

**AN ORDINANCE AMENDING CHAPTER 25, SECTION 15.5 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(PERMITS)**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 25, Section 15.5 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fines set forth in Chapter 25, Section 15.5 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

II. CHAPTER 25 SECTION 15.5 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

§25-15.5 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “Permits” which specifies the requirements for any person, business, or firm within the Township with regard to permits for signs, shall be repealed and replaced by the following language:

It shall be unlawful for any person, firm, or corporation to erect, alter, relocate, or maintain within the Township any sign as set forth and defined in this chapter, except those exempted, without first making application for a permit from the Zoning Officer which shall be in addition to any other licenses or permits which may be required by other ordinances.

a. Applications for permits shall be made on forms supplied by the Township and shall contain the following information:

1. Name, address, and telephone number of the applicant and the sign erector.
2. Location of the building, structure, or lot to which the sign is or is to be attached or erected.
3. Position of the sign in relation to nearby buildings or structures.
4. Name of person, firm, corporation, or association erecting the sign if new construction.
5. Name of owner of property on which sign is located and written consent of owner if other than applicant.
6. Scale drawing of the sign, showing all details, including message, color, lighting, structural design, and anchorage.
7. Such other information as the Zoning Officer shall require to show full compliance with this and all other ordinances of the Township.

b. Procedure. The Zoning Officer, upon receipt of an application, shall examine or cause to be examined, the application and, when necessary, examine, or cause to be examined, the lands and/or premises upon which the sign is erected or proposed to be erected, replaced, or altered as to change the dimensions or information displayed, and determine whether the structure or proposed structure is in compliance with all of the requirements of this chapter and all other laws and ordinances of the Township. The Zoning Officer's determination shall be noted in the application. If the determination is favorable, a permit will be issued; if the determination is unfavorable, the application shall be rejected. Signs requiring a building permit under this section, or any other ordinance or law of the Township, shall not be issued a sign permit until the requirements for a building permit(s) have been met.

c. Temporary Signs: Applications and Procedure. Applications for temporary sign permits shall be made by the fee owner or lease holder of the land on which the sign will be located and the application shall be deemed to grant permission to the Township to enter upon the applicant's land and remove the sign if, upon five days' notice by ordinary mail that the permit has expired, the applicant has failed to remove same. The application for permit shall be made on Township forms and shall contain the same information required of all permits, except in addition, shall also require a deposit of an amount to be set by Resolution, per square foot of sign. The deposit shall be held by the Township until the sign is removed, at which time it shall be returned to the applicant. The Township may use the deposit in order to cover the cost of removing the sign should the applicant fail to do so when the permit expires. Use of the deposit will not limit the Township's ability to use other legal means to recover costs above and beyond the deposited amount.

d. Fees and Expirations. The fee for permits issued hereunder for new signs shall be set by Resolution, per square foot of surface area of the sign with a minimum and a maximum of amount to be prescribed by Resolution.

e. Computation of Sizes and Signs.

1. In residential and other non-corporate, non-business, and non-industrial zones, the size of any sign for the purposes of determining its compliance with the provisions of this chapter shall be computed by multiplying its greatest height by its greatest length, exclusive of supporting structures, unless such supporting structure is illuminated or is in the form of a symbol or contain advertising copy.

2. In business, shopping center, industrial, and corporate zones, the size of any sign shall be computed by multiplying its greatest height by its greatest length, exclusive of supporting structures, unless such supporting structure is illuminated or is in the form of a symbol or contains advertising copy, but for the

purpose of making such determination, the applicant may block off portions of the sign into not more than three rectangles in order to exclude large areas of open space caused by the peculiar design or shape of that symbol, copy or structure.

3. Multiple-side signs carrying the same message on all sides shall be considered to be a size equivalent to the sum of all the sides/signs, except that a two-sided sign with identical information on both sides of the sign shall only have one side included in the calculation of sign area.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN MCCARTNEY, MAYOR

**TAMMY WILLIAMS,
COUNCIL PRESIDENT**

**KAREN J. CARNEVALE, R.M.C.
MUNICIPAL CLERK**

INTRODUCED: March 21, 2023

ADOPTED: April 4, 2023

Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 25 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.