

Borough of Fair Lawn



ORDINANCE NO. 2704-2024

AN ORDINANCE AMENDING CHAPTER 125, LAND DEVELOPMENT, SECTION 125-41, "SIGNS," OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Fair Lawn as follows:

SECTION 1: Chapter 125, Land Development, Section 125-8, "Definitions," be and is hereby amended by deleting the text **[bolded in brackets]** and inserting the text in **bold underline**, to read as follows:

§125-8 Definitions.

* * *

SIGN, SANDWICH BOARD

A portable outdoor "A" frame style sign with two faces or sides or a poster style sign that is attached to a frame and a base that advertises the menu items or specials that are available from a business.

* * *

SIGN, PORTABLE

A sign not permanently attached to the ground or other permanent structure or a sign designed to be transported, including but not limited to signs designed to be transported by means of wheels; signs converted to A- or T-frames; **[menu and]** sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.

SECTION 2: Chapter 125, Land Development, Section 125-41, "Signs," be and is hereby amended by deleting the text **[bolded in brackets]** and inserting the text in **bold underline**, to read as follows:

§ 125-41 Signs.

* * *

B. Signs permitted in business, office and business service zones. Within any business, office and business service zones, only the following signs shall be permitted:

* * *

(17) Sandwich Boards permitted in Business Zones.

(a) Number of signs. Each business in a Business District shall be allowed to display one sandwich board sidewalk sign in compliance with the standards set forth in this section, except that a business that fronts two streets may display one sandwich board on the sidewalk adjacent to each street.

(b) Sign size and types of signs. Signs may not exceed a width of two feet and a height of three feet. The two faces or sides of an A-Frame style sign shall be separated by no more than two feet and no less than six inches at the base of the sign.

(c) Sign placement. Sandwich board sidewalk signs shall be placed only within the boundaries of the applicable business' street frontage. The sign shall be placed on that portion of the sidewalk that is furthest from the street and closest to the business. The sandwich board sign shall be positioned so that it will not:

(i) Reduce the sidewalk clearance below a width of thirty-six inches or obstruct the required width for ADA access, whichever is greater;

(ii) Impede any line of sight for motorists at vehicular public right-of-way intersections; or

(iii) Interfere with persons entering or exiting parked cars.

(d) Sandwich board signs may not be displayed from vehicles parked in front of or adjacent to the businesses, whether on public or private property.

(e) Stabilization. The sign shall be stabilized so as to withstand wind gusts or shall be removed during windy conditions.

(f) Sign elements. Signs made of pressboard, or paper products shall not be permitted; signs shall be made of durable materials and have a finished appearance. No balloons, banners, streamers or other items or sharp protrusions shall be affixed to the sandwich board.

(g) Display time and removal. Sandwich board signs may be displayed from the time that the business opens until the time that the business closes. The sandwich board sign shall be removed at the close of each business day.

(h) Illumination. The sandwich board sign shall not be illuminated; however, if the sandwich board is displayed after sundown, there must be sufficient ambient light to ensure that the sign is visible to persons traversing the sidewalk upon which it is placed so that the sandwich board does not present a tripping hazard.

SECTION 3: Each section of this Ordinance and every subsection hereof shall be deemed independent, separate and distinct from all other sections, and the holding of any section or a part hereof to be unconstitutional, void, or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other section or part hereof, and to this end, the provisions of this Ordinance are hereby declared severable.

SECTION 4: All other ordinances, codes or parts thereof that are in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior Borough ordinances, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Borough's ordinances are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 5: This Ordinance shall take effect upon passage and publication as required by law.

Introduced: July 23, 2024

| | Motion | Second | Aye | Nay | Abstain | Absent |
|--------------|---------------|---------------|------------|------------|----------------|---------------|
| Salinas | | | | | | X |
| Krause | | X | X | | | |
| Reinitz | | | X | | | |
| Cutrone | X | | X | | | |
| Rottenstrich | | | X | | | |

Re-Introduced with Planning Boards Recommendations: August 13, 2024

| | Motion | Second | Aye | Nay | Abstain | Absent |
|--------------|---------------|---------------|------------|------------|----------------|---------------|
| Salinas | | X | X | | | |
| Krause | X | | X | | | |
| Reinitz | | | X | | | |
| Cutrone | | | X | | | |
| Rottenstrich | | | X | | | |

Scheduled for final passage on: September 23, 2024

| | Motion | Second | Aye | Nay | Abstain | Absent |
|--------------|---------------|---------------|------------|------------|----------------|---------------|
| Salinas | | | X | | | |
| Krause | X | | X | | | |
| Reinitz | | X | X | | | |
| Cutrone | | | X | | | |
| Rottenstrich | | | X | | | |

Attest:

Nicholas J. Magarelli, RMC
Municipal Clerk

Approved:

Gail Rottenstrich
Mayor