

# ORDINANCE 2016-10

BOROUGH OF HIGHTSTOWN  
COUNTY OF MERCER  
STATE OF NEW JERSEY

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 29, ENTITLED “SIGNS”, SECTION 15, ENTITLED “PROJECTING SIGNS”, AND SECTION 18 ENTITLED “COMMERCIAL AND HIGHWAY, BUSINESS AND INDUSTRIAL ZONES – CC-1, CC-2, HC AND I” OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY.”**

**WHEREAS**, the Zoning Official has requested certain changes to Chapter 29 of the “Revised General Ordinances of the Borough of Hightstown, New Jersey” to establish uniformity in signage, create an aesthetically pleasing environment and maintain a safe pedestrian environment; and

**WHEREAS**, the Planning Board has reviewed the request of the Zoning Officer and has recommended the changes to Chapter 29, entitled “Signs” of the “Revised General Ordinances of the Borough of Hightstown, New Jersey” to the Borough Council for their consideration; and

**WHEREAS**, the Borough Council has reviewed the recommended changes and concurs that the changes are appropriate and would enhance the Borough for businesses and residents alike.

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

Section 1. Chapter 29 “Signs”, Section 15, entitled “Projecting Signs” is hereby amended as follows (underline for additions, strikethroughs for deletions):

**29-15 Projecting Signs.**

- A. Projecting signs shall contain only the name and type of business and logo. The sign shall project the image of the business.
- B. The sign shall be located so it does not block or obscure important architectural elements of the façade, with the best location being either of the front corners of the structure or above the entrance. The sign shall be located at the top of the first floor level or between the first floor and second floor. The bottom of the sign shall be at least seven (7) feet above the ground.
- ~~C. The area of the sign face shall be limited to seven (7) square feet and shall project no more than five (5) feet from the side of the building in HC zone and no more than three (3) feet in CC 1 and CC 2 zone. The bottom of the sign shall be at least seven (7) feet above the ground. One projecting sign may be erected per floor level for each street frontage.~~
- ~~D. A projecting sign is not allowed if there is a portable sign.~~
- ~~C-E. The bracket shall be black wrought iron. The bracket is to be securely mounted to the building.~~
- Graphics on a decorative bracket will be included in calculating the sign area. The bracket is to be removed if there is no sign hanging from the bracket and all of the mounting holes must be filled in to match the surrounding façade.
- F. The sign material shall be solid wood, metal, composite material or acrylic fiber fabric. The sign shall have a finished, professional appearance.
- G. The projecting sign shall be divided into two categories:

~~D-1.~~ Standard Projecting Sign

Shall be limited to seven (7) square feet and shall project no more than four (4) feet from the side of the building in the HC zone and no more than three (3) feet in the CC-1 and CC-2 zone or registered businesses in the RPO Zone and Residential Zone.

2. Creative Projecting Sign

- a. The sign area for text, messages, and logo shall be limited to seven (7) square feet.
- b. The total overall size of the Creative Projecting Sign shall be a maximum of ten (10) square feet. The extra three (3) square feet may be used to create a sign with visual appeal. Creative visual appeal shall include one or more of the following:
  - 1. Graphic depicting the type of business on the sign.
  - 2. Graphic depicting the type of business on the wrought iron bracket.
  - 3. The shape of the actual sign being non-rectangular.

The sign shall project no more than four (4) feet from the side of the building in HC zone and no more than three (3) feet in CC-1 and CC-2 zone or registered businesses in the RPO zone and Residential zone.

H. The sign must be properly maintained at all times. Any sign that is weathered, faded, peeling, cracking or otherwise deteriorated must be replaced.

I. Internal lighting of the projecting sign is not permitted.

J. All projecting signs must be approved in advance by the Zoning Officer.

Section 2. Chapter 29 “Signs”, Section 18, entitled “Commercial and Highway, Business and Industrial Zones – CC-1, CC-2, HC and I” is hereby amended as follows (underline for additions, strikethroughs for deletions):

**29-18. Commercial and Highway, Business and Industrial Zones – CC-1, CC-2, HC and I.**

Signs can enhance the image and appearance of Hightstown. In the above zones, the following signs only shall be permitted:

- A. *Facade sign.* One (1) facade sign may be erected facing each street frontage with direct vehicular access from that street. The sign area shall not exceed ten percent (10%) of the total facade area, including window and door area, or forty (40) square feet per sign, whichever is less. Sign must be applied directly to the facade and not project more than eight (8) inches.
- B. *Freestanding sign.* One (1) freestanding sign may be erected on each street frontage that contains a minimum of one hundred (100) feet of frontage and with direct vehicular access from that street. The maximum permitted sign area shall be forty (40) square feet per sign and the height of the sign shall not exceed thirty (30) feet.
- C. *Window signs* not to exceed ten (10%) percent of the total glass area and installed on the inside of the window. Lettering shall be limited to three colors.
- D. *Changeable copy signs* in accordance with 29-8 of this chapter.
- E. *Directional signs* in accordance with 29-9 of this chapter.
- F. *Directory signs* in accordance with 29-10 of this chapter.
- G. *Grand opening signs* in accordance with 29-12 of this chapter.
- H. *Window signs* in accordance with 29-14 of this chapter.

I. Signs in accordance with 29-6 of this chapter.

J. ~~Portable-A Frame~~ Signs. One sign may be erected per each street frontage. Each sign shall be six square feet, three feet in height and two feet in width, and shall be permitted in the H-C, CC-1 and CC-2 Zones only. Such signs shall be limited to professionally manufactured type signs which may only be displayed during hours of operation and shall be removed promptly upon closing of business each day. All portable signs shall also be subject to Section 29-3B and Section 29-22, and shall be securely held in place on sidewalks consisting of a minimum of six (6) feet in width so as to permit a clear and safe passageway around the sign of at least four (4) feet. An Indemnification Agreement shall be executed between the permit holder and the Borough and an Insurance Certificate provided in an amount required by the Borough which shall name the Borough as an additional insured.

1. One A Frame sign may be displayed per floor level for each street frontage.
2. An A Frame sign is not allowed if there is a projecting sign.
3. An A Frame sign shall be permitted in the H-C, CC-1 and CC-2 zones only.
4. The sign shall be professionally manufactured with a finish appearance. No paper, fiberboard, foam core board, corrugated paper or unfinished wood materials shall be permitted. A finished sign is required on both sides of the A frame sign.
5. 'Slide in letters' are not permitted.
6. Highly reflective materials are not allowed.
7. The sign may not be illuminated.
8. The sign may only be displayed during hours of operation and shall be removed promptly upon closing each day.
9. The sign is also subject to Section 29-3B and Section 29-22
10. An Indemnification Agreement shall be executed between the permit holder and the Borough and an Insurance Certificate provided in an amount of one million dollars (\$1,000,000.00) which shall name the Borough as additional insured.
11. The total size of the A frame sign shall be a maximum of nine (9) square feet. The sign area for the text or message is limited to six (6) square feet, three feet in height and two feet in width. The remaining three square feet may be used to create a sign with visual appeal. The creative use of color, typeface, message or the shape or outline of the sign shall be used to attract attention. Creative visual appeal shall include one or more of the following:
  - a. Graphic depicting the type of business on the sign.
  - b. The shape of the actual sign being non-rectangular.
  - c. Decorative elements which reinforces the image of the business.
12. Plain, simple a frame signs will not meet the creativity requirement.
13. Plastic signs are not allowed.
14. The sign can only be located in the area designated by the Zoning Officer.
15. The A frame sign must maintain a four (4) feet clear passageway and not cause a hazard to pedestrians or people exiting parked cars. A clear and safe passageway around the sign is required. The sidewalk must be a minimum of six (6) feet in width.
16. The A frame sign must be properly weighted so that it does not create a hazard to pedestrians or vehicles due to strong winds.
17. The A frame sign must be properly maintained at all times. Any sign that is weathered, faded, peeling, cracking or otherwise deteriorated must be replaced.
18. Any A frame signs that are a safety issue or do not meet the requirements of this ordinance may be subject to removal by the code enforcement office.
19. All A frame signs must be approved in advance by the Zoning Officer.

K. Projecting signs in accordance with 29-15 of this chapter.

~~Section 3.~~ Severability. If any sentence, paragraph or section of this Ordinance, or the application thereof to any persons or circumstances shall be adjudged by a court of competent jurisdiction to be invalid, or if by legislative action any sentence, paragraph or section of this Ordinance shall lose its force and effect, such judgment or action shall not affect, impair or void the remainder of this Ordinance.

Section 4. Effective Date. This Ordinance shall become effective immediately upon final passage and publication in accordance with the law.

Section 5. Repealer. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Introduced:

Adopted:

ATTEST:

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Debra L. Sopronyi  
Municipal Clerk

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Lawrence D. Quattrone  
Mayor