

TOWNSHIP OF MAPLEWOOD



ORDINANCE

2771-15

AN ORDINANCE
TO AMEND
CHAPTER 271
OF THE CODE
OF THE TOWNSHIP OF MAPLEWOOD
ENTITLED
"Zoning and Development Regulations"

"Interpretive Statement"

This ordinance will define public rights-of-way and will prohibit the placement of any signs within the public rights-of-way, except for "Open House" signs on a limited basis.

WHEREAS, the placement of signs in the public rights-of-way as herein defined, creates a safety hazard as the signs tend to distract drivers and obstruct the vision of drivers; and

WHEREAS, the regulation of signs within the public rights-of-way will help reduce this safety hazard; and

WHEREAS, a copy of this Ordinance has been provided to the Essex County Planning Board pursuant to the provisions of N.J.S.A. 40:55D-15.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Maplewood, County of Essex, State of New Jersey that Chapter 271 of the Code of the Township of Maplewood entitled "Zoning and Development Regulations" be amended as follows:

FIRST: Section 271-3 Definitions

Shall be amended to read by adding:

Public Rights-of-Way

Shall mean for this Section all dedicated streets, allies or common means of communication, travel or drainage and an area ten (10') feet from the street curb measured to the adjacent property.

SECOND: Section 271-56 Signs and Street Graphics

Shall be amended by adding the following:

Section G 6 (a)

[3] In addition, off premises "Open House" signs shall be permitted on the day that the subject property is open for inspection or an open house is being conducted on the following conditions:

[a] Any intersection shall have not more than three (3) total directional signs on the corners of the intersection and there may be only one (1) Open House sign per open house per intersection;

[b] Open House signs may be placed from sun rise to sun set on the day that the Open House is being held;

[c] Open House signs may be placed in the grass area between the sidewalk and the street, or in the absence of a sidewalk within three (3') feet of the curb adjacent to the subject property;

[d] No Open House sign may be placed in such a location so as to create, in the exclusive determination of the Maplewood Police Department, a traffic hazard.

[4] All other signs are prohibited from being placed within the public rights-of-way.

(b) Violation and Penalties.

[1] Any violation of the above shall be punished by penalty as listed in Article VI of this Chapter but in no case less than \$100.00 per violating sign per each day of violation.

[2] Additionally, any violating sign may be removed and discarded by officials of the Township of Maplewood.

All other sections shall remain unchanged.

SECOND: Severability

If any section, paragraph, subparagraph, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the specific section, paragraph, subparagraph, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

THIRD: Repeal of Prior Ordinances

Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of any such inconsistencies.

FOURTH: Effective Date

This Ordinance shall take effect after final passage and publication and as provided by law and upon notice by personal service or certified mail to the Essex County Planning Board, which shall be done within thirty days following final adoption of this Ordinance.

PUBLIC NOTICE is hereby given that the foregoing proposed Ordinance was introduced and read by title at a meeting of the Township Committee of the Township of Maplewood, held on March 3, 2015, and that Committee met again on March 17, 2015, at 7:30 p.m. at the Municipal Building, 574 Valley Street, Maplewood, New Jersey, at which time and place the Committee held a hearing and proceeded to consider the said Ordinance on second reading and final passage.

ELIZABETH J. FRITZEN, R.M.C.
Township Clerk