

ORDINANCE 2024-20

*Borough of Metuchen
County of Middlesex
State of New Jersey*

AN ORDINANCE AMENDING ARTICLE 1 (TITLE; PURPOSE; DEFINITIONS), ARTICLE 2 (ZONING PERMITS), ARTICLE 5 (APPLICATION AND ESCROW FEES), AND ARTICLE 48 (SIGN REGULATIONS) IN CHAPTER 110 (LAND DEVELOPMENT) CONCERNING SIGN REGULATIONS WITHIN THE BOROUGH OF METUCHEN

BE IT ORDAINED by the Borough Council of the Borough of Metuchen as follows:

SECTION 1. Article 1 (Title; Purpose; Definitions) in Part I (General Provisions) in Chapter 110 (Land Development) of the Code of the Borough of Metuchen is hereby amended to read as follows:

Article 1 Title; Purpose; Definitions

§110-4 Definitions.

Unless otherwise specified herein, the following definitions shall be used for terms within this chapter:

SIGN

Any device, display, structure, or part thereof that displays letters, numbers, symbols, other characters, logos, or images used to communicate a message.

SECTION 2. Article 2 (Zoning Permits) in Part II (Applications for Development) in Chapter 110 (Land Development) of the Code of the Borough of Metuchen is hereby amended to read as follows:

Article 2 Zoning Permits

§110-7.1 Exemption from site plan review for signs.

- A. Applications which involve deviation from Article 48, Sign Regulations, limited to one or more of the following: (1) adding one (1) additional sign in addition to the maximum number of signs that are permitted; (2) any sign with an area or dimension that is no more than 25% greater than the maximum permitted area, height, width, and/or thickness of sign, and/or height of letters, numbers, symbols, other characters, logos, or images; (3) any blade sign that projects no more than 25% greater than the maximum permitted projection; or, (4) any internally illuminated window sign, may be exempt from obtaining site plan approval at the determination of the Zoning Officer.

- B. The Zoning Officer shall have the power to grant such minor deviation from Article 48, Sign Regulations, as enumerated above, as may be reasonable and within the general purpose and intent of the provisions of Article 48, Sign Regulations, if the literal enforcement of one or more provisions of Article 48, Sign Regulations, is impracticable or will exact undue hardship because of peculiar conditions pertaining to the land in question.
- C. The Zoning Officer may issue a zoning permit after consultation with the Chairperson of the Planning Board, the Executive Director of the Metuchen Downtown Alliance, and the Director of Economic Development, and after the application has been reviewed by the Borough Planner to verify and confirm that no variances are required and that all other aspects of the application conform to applicable Borough development and design standards.
- D. An applicant may request an exemption upon application for a zoning permit by submitting four (4) copies of an application for development and a statement setting forth reasons for the exemption and providing sufficient plan information as determined by the Zoning Officer to verify that an exemption may be granted.
- E. In the case where the exemption is denied, such deviation shall thereafter be subject to site plan review. All other deviations from Article 48, Sign Regulations, shall be subject to site plan review.

SECTION 3. Article 5 (Application and Escrow Fees) in Part II (Applications for Development) in Chapter 110 (Land Development) of the Code of the Borough of Metuchen is hereby amended to read as follows:

Article 5 Application and Escrow Fees

Every application for development and informal request for reviews by the Borough Engineer, Board Planner, and Board Attorney as to zone change or other questions regarding the implementation, enforcement or application of this chapter shall not be acted upon unless and until:

- A. Accompanied by cash, check or money order made payable to the Borough of Metuchen for the application and escrow fees prescribed below; and
- B. The party seeking the application for development or informal request executes an agreement to pay for services to be rendered by the Board professionals or the Borough Attorney.

Fee Schedule		
Application for Development	Application Fee	Escrow Fee
Subdivisions		

Fee Schedule		
Application for Development	Application Fee	Escrow Fee
Minor subdivision	\$200	\$2,000
Preliminary major subdivision	\$300	\$3,000
Final major subdivision	\$200	\$2,000
Informal presentation (1 appearance only)	\$50	\$500
Concept plat for review		
Minor subdivision	\$50	\$500
Major subdivision	\$100	\$1,000
Upon approval of minor or major final subdivision for amendment of Borough Tax Map	\$500 per new lot created	
Site plans		
Minor site plan	\$50	\$500
Preliminary major site plan	\$300	\$3,000
Final major site plan	\$200	\$2,000
PURD and PUCD	\$750	\$1,500 per acre or part thereof plus \$50 per dwelling unit
Informal presentation (1 appearance only)		
Concept plat for review	\$50	\$500
Minor site plan	\$25	\$250
Major site plan	\$50	\$500
Technical assistance, design review and completeness review at Development Review Committee		
Single- and two-family dwellings	\$25	\$250
All other uses	\$50	\$500
Variances		
Appeals (N.J.S.A. 40:55D-70a)	\$75	\$750
Interpretation (N.J.S.A. 40:55D-70b)	\$75	\$750
Bulk (N.J.S.A. 40:55D-70c)		
First variance for principal structures	\$75	\$750
First variance for accessory structures	\$50	\$500

Fee Schedule		
Application for Development	Application Fee	Escrow Fee
Each additional variance	\$25	\$250
Use (N.J.S.A. 40:55D-70d)		
d(1) or d(2) variances	\$200	\$2,000
d(3) variance	\$150	\$1,500
d(4), d(5) or d(6) variances	\$100	\$1,000
Permits (N.J.S.A. 40:55D-34 and N.J.S.A. 40:55D-35)	\$75	\$750
Miscellaneous requests for reviews, meetings or consultations involving planning, engineer or other professional review, including request for zoning changes	Hourly rates as set forth on an annual basis by the approving authority's retained professional, which are available in the Borough Clerk's office	As required by applicable Board and/or professional
Certified list of property owners	\$0.25 per name or \$10, whichever is greater	None
Copy of minutes/transcripts of decisions	\$1 per page for first copy, plus \$0.25 per page for each additional copy or as required by transcription service	As required by transcription service
Legal reviews		
Guaranty review		
Review of performance guaranty by Borough Attorney	\$150 per review	None
Review of maintenance guaranty by Borough Attorney	\$150 per review	None
Preparation of developer's agreement by Borough Attorney	\$400 minimum per agreement, plus \$125 per	As required by Borough Attorney

Fee Schedule		
Application for Development	Application Fee	Escrow Fee
	hour after first 3 hours	
Miscellaneous reviews: master deed, certificate of incorporation, bylaws, unit deeds, etc.	\$150 per review	None
Appeal of any determination by Borough official to the applicable Board	\$50 per appeal, plus hourly rates as set forth on an annual basis by the approving authority's retained professional, which are available in the Borough Clerk's office	As required by applicable Board and/or professional
Special meeting	\$750 per meeting, plus hourly rates as set forth on an annual basis by the approving authority's retained professional, which are available in the Borough Clerk's office	As required by applicable Board and/or professional
Continuation of hearing	\$250 per appeal, plus hourly rates as set forth on an annual basis by the approving authority's retained professional, which are available in the Borough Clerk's office	As required by applicable Board and/or professional

Fee Schedule		
Application for Development	Application Fee	Escrow Fee
Zoning Permit Applications	Application Fee	Escrow Fee
Grading and drainage		
Plan review	\$50	\$500*
Inspection		\$250*
Principal structures		
New principal structures	\$250	
Additions and alterations		
Greater than 1,000 square feet	\$100	
Greater than 500, up to 1,000 square feet	\$75	
500 square feet or less	\$50	
Porches, stoops, decks, landings, and steps	\$25	
Accessory structures		
Retaining walls four (4) feet or greater in height and in-ground swimming pools		
Plan review	\$50	\$250*
Inspection		\$250*
Detached garages, and any other structure deemed to be accessory structures greater than 100 square feet	\$50	
Retaining walls less than four (4) feet in height, parking lots, driveways, sport courts, fences, walls, sheds, patios, private walkways, above-ground swimming pools, rooftop solar panels, A/C condenser units, generators, tanks, and any other structure deemed to be accessory structures 100 square feet or less	\$25	
Construction trailers, construction fences, and any other structure deemed to be temporary structures	\$25	
Home occupation	\$25	
Change of occupancy or use		

Fee Schedule		
Application for Development	Application Fee	Escrow Fee
Greater than 2,500 square feet	\$100	
Greater than 500, up to 2,500 square feet	\$75	
500 square feet or less	\$25	
Pop-up business	\$25	
Alterations to facade	\$50	
Signs (each sign)	\$25	
Outdoor displays of retail merchandise and sidewalk cafes	\$25	
Exemption from site plan review	\$400	
Exemption from site plan review for signs	\$100	
Other zoning permits	\$25	

NOTES:

* Escrow accounts for grading and drainage (including when associated with new single- and two-family dwellings), retaining walls four (4) feet or greater in height and in-ground swimming pools are for engineering plan review and inspections only

SECTION 4. Article 48 (Sign Regulations) in Part IV (Development and Design Standards) in Chapter 110 (Land Development) of the Code of the Borough of Metuchen is hereby amended to read as follows:

Article 48 Sign Regulations

§110-184 Purpose and intent; applicability; general provisions.

- A. Purpose and intent. Signs perform an important function in identifying and promoting properties, residences, businesses, services, events, and other matters of interest to the public. The purpose and intent of this section is to regulate the use of signs so that they are appropriate for their respective uses, in keeping with the appearance of the affected property and surrounding environment, and to preserve the aesthetic character of the Borough of Metuchen. These standards are designed to protect and promote the public health, safety, morals, and general welfare by:
 - (1) Providing clear and uniform standards controlling the type, number, and physical dimensions of signs, and establishing reasonable limits on the time, place, and manner of sign display.

- (2) Preventing the disruptions, obstructions, and hazards to pedestrian and vehicular traffic that signs may cause.
 - (3) Avoiding excessive conflicts from large or multiple signs to minimize clutter, unsightliness, and confusion.
 - (4) Establishing a clear and flexible permitting process for the review and approval of signs.
- B. Applicability. Any sign erected, altered, or maintained after the effective date of this article shall conform to the standards contained herein.
- C. Permits. No sign shall be constructed or displayed unless a zoning permit has been approved by the Zoning Official and a construction permit has been approved by the Construction Code Official, where applicable, except that zoning permits shall not be required for signs for single- and two-family dwellings, temporary signs, and exempt signs, provided that such signs conform to the standards contained herein.
- D. Site plan applications. If any sign is included in an application for site plan review, all signs shall be approved by the Board as part of the site plan application prior to the issuance of permits for signs.
- E. Site plan exemptions. If any sign requires a deviation from certain requirements of this article, as more specifically defined in §110-7.1, such sign may be exempt from obtaining site plan approval in accordance with the procedures established in §110-7.1. All other deviations from this article shall be subject to site plan review.
- F. Maintenance. Signs shall be constructed of durable materials, maintained in good condition, and not allowed to become dilapidated. All signs, together with all supports, braces, anchors, and other parts, shall be kept in continual repair, including cleaning, painting, replacing of defective parts, and otherwise maintaining a presentable condition. Lack of proper maintenance shall be considered a violation of the applicable regulations of Chapter 140 Property Maintenance, and the sign shall be repaired, painted, cleaned, or otherwise returned to a presentable condition or removed upon notification by the Zoning Official or Construction Code Official, in accordance with the procedures established in Chapter 140 Property Maintenance.
- G. Replacements or alterations. If any sign is altered, except for any change in the message on the sign for an existing business or for the purposes of minor and customary maintenance and/or repairs, the sign shall thereafter conform to the standards contained herein.
- H. Non-conforming signs. Any lawfully non-conforming sign may be re-lettered or repaired. However, non-conforming signs shall not be rebuilt, enlarged, changed,

or altered in size, location, or appearance unless such sign is made to conform to the standards contained herein.

I. Computation of sign area. For the purposes of this article, the size of any sign shall be computed as follows:

- (1) The size of any sign shall be computed by determining the total area of any sign board, sign face, or sign background at its largest horizontal and vertical dimensions, not including framing, trim, molding, or other supporting and decorative elements incidental to the display itself.
- (2) Where any sign is mounted, affixed, applied, or painted directly on a wall, window, awning, canopy, or other surface without a defined sign area, the size of such sign shall be computed by determining the total area as measured by the largest horizontal and vertical dimensions of a related group of letters, numbers, symbols, other characters, logos, or images.
- (3) Any sign having two (2) sign faces shall have a total area consisting of the area of only one (1) side of the sign, but both sides may be used, and shall be considered as one (1) sign.
- (4) In the case of any sign, other than a sandwich board sign, having two (2) sign faces with an interior angle of 15 degrees or greater, such sign shall be considered as two (2) separate signs.

J. Illuminated signs. For purposes of this article, the illumination of signs shall be regulated as follows:

- (1) External illumination.
 - (a) Signs that are externally illuminated by spotlights shall be permitted, provided that the light source is diffused, shielded, projected primarily on the sign, and not directly visible from the street. Such lighting may include but is not limited to ground-mounted spotlights lighting freestanding signs and gooseneck-type light fixtures lighting wall-mounted signs.
- (2) Internal illumination.
 - (a) Box-type or cabinet signs that are internally illuminated shall not be permitted.
 - (b) Signs with individually fabricated and mounted front-lit channel letters, numbers, symbols, other characters, logos, or images shall be permitted, provided that the light source is not directly visible. In the case where such channel letters are affixed to a raceway or

wireway, such raceway or wireway shall be the same color as the surface upon which it is affixed.

- (c) Signs with individually fabricated and mounted back-lit channel letters, numbers, symbols, other characters, logos, or images shall be permitted, provided that the light source is directed to the surface upon which it is affixed and is not directly visible. In the case where such channel letters are affixed to a raceway or wireway, such raceway or wireway shall be the same color as the surface upon which it is affixed.
- (d) LED, neon, or similar signs placed inside a window or display case shall not be permitted.
- (e) Electronic message center (EMC), digital, video display, or similar signs shall not be permitted.

§110-185 Design standards and guidelines.

The following standards and guidelines shall be applicable to any project subject to site plan or subdivision review, site plan exemption, and zoning permits.

- A. Signs affixed to the exterior of a building shall be architecturally compatible with the style, composition, materials, colors, and details of the building, as well as with other signs used on the building or its vicinity.
- B. Signs shall fit within the existing façade features, shall be mounted so that the method of installation is concealed, and shall not interfere with windows, doors, and other openings, conceal architectural details, or obscure the composition of the facade where they are located.
- C. The permitted materials for signs shall be wood, composite board, finished metal, masonry, and other similar types of materials, provided that they are of durable, high-quality, and weather resistant materials or finishes. Signs using wood shall use only high-quality exterior grade wood with suitable grade finishes. Banner and similar types of vinyl signs shall not be permitted as primary signs, but may be used as temporary signs pursuant to the applicable standards contained herein.
- D. The permitted materials for applied letters shall be wood, finished metal, acrylic, foam density board, and similar types of materials provided that they are of durable, high-quality, and weather resistant materials or finishes.

§110-186 Permitted signs for ground-floor businesses.

Ground-floor businesses in any business, downtown development, and gateway development district shall be permitted to have any one or combination of the following types of signs:

A. Freestanding signs. A maximum of one (1) freestanding sign shall be permitted on the property, subject to the following standards:

- (1) Maximum size of the sign shall not exceed 16 square feet in area.
- (2) Maximum height from ground level to the uppermost portion of the sign shall not exceed five (5) feet.
- (3) Maximum height of the sign shall not exceed four (4) feet.
- (4) Maximum width of the sign shall not exceed six (6) feet.
- (5) Maximum thickness of the sign shall not exceed six (6) inches.
- (6) Maximum height of letters, numbers, symbols, other characters, logos, or images on the sign shall not exceed 18 inches.
- (7) No portion of such sign shall be located within five (5) feet from any lot line. No portion of such sign shall project or extend over sidewalks, walkways, driveways, or parking lots.
- (8) Such sign may be externally illuminated but shall not be internally illuminated. Where such sign is externally illuminated, no such illumination shall be permitted after 10:00 p.m.

B. Wall-mounted signs. A maximum of one (1) wall-mounted sign shall be permitted for each business, subject to the following standards:

- (1) Maximum size of the sign shall not exceed 24 square feet in area.
- (2) Maximum height from ground level to the uppermost portion of the sign shall not exceed the top of the wall to which it is affixed in the case of single-story buildings or the bottom of any second story window in the case of multi-story buildings.
- (3) Maximum height of the sign shall not exceed three (3) feet.
- (4) Maximum width of the sign shall not exceed 12 feet.
- (5) Maximum thickness of the sign, together with any raceway or wireway, shall not exceed eight (8) inches.

- (6) Maximum height of letters, numbers, symbols, other characters, logos, or images on the sign shall not exceed two (2) feet.
 - (7) Such sign shall be located directly along the frontage of the business.
 - (8) Such sign may be either externally illuminated or internally illuminated.
- C. Blade signs. A maximum of one (1) blade sign shall be permitted for each business, subject to the following standards:
- (1) Maximum size of the sign shall not exceed 10 square feet in area.
 - (2) Maximum height from ground level to the uppermost portion of the sign shall not exceed the top of the wall to which it is affixed in the case of single-story buildings or the bottom of any second story windows in the case of multi-story buildings. Minimum height from ground level to the lowermost portion of the sign shall be eight (8) feet.
 - (3) Maximum height of the sign shall not exceed four (4) feet.
 - (4) Maximum width of the sign shall not exceed four (4) feet.
 - (5) Maximum projection of the sign shall not exceed five (5) feet. Such sign shall be permitted to project or extend over a public sidewalk within a public right-of-way, provided that such sign shall be no closer than two (2) feet from the face of curb in the B-1 and D-1 districts and five (5) feet from the face of curb in all other districts.
 - (6) Maximum height of letters, numbers, symbols, other characters, logos, or images on the sign shall not exceed two (2) feet.
 - (7) Such sign shall be located directly along the frontage of the business/ Sign shall be located no closer than eight (8) feet from another blade sign.
 - (8) Such sign may be either externally illuminated or internally illuminated. Where such sign is externally illuminated, such illumination shall be from above or beside the sign, directly attached to the supporting element, and located no greater than one (1) foot from the sign.
- D. Awning/canopy signs. A maximum of three (3) awning/canopy signs shall be permitted for each business, subject to the following standards:
- (1) Maximum size of all such signs, taken together, shall not exceed a total of four (4) square feet in area.

- (2) Maximum height from ground level to the uppermost portion of the sign shall not exceed the top of the wall to which it is affixed in the case of single-story buildings or the bottom of any second story windows in the case of multi-story buildings. Minimum height from ground level to the lowermost portion of the sign shall be eight (8) feet.
 - (3) Maximum height of each sign shall not exceed one (1) foot.
 - (4) Maximum width of each sign shall not exceed 12 feet.
 - (5) In the case of canopy signs, maximum thickness of each sign, together with any raceway or wireway, shall not exceed eight (8) inches.
 - (6) Maximum height of letters, numbers, symbols, other characters, logos, or images on each sign shall not exceed one (1) foot.
 - (7) Such signs shall be located directly along the frontage of the business. In the case of awning signs, such signs shall be located on the valance of the awning only.
 - (8) In the case of awning signs, such signs may be externally illuminated but shall not be internally illuminated. Where such signs are externally illuminated, such illumination shall be from above the awning. In the case of canopy signs, such signs shall not be externally illuminated but may be internally illuminated.
 - (9) In the case of awning signs, such signs shall be heat-pressed, silk-screened, or sewn on the awning. No such signs shall be painted onto or taped to the awning.
- E. Window signs. Any number of window signs shall be permitted for each business, subject to the following standards:
- (1) Maximum size of all such signs, taken together, shall not exceed a total of 15% of the total area of ground-floor windows, including window portions of doors, and the maximum size of any individual sign shall not exceed eight (8) square feet in area.
 - (2) Maximum height of each sign shall not exceed four (4) feet.
 - (3) Maximum width of each sign shall not exceed four (4) feet.
 - (4) Maximum height of letters, numbers, symbols, other characters, logos, or images on each sign shall not exceed two (2) feet.

- (5) Such signs shall be located directly along the frontage of the business. Any signs located inside the business and within three (3) feet of the window or door shall constitute window signs.
 - (6) No such signs shall be illuminated.
 - (7) Such signs shall be stenciled, etched, silk-screened, hand-painted, or applied on the interior of the window or door. No such signs shall be taped to the window or door.
- F. Sandwich board signs. A maximum of one (1) sandwich board sign shall be permitted for each business, subject to the following standards:
- (1) Maximum size of the sign shall not exceed six (6) square feet in area.
 - (2) Maximum height from ground level to the uppermost portion of the sign shall not exceed four (4) feet.
 - (3) Maximum height of the sign shall not exceed three (3) feet.
 - (4) Maximum width of the sign shall not exceed three (3) feet.
 - (5) Maximum thickness of the sign shall not exceed two (2) inches.
 - (6) Maximum height of letters, numbers, symbols, other characters, logos, or images on the sign shall not exceed one (1) foot.
 - (7) Such sign shall be located directly along the frontage of the business. Such sign shall be permitted to be displayed during the hours of the business only, shall be removed from the sidewalk, and stored inside the business upon the close of business each day. No such sign shall interfere with pedestrian or vehicular circulation on a public space, pedestrian walkway, sidewalk, alley, driveway, parking area, or street.
 - (8) No such sign shall be illuminated.
 - (9) Such sign shall be constructed of wood, composite board, chalkboard and/or finished metal. Letters, numbers, symbols, other characters, logos, or images shall be handwritten, painted, or printed. Plastic signs or signs with individual changeable letters shall not be permitted.
- G. Additional signs.
- (1) Ground-floor businesses located on corner lots, therefore having a second façade fronting on a public street, shall be permitted to have one (1) additional wall-mounted sign, one (1) additional blade sign, and/or three (3)

additional awning/canopy signs on the façade of the building facing the side street, provided that such signs conform to the standards contained herein. In the case where the additional sign faces a residential district, no such sign shall be illuminated.

- (2) Ground-floor businesses having a side or rear façade facing a public space, pedestrian walkway, sidewalk, alley, driveway, or parking area shall be permitted to have one (1) additional wall-mounted sign, one (1) additional blade sign, and/or three (3) additional awning/canopy signs on the façade of the building facing the public space, pedestrian walkway, sidewalk, alley, driveway, or parking area, provided that such signs conform to the standards contained herein. In the case where the additional sign faces a residential district, no such sign shall be illuminated.
- (3) Ground-floor barbershops shall be permitted to have one (1) traditional barber pole, provided that the minimum height from ground level to the lowermost portion of the barber pole shall be eight (8) feet, and the maximum projection of the sign shall not exceed three (3) feet.
- (4) Ground-floor eating and drinking establishments shall be permitted to have one (1) wall-mounted menu board or display case, subject to the following standards:
 - (a) Maximum size of the menu board or display case shall not exceed four (4) square feet in area.
 - (b) Maximum height from ground level to the uppermost portion of the menu board or display case shall not exceed six (6) feet.
 - (c) Maximum height of the menu board or display case shall not exceed three (3) feet.
 - (d) Maximum width of the menu board or display case shall not exceed three (3) feet.
 - (e) Maximum thickness of the menu board or display shall not exceed six (6) inches.
 - (f) Maximum height of letters, numbers, symbols, other characters, logos, or images on the sign shall not exceed one (1) foot.
 - (g) Such menu board or display case shall be located within five (5) feet of the main entrance to the business.
 - (h) No such menu board or display shall be illuminated.

- (i) Such menu board or display case shall be constructed of wood, composite board, or finished metal, with the menu clearly visible through a glass or Plexiglass front.

§110-187 Permitted signs for other non-residential uses.

The following signs shall be permitted, pursuant to the following standards based on the type of use, location of use, and district such use is located in:

A. Signs for buildings containing multiple ground-floor businesses and/or any upper-story business in any business, downtown development, and gateway development district shall be permitted to have a maximum of one (1) freestanding sign or wall-mounted sign serving as a directory of multiple ground-floor businesses and/or any upper-story business, subject to the following standards:

- (1) In the case of a freestanding directory sign, such sign shall constitute as the only permitted freestanding sign located on the property and shall be subject to the following standards:
 - (a) Maximum size of the sign shall not exceed six (6) square feet in area, within which the primary name panel and each individual tenant panel shall not exceed two (2) square feet in area.
 - (b) Maximum height from ground level to the uppermost portion of the sign shall not exceed five (5) feet.
 - (c) Maximum height of the sign shall not exceed three (3) feet.
 - (d) Maximum width of the sign shall not exceed three (3) feet.
 - (e) Maximum thickness of the sign shall not exceed six (6) inches.
 - (f) Maximum height of letters, numbers, symbols, other characters, logos, or images on the sign shall not exceed six (6) inches.
 - (g) No portion of such sign shall be located within five (5) feet from any lot line. No portion of such sign shall project or extend over sidewalks, walkways, driveways, or parking areas.
 - (h) Such sign may be externally illuminated but shall not be internally illuminated. Where such sign is externally illuminated, no such illumination shall be permitted after 10:00 p.m.
- (2) In the case of a wall-mounted directory sign, such sign shall be in addition to any permitted wall-mounted signs located on the building and shall be subject to the following standards:

- (a) Maximum size of the sign shall not exceed six (6) square feet in area, within which the primary name panel and each individual tenant panel shall not exceed two (2) square feet in area.
 - (b) Maximum height from ground level to the uppermost portion of the sign shall not exceed the top of the wall to which it is affixed in the case of single-story buildings or the bottom of any second story window in the case of multi-story buildings.
 - (c) Maximum height of the sign shall not exceed three (3) feet.
 - (d) Maximum width of the sign shall not exceed three (3) feet.
 - (e) Maximum thickness of the sign shall not exceed four (4) inches.
 - (f) Maximum height of letters, numbers, symbols, other characters, logos, or images on the sign shall not exceed six (6) inches.
 - (g) No such sign shall be illuminated.
- B. Signs for any use in the LI Light Industrial district: a maximum of (1) freestanding sign and one (1) wall-mounted sign shall be permitted, subject to the applicable standards contained in §110-186, and provided that no such sign shall be illuminated after 10:00 p.m.
- C. Signs for institutional uses located in any district: a maximum of one (1) freestanding sign and one (1) wall-mounted sign shall be permitted, subject to the applicable standards contained in §110-186, and provided that no such sign shall be illuminated after 10:00 p.m.
- D. Signs for business uses located in any residential district: a maximum of one (1) freestanding sign or wall-mounted sign shall be permitted, subject to the applicable standards contained in §110-186, and provided that the maximum size of the sign shall not exceed three (3) square feet in area and that no such sign shall be illuminated.

§110-188 Permitted primary signs for residential developments.

Apartments, townhouses, and other multifamily residential developments shall be permitted to have any one or combination of the following types of signs:

- A. Residential development identification sign. A maximum of one (1) freestanding sign or wall-mounted sign identifying the residential development shall be permitted, provided that the maximum size of such sign shall not exceed 12 square feet in area.

- B. Building identification sign. A maximum of two (2) wall-mounted signs identifying each building within the residential development shall be permitted, provided that the maximum size of each sign shall not exceed two (2) square feet in area.
- C. Management office identification sign. A maximum of one (1) wall-mounted sign identifying the location of the management office shall be permitted, provided that the maximum size of such sign shall not exceed two (2) square feet in area.

§110-189 Temporary signs.

The following signs are authorized without a zoning permit, so long as such signs conform to the standards contained herein.

- A. Temporary window advertising signs. Ground-floor businesses in any business, downtown development, and gateway development district shall be allowed to have any number of temporary window advertising signs, subject to the following standards:
 - (1) Maximum size of all such signs, taken together, shall not exceed a total of 25% of the total area of ground-floor windows, including window portions of doors, and the maximum size of any individual sign shall not exceed eight (8) square feet in area.
 - (2) Such signs shall be located directly along the frontage of the business. Any temporary sign located inside the business and within three (3) feet of the window or door shall constitute a temporary window sign.
 - (3) No such sign shall be illuminated.
 - (4) Such signs may be constructed of paper, cardboard, or plastic affixed or applied on the interior of the window or door. No such sign shall be taped to the window or door.
 - (5) Such signs shall be allowed to be displayed for a period not to exceed 30 days and shall clearly indicate the date of their posting.
- B. Temporary special promotion signs. Ground-floor businesses in any business, downtown development, and gateway development district shall be allowed to have any number of temporary special promotion signs advertising the opening of a new ground-floor business or change in ownership of an existing ground-floor business, subject to the following standards:
 - (1) Maximum size of all such signs, taken together, shall not exceed 16 square feet in area, exclusive of pennants, banners, balloons, and similar types of

displays which shall be permitted under this section only, provided that such displays do not contain signage.

- (2) No such sign shall be illuminated.
- (3) Such signs may be constructed of paper, cardboard, or plastic affixed or applied on the interior of the window or door. No such sign shall be taped to the window or door.
- (4) Such signs shall be allowed to be displayed for a period not to exceed 30 days and shall clearly indicate the date of their posting.

C. Temporary wall-mounted banner signs. Ground-floor businesses in any business, downtown development, and gateway development district shall be allowed to utilize a maximum of one (1) temporary wall-mounted banner sign pending the installation or repair of a permanent wall-mounted sign, subject to the following standards:

- (1) Maximum size of the sign shall not exceed 16 square feet in area.
- (2) No such sign shall be illuminated.
- (3) Such sign shall be affixed at all corners to the exterior wall so as to prevent any disruptions, obstructions, and hazards to pedestrian and vehicular traffic that such banner sign may cause.
- (4) Such signs shall be allowed to be displayed for a period not to exceed 30 days and shall clearly indicate the date of their posting; however, such may be extended for one (1) additional 30-day period subject to the issuance of a zoning permit. Notwithstanding the above, such sign shall be removed immediately after installation or repair of a permanent wall-mounted sign.

D. Temporary construction signs. Any active construction site in any district shall be allowed to have a maximum of one (1) temporary construction sign, subject to the following standards:

- (1) Maximum size of the sign shall not exceed 16 square feet in area.
- (2) Maximum height from ground level to the uppermost portion of the sign shall not exceed five (5) feet.
- (3) In the case of a free-standing construction sign, no portion of such sign shall be located within 10 feet from any lot line. No portion of such sign shall project or extend over sidewalks, walkways, driveways, or parking lots.
- (4) No such sign shall be illuminated.

- (5) Such sign shall be allowed to be displayed for a period not to exceed six (6) months and shall clearly indicate the date of their posting; however, such may be extended for one (1) additional six-month period subject to the issuance of a zoning permit. Notwithstanding the above, such sign shall be removed immediately after issuance of a certificate of approval or a certificate of occupancy.

§110-190 Exempt signs.

The following signs are authorized without a zoning permit, so long as such signs conform to the standards contained herein.

- A. Official traffic signs.
- B. Public or regulatory signs installed, required, or authorized by local, state, or federal governments, agencies, or utilities, including but not limited to traffic, utility, safety, railroad crossing, and identification or directional signs for public facilities.
- C. Lamppost banners or overhead banners spanning a street or roadway advertising public functions or fund-raising events for charitable, or religious, civic, philanthropic, or educational organization installed, required, or authorized by local government.
- D. Historical tablets, cornerstones, plaques, and markers installed, required, or authorized by local, state, or federal governments, agencies, or utilities, provided that such are non-commercial in nature, and are not internally illuminated. Such signs shall not exceed three (3) square feet in area.
- E. Art and murals, provided that such are non-commercial in nature, and are not internally illuminated.
- F. Holiday and seasonal displays.
- G. Personal expression signs, provided that such are non-commercial in nature, and are not illuminated. There shall be a maximum of three (3) such signs on each property and the maximum size of all such signs, taken together, shall not exceed six (6) square feet in area.
- H. Street address signs, provided that such are non-commercial in nature, and are not illuminated. There shall be a maximum of one (1) such sign on each property. Within residential districts, such sign shall not exceed three (3) square feet in area. Within non-residential districts, such sign shall not exceed five (5) square feet in area.

- I. Security and warning signs, provided that such signs are non-commercial in nature, and are not illuminated. Within residential districts, such signs shall not exceed two (2) square feet in area. Within non-residential districts, there shall be a maximum of one (1) larger sign not to exceed five (5) square feet in area and all other signs shall not exceed two (2) square feet in area.
- J. Private roadway, driveway, or premises signs, provided that such signs are non-commercial in nature, and are not illuminated. Within residential districts, such signs shall not exceed two (2) square feet in area. Within non-residential districts, there shall be a maximum of one (1) larger sign not to exceed five (5) square feet in area and all other signs shall not exceed two (2) square feet in area.
- K. Directional, loading zone, entrance, and exit signs, provided that such signs are non-commercial in nature, and are not illuminated. Such signs shall not exceed three (3) square feet in area and shall not exceed three (3) feet in height.
- L. Signs which are an integral part of vending machines, including gasoline pumps, provided that each sign does not exceed two (2) square feet in area.
- M. Garage sale signs in accordance with Chapter 98.

§ 110-191 **Prohibited signs.**

The following signs are specifically prohibited in any district, including, but not limited to, the following:

- A. Signs which obstruct any window, door, or other opening used as a regular means of ingress and egress, to provide required light and ventilation or for emergency access and escape.
- B. Signs located within any public right-of-way, including placed on any sidewalk, street, curb, fire hydrant, lamppost, utility pole, fence, railroad right-of-way, or fixtures of the fire alarm or police communication system of the Borough or any public building or structure. This provision shall not apply to signs specifically permitted to be located within any public right-of-way pursuant to applicable standards contained herein.
- C. Signs affixed to any tree on public or private property.
- D. Signs maintained at any location where, by reason of color, illumination, position, size, shape, or design, they may obstruct, impair, obscure, or be confused with any traffic control sign, signal, or device or other official parking, directional, warning, or information sign or where they may interfere with traffic visibility or safety or mislead or confuse vehicular traffic.

- E. Feather flag signs, moving, fluttering, or rotating signs, interactive, flashing, blinking, or animated signs or signs lighted by such methods.
- F. Signs located on vacant or unimproved land, unless the sign exclusively specifies the sale, lease, transfer, hire or approved development of the vacant property as permitted herein.
- G. Billboards.
- H. Signs located within any clear sight triangle.
- I. Signs located on motor vehicles shall be permitted pursuant to motor vehicle and traffic laws of New Jersey, except that no such motor vehicle bearing a sign shall be parked continuously in one location in excess of 24 hours, where there is direct visibility from a public right-of-way.
- J. Reserved.
- K. Reserved.
- L. Pennants, banners, balloons, and similar types of displays, except as permitted herein.
- M. Signs attached to or erected on the roof of any building.
- N. All signs not specifically permitted under any provision in this article are hereby prohibited.

SECTION 5. Repealer. Any section, paragraph, subsection, clause, or provision of the Borough Code or prior Ordinances inconsistent with the provisions of this Ordinance is hereby repealed to the extent of such inconsistency.

SECTION 6. Severability. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

SECTION 7. Effective Date. This Ordinance shall take effect upon its passage and publication and filing with the County of Middlesex County Planning Board, and as provided for by law.

Introduction: August 12, 2024
 Date of Publication: August 16, 2024

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH	X				HYMAN	X			
DELIA	X				JETHWANI	X			
GIAMBOI	X				KANDEL				X
MOTION	DELIA				SECOND	GIAMBOI			
X - INDICATES VOTE			AB- ABSENT			NV- NOT VOTING			

I hereby certify the foregoing to be a true copy of an ordinance introduced by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on August 12, 2024.


 Deborah Zupan, RMC
 Borough Clerk



Adopted: September 9, 2024
 Date of Publication: September 13, 2024

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH	X				HYMAN	X			
DELIA	X				JETHWANI	X			
GIAMBOI	X				KANDEL	X			
MOTION	DELIA				SECOND	GIAMBOI			
X - INDICATES VOTE			AB- ABSENT			NV- NOT VOTING			

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on September 9, 2024.

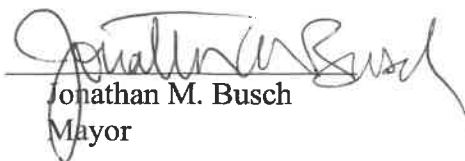

 Deborah Zupan, RMC
 Borough Clerk



ATTEST:

BOROUGH OF METUCHEN


 Deborah Zupan, RMC
 Borough Clerk

By: 
 Jonathan M. Busch
 Mayor