

**ORDINANCE NO. 11-2021**

**AN ORDINANCE OF THE TOWNSHIP OF EAST HANOVER, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE TOWNSHIP CODE CHAPTER 95 “LAND USE AND ZONING,” ARTICLE XI “SIGNS,” §95-102 “DEFINITIONS” AND §95-103 “PROHIBITED SIGNS” TO DEFINE AND REGULATE DIGITAL SIGNS AND §95-118 “HIGHWAY BUSINESS B-2 AND B-2B ZONES” TO REGULATE FREESTANDING MONUMENT SIGNS**

**WHEREAS**, the Township of East Hanover Township Engineer and the Township Planner reviewed the Township of East Hanover Code and determined that the Code should be revised to include specific regulations for freestanding monument signs; and

**WHEREAS**, over the past few years many applicants have sought and received variance relief to install monument signs; and

**WHEREAS**, the Mayor and Council for the Township of East Hanover desire to amend the Code to define and regulate monument signs.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Township Council that:

**SECTION 1.** The Township Code, Chapter 95 “Land Use and Zoning,” Article XI “Signs,” §95-102 “Definitions,” shall be amended to insert the following new definition alphabetically:

**DIGITAL SIGN**

A sign that uses high intensity displays (HID), fluorescent lights, incandescent lights, liquid crystal display (LCD), light-emitting diode (LED), or a projection screen to display graphics, videos, forms, text, etc.

**SECTION 2.** The Township Code, Chapter 95 “Land Use and Zoning,” Article XI “Signs,” §95-103 “Prohibited signs,” shall be amended to add a new subsection CC as follows:

CC. Digital signs, except where the message is limited to “open.”

**SECTION 3.** The Township Code, Chapter 95 “Land Use and Zoning,” Article XI “Signs,” §95-118 “Highway Business B-2 and B-2B Zones (retail business uses only),” shall be amended to §95-118 “Highway Business B-2 and B-2B Zones.”

**SECTION 4.** The Township Code, Chapter 95 “Land Use and Zoning,” Article XI “Signs,” §95-118 “Highway Business B-2 and B-2B Zones” shall be amended to read as follows:

A. Permanent freestanding signs. Permanent freestanding signs for uses other than those delineated in §95-54A(1)(c) and 95-54A(1)(d) are allowed as follows:

- (1) Number. One permanent freestanding sign is allowed per street frontage. A permanent freestanding sign may be a freestanding pole sign or a freestanding monument sign.
- (2) Height. The height of a permanent freestanding pole sign shall not exceed 15 feet, while the height of a permanent freestanding monument sign shall not exceed eight feet. The bottom of the sign face of a freestanding pole sign shall not be closer than six feet from the ground.
- (3) Size. The maximum size (sign area) of a permanent freestanding sign, either freestanding pole signs or freestanding monument signs, shall not exceed 80 square feet per building, and in no event shall the maximum size exceed 160 square feet.
- (4) Setbacks. All freestanding signs shall be set back a minimum distance of 15 feet from any street line and five feet from any side lot line. No freestanding sign shall be located in a sight triangle or block the view of an adjacent properties' sight triangle.

**SECTION 5.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistencies.

**SECTION 6.** If any article, section, subsection, paragraph, phrase, or sentence is for any reason held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed separable.

**SECTION 7.** This Ordinance shall take effect upon final publication as provided by law.

Attest:

TOWNSHIP OF EAST HANOVER

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Paula A. Massaro, Township Clerk

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Joseph Pannullo, Mayor

Introduced: November 1, 2021

Adopted: December 6, 2021

I, Paula A. Massaro, Township Clerk of the Township of East Hanover, County of Morris, hereby certify the foregoing to be a true copy of an Ordinance adopted by the Township Council at a duly convened meeting held on December 6, 2021.

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Paula A. Massaro, RMC, Township Clerk