

B. No fence shall be in excess of six feet in height, and, in the case of an interior lot, no fence shall be built in the required front yard in excess of 36 inches in height, and, on a corner lot, no fence in excess of 36 inches in height shall be erected within the required front yard setback of all street lines. No fence post, including any decorative finial, shall be in excess of six feet, six inches. No fence shall be erected on a wall or retaining wall or within three feet from the wall or retaining wall, which when measured from the top of the wall or retaining wall to the top of the fence the highest point exceeds four feet.

C. No fence shall be built or constructed over a stream, brook or any drainage area so as to interfere with the free flow of water when said water is at its maximum height in said stream, brook or drainage area. Any fence located in a nonresidential zone shall be finished on both sides.

D. All fences shall be built or constructed in such a manner as to permit the finished side of such fence to face either adjacent properties or the street, as the case may be.

E. No fence shall be built or constructed of barbed or razor wire, or topped with metal spikes, or made of cloth, string, rope, wire, canvas, poultry netting, or constructed of any material or in any manner that may be dangerous to persons or animals. No chain-link or "cyclone" fence shall be permitted in the front yard setback.

F. In any zone on any corner lot, no fence, sign or structure, planting, line of site, or other obstruction to vision higher than twenty-eight (28") inches shall be erected or maintained along street lines within 25 feet of the intersection of any street lines.

## **ARTICLE XI, Signs and Awnings**

### **§ 240-11.1 General rules and regulations.**

Except for those signs meeting the requirements of § 240-11.2A, B, C or D, no sign, awning or canopy shall be erected without a permit issued by the Construction Official, which permit shall only be issued for signs, awnings or canopies that comply with the following rules and regulations:

A. No sign shall be erected or replaced upon the roof of a building.

B. A sign may be affixed to a parapet; provided, however, that no part of the sign so affixed shall extend more than three feet above the roof deck of the building or from the base of the parapet.

C. Where a nonconforming sign exists on the property, all applications for additional signs shall first be reviewed by the Sign Committee of the Planning Board and then require the approval of the Zoning Board of Adjustment.

D. Window signs shall not exceed 20% of the total area of the window, and no window sign shall be more than two feet in height. If there is more than one sign in any window, then said signs shall be grouped together but shall not, as a group, cover more than 20% of the square footage of said window. Telephone numbers, if included, shall not exceed 5 inches in height. No window sign or group of signs shall be permitted above the first floor of any building unless the user of the space occupies the area above the first floor only. No such sign shall be illuminated. All civic or charitable organization signs

shall be confined to two feet in height and considered temporary and shall be subject to § 240-11.2M of this chapter. Civic or charitable organization signs shall not be included in the 20% coverage permitted for window signs.

E. No sign shall consist of more than four colors, inclusive of black and white.

F. If a sign which is conforming is destroyed, it may be rebuilt or repaired to its original condition without obtaining a permit. The Construction Code Official and Zoning Officer must be notified in writing of the restoration of the conforming sign.

G. No sign shall be illuminated by lighting of intermittent or varying intensity nor by channel light. Lights shall not be so arranged they line the perimeter of any window.

H. Business signs may be illuminated but shall not be painted with or composed of neon, fluorescent, phosphorescent, LED, or similar material. Illuminated signs shall have sources of reflective light shielded in such a manner that the same are not visible from the street or adjoining properties.

I. All signs and all external lighting used in connection with the operation of any business shall be extinguished by 11:00 p.m. Notwithstanding the foregoing, the Construction Official, with the consent and advice of the Chief of Police, may authorize lighting specifically designed for the safety and the protection of properties otherwise subject to this section, which lighting, when so authorized, shall be exempt from the provisions hereof.

J. Permitted lighting for illuminated shall be limited to that concentrated upon the face of the sign. No internally illuminated or back lit signs shall be permitted. All outdoor lighting shall conform to the standards established for outdoor lighting under this chapter. All bulbs illuminating the sign must be working. If a bulb is not illuminated, then all the bulbs illuminating the sign must be turned off. Flashing bulbs are not permitted.

K. Signs in residential areas shall not exceed a maximum size of one square foot and may be illuminated only between the hours of 8:00 a.m. and 10:30 p.m., except that the sign of a physician, surgeon or dentist shall not have any time restriction. Such lighting shall be arranged so as to prevent glare.

L. No billboards are permitted.

M. Pennants, buntings, or "Grand Opening" signs are permitted, subject to the approval of the Construction Official, for a consecutive period of no more than 30 days and for no more than 30 days in one calendar year. Said signs shall not exceed 24 square feet. No pennants or buntings shall be displayed upon public property, streets, or rights-of-way. The United States flag, the New Jersey state flag, the county flag and the municipal flag may be displayed. In addition, flags of other states of the United States and other sovereign nations may also be displayed. However, when such referenced flags are displayed on a flagpole on residential property within the Borough of Oradell, such flagpole shall comply with the following requirements:

- (1) Flagpoles shall not exceed the overall maximum height level of 25 feet as measured from the top of the highest point of the flagpole to the average finished grade of the flagpole.
- (2) No flagpole shall be erected closer to any roadway located adjacent to a residence than the midpoint of the extended line created by the terminal point of the

municipal right-of-way located most proximate to any structure located on the property and the structure itself.

- N. No signs shall be permitted which compete for attention with, or may be mistaken for, a traffic signal.
- O. No sign shall extend more than eight inches beyond the face of a building or fascia to which it is attached.
- P. No sign shall be permitted on a property unless it is related to the occupancy of that property. It is the responsibility of the owner to remove all signs which do not relate to an occupancy of the property.
- Q. Company logos may be permitted on a commercial sign only after specific approval of the Board having jurisdiction over the site plan approval for the project, if applicable.
- R. No vehicle or mobile sign shall be used to circumvent those regulations.
- S. No sandwich signs or similar temporary signs are permitted.
- T. Change of occupancy. Upon termination of an occupancy of any premises, it shall be the duty of the owner of such premises to require that any signs used in connection with that occupancy be removed from the premises within five days after termination of said occupancy.
- U. No revolving or moving sign shall be permitted.
- V. No paper signs will be permitted on doors.
- W. Except as otherwise specifically provided in this article, no freestanding signs shall be permitted.
- X. No sign shall be permitted on any antenna, except for the manufacturer's logo.

#### **§ 240-11.2 Permitted signs.**

The following signs shall be permitted in all zones of the Borough:

- A. A nonilluminated nameplate, with the name of the principal occupant or the street number or name of a private dwelling, with an area of not more than one square foot.
- B. A single informational sign with an area of not more than one square foot, which may include, but not be limited to, "exit," "enter," "beware of dog," "house protected," or "use back door." No commercial name or logo is permitted on an informational sign.
- C. A single-faced sign or bulletin board for a church, school, library, club or other public or quasi-public building or use, with an area of not more than 24 square feet and a maximum length of 6 1/2 feet. Such signs may be illuminated but shall be arranged so as to prevent glare. Such signs shall not be lighted between the hours of 1:00 a.m. and 6:00 a.m.
- D. A nonilluminated temporary sign for announcing or advertising for educational, charitable, philanthropic, civic, religious or similar drive, movement or event, for four non-consecutive periods (not

exceeding 30 days per period) in any calendar year. The total area of all such signs on a lot shall not exceed 24 square feet or six feet in length.

E. Signs for sale or lease of premises; "open house" signs.

(1) A single nonilluminated temporary sign for advertising the immediate premises for sale or lease, which is located upon the premises and which may have an area of not more than four square feet in surface. Said sign shall not remain for more than 90 consecutive days for commercial premises and not more than 180 days for residential premises and must be set back 10 feet from the street property line.

(2) A single nonilluminated temporary sign conforming to the size and locational restrictions set forth in Subsection E(1) of this section advertising an "Open House" at the immediate premises for sale or lease, which sign shall be posted only on the day(s) on which an open house is actually being conducted and for a period not exceeding eight hours on such day.

F. A nonilluminated temporary political sign regarding any government election, whether national, state, county or local, which shall not exceed six square feet in area.

G. Wall signs for retail use shall be limited to one illuminated or nonilluminated sign on the principal front facade of the building, provided that, where a retail use is located on a corner lot, it may have a second sign on the wall facing the side street not exceeding 50% of that permitted on the principal front facade. The front facade sign shall not exceed a size of 1.5 square feet for each linear foot of the front facade of the building or 24 square feet, whichever is less. The lettering on retail signs shall be limited to the principal name of the company and its principal product of sale or occupation.

H. In the event of multiple use of a retail building, one sign shall be permitted for each such use on the first floor of the front facade. The sign for each such retail use shall not exceed 24 square feet or 1.5 square feet of sign area for each linear front foot of the building, whichever is less. Where a retail use is located on a corner, such use may have a second sign on the wall facing the side street, which second sign shall not exceed 50% of that permitted on the principal front facade.

I. Wall signs for office buildings, laboratories or nonretail commercial uses shall have the same requirements as the signs for retail uses covered under this article, with the exception that its lettering shall be limited to the names of the occupants, a numerical sign indicating the street address of the building and the name of the building. Also, buildings exceeding 10,000 square feet of front facade can increase their sign size to 5% of the area of the front facade or a size of 100 square feet, whichever is less.

J. Ground signs for office buildings, laboratories, nonretail commercial or retail uses are permitted with the limitation of one double-face illuminated or nonilluminated sign allowed per building at a location at least 10 feet back from the street property line and of a size not to exceed 18 square feet and/or nine feet in length. The top of the sign shall not exceed six feet above the average grade at the sign location. The lettering on such sign shall be limited to the name of the building or of the occupant and its principal product of sale or its occupation. Multi-use buildings will be permitted to list their occupants; however, no increase in size from a single occupancy will be permitted.

K. Directory signs are permitted. The total area shall not exceed eight square feet. The directory sign shall not be included in computing the footage of ground and/or facade signs.

L. A double-faced or single-faced entrance/exit sign shall be permitted for any building. The square-foot area of the sign will not be deducted from the allowed square footage permitted for the ground and

wall signs for property. Such signs shall be uniform in size, comply with the standards of the "Uniform Manual of Traffic Control Devices" and shall at a minimum meet the following requirements:

- (1) Size. The size shall be two feet in height; four feet in length; 12 inches in depth.
- (2) Lettering shall be limited to only the name of the principal occupant and the word "Entrance" or "Exit."
- (3) Coloring. Black letters on a white background shall be employed
- (4) Illumination. The sign must have a reflective surface or illumination which shall conform to the standards established for outdoor lighting under this chapter.
- (5) Height. The height of the sign from mean ground level shall not exceed four feet.
- (6) Location. The sign shall be placed on the far side of the entrance driveway relative to the direction of the traffic flow and shall be located on the owner's property with no required setback from the property line.

M. Canopy and awning signs shall be permitted, provided that the proposed canopy or awning is consistent in color, shape and size with the building to which it is annexed and is consistent with the character of any existing canopy or awning signs in the neighborhood, and further provided that the metal or rigid frame portion of the sign shall not extend more than five feet from the face of the building and must be a minimum of seven feet in height from the base of the door. In no event shall any canopy or awning consist of more than four colors, inclusive of black and white. The lettering on a canopy sign shall be limited to the name, type of business and address of the occupant only, which shall be included in determining the color and other sign calculations. In the event that a building has more than one canopy, then all canopies shall be uniform in color, shape and design.

N. Service station, automobile repair shop or public garage signs.

(1) Notwithstanding any other provisions of this section to the contrary, a gasoline service station or a public garage may display:

(a) One freestanding or pylon sign advertising the name of the station or garage and for the principal product sold on the premises, including any special company or brand name, insignia or emblem, provided that such sign shall not exceed 32 square feet in total sign area and shall not be hung closer than five feet to the property line and not less than 10 nor more than 20 feet above the ground, and/or one sign on the building.

(b) One temporary sign attached to the wall of the building and specifically advertising special seasonal servicing of automobiles, provided that said sign does not exceed seven square feet in area.

(c) Directional signs or lettering displayed over individual entrances, doors or bays, limited to one sign, not exceeding 12 inches in height and the total of which shall not exceed six square feet, for each entrance or bay.

(d) Customary lettering or insignias which are not a structural part of a gasoline pump, consisting only of the brand name of the gasoline sold, a lead warning sign, a price

indicator and any other sign required bylaw, not exceeding a total of three square feet on each pump.

(e) One nonilluminated credit card sign, not exceeding two square feet in area, to be placed on or near the gasoline pump.

(2) Nothing contained in this subsection shall be construed to create a permitted use for a gasoline service station.

(3) The construction of a canopy over gasoline pumps or pump islands shall be in conformance with this article and the requirements set forth in § 240-8.4B.

### **240-11.3 Intent, administration.**

A. It is the intention of this article to classify signs and awnings as an accessory to the building. Thus, all signs and awnings shall be designed to maintain and be consistent with the aesthetic design of the structure and the character of the neighborhood, in addition to identifying the structure and the services rendered therein.

B. All sign and awning applications shall be submitted to the Construction Official and shall depict on a drawing all the sign or awnings data necessary to evaluate compliance with this article, including size, colors, the method of illumination of any materials of the sign and a location drawing showing the full facade of the building on which any proposed wall sign is to be placed. A copy of said application shall also be submitted to the Planning Board for aesthetic review and recommendation by a three-person Sign Subcommittee of the Planning Board, two members of which shall constitute a quorum.

C. A site plan bearing the seal of a New Jersey engineer or architect must be submitted with each ground sign application, indicating thereon the location of the ground sign and setback measurements from the street lines.

D. All signs or awnings shall be properly maintained so as to be free of any unsightly condition, unkempt appearance or safety hazard that adversely affects the aesthetic quality of the surrounding neighborhood.

## **ARTICLE XII, Subdivision of Land**

### **§ 240-12.1 Submission of sketch plat.**

A. Any subdivider of land within the Borough of Oradell shall, prior to subdividing or resubdividing land, as defined in this chapter, submit to the Administrative Official, at least 10 working days prior to the regular meeting of the applicable board, the original and 17 copies of a sketch plat of the proposed subdivision for purposes of classification and preliminary discussion. All sketch plats shall indicate all property owners and addresses within 200 feet of the proposed subdivision, and those owners shall be properly notified pursuant to statute.

B. If classified and approved as a minor subdivision by the applicable board, a notation to that effect will be made on the sketch plat. A public hearing shall not be required prior to classification and approval of a minor subdivision, unless the applicable Board shall determine that the classification and approval of the subdivision as minor may detrimentally affect adjacent property. The plat will then be forwarded to