh Green	713
Montgomery White	HC33
Lenox Tan	HC44
Cottage Red	22
Crowne Hill Yellow	312
Corinthian White	162
Chrome Green	41
Sail Cloth	77
Hillsborough Beige	1033
New London Burgundy	HC61
English Ivory	17
Corinthian White	162
Tartan Red	20
Waterbury Cream	HC31
Decatur Buff	HC38
Tutor Brown	62

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Richmond Bisque	54
Tutor Brown	62
Sienna Clay	104
Sandpiper	59
Landcaster Whitewash	HC174
Chrome Green	41
Alexandria Beige	HC77
Montgomery White	HC33
Tutor Brown	62
Black	80
Montgomery White	HC33
Hanley Red	HC65