

## PUBLIC NOTICE OF AMENDMENT

### CITY OF NORTHFIELD, NEW JERSEY ORDINANCE NO. 3-2023, AS NOW AMENDED, WHICH IS AN ORDINANCE AMENDING CHAPTER 215 OF THE CODE OF THE CITY OF NORTHFIELD GOVERNING LAND USE AND DEVELOPMENT

WHEREAS, City of Northfield Code Section 215 governs land use and development in the City of Northfield; and

WHEREAS, the Council for the City of Northfield desires to amend various and assorted sections and sub-sections of Chapter 215 of the Northfield Code; and

NOW THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Northfield, County of Atlantic, and State of New Jersey that Chapter 215 of the Code of the City of Northfield is hereby amended as follows (added text underlined; deleted text ~~stricken~~):

Chapter 215. Land Use and Development

Article VIII. Design Standards and Improvement Specifications

§215-113. Signs.

A. General provisions. – No Change.

B. Permits.

(1) All signs and advertising displays, other than those expressly excluded herein, shall require a sign permit. To obtain such permit, the owner of the proposed sign shall make application to the ~~Construction Official~~ Zoning Officer on forms provided by him/her. The applicant shall also provide all plans and specifications of the proposed construction as provided below.

(2) It shall be the responsibility of the ~~Construction Official~~ Zoning Officer to determine whether the proposed signs will be in compliance with all the provisions of this section and all other laws and ordinances of this chapter, and that the same will be erected in such manner as not to constitute any hazard to the public or not likely to cause damage to property. The ~~Construction Official~~ Zoning Officer shall approve or deny the issuance of a sign permit within 30 days of the receipt by him/her of the completed application form and fee. In the event the ~~Construction Official~~ Zoning Officer approves the issuance of the sign permit, he/she shall promptly forward the same to the applicant ~~upon payment to the City of the required fee.~~ In the event the ~~Construction Official~~ Zoning Officer denies ~~permission~~ the issuance of the sign permit, the ~~Construction Official~~ Zoning Officer shall so notify the applicant. Upon such denial, the applicant may appeal the determination of the ~~Construction Official~~ Zoning Officer, pursuant to § 215-7 of this chapter and all other applicable sections thereof. If the work authorized under a sign permit shall not be completed within one year after the date of its issuance, the permit shall become null and void.

(3) Application for sign permits shall be made ~~in duplicate~~ on forms to be furnished by the City and shall be accompanied by a fee of ~~\$1075~~ by cash or check payable to the order of the "City of Northfield," which fee shall not be returnable for any reason. The application shall contain the following information hereinafter set forth:

(a) – (e) No Change.

(4) Nonconforming signs. – No Change.

C. Construction.

(1) All signs shall conform to the structural requirements of the New Jersey Uniform

Construction Code and applicant shall be responsible for obtaining any and all other necessary permits and/or approvals, including but not limited to the City of Northfield Construction/Building Department, prior to sign installation.

(2) – (3) No Change.

(4) All neon, LED or electronic light signs shall satisfy the requirements of this Subsection C, shall be subject to review and inspection by the Electrical Inspector of the City of Northfield if required, shall be properly insulated and grounded, and shall meet or exceed the requirements of the National Electrical Safety Code and the New Jersey Uniform Construction Code. **[Amended 6-18-2019 by Ord. No. 8-2019]**

D. ~~Maintenance. If the Construction Official shall find that any sign is unsafe, insecure or in need of repair, or is not maintained in proper painted condition, the Construction Official shall give written notice to the permittee thereof. If the permittee fails to repair or remove it within 10 days after such notice, such sign may be removed in order to comply, by the Construction Official at the expense of the permittee or owner of property on which it is located. The Construction Official may cause any sign or other advertising structure which is an immediate peril to persons or property to be removed summarily at the expense of the permit holder or owner of the premises upon which the sign is located and without notice to said persons. The owner of any sign or other advertising structure in the City shall have the same painted at least once every two years in all its parts, including the supports of said sign. Any part consisting of rustless metal and so manufactured as not to require painting need not be painted; except that if once painted, the same shall be maintained as other painted signs.~~ Maintenance. All signs shall be kept and maintained in a safe, secure and good condition. Failure of a permittee and/or property owner to maintain a sign as set forth herein shall constitute a violation of this section by both the permittee and property owner enforceable by the Code Enforcement Officer in a court with appropriate jurisdiction. If the Code Enforcement Officer shall find that any sign is unsafe, insecure or in need of repair, or is not maintained in proper condition, the Code Enforcement Officer may, within his/her discretion, give written notice to the permittee thereof and the owner of the property on which said sign is located. If the permittee fails to repair or remove as required within 10 days after such notice, such sign may be removed by the Code Enforcement Officer at the expense of the permittee and/or owner of property on which it is located. The Code Enforcement Officer may cause any sign or other advertising structure which is an immediate peril to persons or property to be removed at the expense of the permittee or owner of the property upon which the sign is located and without notice to said persons.

E. Illumination.

(1) – (2) No Change.

(3) ~~Whenever the Zoning Officer~~ Code Enforcement Officer, with or without consultation with any member of the City of Northfield Police Department, determines that the lighting on any sign now or hereafter erected constitutes a safety hazard to motor vehicle traffic in the vicinity, the Code Enforcement Officer ~~he~~ shall serve written notice of this ~~his~~ determination upon the property owner and permittee owner of the sign, directing them to correct the condition within 15 days from the date of the mailing of the notice. Failure to correct the condition or file an appeal within the time specified shall constitute a violation of this section by both the sign owner and property owner.

F. Signs permitted without a permit. The following signs shall be permitted in any zone in the City without a permit:

- (1) – (20) No Change.
- (21) Temporary signs advertising the initial/grand opening of a new business in the City of Northfield shall be permitted for a period of ~~30~~ 45 days from either the issuance of a mercantile license or the date the new business operations commenced, whichever is earlier. Said signs shall be immediately removed upon the expiration of the aforesaid thirty-day period. The signs shall not be illuminated, shall be not larger than eight square feet in area, shall not exceed eight feet in height and may be erected flat against the building or freestanding. No temporary sign shall be placed within the area of any window in which a neon, LED or electronic light sign has been installed.

G. Prohibited signs. The following signs are prohibited in all zones in the City:

- (1) No Change.
- (2) Moving or revolving signs, strips, tubes or lamps, of any illumination source, using any mode of blinking, flashing, vibrating, flickering, tracer, color changing or sequential lighting, used as sign or as an architectural accent, except for the standard movement of clocks and temperature gauges or signs that indicate the 'open' status of business. Signs indicating the 'open' status of a building shall not be larger than two (2) square feet in area.
- (3) – (11) No Change.
- (12) ~~Flags, banners, Banners,~~ strings of banners, pennants, pinwheels, ~~A-type signs, sandwich-type signs,~~ sidewalk signs, curb signs, and similar advertising devices.
- (13) No Change.
- (14) Signs placed on ~~awnings,~~ trees, fences, utility poles, light poles, signs attached to other signs and signs placed upon motor vehicles which are continuously or repeatedly parked in a conspicuous location to serve as a sign, but nothing herein contained is intended to prohibit the placement of signs directing traffic or identifying various locations within a lot or parcel on light poles and utility poles erected therein.
- (15) - (18) No Change.

H. – K. No Change.

L. Signs permitted in the N-B Neighborhood Business, C-B Community Business, R-C Regional Commercial, and O-P Office Professional Zones.

- (1) - (2) No Change.
- (3) Interior neon, LED or electronic light signs.
  - (a) No Change.
  - (b) All neon, LED or electronic light signs shall be subject to the provisions of Subsections **A** through **G** of this section and shall be further subject to the following requirements:
    - [1] - [2] No Change.
    - [3] ~~No external neon, LED or electronic light signs shall be permitted, nor shall there be any freestanding neon, LED or electronic light signs.~~ All neon, LED or electronic light signs must be installed within and attached to the area of the interior window of the business premises in which they are installed.
    - [4] - [9] No Change.
- (4) Electronic message boards; purpose and intent. More businesses desire to utilize advancements in sign technology which permit signs to change content electronically which are known as “electronic message boards,” e.g., LED-type signs. These electronic

message boards may adversely impact adjacent areas unless they are regulated in a reasonable fashion. The intent and purpose of this subsection is to establish standards and regulations for electronic message boards to minimize potential adverse impacts, preserve the character of adjacent areas to the extent practical and reasonable and minimize potential traffic safety concerns.

(a) - (e) No Change.

(f) ~~If the Code Enforcement Officer an appropriate representative of the City of Northfield~~ finds that the electronic message board causes a glare, illuminates neighboring buildings or otherwise impairs the vision of drivers of motor vehicles, the property owner and/or ~~owner~~ permittee of the electronic message board, within 24 hours of a notice by the City, will reduce the intensity of the electronic message board to a level acceptable to the City.

(g) - (k) No Change.

(5) - (6) No Change.

M. No Change.

N. Additional signage allowed in the C-B Community Business, R-C Regional Commercial, and O-PB Office Professional Business Zones, for commercial businesses that have frontage along Tilton Road or US Route 9 (aka New Road).

(1) Definitions

(a) Sail Sign – an advertising sign composed of lightweight fabric or similar material that is mounted to a vertical pole, and resembles the shape of a boat sail. This type of sign does not require wind to stay open.

(b) Feather Sign / Feather Flag / Feather Banner - an advertising sign composed of lightweight fabric or similar material that is mounted to a vertical pole, and resembles the shape of a bird's feather (a.k.a quill).

(c) Windless Flag Sign - another name for sail sign, feather sign, feather flag or feather banner; this type of sign does not require wind to stay open.

(2) Windless flag signs, which must be affixed at ground level, are permitted at businesses that have frontage on Tilton Road or US Route 9 (aka New Road), and shall only be placed along Tilton Road or US Route 9 (aka New Road).

(a) As defined in this section, said signs are subject to the following:

1. No more than one sign per business is allowed.

2. Signs may only be displayed during hours of operation for the business, and only in the approved location.

3. Signs must be installed and exhibited within property boundaries.

4. A minimum separation of 25' between signs is required.

5. All signs must be securely attached to the ground in accordance with manufacturer specifications.

6. Signs shall not be illuminated.

7. Signs shall not exceed 12 feet in height at their highest point, nor shall they be wider than 2.5 feet wide at their widest point.

8. No sign shall exceed 30 square feet in area

(3) Permit required

(a) A permit issued by the Zoning Officer for the City of Northfield shall be required.

(b) The permit application form and process shall be in a form and manner acceptable to the Zoning Officer of the City of Northfield.

- (c) Sign permits shall be valid through December 31<sup>st</sup> of the year they are issued and are subject to annual renewal, in January of each succeeding year.
  - (d) The application fee shall be \$40; annual renewal shall be \$20.00.
  - (e) Any new application for a permit filed on or after June 2 of each licensing year shall be issued, upon approval, at 50% of the annual fee.
  - (f) Applications for renewal of a sign permit issued pursuant to this section shall follow the same procedure as outlined for a new application. Sign permit holders are responsible for annually renewing their sign permit without further notice by the City of Northfield; renewal notices or reminders will not be sent.
  - (g) Sign permits are not assignable or transferrable.
  - (h) No rebate or refund of any permit fee or any part thereof shall be made for any reason.
- (4) Revocation of Permit:
- (a) Whenever the Zoning Officer determines that any sign is not exhibited in accordance with the Code of the City of Northfield, this Chapter or constitutes a safety hazard to motor vehicle or pedestrian traffic in the vicinity, he/she shall serve written notice of his/her determination upon the permittee and the property owner, directing them to immediately render said sign compliant or remove same until the violation is cured.
  - (b) Failure to immediately remove or render compliant shall constitute a violation of this section by both the permittee and property owner and may result in revocation of the permit by the Zoning Officer.
- (5) Violations and Penalties:
- (a) Violations; penalties. Any person violating any part of this chapter shall be subject to a fine not exceeding \$2,000.

REPEALER - All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SEVERABILITY - If any portion of this ordinance shall be determined to be invalid, such determination shall not affect the validity of the remaining portions of said ordinance.

EFFECTIVE DATE - This ordinance shall take effect upon final passage and publication in accordance with law.

This Ordinance was introduced and passed on its first reading at a Regular meeting of the Common Council of the City of Northfield, New Jersey held on January 17, 2023. Thereafter, pursuant to N.J.S.A. 40:55D-26, on January 18, this Ordinance was referred to the City of Northfield Planning Board for review and comment as to consistency with the City of Northfield's Master Plan. A public hearing was held on March 7, 2023 for this Ordinance as introduced. After introduction, this Ordinance was amended on March 21, 2023. On March 22, 2023, this Ordinance was again referred to the City of Northfield Planning Board in accordance with N.J.S.A. 40:55D-26. This Ordinance will be taken up for a final reading, public hearing and final passage at a meeting of said Council held May 2, 2023 in Council Chambers, City Hall, Northfield, New Jersey.

Mary Canesi, RMC, Municipal Clerk

Erland Chau, Mayor