

**ORDINANCE OF THE BOROUGH OF  
MERCHANTVILLE, COUNTY OF CAMDEN, STATE OF  
NEW JERSEY AMENDING SECTION 94-57 IN ARTICLE  
X, SIGNS, IN CHAPTER 94, ZONING, IN THE CODE OF  
THE BOROUGH OF MERCHANTVILLE**

**BE IT ORDAINED**, by the Mayor and Borough Council of the Borough of Merchantville, that Section 94-57, Commercial Signs, Section 94-57 in Article X, Signs, in Chapter 94, Zoning, in the Code of the Borough of Merchantville, are hereby amended, as follows:

**ARTICLE I.           ARTICLE III           SECTION 94-5           Terms  
defined.**

The following terms are added to the list of certain words, phrases and terms of this Chapter are defined for the purpose thereof as follows:

**“CLING” SIGN** – vinyl, non-permanent sign that attaches to the window, that are temporary in nature.

**“PERF” SIGN** - vinyl, non-permanent sign that is transparent from the interior and attaches to the window, that are temporary in nature.

**ARTICLE II.           ARTICLE X           SECTION 94-57  
Commercial signs.**

A.     Scope. In the B-1 and B-2 Districts, signs may be erected, altered, maintained, used, removed or moved only in compliance with the provisions of this section. Approval of a sign may be granted only when such sign conforms to the historical or distinctive character of the building.

B.     General regulations

1.     Allowed signs. Overhanging signs, building face signs, window and door glass signs, freestanding signs, temporary signs, directional signs and traffic control signs are allowed as specifically provided herein.

2. Restrictions applying to all allowed signs.

(a) Signs may be placed only on the principal frontage of a building facing a public street or public parking lot having a principal entrance used by the public. The use of allowable signs by first floor uses and by those uses which lie above or below the first floor are limited as specifically set forth herein. A first floor use located at the intersection of two (2) public streets shall be allowed to place signs on each of the two (2) street frontages, with each street frontage regulated separately.

(b) Total area. The total area of all signs on each street frontage shall not exceed ten percent (10%) of the width of the street facade of the building multiplied by twelve (12) feet. [e.g., a building which is twenty-five (25) feet in width at the street frontage is multiplied by ten percent (10%), resulting in two and one-half (2 1/2) feet, which is then multiplied by twelve (12) feet, yielding a total allowable sign area of thirty (30) square feet.] Where there are multiple tenants on the first floor of a building, the sign area limitation shall apply to that portion of the first floor street frontage which is occupied by the use which proposes the sign. Directional signs which are less than three (3) square feet and traffic control signs which conform to New Jersey Department of Transportation requirements shall be permitted but shall not be included in the calculation of total sign area.

[1] The area of a sign shall be calculated by multiplying its greatest width by its greatest height, including any frame but exclusive of any device solely providing support. For signs which consist of letters or other graphics applied directly to a building surface, the area shall be calculated by enclosing the letters or other graphics with the smallest rectangle which can contain all the letters or other graphics and calculating the area of the rectangle by multiplying its width by its height.

[2] A registered trademark, logo or iconographic sign shall be a part of the sign or separate from the principal sign as a second sign. The area of this type of display shall be considered as a part of total sign area allowed and shall be determined by enclosing it with the smallest rectangle which can contain the display and calculating the area of the rectangle by multiplying its width by its height. This separate calculation of sign area for a trademark, logo or iconographic sign can be applied even if the display item is an integral part of a single sign with other information.

[3] Two-sided signs shall be measured by using the surface of one (1) side only. Signs with more than two (2) sides shall be measured by using the surface of the greatest number of sides which is visible at one (1) time.

(c) Professionally made signs only. Only signs created and built by professional sign fabricators are allowed.

(d) Illumination of signs. Subject to approval by the Community Development Director, professionally designed and constructed illuminated signage, meeting all signage requirements as listed under "General Requirements" may be permitted.

(e) Sign content. The sign copy or message allowed on signs is

limited to the following:

[1] Primary copy:

[a] The registered name of the business.

[b] The names of the owners or proprietors.

[c] An identification of the trade or type of business.

[2] Secondary copy at a smaller size, of which will not be included in the calculation of the percentage of the sign, such as:

[a] The hours of operation.

[b] The telephone number.

[c] Website, social media, and special designations, such as “Veteran Owned”, “Minority Owned”, and the like.

(f) Lettering style and sign graphics. Lettering for primary copy shall be of a serif, script or other decorative lettering style. Lettering for secondary copy may be of any lettering style.

(g) Materials for signs. Signs shall be made of durable materials such as vinyl, steel, bronze, copper, aluminum, painted or preserved wood or other material which can be shown to be durable. Plastic may be used for incidental components of signs, including applied letters and graphics or as a facing applied to a panel of a durable material. Plastic may be used for structural components of signs or for panels forming or supporting the sign's display area, provided that the plastic is shown to be durable, suited for the intended use and compatible in appearance and intent with the durable materials listed in the first sentence of this subsection.

(h) Structural requirements. All signs shall be of sound construction and shall be permanently affixed to either the ground or building, as defined for each particular allowable sign, in a manner conforming with the New Jersey Uniform Construction Code.

(i) Maintenance. All signs shall be periodically maintained by the owner of said signs in order to assure that the signs are not dangerous to the safety of others. If a sign is determined to be unsafe by an enforcement official of the Borough of Merchantville, it shall be repaired by the owner of said sign within fourteen (14) days of a notice requiring said repair. Otherwise, said unsafe sign shall be immediately removed by the owner. If said unsafe sign is not removed by the owner, the borough shall be empowered to remove said sign and to assess the owner of said sign an administrative fee of one hundred dollars (\$100.), a sign removal fee of an additional one hundred dollars (\$100) and those fines which are otherwise authorized by this chapter. Signs which do not conform with the requirements of this chapter and which are in an unsafe condition and cannot be repaired or which have been displaced from their structural supports shall

not be permitted to be restored or replaced unless they are brought into compliance with the standards of this chapter.

(j) *In cases where a commercial signage meets all requirements as laid out in “General Requirements” and verified by the Community Development Director, through a provided checklist (see example Appendix A), a commercial property will not need to seek approval by the Historic Preservation Committee.*

(k) Abandoned uses. All signs and their related supporting structures which pertain to a use or business which is no longer in existence or operation at that location shall be removed within thirty (30) days from the date said use or business ceases to exist or operate. If said signs are not removed by the owner, the borough shall be empowered to remove said signs and to assess the owner of said signs an administrative fee of one hundred dollars (\$100.), a sign removal fee of an additional one hundred dollars (\$100) and those fines which are otherwise authorized by this chapter. Subsequent uses or businesses shall make an application for a new sign.

(l) Real estate signs. Real estate signs are permitted in the B-1 or B-2 District in accordance with the following requirements:

[1] They shall not be illuminated.

[2] They shall not pertain to any property other than the one at which it is posted.

[3] They shall not exceed six (6) square feet in area.

[4] They shall be removed within seven (7) business days after the closing or settlement on said property or the execution of a lease.

3. Prohibited signs. (*Section 3(a) omitted per Planning Board*)

(a) Signs which incorporate a clock with conventionally moving hands and signs which incorporate digital time and temperature displays are permitted as part of an otherwise allowable sign as set forth herein, and the sign area for the portion of the sign which includes such an item shall be computed in the same manner as a sign that incorporates a logo.

(b) Exposed-tube neon signs are prohibited. However, those which reflect the period of an historically significant building may be acceptable, but in no case shall lettering exceed six (6) inches in height nor shall said sign exceed three (3) feet in width.

(c) No sign shall be erected or maintained on a lot, tract or parcel, including any improvement thereon, unless the message on the sign directly relates to the use of said lot, tract or parcel.

(d) Flags, banners, strings of banners, pennants, pinwheels, A-type signs, sidewalk signs, curb signs and similar advertising devices and search lights,

balloons or other gas-filled figures are prohibited.

(e) Portable signs are prohibited.

(f) No sign shall be placed in such a position that it causes or is likely to cause danger to vehicular or pedestrian traffic on any street, sidewalk or right-of-way. No sign other than an official sign may be placed within the right-of-way of any street within the borough. However, overhanging signs shall be permitted to extend from the building into the right-of-way in accordance with the provisions of this chapter.

(g) No sign shall be attached, affixed or painted on trees, fences, rocks, curbs, walks, hydrants or benches, except for warning signs, as defined herein, such as "No trespassing." No sign of any type shall be attached to utility poles.

(h) No billboards, billboard-type signs or rooftop signs shall be maintained on any lot or in any location within the borough.

(i) No vehicle shall be regularly parked, stopped or located in such a manner as to be used as or considered as a sign.

C. Specific regulations for allowed signs.

1. Overhanging signs.

(a) General. One (1) overhanging sign is allowed per principal street/ground floor use. Overhanging signs are allowed only for uses which are at the street or ground floor. The supports for overhanging signs shall be made of metal with the design in keeping with the character of the district. Allowances can be made for additional overhanging signage indicating entrances, no more than a quarter (1.5 square feet) the maximum allowable overhanging sign, when cleared by HPC.

(b) Area. Overhanging signs shall be no more than six (6) square feet.

(c) Position. Overhanging signs shall be hung perpendicular to the building face and shall be positioned so that the maximum projection from the outer edge of the sign to the front plane of the building does not exceed three (3) feet. The distance between the ground and the bottom of the sign shall be no less than nine (9) feet. Overhanging signs shall be permitted to extend beyond the front lot line.

2. Building face signs.

(a) General. For a single above-street use, a building face sign may identify the name of the business. For multiple above street uses, a building face sign may identify only the name and address of the building. Awnings and signs on awnings, which are included in the definition of building face signs, may not be illuminated.

(b) Area. All building face signs shall be included in the total sign area.

(c) Position. For principal street/ground floor uses, signs shall be painted, applied or fastened securely to the face of the building in a position corresponding to the space occupied by the use. For above-street uses, building face signs shall be placed adjacent to the door serving the lobby or stairway which is the primary entrance to the space occupied by the use. In any event, no portion of any sign shall be higher than eighteen (18) feet above ground elevation. Awnings shall be permitted to extend beyond the front lot line.

3. Signs on awnings. Building face signs may be placed only on the flap of awnings. Flaps shall extend no lower than eight (8) inches below the bottom frame of the awning, and no lower than seven and one-half (7 1/2) feet above the ground. The flap shall be considered to be the length of awning fabric which extends below the lowest framing member of the awning and shall be unrestrained at the lower edge of the flap. Any portion of an awning which is fastened to a frame at the bottom edge of the fabric shall not be considered a flap.

4. Window and door-glass signs.

(a) General. Only one (1) window or door-glass sign is allowed per use per principal street frontage. Window and door-glass signs shall be painted on the window glass or consist of permanently applied plastic film.

(b) Area. For principal street/ground floor uses, window signs shall not exceed fifty percent (50%) of each individual window area, and the area of the window sign shall be included in the total sign area allowed herein. For uses above the ground floor, window signs shall be no more than 40 percent (40%) of the overall window area. Door-glass signs shall be no more than fifty percent (50%) of the overall glass area, and they shall be included in the total sign area allowed herein.

(c) Upper and lower window informational or decorative “bars” or “pinstripes” shall not impact overall signage as dictated in (3)(b).

(d) Position. Window signs shall be placed only on fixed, non-operable window panes.

(e) ***Omitted as per Planning Board Review***

5. Freestanding signs.

(a) General. Freestanding signs shall be permanently attached to the ground. One (1) freestanding sign is allowed per building. Freestanding signs are only allowed where the building occupied by the use is thirty (30) feet or more from the street frontage of the lot on which the building sits.

(b) Area. Freestanding signs shall be no more than fifteen percent (15%) of the area of the wall of the building facing the street frontage of the lot on which the building sits nor shall it exceed twenty-five (25) square feet. The area of the wall shall be considered to be the width of the street facade of the building multiplied by twelve (12) feet.

(c) Position. Freestanding signs shall only be placed on land

owned or leased by the person. Freestanding signs shall not exceed ten (10) feet in height, and all portions of the sign shall be set back from the sidewalk a minimum of two (2) feet.

6. Temporary signs. *Planning Board recommends definitions of “cling” and “perf” signs – see 94-5*

(a) General. Temporary signs are allowed only within the window area of principal street/ground floor uses. They shall be typed, typeset or brush lettered or shall use decorative hand calligraphy or hand lettering which is presented in a form which is compatible in appearance. Ordinary handwritten signs are not allowed.

[1] Intermittent display. Temporary signs displayed on an intermittent basis are allowed without application to the borough and within the limits set forth herein. The dates of the period of display shall be posted on the temporary sign.

(b) Window “Cling” and “perf” signage for temporary (days to 1 month) and semi-permanent (1 to 4 months) displays of products and/or promotional events are permitted with (Community Development Director or HPS approval)

(c) Special events. Any person may have one (1) temporary sign permit for an unusual commercial event, such as a grand opening. Said temporary sign or signs shall not exceed twenty percent (20%) of the width of the street facade of the building multiplied by twelve (12) feet for that portion of the building to which the sign is attached, and said sign shall not exceed in length the width of the street facade of the building. Said temporary sign or signs shall be attached to the building and shall not extend more than eighteen (18) inches from the facade, and they shall not extend above the roofline of the building. No more than three (3) such signs shall be permitted under any temporary sign permit.

(d) *Time Limitations. No more than three (3) such signs be permitted under any temporary sign permit. Such permit shall be valid for no less than fifteen (15) consecutive days, and shall not exceed a total of thirty (30) days in any two (2) consecutive six-month periods. At least six (6) months shall elapse between the starting dates of such permits.*

### **ARTICLE III.**

All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

### **ARTICLE IV.**

This Ordinance shall take effect upon passage and publication according to law.

**THE BOROUGH OF MERCHANTVILLE**

**BY:** \_\_\_\_\_  
**EDWARD F. BRENNAN, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**DENISE BROUSE, BOROUGH CLERK**

The foregoing ordinance was introduced by Mayor and Council at the regular meeting held on August 8, 2022. This Ordinance will be considered for adoption on final reading and public hearing to be held on September 12, 2022 at 7:30 p.m. in the Council Chambers, 1 West Maple Avenue, Merchantville, New Jersey.

The purpose of this Ordinance is to amend the Sign Ordinance relative to Commercial Signs in the Borough of Merchantville. A copy of this Ordinance is available at no charge to the general public between the hours of 8:30 AM to 4:30 PM, Monday through Friday (Legal Holidays excluded), at the Office of the Borough Clerk, Merchantville Borough Hall, 1 West Maple Avenue, Merchantville, New Jersey.