

ORDINANCE NO. 2010-25

**ORDINANCE OF THE BOROUGH OF RED BANK,
COUNTY OF MONMOUTH, NEW JERSEY
AUTHORIZING SANDWICH BOARD SIGNS**

WHEREAS the Mayor and Council of the Borough of Red Bank have been approached by various business owners and business organizations for permission to place signs, commonly referred to as "Sandwich Board Signs," in front of their businesses on the sidewalks of the Borough: and

WHEREAS, the Mayor and Council are not entirely convinced that such signing is in the best interest of the Borough, but are willing to authorize such signs for a limited time period as a demonstration project for evaluation and determination by the Borough if such signs are desirable from the Borough perspective.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Red Bank as follows:

Section 1: Section 25-8.27 of the Revised General Ordinances of the Borough of Red Bank is hereby amended by adding new section 25-8.27(f), entitled, "Sidewalk Signs", as follows:

(f) *Sidewalk Signs.*

1. Pursuant to the provisions of this ordinance, signs may be placed in or extend to the public right-of-way.
2. Exemption from Development Permit. Sidewalk signs, including Sandwich Board Signs, shall be considered minor signs and shall be exempt from the requirement of obtaining a development permit. However, no Sidewalk Sign shall be erected without a permit issued by Borough Clerk in consultation with the Fire Marshall, the Chief of Police and such other officials, or their designees, as may be desirable. An application fee of twenty-five (\$25.00) dollars shall accompany each such permit application.
3. Permitted zones and Sign Restrictions. Each business located within the NB, BR-1, BR-2, CCD-1, CCD-2 and HB zones and having its own separate entrance onto the public sidewalk at street level may place upon the public sidewalk in front of the said place of business and solely during the hours the said business is in operation, one sign meeting all of the following restrictions:
 - (a) The sign shall have a maximum width of 30 inches, maximum height of 42 inches and maximum depth of 20 inches;
 - (b) The sign shall be located no closer than ten (10) feet to any side yard property boundary, provided, however, that in the case of a property having a frontage of less than twenty (20) feet, the sign shall be located as near to the center of the frontage as practicable. The sign shall be further located within four (4) feet of either the curb face or the front of the building, provided further, however, that a sixty (60) inch wide unobstructed path shall be maintained at all times on the sidewalk;
 - (c) The sign shall be constructed of weather resistant materials (no paper, fiberboard, foamcore board, corrugated paper or unfinished wood materials shall be permitted), and shall be constructed and/or weighted so as to be impervious to the effects of strong winds. The sign shall be maintained at all times in good repair and shall not be permitted to weather, fade, peel, crack or otherwise deteriorate;

- (d) Signs located in the Historic District shall be limited to those colors contained in Schedule A-1 Chapter XXV, Article VIII;
 - (e) Sidewalk signs located within the Business Improvement District shall be subject to Design Review by RiverCenter in accordance with its Design Bulletin No. 11.
4. Notwithstanding anything contained in this ordinance to the contrary, the Fire Marshal and/or Chief of Police shall have the right to prohibit or further restrict the location of any sidewalk sign which, in their sole discretion, they deem by virtue of the sign's construction or location, to constitute a safety hazard to the public. Any violation of the provisions of this Ordinance shall be subject to punishment pursuant to the General Penalty Provision at Section 1-5.1 of this Code. Each day that a violation persists shall be considered a separate violation of this Section.

Section 2. Conflicts with other Ordinances. In the event of any inconsistency or conflict of any provision of this ordinance with other ordinances of the Borough of Red Bank, [including those found in Chapter XXV (Planning and Development Regulations) and Article VIII (Design Standards and Improvement Specifications) relating to signs] then this ordinance shall prevail.

Section 3. Expiration Date. This ordinance shall expire on December 31, 2010.

Section 4. Effective Date. This ordinance shall take effect upon its passage, approval and publication according to law.

First Reading: June 14, 2010

Final Reading: July 12, 2010