

Office of the City Clerk

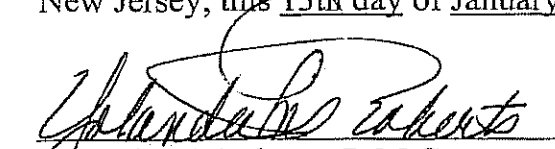
Elizabeth, New Jersey



Certificate

I, Yolanda M. Roberts, R.M.C. City Clerk of the City of Elizabeth, New Jersey, do hereby certify that the attached resolution/ordinance is a true and correct copy taken from and compared with the original in my office, which was adopted by the City Council, City of Elizabeth, New Jersey, at its regular meeting held on October 27, 2009

In Testimony Whereof, I have hereunto set my hand and affixed the seal of the City of Elizabeth, New Jersey, this 13th day of January, 2010


Yolanda M. Roberts, R.M.C.
City Clerk



ORDINANCE NO. 4078**Ordinance Amending and Superseding Sections:**

- 17.48.020, Sign Exemptions**
- 17.48.030, Permit application, fee, issuance and fines**
- 17.48.060, Permitted Uses in Zoning Districts**
- 17.48.061 Sign Specifications**
- 17.48.090 J. Temporary Signs**
- 17.48.106 Monument Signs**
- 17.48.107 Pole Mounted signs**

PREAMBLE

WHEREAS, the City of Elizabeth is desirous of amending its Land Development Ordinance to regulate signage and awnings throughout the City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Elizabeth, County of Union and State of New Jersey, as follows:

SECTION #1:

The following new section shall be added as follows:

17.48.020 Sign Exemptions:

The provisions of this ordinance shall not apply to:

- A. The display of public notices of any governmental unit.
- B. A temporary sign in connection with a political campaign or a charitable, educational or religious drive or event, provided that such sign shall not be maintained for more than 45 days, shall not exceed 75 square feet, and shall be removed from the premises 10 days after the election or event date.
- C. Temporary real estate signs, other than portable signs or illuminated signs, stating real estate for sale or lease, provided that the same do not exceed four (4) square feet in sign area, and provided further that they are removed within ten (10) days after the premises has been sold or leased.
- D. Traditional decorations in connection with any holiday, or event of any religious or ethnic group. Traditional decoration in connection with any national, state, county or municipal observation, holiday, anniversary or event. Decorations must be removed 20 days after occasion, holiday or event.

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CITY OF ELIZABETH
OCT 28 2009

17.48.030. Permit application, fee, issuance and fines.

- A. The City of Elizabeth Construction office shall supply to any sign/awning applicant the proper application and sign/awning design guidelines. The applicant shall submit;
- a. City of Elizabeth Official Sign/Awning Application (Original), plus six (6) photocopies.
 - b. Any other information as the Construction Code Official shall require to show full compliance with the intent and purpose of this ordinance and any structural requirements which may be necessary.
 - c. Every applicant before being issued a permit shall pay to the City of Elizabeth Construction Department a fee of twenty (20) dollars to construct a sign or awning within the City.
 - d. The applicant for any sign or awning must supply one set of photographs of; the current store front, two store fronts on the left side and two store fronts on the right side of the proposed sign/awning location.
 - e. Any person erecting a non conforming/illegal sign/awning has 20 days to remove said sign/awning after notification. If the non conforming sign/awning is not removed after 20 days fines shall be issued by the City of Elizabeth of one hundred dollars \$100 per day, assessed to the owner of the property and the occupant of the business. The City of Elizabeth also reserves the right to remove/lien the sign/awning and invoice the property owner for the cost of removal. The City shall not be liable for any damages to the facade as the result of removal being the property owner did not comply with the request of removal.
 - f. Rendering of the proposed sign and how it will be featured on the building.

17.48.040 Structural Regulations.

(This section is to remain unchanged)

17.48.050 Maintenance and appearance; aesthetic considerations.

(This section is to remain unchanged)

17.48.060 Permitted Uses in Zoning Districts

A. Residential Districts.

Only signs meeting the following conditions shall be permitted in any residential district within the City:

1. Professional Office or Home Occupation sign; being that the use within the structure meets all City codes. The sign shall not exceed six square feet in sign area. Such signs shall only bear the name and/or address of the person residing on the premises, and the profession or home occupation being conducted on the premises. These signs shall not be illuminated.
2. Non illuminated, temporary signs on new construction sites, not exceeding ten square feet in sign area, and provided that such signs shall be removed within ten days after completion of construction.
3. In R-3 and R-4 districts only, a sign shall be permitted for the purpose of identifying a multifamily dwelling project (over 9 units) and shall be no greater than 20 square feet in area, whether it be on the lawn or attached to the building.
4. Only one sign shall be permitted for any use in a residential zone, except corner lots where two signs shall be permitted. Corner lots shall have only one sign permitted per each street frontage.
5. No more than one sign shall be permitted for each use or activity permitted in the residential zone.

B. Commercial Districts.

1. Only signs meeting the following criteria shall be permitted within all of the City of Elizabeth's Business Districts:
 - a. One business sign for each facade, corner business's are permitted signs on two sides (facades), but only one sign per street frontage.
Sign cannot protrude 12" from the facade, unless placed on an awning.
Sign Dimensions; maximum height 14 feet from ground level measured at building frontage to top of sign, maximum sign width 80% of store width, maximum sign box height 24". The dimensions listed above apply to letter size also when said sign consists of fixed letters to the building facade.
Only the business name, logo, street number are permitted on the sign.
No marquee signs are permitted, unless for use by a motion picture theater, provided that same may not interfere with pedestrian and vehicular traffic and provide a clearance of not less than fifteen (15) feet.
Second floor businesses are limited to one window sign. Sign height for second floor is permitted to be higher than 14' but cannot exceed 22 feet.

b. Display windows may have the name of the store, store description, and/or logo of the store inscribed on the glass by any of the following means, and may not exceed 25 % of the total window area:

- i. Gilt lettering
- ii. Painted lettering
- iii. Professionally created decal
- iv. Stained or sandblasted glass

c. The only signage that is permitted on the glass of the entry door is the name of the store, store description, and/or logo of the store inscribed on the glass by any of the means described above for display window signs, and a listing of business hours.

d, e, f, g, h, i, shall remain as is

17.48.060 B. 2.
(is eliminated)

C. Manufacturing Districts
(shall remain as is)

17.48.061.**1. Sign Specifications**

Only signs meeting the following criteria shall be permitted within all of the City of Elizabeth's Business Districts

A. *Forms of signage:* The following forms of signage are permitted:

- A. Channel-letter (standard, reverse/halo, or open neon)
- B. Carved
- C. Neon
- D. Two-dimensional board
- E. Three-dimensionality is preferred over two-dimensional design.
- F. All other sign types not listed above are prohibited

B. *Permitted sign materials:*

- 1. Painted or carved wood
- 2. Carved wooden letters
- 3. Epoxy letters
- 4. Galvanized sheet metal
- 5. Slate, marble or sandstone
- 6. Gold leaf
- 7. Clear and colored acrylic
- 8. Neon, but restricted to 10% of area inside window
- 9. Stained glass

C. *Sign graphics:* Signs may not be hand-lettered, unless created by a professional sign artist.

2. Awning Signs:

Signs on awnings are permitted only when they meet the following provisions:

- A. Lettering no larger than 16" in size
- B. Sign/lettering width shall be no greater than 60% of store width.
- C. The business name and logo, street number are permitted on the valance section of the awning, and may not cover more than 50% of the length of the valance
- D. Only the business name and logo are permitted on the upper section of the awning
- E. Texture shall be of cloth fabric only.
- F. Colors are to be coordinated with existing colors of other awnings on the same city block.
- G. Maximum height to the top of awning shall be 15 feet measured from the grade in front of the building.
- H. Maximum height of the actual fixed awning shall be 3.5 feet.
- I. Maximum projection from building façade for a fixed awning shall be 3 feet.
- J. Retractable awnings shall have a maximum projection of six (6) feet
- K. Awning shall be of a sloping style (angular) beginning flush at the top and sloping outwards as it proceeds downward.
- L. A clearance height of eight (8) feet must be maintained.
- M. The framing of a canopy must not provide any opportunity for birds to perch beneath the canopy

17.48.090.

J. Temporary signs on glass: Temporary signs may not be affixed to the glass of the display window or of the door.

17.48.106

Monument Signs:

Monument signs shall be only permitted for non residential uses in all zones within the city as long as the signs and the site meets the following requirements:

- The site must contain a minimum of 6 parking spaces.
- The height to the top of the sign must not exceed five feet measured from the surrounding ground.
- The area of the sign cannot exceed forty square feet.
- The sign must be externally lit.
- One monument sign is permitted for every two driveways at the site.

17.48.170**Pole Mounted Signs:**

Pole mounted signs shall be permitted for non residential uses granted that the signs and its site meet the following requirements:

- The height of the sign shall not be greater than twenty feet to the top of the sign.
- The square footage of the sign lettering area shall not exceed fifty square foot in area.
- Only one pole mounted sign is permitted per project or property.
- Pole mounted signs shall only be permitted along the following roadway corridors, Route 1 & 9, NJ Turnpike, North Avenue between 1&9 and McLester Street.

SECTION #2

If any section or provision of this ordinance shall be held invalid in any court the same shall not affect the other sections or provisions of this ordinance except so far as the section or provision so declared invalid and shall be inseparable from the remainder or any portion thereof.

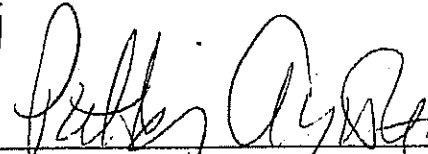
SECTION #3

All ordinances of parts of ordinance inconsistent herewith are hereby repealed to the extent of such inconsistency.


SECTION #4

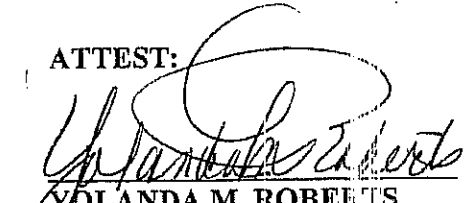
This ordinance shall take effect upon publication as provided by law.

PASSED: October 27, 2009


PATRICIA PERKINS -AUGUSTE
President of City Council

APPROVED: 10/28/09


J. CHRISTIAN BOLLWAGE
Mayor

ATTEST: 
YOLANDA M. ROBERTS
DEPUTY CITY CLERK