

**TOWN OF MORRISTOWN**

**ORDINANCE O-42-2018**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 30 “LAND DEVELOPMENT CODE”**

**WHEREAS**, the Town of Morristown now desires to amend Chapter 30 Land Development Code to amend the provisions relating to signage to permit freestanding signs in front of businesses and to limit the size of political event signs;

**NOW, THEREFORE BE IT ORDAINED**, by the Town Council of the Town of Morristown, County of Morris, State of New Jersey, being the governing body thereof, that Chapter 30 Land Development Code of the Town of Morristown Ordinances be and hereby is amended and supplemented to read as follows:

**30-4.I Signage.**

4. **Temporary Signs.**

h. Free Standing Signs.

i. **Applicability:** Signs that are two sides a-frame or sandwich board, not illuminated.

ii. **Required Location:** Freestanding signs may be placed on a sidewalk directly in front of the associated establishment. Off-premise signage is not permitted. Signs must be within two (2) feet of a structure or immovable object. The placement of freestanding signs shall be such that no less than ten (10) feet of paved sidewalk remains for the exclusive use of pedestrians nor shall freestanding sign project or protrude into, on or above the required pedestrian passageway. Nor shall freestanding signs be placed so as to block or otherwise obstruct building entrances or stairs.

Freestanding signs shall not be placed in locations within ten (10) feet of a detectable warning surface or crosswalk egress, intersection or any location that impedes vehicular traffic, parking, loading and unloading.

Freestanding signs cannot be chained, tied, tethered or otherwise supported by public infrastructure (e.g. utility poles, bike racks, newspaper corrals, etc.) Freestanding signs can also not be placed in tree wells.

iii. **Size:** Freestanding signs shall not exceed eight (8) square feet on either side and can be no more than two (2) feet wide or four (4) feet tall. One

(1) freestanding sign may be displayed outside a business within the MX-2, TC, TC-Morristown Green Overlay, TC-Transit Overlay, and TC-Headquarters Plaza Overlay, as defined in Chapter XXX, Land Development Ordinance, and as shown on the Zoning Map of the Town of Morristown, during business hours.

- iv. **Appearance:** Freestanding signs must be constructed of materials that present a finished appearance and be constructed out of materials able to withstand typical northeast weather. Such materials may be metal, finished wood, chalkboard, whiteboard, or plastic and shall be of professional quality. Paper, fiberboard, foam core board, corrugated paper, or unfinished wood materials shall be prohibited. The Owners of freestanding signs are required to keep their signs in a legible, intact, and well maintained manner. The written message of the signs shall be kept to the minimum necessary to communicate the name of the business and/or special message of the business.
- v. **Hours of Display:** Any freestanding sign may be displayed while the business is open and must be removed in inclement weather.
- vi. **Restaurants with Sidewalk Cafes.** If an approved sidewalk café includes approved signage a second freestanding sign shall not be permitted.
- vii. **Prohibited Freestanding Signs.** Any freestanding sign, which the Town of Morristown, deems to be a safety hazard, will not be permitted.
- viii. **Permit Process:** Business Owners will be required to submit a Non-Residential Zoning Permit application and proof of insurance detailing the business type and hours as well as the dimensions, appearance and location of the freestanding sign. They should also submit a sample sign image as well as a photo or drawing of the freestanding sign's location with respect to the building line. The fee for the application shall be \$50.00 for each freestanding sign.

A new Non-Residential Zoning Permit will be required for each new freestanding sign including businesses requesting freestanding signs after a change in ownership. All freestanding signs must comply with the regulations at the time of issuance of a permit. No "grandfathering" is permitted.

- ix. **Insurance Required.** No permit for a freestanding sign shall be issued unless the business owner shall have first filed with the Municipal Clerk a copy of an insurance policy, issued by a company duly authorized to transact business under the laws of the State of New Jersey providing for the payment of not less than one million (\$1,000,000.00) dollars, combined single limit, to satisfy all claims for damage by reason of bodily injuries to or the death of any person as a direct or indirect result of the placement of the freestanding sign or for injury to any person occurring on the premises where the freestanding sign is located, and further providing

for the payment of not less than ten thousand (\$10,000.00) dollars to satisfy all claims for property damage occurring as a direct or indirect result of the placement of the freestanding sign. The insurance policy shall provide that the insurance company must notify the Town ten (10) days prior to cancellation or substantial change in coverage.

- i. Permits.
  - i. The Construction Official or his agent is authorized to issue permits for the erection of all temporary outdoor signs, only after the sign permit application has been reviewed and approved by the Zoning Officer. The permit fees shall be as required by Section 30-8.C, Fees, and shall be collected by the Construction Official or his agent prior to the issuance of any sign permit.

## 5. Prohibited Signs

- a. The following signs or artificial light are prohibited.
  - i. Banners, except as a temporary sign.
  - ii. Billboards.
  - iii. Illuminated signs in which a device causes flashing, spelling or movement of all or part of the sign.
  - iv. Projecting signs on all properties facing the Morristown Green.
  - v. Pylon signs.
  - vi. Roof signs.
  - vii. Off-site signs.
  - viii. Signs which compete for attention with or may be mistaken for a traffic sign or signal.
  - ix. Signs which are a menace to public safety or which obstruct the views of any street, intersection or crosswalk. Signs erected on any part of the structure beneath a railroad overpass shall be deemed to be a menace to public safety.
  - x. Temporary advertising signs affixed to the window of a door, but not including information signs such as “Push” and “Pull” and hours of operation.
  - xi. Temporary Signs placed on sidewalks, unless permanently affixed to the ground after receipt of a sign permit therefor.
  - xii. Signs placed above or below another sign or attached to another sign, with the exception of directory signs.
  - xiii. Signs erected or suspended across a street or alley, unless otherwise authorized by the municipality.

xiv. Signs used for or converted into a fence or wall or a shed or building.

xv. No outside signs on any property abutting or visible from a residential district shall be lighted or remain lighted between the hours of 12:00 midnight and 7:00 a.m. This prohibition shall not apply to any establishment which is open for business to the public later than 12:00 midnight, in which event such establishment may continue the operation of the sign until the establishment is closed to the public.

xvi. No ground signs shall be erected on any sidewalk area or within the first 15 feet from the curb line upon or over any tract or lot of land opposite or facing the Green.

xvii. It shall be unlawful to use a vehicle or trailer as the "structure" to which a sign is attached or placed. No sign shall be erected, painted, affixed, located or maintained on any taxicab parked on a regular basis on any property in a residential district except to designate the name, address, telephone number, the word "taxi" and a serial number of such taxicab.

xviii. No revolving, rotating or moving signs are permitted.

xix. No signs shall project beyond any property line into public rights-of-way.

xx. No projecting sign shall be constructed or erected so as to extend above the roof line of the structure to which it is affixed.

xxi. Temporary sign shall not be illuminated.

**BE IT FURTHER ORDAINED** that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts 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.

**BE IT FURTHER ORDAINED**, Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

**BE IT FURTHER ORDAINED**, This Ordinance shall take effect upon passage.

**ATTEST:**

**ADOPTED:**

\_\_\_\_\_  
Margot G. Kaye,  
Town Clerk

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Timothy P. Dougherty,  
Mayor  
Date: \_\_\_\_\_