

**BOROUGH OF WATCHUNG
ORDINANCE NO. 25/07**

***AN ORDINANCE REVISING CHAPTER 28, LAND DEVELOPMENT,
OF THE BOROUGH'S CODE TO UPDATE REGULATIONS OF
TEMPORARY SIGNAGE THROUGHOUT THE BOROUGH OF
WATCHUNG***

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Watchung, in the County of Somerset and State of New Jersey as follows:

Section 1. Section 28-504 entitled "Signs" of Article 28-500 entitled "Conditional Use, Fences & Walls, Signs, Parking, and Special Zoning Provisions" of Chapter 28 entitled "Land Development" of the Code of the Borough of Watchung, is hereby supplemented and amended to read as follows: [New language in **bold and underlined**; deleted language in ~~double-strikethrough~~]

Chapter 28. Land Development.

**Article 28-500. CONDITIONAL USES, FENCES & WALLS, SIGNS, PARKING,
AND SPECIAL ZONING PROVISIONS**

§ 28-504. SIGNS.

- A. General Provisions. All signs hereafter erected or maintained shall conform with the provisions of this Article and the Uniform Construction Code of the Borough of Watchung. Any sign not specifically permitted is hereby prohibited.
1. Permits Required. It shall be unlawful for any person to erect or structurally alter any sign without first obtaining a permit and making payment of the fee required by the Uniform Construction Code of the Borough of Watchung. The erection or relocation of a freestanding sign as defined herein shall require minor site plan submission prior to issuance of any permit.
 2. Reference to Zoning Districts. Except as otherwise provided, no outdoor sign or other form of exterior advertising shall be erected or maintained unless the sign complies with the requirements established in this Article for each zoning district.
- B. Exempt Signs. The provisions and regulations of this Article shall not apply to the following signs:

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1. Professional nameplate signs indicating the name and profession of the occupant of a dwelling, provided such signs do not exceed two (2) square feet. Said signs shall not be lighted between the hours of 9:00 p.m. and 8:00 a.m.
2. Temporary signs placed on windows in commercial establishments or on any other interior or exterior surface of commercial establishments covering no more than twenty-five percent (25%) of the total window area of any given side of the building. Such signs shall not be placed on establishment doors. Glass used in any such doors shall be excluded from calculations for total window area coverage under this section. Such temporary signs shall not be placed for periods exceeding thirty (30) days in duration.
3. Temporary signs of nonprofit and charitable organizations announcing a special event or function provided such signs do not exceed thirty-two (32) square feet. Such temporary signs shall not be placed for periods exceeding thirty (30) days in duration and shall be removed within five (5) days after completion of the event or function.
4. Bulletin boards not over sixteen (16) square feet in area for public, charitable or religious institutions when same are located on the premises of said institutions and located no less than twenty-five (25) feet from any lot line.
5. Signs denoting the architect, engineer or contractor, when placed upon work under construction, and not exceeding sixteen (16) square feet in area. Said signs shall be permitted for fourteen (14) days on any one (1) project while the work is under construction. Such sign shall be located no less than ten (10) feet from any lot line.
6. Memorial signs or tablets, names of buildings and dates of construction when cut into any masonry surface or when constructed of bronze or other incombustible metal.
7. Temporary signs indicating a political preference for a person and/or political party seeking election, or involving a ballot issue (hereinafter "political signs"), provided such signs do not exceed sixteen (16) square feet in area on any one (1) side. When placed on public property or within the public right-of-way, as permitted by the Borough or responsible public entity, political Said signs shall be placed no sooner than thirty (30) days prior to the day of the election involving such person, party or ballot issue, and shall be removed within five (5) days after the such date ~~completion of the election~~. No political sign, whether on private or public property, may create a safety hazard. No political sign shall be placed on private property without the property owner's consent. All political signs must be at least one (1') foot from any roadway. No political sign shall be temporarily or permanently affixed to a fire hydrant, utility pole, telephone pole, traffic sign or other public utility structure or posted, painted or otherwise affixed to trees, rocks, or other natural features within a public or private right-of-way.

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8. Traffic directional signs as follows:
 - a. Official traffic and street signs.
 - b. As shown on an approved subdivision or site plan map.
 - c. If no development plan is required, such sign shall be located no less than five (5) feet from edge of on-site pavement and have dimensions that do not exceed one foot by two (1 x 2) feet and shall not extend more than three (3) feet in height.
9. On-site real estate or lease signs not exceeding four (4) square feet in area and off-site real estate sales/directional signs not exceeding four (4) square feet in area, when erected and maintained in accordance with the requirements set forth in Subsections E, F, and G in this section.

C. Prohibited Sign Features.

1. No sign shall be erected, used or maintained which in any way simulates official, directional or warning signs erected or maintained by the State of New Jersey, by any county or municipality thereof, or by a public utility or similar agency concerned with the protection of the public health or safety.
2. No neon sign or similar illustrated advertisement shall be of such color or located in such a fashion as to diminish or detract in any way from the effectiveness of any traffic signal or similar safety or warning device.
3. The following advertisements are specifically prohibited: any advertisement which uses a series of two (2) or more signs placed in a line parallel to the highway or in similar fashion all carrying a single advertisement message, part of which is contained on each sign.
4. No sign shall have flashing lights or exposed high flashing lights or exposed high intensity illumination.
5. No sign may be placed in such a position to cause a danger to traffic by obscuring visibility.
6. No sign may obstruct any window, or opening intended to provide light by more than twenty-five percent (25%) of the total window, or opening.
7. Exterior signs using moving parts or banners, spinners, pinwheels, flags, pennants or similar signs are prohibited, with the exception of clocks and weather information.

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8. Signs visible from the street using the word "stop" or "danger" or any other word, phrase, symbol or character simulating a public safety warning or traffic signal.
9. Roof signs on buildings, structures and vehicles excluding commercial vehicles advertising the intended use.
10. Signs or advertising matter of an indecent or obscene nature as defined by law.
11. Except where specifically permitted, signs advertising a product or service not sold on the premises, signs advertising or directing attention to another premise and any other signs unrelated to the premises on which the sign is erected.
12. Signs placed on trees, fences, utility poles or light poles, signs attached to other signs and signs placed upon motor vehicles which are continuously or repeatedly parked in a conspicuous location to serve as a sign, but nothing herein contained is intended to prohibit the placement of signs directing traffic or identifying various locations within a lot or parcel on light poles and utility poles erected therein.
13. Signs on vacant property, excluding commercial properties advertising future use, advertising a proposed use without Borough Planning or Zoning Board approval.

D. Prohibited Signs.

1. Billboards, outdoor display structures and signs mounted on trailers, platforms and atop vehicle(s). No existing billboard structure may be replaced.
2. Signs projecting more than three (3) feet from the wall of a building and all roof signs.
3. Signs other than officially authorized signs, tacked, pasted, painted or otherwise attached to poles, posts, trees, fences, sidewalks or curbs.
4. No sign other than official traffic control devices or street signs shall be erected within, or encroach upon, the right-of-way of any street unless authorized by other ordinances or regulations of the Borough.
5. Signs rotating or moving by mechanical means.

E. General Regulations.

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1. Illumination. All signs shall be shielded to prevent the direct rays of illumination from being cast onto adjoining properties and approaching vehicles.
2. Location. No sign shall be located in a required buffer area.
3. Nonconforming Signs. Nonconforming signs shall not be enlarged, relocated, altered or rebuilt. Further failure to keep such signs in good repair for a period of six (6) consecutive calendar months shall constitute abandonment and the sign shall not be replaced or rehabilitated and shall be removed by the owner.
4. Maintenance of Signs. Signs and, in the case of permitted freestanding signs, the mounting area on the ground level beneath the sign, must be constructed of durable materials, maintained in good condition and not allowed to become dilapidated or unsightly. Any sign that is or shall become dangerous or unsafe in any manner whatsoever shall be repaired and made safe or shall be removed.
5. Permit Required. No temporary or permanent sign(s) shall be installed without first obtaining a temporary or permanent sign permit from the Zoning Officer, unless specifically exempted by this chapter.
6. Permitted Hours of Illumination. All signs may be illuminated during the hours of operation of that particular business but in no event later than 1:00 a.m. in the HD District and 10:00 p.m. in all other permitted districts.

F. Signs Permitted in R-R, R-A and R-B Districts.

1. Signs not exceeding one (1) square foot for entrances and exits to driveways or for warning or directional purposes.
2. Identification signs for schools, churches or similar public or quasi-public institutions, clubs, lodges, farms, estates or similar uses provided the area of such signs does not exceed twenty (20) square feet. No such sign shall be located closer than twenty-five (25) feet to a lot line.
3. Signs advertising the sale of products from a farm as defined in this chapter, when the products are grown or raised on the premises, provided the area of such signs does not exceed thirty-two (32) square feet. All such signs shall be located at least twenty-five (25) feet from the edge of pavement or ten (10) feet from a lot line, whichever is greater.
4. Windsocks, flags, holiday banners and wind chimes.
5. One (1) unlighted real estate sign, not over four (4) square feet in area, that is located on the building or lot that is advertised for sale or lease, provided that the same is removed within ten (10) days of the execution of a contract relative to the sale or lease of the property.

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6. One (1) unlighted "garage sale" sign per lot that advertises a garage sale on that lot, provided that the sign is removed no later than the day after the end of the sale. Said sign shall not exceed four (4) square feet in area, shall not extend more than seven (7) feet above the ground, shall not interfere with the safe movement of vehicles on adjacent roads and shall not be installed more than five (5) days prior to the date of the sale. "Garage sale" signs placed off-site shall be subject to the same requirements stipulated in the sentence above as well as the following: (a) "garage sale" signs shall be situated only at intersections where a motorist must change direction to find the garage sale and provided that no more than one (1) "garage sale" sign shall be permitted at any single intersection; and (b) no "garage sale" sign shall be located at an intersection controlled by a traffic control signal.
7. (Reserved)
8. Open House Signs. Open house signs shall be permitted in the Borough in accordance with the following conditions, limitations, and restrictions:
 - a. Open house events shall be conducted between the hours of 9:00 a.m. and 6:00 p.m. and the open house signs shall be permitted only during the actual hours of the open house event.
 - b. Each open house sign shall be no more than four (4) square feet in area, located so that the top of the sign is no more than two and one-half (2 1/2) feet from ground level, and placed or anchored on the ground in a manner that prevents the sign from being removed by any breeze, wind, or other forces of nature.
 - c. An open house sign shall only be located within the right-of-way of a municipal street at the intersection of said street with another street. The sign shall be set back from the paved cartway a minimum distance of three (3) feet and located so that visibility at the intersection is in no way diminished.
 - d. More than one (1) open house sign may be permitted for each open house event, provided that such signs are situated only at intersections where a motorist must change direction to find the open house event and provided further that no more than one (1) open house sign for each open house event shall be permitted at any single intersection. Under no circumstances, however, shall an open house sign be located at an intersection controlled by a traffic control signal. In addition to the foregoing, one (1) open house sign shall be permitted to be displayed at the property that is for sale, but only during the open house event and only in accordance with the same restrictions as are applicable to real estate signs referenced in paragraph 5 above.

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- e. The writing and symbols appearing on any open house sign shall be limited only to that necessary to assist the automobile-traveling public in locating the subject property in the Borough.
 - f. All open house signs shall be nonilluminated.
 - g. Any person posting an open house sign shall be responsible for any damage to person or property caused by the placement or movement of the sign.
9. The maximum height of any ground freestanding sign shall not exceed four (4) feet except as exempted elsewhere in this chapter.

G. Signs Permitted in B-A, B-B, B-C, O-C, H-D and QU Districts.

- 1. A sign shall identify only the business or use conducted on the premises except that one (1) directory freestanding sign in addition to business or use identity sign shall be permitted in accordance with paragraphs 5 through 8 below and that the height of a directory sign shall not exceed ten (10) feet.
- 2. Sign(s) attached to a wall of a building shall not exceed five (5) feet in vertical dimension nor exceed in width more than fifty percent (50%) of the width of the wall to which it is attached.
- 3. The sign area for signs attached to a wall of a building shall not exceed ten percent (10%) of the area of the wall to which the sign is attached. No one (1) individual sign attached to a wall of a building shall exceed one hundred (100) square feet in area.
- 4. Temporary signs covering any portion of the inside windows of grocery stores which have a gross floor area exceeding twenty thousand (20,000) square feet provided, however such signs shall not exceed fifty percent (50%) of the gross window area. The covering of windows located on doors is prohibited.
- 5. The maximum above ground height of any freestanding sign shall not exceed the lesser of eighteen (18) feet or the height of the principal building.
- 6. Freestanding signs shall not exceed fifty (50) square feet in area and shall be limited to one (1) per lot except for corner lots, for which one (1) sign per street frontage will be allowed provided the total street frontage exceeds three hundred (300) feet.
- 7. No freestanding sign shall be located closer to a lot line than ten (10) feet (excluding the right-of-way line) or the height of the freestanding sign, whichever is greater.
- 8. No freestanding sign shall be permitted in a side yard or rear yard.

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9. One (1) unlighted real estate sign, not over four (4) square feet in area, advertising the sale or lease of the building or lot upon which the sign is maintained, provided that the same is removed within ten (10) days of the execution of a contract relative to the sale or lease of the said property. One (1) unlighted garage sale sign, not over four (4) square feet in area, advertising a garage sale upon the lot which the sign is maintained, provided that same is removed immediately upon the end of the garage sale. "Garage sale" signs placed off site shall be subject to the same requirements stipulated in the sentence above as well as the following: (a) "garage sale" signs shall be situated only at intersections where a motorist must change direction to find the garage sale and provided that no more than one (1) "garage sale" sign shall be permitted at any single intersection; and (b) no "garage sale" sign shall be located at an intersection controlled by a traffic control signal.

10. The Zoning Officer may allow, on a individual basis and upon showing of substantial need, a limited number of unlighted real estate sale or lease, directional signs, and garage sale signs not over four (4) square feet in area, to be placed at locations approved by the Zoning Officer and for limited periods as also approved by the Zoning Officer.

11. Open House Signs. Open house signs shall be permitted in the Borough in accordance with the following conditions, limitations, and restrictions:
 - a. Open house events shall be conducted between the hours of 9:00 a.m. and 6:00 p.m.; and the open house signs shall be permitted only during the actual hours of the open house event.

 - b. Each open house sign shall be no more than four (4) square feet in area, located so that the top of the sign is no more than two and one-half (2 1/2) feet from ground level, and placed or anchored on the ground in a manner so as to prevent the sign from being removed by any breeze, wind, or other forces of nature.

 - c. An open house sign shall only be located within the right-of-way of a municipal street at the intersection of said street with another street. The sign shall be set back from the paved cartway a minimum distance of three (3) feet and located so that visibility at the intersection is not diminished

 - d. More than one (1) open house sign may be permitted for each open house event, provided that such signs are situated only at intersections where a motorist must change direction to find the open house event and provided further that no more than one (1) open house sign, regardless of the number of open houses being conducted on a given day, shall be permitted at any single intersection. Under no circumstances, however, shall an open house sign be located at an intersection controlled by a traffic control signal.

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- e. The writing and symbols appearing on any open house sign shall be limited only to that necessary to assist the automobile-traveling public in locating the subject property in the Borough.
- f. All open house signs shall be nonilluminated.
- g. Any person or organization posting an open house sign shall be responsible for any damage to person or property caused by the placement, removal or movement of the sign, and the removal thereof consistent with the terms of this chapter.

H. Signs Permitted in Regional Shopping Center Complexes.

All signs for a regional retail shopping complex shall adhere to a common architectural theme and may include the following:

1. A Regional Retail Shopping Complex may have two (2) internally illuminated freestanding signs identifying the name of the shopping complex and other information as may be approved by the Board having jurisdiction, with each sign not exceeding one hundred fifty (150) square feet on each side. Each freestanding sign may be attached to a decorative tower as may be approved by the Board. Each freestanding sign shall not exceed twenty (20) feet in height and each sign and any decorative tower to which it is attached shall be set back at least five (5) feet from the Blue Star Drive conservation easement and at least thirty (30) feet from all other property lines.
2. Where an individual activity occupying at least five hundred (500) square feet of net habitable floor area has direct access from the outside, an additional sign identifying the name of the activity also shall be permitted to be attached flat against the building at the entrance to the activity. The size of each additional sign shall be equal to one (1) square foot of sign area per one (1) linear foot of building frontage occupied by the activity.
3. Where the design of a regional retail shopping complex includes a roof over a common walkway along the front of a building, an additional sign identifying the name of an individual activity occupying at least five hundred (500) square feet of net habitable floor area may be suspended in perpendicular fashion from the roof over the common walkway. The size of the suspended signs shall be as determined by the Board. In any case, suspended signs shall be no closer than ten (10) feet at their lowest point to the finished grade below.
4. Additional signs may be approved by the Board to be situated within a regional retail shopping complex, provided that the aggregate square footage of all the signs within the regional retail shopping complex does not exceed the maximum aggregate square footage allowed hereinabove.

I. Signs Permitted in Commercial Zones. Within commercial areas, signs shall be coordinated so as to create an overall appearance of uniformity of style and color, and

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a proportionality of size and shape. In addition to the standards set forth in the general provisions of this Subchapter, signs within commercial areas for which a sign plan has not been approved by the Planning Board or Board of Adjustment, shall:

1. Comply with all sign regulations for the zone in which the commercial area is located; or
2. All signs within each commercial area shall comply with the area (square footage) restrictions.
3. Complement each other in material, shape, color and lettering style.

J. Awning Signs.

1. All frames are to be manufactured from tubular or shaped structural steel or aluminum with finishes or coatings as required to prevent against corrosion. The frame shall be designed to safely support wind and snow loads as specified in the latest adopted BOCA Code.
2. Vinyl fabric coverings are to be fourteen (14) ounces per yard minimum weight with certification as to tensile strength and flame resistance to meet industry and NEPA and BOCA codes.
3. Fasteners and/or structural attachments shall only be anchored to structural members of the building.
4. All electrical components and/or lighting equipment used in connection with an awning are to be labeled and rated for protective outdoor use and installed by a licensed electrical contractor.
5. Ceilings are optional and may consist of "egg crate," mesh fabric or solid plastic material. Removable panels or sections must be provided to allow access for service and cleaning.
6. All awning signs which project over or above backup walls are to be covered and weather protected with structural plastic, rustproof metal or aluminum.
7. Letter copy on awning signs is to be applied with manufacturer-approved processes.
8. Awning signs may be attached to buildings or structures with the following projection and height limitations:
 - a. Minimum clearance shall be eight (8) feet unless projecting over a vehicular right-of-way, in which case clearance must be at least fourteen and one-half (14 1/2) feet to avoid damage by trucks or other high vehicles.

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- b. If the structure has a fringe or valance such fringe or valance may hang below the ceiling line no more than twelve (12) inches.
 - c. Such signs shall be limited to single-story buildings or to the first level only of multi-story buildings.
 - d. Awning signs may be attached to buildings requiring property setbacks not to exceed property lines. In the case of buildings in shopping centers or multi-unit developments, such signs may not extend beyond curbs or extend into safety zones. In such installations, drainage gutters are required.
9. Only the copy area of awning signs shall be considered in the square footage limitations. The remaining portion should be considered as awning area only.

BE IT FURTHER ORDAINED by the Council of the Borough of Watchung that should any section, paragraph, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to that end the provisions of this Ordinance are hereby declared to be severable; and

BE IT FURTHER ORDAINED by the Council of the Borough of Watchung that in the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough of Watchung, the provisions hereof shall be determined to govern, and the inconsistencies of the prior ordinance are hereby repealed. All other parts, portions and provisions of the Ordinances of the Borough of Watchung are hereby ratified and confirmed, except where inconsistent with the terms hereof; and

BE IT FURTHER ORDAINED by the County of the Borough of Watchung that within five (5) days after its adoption by the Council, this Ordinance shall be presented to the Mayor for his approval and signature, which approval shall be granted or denied within ten (10) days of receipt of same, pursuant to N.J.S.A. 40A:60-5(d). If the Mayor fails to return

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this Ordinance with either his approval or objection to same within ten (10) days after it has been presented to him, then this Ordinance shall be deemed approved; and

BE IT FURTHER ORDAINED by the Council of the Borough of Watchung that this Ordinance shall take effect upon final passage and publication according to law; and approval by the Mayor pursuant to N.J.S.A. 40A:60-5(d).

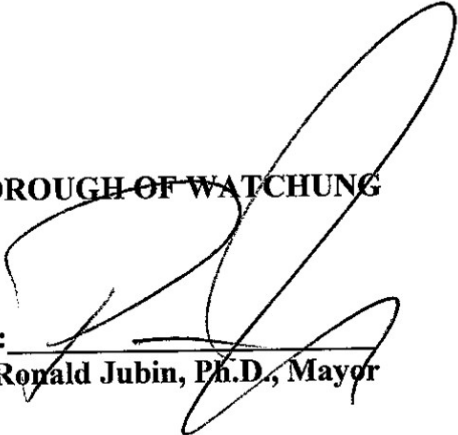
INTRODUCED BY: GIBBS
PASSED: MAY 8, 2025
PUBLISHED: MAY 22, 2025
ADOPTED: JUNE 5, 2025
C: ZONING, PD,
COURTS,

ATTEST:



Edith G. Gil, Borough Clerk

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By: _____
Ronald Jubin, Ph.D., Mayor