

ORDINANCE NO. 2023-08

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE BOROUGH OF AUDUBON, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AMENDING CHAPTER 113, LAND DEVELOPMENT, ARTICLE VII, ZONING REGULATIONS, DIVISION 2, SUPPLEMENTAL DISTRICT REGULATIONS, SECTION 113-409, SIGNS, IN THE CODE OF THE BOROUGH OF AUDUBON

WHEREAS, the Board of Commissioners of the Borough of Audubon find it necessary to amend the Code of the Borough of Audubon regarding signs throughout the Borough of Audubon; and

WHEREAS, municipalities are permitted to designated where and when signs are allowed throughout the municipality; and

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Borough of Audubon, County of Camden, and State of New Jersey, as follows:

SECTION 1: Article VII of Chapter 113 of the Borough of Audubon Code is hereby amended to read as follows:

Sec. 113-409 Signs

- A. Regulations; conformity. Any sign erected or maintained after the date of the ordinance from which this chapter is derived shall conform to the following regulations, except that any nonconforming sign shall be made conforming within five (5) years from such effective date.
- B. Definitions. As used in this chapter, the following terms shall have the meanings indicated:

"Awning" means any structure made of cloth, plastic, metal or other substance, with a frame attached to a building or other structure and projecting over a public or quasi-public right-of-way, when the same is so erected as to permit it to be raised to a position against the building or structure when not in use.

"Business sign" means a sign which directs attention to a person, organization, institution, activity, event, place, object, product, commodity, business, entertainment, service or profession which is located, sold, produced, provided, conducted or offered upon the premises where such sign is located or to which it is affixed.

"Campaign sign" means a temporary sign advertising the name of a candidate for election, including the name of a political party and a temporary sign regarding an political position or an issue before a governing body.

"Canopy" means any structure, other than an awning or marquee, made of cloth, plastic, metal or other substance and providing a roof-like shelter over a public or quasi-public right-of-way.

"Directional sign" means a sign containing no advertising other than a name, either temporary or permanent, which serves as a convenience to the public to show direction to a place or activity.

"Flashing sign" means a sign, the illumination of which is not kept constant in intensity at all times when in use.

"Illuminated sign" means a sign having characters, letters, figures, designs or outlines illuminated by electric light or luminous tubes as a part of the sign.

"Indirectly illuminated sign" means an illuminated, non-flashing sign whose illumination is derived from an external artificial source and is so arranged that no direct

rays of light are projected from the artificial source into an area where anyone resides or into any public street or public way.

"Marquee" means a permanent, roof-like structure extending from part or all of a building or other structure over a public or quasi-public right-of-way and constructed of some durable material such as metal, glass or plastic.

"Nameplate sign" means a sign which states the name or address, or both, of the occupant of the premises where the sign is located.

"Obstructing railroad overpass" means a railroad overpass which does not provide a minimum clearance from the highest point in the curvature of the road surface to the lowest point on the structure of the overpass of thirteen and one-half (13½) feet or to such other maximum vehicular height as may be authorized from time to time by N.J.S.A. 39:3-84 or similar provision of law.

"Portable sign" means a sign, signboard, light post, awning, canopy, marquee, framework, flagpole or other similar object which is not securely affixed to the ground or otherwise affixed in a permanent manner to a building or other structure.

"Professional sign" means a sign listing only the name or profession, or both, of a person practicing a profession on the premises where the sign is located.

"Sign" means any name, identification, description, display or illumination which is affixed to or painted on or represented directly or indirectly upon a building, structure, or parcel of land, and which directs attention to a person, organization, institution, activity, event, place, object, product, commodity, business, entertainment, service or profession or which conveys any message, notice or greeting. This includes banners, streamers, whirling or illuminated devices or any other type of attention-attracting device and may be a single-faced or double-faced or V-type structure.

"Sign area" means the total area within a single continuous perimeter enclosing the extreme limits of such sign; however, such perimeter shall not include any structural elements lying outside the limits of the text or symbol making up such sign and not an inherent part of the display unless such structural elements are illuminated or colored in such a way as to become a part of the display. In the case of an open sign made up of individual letters, figures or designs, the space between such letters, figures or designs shall be included; in computing the area of a double-faced sign, only one (1) side shall be considered if both sides are identical, and a V-type sign the interior angle of which is less than forty-five (45) degrees shall be considered a double-faced sign; a V-type sign the interior angle of which is forty-five (45) degrees or greater shall not be deemed a double-faced sign, and both faces shall be computed as comprising the sign area.

"Structure of the sign" means all frames, glass or other coverings, gooseneck arms, lightbulbs, lights, shields, shades, reflectors, supports, brackets, braces, screws, bolts, fastenings or other items or devices which constitute a part of the support system for any sign, awning, canopy or marquee.

"Temporary sign" means a sign erected for a relatively short period of time, which period shall be terminated by the work, event, sale of the premises or product advertised or occurrence of the event to which it refers, and in all respects the same as a sign which is not temporary insofar as matters of location, construction and public safety are concerned.

"V-type sign" limitation means a permitted V-type sign means a sign in which the "V" is in a horizontal plane; an inverted V-type sign or one (1) which rests upon the two (2) edges spread apart on the ground with no other support or anchorage shall not be permitted in the interest of public safety.

C. Exemptions. The provisions of this chapter shall not apply to:

- i. The display of public notices of any governmental unit.

- ii. A temporary sign in connection with a political campaign, provided that such sign shall not be maintained for more than 45 days, shall not exceed 8 square feet in size, and shall be removed from the premises three (3) days after the election. Any such temporary signs on residential properties shall be placed solely within twelve (12) feet from the foundation of the structure and within the building lines of the residential structure and shall not encroach on the property of any adjacent or adjoining properties.
 - iii. Temporary real estate signs, other than portable signs or illuminated signs, stating real estate for sale or lease, provided that the same do not exceed four square feet in sign area, and provided further that they are removed within ten days after the premises has been sold or leased.
- D. Permit application, fee, issuance and fines.
- i. The Borough construction office shall supply to any sign/awning applicant the proper application and sign/awning design guidelines. The applicant shall submit:
 - a. Borough official sign/awning application (original), plus six photocopies.
 - b. Any other information as the construction code official shall require to show full compliance with the intent and purpose of this chapter and any structural requirements which may be necessary.
 - c. Every applicant before being issued a permit shall pay to the Borough construction department a fee of \$20.00 to construct a sign or awning within the Borough.
 - d. The applicant for any sign or awning must supply one set of photographs of; the current store front, two store fronts on the left side and two store fronts on the right side of the proposed sign/awning location.

- e. Any person erecting a non conforming/illegal sign/awning has 20 days to remove said sign/awning after notification. If the non conforming sign/awning is not removed after 20 days fines shall be issued by the Borough of \$100.00 per day, assessed to the owner of the property and the occupant of the business. The Borough also reserves the right to remove/lien the sign/awning and invoice the property owner for the cost of removal. The Borough shall not be liable for any damages to the facade as the result of removal being the property owner did not comply with the request of removal.
- f. Rendering of the proposed sign and how it will be featured on the building.

E. Structural regulations.

- i. If the building inspector shall determine that any sign, awning, canopy or marquee, or the structure of any sign, now or hereafter erected or maintained, is unsafe or insecure or is a menace to the public, or has been constructed or erected or is being maintained in such a manner as to pose a hazard to persons or property, or has been constructed or erected or is being maintained in violation of the provisions of this chapter or any other law or ordinance, her or she shall give written notice to the permittee, and, if there is no permittee, to the owner of the premises, of the violation. If the permittee or owner fails to remove or alter the sign, awning, canopy, marquee or structure of the sign within thirty (30) days after such notice, such sign, awning, canopy, marquee or structure of the sign may be removed or altered by the building inspector at the expense of the permittee or owner of the premises upon which it is located. The building inspector shall thereafter refuse to issue a permit for erection of any sign, awning, canopy or marquee in the Borough to any permittee or property owner who refuses to pay the costs so assessed. The building inspector may cause any sign, awning, canopy, marquee or structure of a

sign which is an immediate peril to persons or property to be removed summarily and without notice.

ii. All signs, awnings, canopies, marquees and structures of the sign attached to the ground or to a building or other structure shall be thoroughly and rigidly secured and shall be repaired and maintained as necessary to keep them secure, safe and free from causing any danger or damage to persons or property.

iii. All illuminated signs shall comply with the electrical code of the Borough, in particular, the requirements of Chapter 105 of this code.

iv. No sign, awning, canopy, marquee or structure of the sign shall be erected or maintained so as to obstruct access to any fire escape, window, door, exit or standpipe, or obstruct passage by either vehicular or pedestrian traffic on any public or quasi-public right-of-way.

v. Signs, awnings, canopies, marquees and structures of the sign shall be constructed and erected in such a manner as to allow for the effects of high winds and other natural forces, and the building inspector shall require copies of the stress sheets and calculations showing that the sign, awning, canopy or marquee is adequately designed for dead-load and wind pressure in any direction, in any situation where such information may be helpful in determining whether such sign, awning, canopy or marquee can be safely constructed, erected or maintained.

F. Maintenance and appearance—Aesthetic considerations.

i. All signs, awnings, canopies, marquees and structures of the sign shall be maintained in a clean and neat-appearing condition, and such maintenance, where applicable, shall include regular cleaning; regular painting and removal of any peeled, chipped or blistered paint; the renewal or replacement, in whole or in part, of any sign, awning, canopy or marquee or structure of the sign which has

been caused to crack, break, peel or otherwise disintegrate or fall apart.

- ii. Any sign, now or hereafter erected or maintained, which no longer advertises a bona fide business conducted or product sold, or notice of a current or future event, shall be taken down and removed by the permittee or by the owner of the premises, if there is no permittee, within thirty (30) days after such business ceases, such product ceases to be sold or such event occurs. Upon failure to comply, the building inspector is authorized to cause the removal of such sign and any expense incident thereto shall be paid by the permittee or owner of the premises upon which such sign is located. The building inspector shall thereafter refuse to issue a permit for the erection of any sign, awning, canopy or marquee in the Borough to any permittee or property owner who refuses to pay the costs of such removal.
- iii. No flashing signs shall be permitted in the Borough except signs displaying the time and/or temperature.
- iv. No sign, awning, canopy or marquee shall contain any name, word, identification, description, display or illustration of an indecent or immoral nature; nor contain any libelous, defamatory or sacrilegious language; nor urge, advocate or glorify any unlawful activity or conduct.
- v. No advertising sign or business sign shall be permitted in any residential district, nor be placed facing any residential district, except for business signs located in a nonresidential district.

G. Permitted uses in zoning districts.

- i. Signs permitted in R Residential Districts.
 - a. The following signs may be erected and maintained in R Residential Districts or with residential uses if the use is located in another district, subject to the conditions specified:
 1. One (1) nonilluminated nameplate not exceeding one (1) square foot in area announcing the name and address of the occupants of the

residence; provided, however, that a nameplate of a physician may be indirectly illuminated.

2. One (1) professional sign, nonilluminated, not exceeding one and one-half (1½) square feet in area, which sign shall be in lieu of and not in addition to a nameplate described in subsection (b)(1)a of this section, announcing the name and profession of the occupant, as a home occupation or in the practice of architecture, engineering, law, music, art, teaching and similar professions, which sign may include the house number.
3. One (1) temporary, unlighted real estate sign not exceeding four (4) square feet in area, announcing the realtor's name and telephone number, with such words as "for sale," "for rent" and similar words customarily used within the Borough; the words "apply within" and similar expressions may be substituted for a realtor's name. On a corner lot, a duplicate sign may be erected to face the side street if the lot contains more than one-half (½) acre; and if the word "sold" is used on a real estate sign, the maximum length of time such sign shall remain shall be two (2) weeks.
4. One (1) bulletin board not exceeding twenty (20) square feet in area for a place of worship, school, clinic, public or semipublic building or institution, which sign may be indirectly illuminated.
5. In the case of a major subdivision, one (1) "sample house" sign not exceeding four (4) square feet in area.
6. In the case of a multifamily dwelling containing more than four (4) dwelling units, a freestanding sign announcing the name of the project not exceeding eight (8) square feet in area, which sign shall be indirectly illuminated.

7. Temporary signs of contractors, mechanics and artisans, erected and maintained on the premises during the duration of the work only, one (1) such sign per trade, each having an area not more than four (4) square feet, which signs shall be nonilluminated, and each such sign shall be removed promptly as soon as the particular work is completed.
 8. Directional signs, such as "deliveries," "parking," "manager," "keep off" and similar signs not exceeding one (1) square foot in area, which signs shall be nonilluminated.
- b. In the case of an approved nonconforming business or commercial enterprises located in an R Residential District, the regulations in subsection (d) of this section shall be followed; provided, however, that only indirect illumination of permitted signs shall be allowed and signs need not be freestanding.
- ii. Signs in business districts. The following signs may be erected and maintained in business districts, subject to the conditions specified; provided, however, that in the A, A-1, B and B-1 Business Districts the name of the establishment and/or the product sold or featured shall be advertised with a freestanding, indirectly or flood-illuminated sign, not exceeding four (4) feet in height, and the design of such signs shall be compatible with the architecture of the building to which it refers and with its surroundings:
- a. Signs permitted in R Residential Districts where a residence is in a business district, including multifamily dwellings containing more than four (4) dwelling units, subject to the same provisions for such signs in the R Residential Districts in subsection (c) of this section.
 - b. Business signs, only one (1) giving the name of the establishment, plus window signs permanently affixed to the window, for a total sign area on each lot not to exceed one (1) square foot for every one (1) linear foot of building frontage.

- c. In the case of two (2) or more establishments inside a single building where the individual establishments are not located in an obvious way when seen from the exterior, a directory sign may be permitted listing the name of each establishment within the building, provided that the total area of the directory sign for all names shall not exceed one (1) square foot for every one (1) linear foot of building frontage, and such directory sign shall be a freestanding sign not attached to a building wall or roof, may be illuminated and may be located within the front yard(s) if not closer to the front lot line than twelve (12) feet.
 - d. Customary directional signs, provided that none may be located within a street right-of-way.
 - e. Where it is not feasible to locate a ground or freestanding sign other than attached to the building, as in the case of the B-2 district, attached signs may be permitted without the freestanding sign.
 - f. Required freestanding signs may be located within the front yard(s) if not closer to the front lot line than twelve (12) feet, and such signs may be perpendicular or parallel to the front lot line, but on corner lots, if at the corner, shall be placed at an angle of forty-five (45) degrees.
 - g. In the C Business Districts, signs may be freestanding or attached to the building at the proprietor's option, and the total sign area may be one and one-half (1½) square feet for every one (1) linear foot of building frontage, and such signs may be illuminated.
- iii. Signs in PR Districts. Signs permitted in business districts may be attached to the front of the building or front window and shall have a total area for each establishment not exceeding two (2) feet for every one (1) linear feet of the width of the establishment, and in addition, the following shall be permitted:

- a. For the redevelopment area, one (1) freestanding pylon sign for the Black Horse Pike Shopping Center giving the name of the center and identifying multiple tenants within the center shall be permitted on the Black Horse Pike Frontage, not exceeding thirty-five (35) feet in height and having a sign area not exceeding four hundred (400) square feet per side, which sign may be illuminated. One (1) additional freestanding pylon sign for the ACME Shipping Center, giving the name of the center identifying multiple tenants within the center shall be permitted on the Black Horse Pike frontage, not exceeding thirty-five (35) feet in height and having a sign area not exceeding two hundred (200) square feet per side, which signs may be illuminated. Two (2) additional freestanding monument multi-tenant signs shall be permitted on Nicholson Road street frontage, one (1) sign for each shopping center, provided that each such additional sign shall not exceed one hundred (100) square feet per side and shall not exceed fifteen (15) feet in height.
 - b. One (1) freestanding monument sign for each single-use building, identifying the tenant within that building, not exceeding fifteen (15) feet in height and having a sign area not exceeding seventy-five (75) square feet per side, which signs may be illuminated.
- iv. Residential Districts. Only signs meeting the following conditions shall be permitted in any residential district within the Borough:
- a. No commercial signs, such as a professional office or home occupation sign.
 - b. Non illuminated, temporary signs on new construction sites, not exceeding ten square feet in sign area, and provided that such signs shall be removed within ten days after completion of construction.
 - c. In R-3 and R-4 districts only, a sign shall be permitted for the purpose of

identifying a multifamily dwelling project (over nine units) and shall be no greater than 20 square feet in area, whether it be on the lawn or attached to the building.

- d. Only one (1) sign shall be permitted for any use in a residential zone, except corner lots where two signs shall be permitted. Corner lots shall have only one sign permitted on each street frontage.
- e. No more than one sign shall be permitted for each use or activity permitted in the residential zone.
- f. Any sign shall be placed within twelve (12) feet from the foundation of the residence and within the building lines of the residence structure.
- g. No sign shall be placed on a side yard.
- v. Commercial Districts. Only signs meeting the following criteria shall be permitted within all of the Borough's business districts:
 - a. One business sign for each facade, corner businesses are permitted signs on two sides (facades), but only sign per street frontage.
 - b. A sign cannot protrude 12 inches from the facade, unless placed on an awning.
 - c. Sign Dimensions—Maximum height 14 feet from ground level measured at building frontage to top of sign, maximum sign width 80 percent of store width, maximum sign box height 24 inches. The dimensions listed above apply to letter size also when said sign consists of fixed letters to the building facade.
 - d. Only the business name, logo, street number are permitted on the sign.
 - e. No marquee signs are permitted, unless for use by a motion picture theater, provided that same may not interfere with pedestrian and vehicular traffic and provide a clearance of not less than 15 feet.

- f. Second floor businesses are limited to one window sign. Sign height for second floor is permitted to be higher than 14 feet but cannot exceed 22 feet.
- g. Display windows may have the name of the store, store description, and/or logo of the store inscribed on the glass by any of the following means, and may not exceed 25 percent of the total window area:
 - i. Gilt lettering.
 - ii. Painted lettering.
 - iii. Professionally created decal.
 - iv. Stained or sandblasted glass.
- h. The only signage that is permitted on the glass of the entry door is the name of the store, store description, and/or logo of the store inscribed on the glass by any of the means described above for display window signs, and a listing of business hours.
- i. Special signs serving the public convenience, such as "notary public," "public telephone," "rest rooms" or words of direction or other signs of similar import, provided that each such sign does not exceed one square foot in sign area, and provided further that only one sign of each type shall be displayed.
- j. Signs required by law to be exhibited by the owner or occupant of the premises.
- k. Nonilluminated, temporary signs advertising the premises for sale or lease, provided that the same do not exceed eight square feet in sign area, and provided further they shall be removed within ten (10) days after the premises are sold or leased.
- l. One awning may be placed upon the front facade of the building.
- m. One canopy may be placed over the principal entrance to the building, provided that no awning is placed upon the front facade of the building.

- n. Stressed fabric canopies may be placed on the facade of a building where limited to a vertical dimension of four feet and a horizontal projection of three feet with signage limited to a vertical height of sixteen (16) inches and containing only the name of the business and/or the street address.
- vi. Manufacturing Districts. No signs, awnings, canopies or marquees shall be permitted in any manufacturing district except:
 - a. Those signs, awnings, canopies and marquees permitted in the C-3 and C-4 districts.
 - b. Business signs, provided that the aggregate area of all such signs on the lot shall not exceed the sum of six square feet for each linear foot of lot frontage, and provided further that such signs attached to the building shall not exceed in the aggregate twenty-five (25) percent of the area of the front facade of the building.
- H. General provisions.
 - i. No ground or wall sign shall have its highest section higher than the height requirement established for buildings in the particular zone and district, or forty (40) feet, whichever is lesser. No wall sign shall project above the wall to which it is attached.
 - ii. No roof sign shall project beyond the walls of the building with the exception of its gooseneck arms which hold shades or reflectors; nor shall any roof sign be permitted to extend higher than thirty-five (35) feet above the roof at the point of mounting.
 - iii. In the case of two or more business uses occupying the same structure, the front wall area to be used in determining permitted sign area shall only include that portion of the front wall area occupied by the use in question.
 - iv. Where a business structure or professional structure is located at the intersection of two (2) public streets, an additional sign may be erected or inscribed

upon the side wall on the street side, provided it does not exceed the permitted sign area.

- v. Where the side or rear of a business or professional structure adjoins a public parking area or a private parking area intended for the use of the structure in question, signs may be placed or inscribed on said side or rear wall to identify the business use or uses in the structure and access thereto. Such signs shall not exceed ten (10) square feet or two percent of the wall, whichever is the lesser.
 - vi. Awnings and canopies shall be constructed and erected as to provide a minimum clearance of eight (8) feet, and marquees shall be so constructed and erected as to provide a minimum clearance of fifteen (15) feet.
 - vii. All illuminated signs and indirectly illuminated signs shall be shielded so as to prevent any glare and no sign shall be illuminated by lighting of intermittent or varying intensity.
 - viii. Any sign awning, canopy or marquee, which in the opinion of the building inspector shall pose a threat of personal injury or property damage because of its size, weight, shape, construction, or erection or because of its location in, on, over or adjacent to any public or quasi-public right-of-way, shall not be erected unless and until the applicant for the erection permit shall file with the Borough adequate evidence of financial responsibility to pay for any personal injury or property damage which may reasonably be caused thereby. Because of the differing potentials for such loss or damage, the amount of public liability coverage necessary to satisfy this, requirement may be fixed from time to time by the building inspector after consultation with the business administrator and the director of law.
- I. Prohibited signs. The following types of signs shall not be permitted in any zone or district:
- i. Flashing, fluttering or animated signs, except for time and/or temperature signs which may be erected in any commercial or manufacturing district, and flashing,

fluttering or animated signs for hotels with two hundred (200) rooms or more. All signs erected pursuant to the provisions of this chapter must comply with all other county, state and federal laws, rules and regulations;

- ii. Signs with any lighting or control mechanism which may cause radio or television interference;
- iii. Any sign so constructed, erected or maintained as to obstruct or be attached to any fire escape, window, door or opening used as a means of egress or ingress, or for fire-fighting purposes, or placed so as to interfere with any opening required for ventilation;
- iv. Any sign which is of such a form, shape or character as to confuse or dangerously distract the attention of an operator of a motor vehicle;
- v. Any sign or marking on an obstructing railroad overpass, except for authorized traffic signs, markings or devices;
- vi. Any sign which uses a series of two or more signs or units, placed in a line or in parallel, or in similar fashion, all carrying a single message, part of which is contained on each sign;
- vii. Signs which in any way simulate authorized traffic directional or warning signs erected or maintained by any governmental unit or by any railroad, public utility or similar agency concerned with the protection of the public health or safety;
- viii. Portable signs;
- ix. Revolving, rotating, gyrating, undulating or otherwise vibrating signs.
- x. Temporary Signs on Glass. Temporary signs may not be affixed to the glass of the display window or of the door.
- J. Nonconforming signs, awnings, canopies and marquees.
 - i. No nonconforming sign, awning, canopy or marquee shall be structurally changed or altered except to bring such sign, awning, canopy or marquee into compliance with this chapter. This provision shall not be deemed to relieve any

person owning or controlling any existing sign, awning, canopy or marquee from maintaining the same in accordance with the safety and aesthetic standards set forth herein.

- ii. All portable signs shall be removed from the Borough within fifteen (15) days of the effective date of the ordinance codified in this chapter.
- iii. All signs on obstructing railroad overpasses, except for authorized traffic warning signs, markings or devices, shall be removed within thirty (30) days of the effective date of the ordinance codified in this chapter.
- iv. The building inspector shall review his or her sign inventory and shall, within ninety (90) days of the effective date of the ordinance codified in this chapter, classify all signs located in the Borough as follows:
 - a. Signs which are unsafe or insecure or menace the public and cannot reasonably be altered to make them safe, secure and hazard free. As to these signs, the building inspector shall direct their removal within thirty (30) days unless they constitute an immediate peril to persons and property, in which case they shall be removed summarily.
 - b. Signs which are unsafe or insecure or menace the public but can be altered to make them safe, secure and hazard free. As to these signs, the building inspector shall direct their immediate alteration to make them safe, secure and hazard free.
 - c. Signs which require cleaning or painting; removal of peeled, chipped or blistered paint; renewal or replacement, in whole or in part, of the sign or structure of the sign because of any cracking, peeling or breaking, or because the sign or structure of the sign has otherwise been caused to disintegrate. As to these signs, the building inspector shall direct their immediate renewal.
 - d. All Other Signs.

e. The building inspector shall have continuing authority to direct the removal, repair, cleaning, painting, and renewal, in whole or in part, of any nonconforming sign, awning, canopy, marquee or structure of the sign.

K. Violations and penalties.

i. No person, corporation or other business entity which refuses to obey the proper direction of the building inspector to remove, alter, repair or renew any sign, awning, canopy, marquee or structure of the sign or which erects or maintains any prohibited sign shall thereafter be issued a permit for the erection of any sign, awning, canopy or marquee in the Borough.

ii. The owner and/or tenant of the premises and the owner and/or erector of the sign shall be held responsible for any violation of these regulations and the costs of removal of any sign found to be in violation of this subsection.

iii. Any sign erected or maintained on private property in conflict with the regulations of this subsection shall be removed within seventy-two (72) hours of the written notice of violation from the Borough. Any sign placed or erected on public property without the express written permission of the Borough of Audubon shall be removed immediately by the Borough of Audubon without notice to the owner.

iv. Any public office candidate who, directly or indirectly, by his/her agent, representative or campaign official, permits a violation of this subsection for seventy-two (72) hours after notification to said public office candidate or his/her agent, representative or campaign official to remove the same shall be subject to a fine not exceeding one hundred fifty dollars (\$150.00) and shall be charged with all costs of removal. The erection, posting and placing of each individual sign shall constitute a separate offense.

L. Portable signs prohibited.

No portable sign shall be placed, installed, erected, transported or maintained within the Borough. All existing portable signs shall be removed from the Borough within fifteen (15) days after the effective date of the ordinance codified in this chapter.

M. Exceptions.

This chapter shall not apply to:

- i. Any portable sign which is being transported by the manufacturer, installer, owner or agent of the same to a location within or without the Borough where it is to be permanently erected, providing that such sign shall be safely and securely loaded on or attached to the vehicle transporting the same.
- ii. Any portable sign used by the state of New Jersey, County of Camden or Borough of Audubon or by any utility company, telephone company or railroad company, provided such portable sign is intended for the safety and protection of the public.
- iii. Any portable sign placed or located within the interior of any building or structure.

N. Portable signs—Manufacturing, constructing and storing.

This chapter shall not limit the business of manufacturing, fabricating, assembling, forging, shaping or otherwise constructing, processing or storing portable signs within the Borough, providing the same is done on premises owned or controlled by the operators or managers of such business and reasonable precautions are taken to protect the public from personal injury or property damage caused by such portable signs while the portable signs are on those premises.

O. Monument signs.

Monument signs shall be only permitted for nonresidential uses in all zones within the Borough as long as the signs and the site meets the following requirements:

- i. The site must contain a minimum of six parking spaces.

- ii. The height to the top of the sign must not exceed five feet measured from the surrounding ground.
 - iii. The area of the sign cannot exceed 40 square feet.
 - iv. The sign must be externally lit.
 - v. One monument sign is permitted for every two driveways at the site.
- P. Pole mounted signs.

Pole mounted signs shall be permitted for nonresidential uses granted that the signs and its site meet the following requirements:

- i. The height of the sign shall not be greater than 20 feet to the top of the sign.
- ii. The square footage of the sign lettering area shall not exceed 50 square feet in area.
- iii. Only one pole mounted sign is permitted per project or property.

SECTION 2:

All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

SECTION 3:

This Ordinance shall take effect upon passage and publication according to law.

THE BOROUGH OF AUDUBON

BY: _____
ROBERT JAKUBOWSKI, MAYOR

ATTEST:

**_____
DANIELLE INGVES, BOROUGH CLERK**

The foregoing ordinance was introduced by the Board of Commissioners at a meeting held on _____, 2023. This Ordinance will be considered for adoption on final reading and public hearing to be held on _____ 7:00 p.m.

The purpose of this Ordinance is an amendment to Chapter 105, Buildings and Building Regulations, in the code of the Borough of Audubon. A copy of this Ordinance is available at no charge to the general public between the hours of 8:30 AM to 4:00 PM, Monday through Friday (Legal Holidays excluded), at the Office of the Borough Clerk, Audubon Municipal Building, 606 Nicholson Road, Audubon, New Jersey.

The foregoing Ordinance was adopted on final reading and public hearing at a meeting held by the Board of Commissioners on _____ 2023.

Danielle Ingves, Borough Clerk