

TOWNSHIP OF MAHWAH
APPLICATION FOR TEMPORARY SIGN

- FEE - \$20.00
- FEE - \$10.00 (NON PROFIT ORGANIZATIONS)
- DATE: _____
- NAME: _____
- ADDRESS: _____
- BLOCK _____ LOT _____ ZONE _____
- NAME OF EVENT THE SIGN IS REQUESTED FOR: _____

- SIGN TO BE DISPLAYED: FROM _____ TO _____
- ATTACH SKETCH DEPICTING THE SIZE / DIMENSIONS OF SIGN
- ATTACH SKETCH AND / OR SURVEY WITH LOCATION OF SIGN
- DATE OF APPROVAL _____ DENIED _____

GERALDINE ENTRUP, ADMINISTRATIVE OFFICER

TOWNSHIP OF MAHWAH

24-6.8 Regulations Governing Certain Accessory Uses.

f. *Signs.*

Editor's Note: See Section 15-8 for procedures for the erection of temporary non-commercial signs within right-of-ways.

1. General Regulations.

- (a) All signs erected within the Township shall conform to this Chapter, including the Schedule of Permitted Signs herein, and the Uniform Construction Code.
- (b) No sign shall be erected or altered within the Township without first obtaining a permit from the Construction Official of the Township. A sign permit application shall include structural drawings of how the sign is to be erected and electrical drawings of how the sign is to comply with the National Electric Code. Applications to re-face a sign must be approved by the Zoning Officer and Construction Official.
- (c) **Removal of Certain Signs:** In the event that a business ceases to operate for a period of time in excess of ninety (90) days, the sign owner, lessee, or the property owner shall immediately remove any sign identifying or advertising the business or any product sold thereby; provided, however, this requirement shall not apply where under the provisions of this Chapter an existing conforming sign may remain when evidence is presented to the Zoning Officer that a new business will be in operation on the premises within ninety (90) days. Upon failure to comply with this section, the appropriate Township official shall take the legal steps outlined in the enforcement sections of this Chapter. For the purpose of this Chapter, "removal" shall mean the dismantling and relocation from the site in question of the sign face, posts, supports, sign box and all other structural members of the sign.
- (d) **Sign Illumination:** Direct illumination or back lighting shall not exceed twenty-five (25) watts of incandescent power or seventy-five (75) foot candles when measured with a standard light meter perpendicular to the face of the sign from a distance equal to the narrowest dimension for any sign.
- (e) **Glare:** All signs shall be so designed, located, shielded, and directed so as to prevent the casting of glare or direct light from artificial illumination upon streets, driveways and surrounding property.
- (f) **Exempt Signs:** Exempt signs as provided herein shall be permitted within all zoning districts of the Township of Mahwah.

2. Exempt Signs. The following signs are exempt from these regulations:

- (a) Any display or official notice of and by a governmental agency of the United States, the State, the County, the Township or any of their political subdivisions.
- (b) Any official traffic control device.
- (c) Any flag, emblem or insignia of a governmental agency of the United States.
- (d) Any sign attached to the street facade of a public or volunteer ambulance corp or fire house building, provided only one sign is permitted per building and provided each sign does not exceed one hundred (100) square feet in area and is located at least eight (8') feet from the grade.
- (e) Any sign located completely within an enclosed structure provided that the sign is not visible or directed to be seen from the outside of the structure.
- (f) Any sign not exceeding one and five-tenths (1.5) square feet in area indicating the private nature of a driveway limited to one (1) sign per driveway entrance and any no trespassing signs not exceeding one and five-tenths (1.5) square feet each.

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- (g) Temporary signs. The following temporary signs are permitted within any district:
- (1) Real estate "For Sale" signs. One (1) sign per lot is permitted to advertise the sale or rental of the premises upon which it is located by the owner or by a real estate agent or broker. This sign is not to exceed an area of eight (8) square feet and shall be removed seven (7) days after the execution of a contract or the expiration of the listing agreement. In the event the contract is voided or cancelled within sixty (60) days, the sign may be placed back on the property without an additional fee. All "For Sale" signs shall be set back at least fifteen (15') feet from the curblines and shall not, under any circumstances, block the vision of the driver of an automobile.
 - (2) Real estate "Open House" signs. The owner of a single family residential home which is being offered for sale may erect, in addition to a "For Sale" sign, an "Open House" sign. Only one (1) "Open House" will be permitted on the property and shall be placed no sooner than one (1) hour before the beginning of the scheduled open house and removed immediately upon its conclusion. "Open House" signs shall not be permitted on County roads, State highways or other major arteries.
 - (3) Major subdivision signs. Signs advertising a major subdivision that has received preliminary plot plan approval by the Planning Board shall not exceed two (2) in number, each on a separate lot of the major subdivision. No sign is to exceed twenty (20) square feet in area. Said signs shall be removed within ninety (90) days after the completion of construction work within the subdivision or within ten (10) days after the issuance of the last certificate of occupancy, whichever is sooner.
 - (4) Building under construction. One (1) sign per lot is permitted to identify the work of a builder and all subcontractors on new construction. Said sign shall not exceed six (6) square feet in area and shall be removed within seven (7) days after the completion of construction.
 - (5) Announcement of future events. One (1) sign per lot is permitted to announce any educational, charitable, or civic event and such sign may be displayed for a consecutive period not to exceed thirty (30) days in any one (1) calendar year. No such sign shall exceed twelve (12) square feet in total area. Said sign may relate to the use of a premises other than that upon which the sign is located.
 - (6) Streamers, flags and pennants. Strings of streamers, flags, pennants, spinners or other similar devices are permitted on the lot occupied by a new business. Such devices are permitted to be displayed only at the time of the opening of the new business, and then only for a period of fifteen (15) days from the date of the opening.
- (h) Any name plate, address or identification sign indicating street numbers in accordance with the provisions of Ordinance No. 121, as amended, and any residential street numbers or name identification of residential occupant affixed to mailboxes or to the residential structure.
- (i) Political signs.
- (j) Restrictions applicable to all temporary signs:
- (1) The signs may be freestanding or attached to buildings.
 - (2) The signs shall not be illuminated and shall not violate any of the limitations or prohibitions set forth in paragraph (g) hereof.
 - (3) Permits for the erection and maintenance of signs described herein shall be obtained from the Construction Official.
 - (4) Signs shall not be permitted on telephone poles or trees.
- (k) Any temporary sign or banner to announce the opening or anniversary of a business or special sale event or to announce an event sponsored by a not-for-profit entity for a period not to exceed thirty

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(30) days once in any year. Permits for such temporary signs or banners, assuming that the applicable standards are satisfied, shall be issued by the Administrative Officer.

- (l) Temporary signs and fees. There shall be a twenty (\$20.00) dollar fee for a permit to erect a temporary sign except for a not-for-profit entity sponsoring an event for which a temporary sign permit is issued. For a temporary sign issued to a not-for-profit entity, the fee shall be ten (\$10.00) dollars per application.
 - (m) There shall be a fifty (\$50.00) dollar fine imposed upon the property owner or the owner's agent or applicant for any violation of the regulations which apply to temporary signs. A fifty (\$50.00) dollar fine shall be imposed for each and every day the violation continues to exist. Permits issued for temporary signs shall be issued for a period not to exceed six (6) months or when the reason for the issuance of the permit no longer exists or is otherwise described herein whichever is shorter.
3. Prohibited Signs. The following signs are specifically prohibited within all zones in the Township:
- (a) Signs limiting official traffic control devices or signs.
 - (b) Signs which are obstructing doors, windows, sidewalks, driveways or streets.
 - (c) Signs placed on trees, rocks or utility poles.
 - (d) Search lights or beacons.
 - (e) Banners, pennants, streamers, bunting, balloons, gas-filled figures or similar devices, except as specifically approved by the Council of the Township of Mahwah as provided under subsection 24-6.8f, 2(k).
 - (f) Portable or "A" frame signs.
 - (g) Advertising, flashing, moving, projecting or roof top signs.
 - (h) Signs affixed to parked motor vehicles the primary purpose of which signs is to direct the attention of the public to any business or activity conducted on the premises upon which the vehicle is parked.
 - (i) Signs placed in the public right-of-way or on public property without first obtaining prior approval of the Township Council.
4. Schedule of Regulations. The specific regulations regarding the erection or construction of signs within the Township are set forth in the accompanying "Schedule of Permitted Sign Regulations." 1
- 1 Editor's Note:** Schedules are included at the end of this Chapter.
5. Regulations for Special Uses. Automatic service and/or gasoline stations may have one (1) ground, pylon or free-standing sign not to exceed the maximum area as provided where permitted in the schedule of permitted sign regulations and where not permitted, not to exceed a maximum area of fifty (50) square feet. Said signage shall be limited to identifying the business name and logo and gasoline prices, and may be a composite of structurally one (1) or more signs, which alone or in combination, shall not exceed the maximum square footage as provided herein. Additionally, the business name or logo, not to exceed four (4) square feet in area, may be identified on two (2) sides only of a canopy. Except as provided in the schedule of permitted sign regulations, no other signage shall be permitted.

TOWNSHIP OF MAHWAH

ORDINANCE NO. 1789

AN ORDINANCE ESTABLISHING PROCEDURES FOR THE ERECTION OF TEMPORARY
NON-COMMERCIAL SIGNS WITHIN TOWNSHIP RIGHT-OF-WAYS

WHEREAS, the Township of Mahwah has permitted, through requests of the Township Council of the Township of Mahwah for the erection of temporary non-commercial signs in Township right-of-ways; and

WHEREAS, the procedure has been to request the Township Council for such permission; and

WHEREAS, the Township Council of the Township of Mahwah desires to formalize the procedure for and establish regulations for the installation of political signs within the Township right-of-way.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Mahwah, as follows:

Section 1. Temporary non-commercial signs shall be permitted in the Township right-of-way subject to approval of the Township Council.

Section 2. An application for temporary non-commercial signs shall be made by filing a request with the Township Clerk. The request shall identify the number and size of the proposed signs, along with an appropriate contact person to be responsible for the removal of the temporary non-commercial signs.

Section 3. "Non-commercial signs are defined as political signs or signs expressing an opinion on a non-commercial issue or announcing an event.

Section 4. The Township Council shall review the request at the next regularly scheduled Township Council meeting and may permit the installation of temporary non-commercial signs within the Township right-of-way subject to the following:

Requirements which shall take precedence over and supercede all standards or requirements found in any portion of the Code of the Township of Mahwah regulating signage:

1. Permit Requirements - No permit is required to display a non-commercial sign in accordance with this Subsection.
2. Prohibition to Place Signs - No non-commercial signs shall be erected, posted or placed within a Township right-of-way without the express consent of Township Council of the Township of Mahwah.

3. **Time** - All non-commercial signs for or against any candidate, slate or issue on the ballot, opinion on a non-commercial issue or non-commercial event shall be erected no more than sixty (60) days prior to the election or non-commercial issue or announcing an event and shall be removed within seven (7) days after the election, issue or event to which such sign is applicable.
4. **Placement** -
 - a. Such signs shall only be permitted in a right-of-way that is owned, maintained or controlled by the Township of Mahwah.
 - b. No non-commercial signs shall be erected in a manner that obstructs the line of sight at an intersection.
 - c. Signs of a particular size that are excessively large or have the potential to block appropriate sight distance or impose a traffic safety issue may be rejected by the Township Council.
5. **Removal of Signs** - Any sign erected in violation of this ordinance shall be removed within ten (10) days after receipt of written notification from the Zoning Officer of the violation to the organization that erected or applied the sign. Anything to the contrary notwithstanding, the Township reserves the right to remove any temporary non-commercial sign that has been erected within the public right-of-way in violation of this ordinance in which case, the cost incurred by the Township for the removal of the illegal temporary sign shall be paid by the organization or political campaign committee named on the non-commercial sign as being responsible for the erection or funding for the sign.

Section 5. Fines and Penalties. Any temporary non-commercial sign which has not been removed within seven (7) days after the election, issue or event for which it pertains shall be subject to a fine of not to exceed Two Hundred Fifty Dollars (\$250.00) per sign.

Section 6. If any section, paragraph, subsection, clause or provision of this ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any part thereof.

Section 7. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 8. This ordinance shall take effect immediately upon publication and final passage according to law.