

**AN ORDINANCE UPDATING AND AMENDING THE TOWNSHIP ZONING,
CHAPTER 101 ENTITLED "ZONING," ARTICLE XIV, "SIGNS" AND ARTICLE
XVII ENTITLED "PENALTIES."**

WHEREAS, the Plainsboro Township Committee wishes to update and amend the Code of the Township of Plainsboro Chapter 101 entitled "Zoning," Article XIV, "Signs" and Article XVII, "Penalties"; and

WHEREAS, the Plainsboro Township Committee finds that the over proliferation of signs through the Township needs to be addressed, to protect the public's health, safety and welfare, as well as to protect everyone's right of free speech.

NOW THEREFORE BE IT ORDAINED by the Township Committee of Plainsboro Township, County of Middlesex, State of New Jersey, as follows:

SECTION I

The Code of the Township of Plainsboro, New Jersey, Chapter 101, "Zoning Ordinance," Article XIV, "Signs" is hereby amended and supplemented as follows:

§ 101-155. Short title.

The short title by which this article of the Zoning Ordinance shall be known is the "Sign Ordinance of the Township of Plainsboro, Middlesex County, New Jersey."

§ 101-156. General prohibitions.

The following types of signs are prohibited everywhere:

- A. Advertising signs commonly known as "billboards" or those promoting the sale of goods or services not available on the premises.
- B. Signs painted or constructed on the exterior walls of buildings and having the physical characteristics of billboards, whether or not they relate to the business transacted on the premises.
- C. Silhouetted or three-dimensional signs, i.e., signs lacking a background and having letters, figures or devices silhouetted against the sky or other open space not a part of the sign, and/or signs in which objects or representational devices are present in the round or other than in a vertical plane.
- D. Signs in which the colors red and green are used either in direct illumination or in high reflection by the use of special preparations such as fluorescent paints or glass in such manner as to resemble traffic signs.
- E. Flashing, intermittent, moving or fluttering flag or pennant signs.
- F. Signs producing glare or using bare bulbs or tubing such as fluorescent or neon.
- G. Any sign visible from the public right-of-way using an arrow or the word "stop."
- H. Any freestanding sign or any sign projecting from a building within a triangular area bounded by the intersection of two right-of-way lines and a line connecting points 30 feet from such intersection along the right-of-way lines, whether existing or shown on the Zoning Map, or in sight clearance triangles specified in other regulations.

- I. Roof signs extending above or attached to the parapet or eaves of a building or within 10 feet of the building.
- J. Any sign on a vehicle not on the surface of the standard body, except standard taxi signs.
- K. Any sign advertising property, goods or services that are no longer available.
- L. The replacement of any nonconforming sign.
- M. Signs on vehicles parked on or adjacent to premises, which exceed any of the provisions set forth elsewhere.
- N. Any sign (including hand held or human body mounted) intended to benefit a commercial business, including an internet business, when such sign is placed on Township property, including within a street right-of-way, park, or other Township properties. Ground mounted signs found to be in violation of this provision shall be removed and discarded by the Township without prior notice.

§ 101-157. Signs permitted in all districts.

The following regulations shall apply to all signs and outdoor advertising and shall be in addition to other regulations for specific uses elsewhere in this chapter.

Purpose; legislative intent. The purpose of this section is to promulgate and enforce regulations to uphold the Township's aesthetic and safety interests by minimizing clutter, obstructed views and various traffic hazards, while upholding the right to express free speech and the exchange of ideas.

- A. Permanent signs.
 - (1) (P-1) All signs owned by the Township, county, State of New Jersey or United States.
 - (2) (P-2) Memorial or historical markers.
 - (3) (P-3) Nonilluminated signs with the name of the principal occupant, street address and/or name of private residence.
 - (4) (P-4) Identification signs for public or quasi-public facilities such as schools, libraries, churches, hospitals or clubs.
 - (5) (P-5) Signs indicating the private nature of the road, driveway or other premises, and signs controlling the use of private property such as prohibitions on hunting or fishing.
 - (6) (P-6) Directional signs.
- B. Temporary signs.
 - (1) (T-1) Signs pertaining to the leasing or sale of residential property on which they are placed, provided such signs are removed within seven days after consummation of such lease or sale. Signs as above described placed in large housing developments or acreage containing more than one house lot shall be removed when all the properties have transferred to individual renters or purchasers.
 - (2) (T-2) Signs identifying architects, engineers, contractors, tradesmen or others engaged in construction work, located on the lot during construction. Signs with street number of new building, project title and sponsor, owner or tenant may also be erected.
 - (3) (T-3) Signs announcing or advertising any educational, charitable, professional, civic, religious or like campaign, drive or event, for one consecutive period not exceeding ten (10) days in any calendar year.
 - (4) (T-4) Signs advertising the sale of farm products when the product is actually on sale.

- (5) (T-5) Directional signs concerning transitory purposes or occasions. Such signs shall be removed as soon as the purpose or occasion has passed and in any event within 30 days of the sign's posting.
- (6) (T-6) Political signs pertaining to federal, state, county or local candidates or questions to be voted upon by the residents of the Township at an upcoming election, shall be subject to the following limitations:
 - (a) No political signs shall be permitted on Township property except within Township street rights-of-way as provided below.
 - (b) Signs shall be located so as not to adversely affect the visibility of motorists. No signs shall be permitted within a street median area. Signs shall be located a minimum of ten (10) feet from the edge of a roadway.
 - (c) Signs shall be located so as not to obstruct or encroach upon sidewalks or bike paths/bike lanes, or to create a visual obstruction that would be hazardous to pedestrians or cyclists using such pathways.
 - (d) Political signs shall be placed not more than forty-five (45) days prior to the function, event, or election to which they apply.
 - (e) Political signs shall be removed not more than ten (10) days after the function, event, or election to which they apply.
 - (f) Any political signs placed on private property require the consent of the property owner prior to installation of the signs.
 - (g) The political organization or private property owner installing such signs shall assume all responsibility and liability for any property damage and risk of personal injury resulting from the installation or removal of such signs.
 - (h) The candidate, committee chairperson, campaign treasurer or designee shall be responsible for the removal of all political signs within the Township street rights-of-way; except where such signs were installed by the owner of the adjoining private lot(s), in which case, the owner of such property is responsible for the removal of such signs, including any such signs on the adjoining private lot(s), subject to the limitations set forth above.
- (7) (T-7) Signs erected to advertise the sale and/or lease of any structure in nonresidential use or any portion thereof, provided said signs comply with the following requirements to the satisfaction of the Township Planner/Zoning Officer.
 - (a) Zoning compliance approval shall be required to initially erect and thereafter maintain a sign pursuant to the provisions of this section.
 - (b) Prior to installation, the applicant for such sign shall be responsible for contacting the utility locator service regarding underground utilities.
 - (c) The sign face shall be no larger than four feet by four feet, with a total sign height of no more than eight feet for sign locations along Route One and six feet elsewhere.
 - (d) The background color of the sign shall be forest green (PMS No. 5743). Other colors may be used for the real estate broker or leasing agent company logo. No fluorescent colors shall be

permitted and all letters and numbers on the sign shall be white.

- (e) No logo or letters shall be taller than 12 inches.
- (f) The sign may be constructed of wood or metal, but all portions of the sign structure, including the sides, back and support posts, shall adhere to the applicable background color noted above.
- (g) The sign shall not be equipped with lighting.
- (h) The sign may be double sided, but a V-type sign is prohibited.
- (i) A separate temporary construction sign in addition to a temporary sales or leasing sign may be erected if the project is under construction.
- (j) The sign shall be located outside the public right-of-way on land associated with the building or buildings to which it refers, but not within an area designated as an open space conservation area on the approved site plan. No sign shall be located within a sight triangle or in any manner that would obstruct the vision of motor vehicle drivers.
- (k) Such sign shall at all times be kept in good repair, including replacement or repair of broken structural elements, casings or facings and maintenance of legibility. The area surrounding such sign shall be kept neat and clean.
- (l) Only one sales and/or leasing sign shall be permitted per building. This shall be the case even if a building has frontage on more than one street. In the case of a complex of three or more buildings under common ownership, then a maximum of two such signs shall be permitted.
- (m) Such signs shall only be permitted where the vacancy rate for such nonresidential building or portion thereof is at least 10% or 10,000 square feet for buildings containing 100,000 or more square feet of leasable space.
- (n) In an effort to facilitate the occupancy of nonresidential space soon to become vacant, such signs may be permitted for a building up to 90 days in advance of such building meeting the above occupancy standard, subject to providing documentation to the Township Planner/Zoning Officer supporting such anticipated vacancy.
- (o) In order to demonstrate compliance with the above provisions, six months after the initial approval to install the sign and anytime thereafter upon request, the party or parties involved with the sign shall, within 14 days of such request, provide evidence that such sign or signs continue to comply with these regulations.
- (p) Any sign initially approved under these regulations that no longer complies with these regulations, including where the building involved no longer qualifies for such sign, shall be removed within 14 days of such occurrence. This shall mean that such sign shall be removed within 14 days of final execution of a contract of sale or lease for the building involved that would result in a vacancy rate below the standard set forth above.

§ 101-158. Signs permitted in areas other than residential.

Signs complying with the following provisions are permitted in all districts other than residence:

- A. Location.
 - (1) Each sign shall be placed parallel to building wall and projecting not more than 12 inches therefrom. Each sign shall be below the top of the first story, below the top of the parapet of the premises or not over 12 feet above grade, whichever shall be lower.
 - (2) No sign shall be placed upon or above the roof of any building nor shall any sign project above the top or beyond the ends of the wall surface upon which it is placed. No sign shall project into a required yard or beyond the lot or street line. All signs shall be on the lot to which they refer, except for directional signs as permitted by the Zoning Officer.
- B. Area. No sign shall exceed 28 square feet in area. The aggregate area of signs on or in front of any one store facade or within five feet of any window shall not exceed 35 square feet or a square footage equal in amount to 40% of the linear front footage of such facade, whichever shall be greater: provided that in no event shall such aggregate area exceed 56 square feet.
- C. Temporary signs. Temporary signs may be used, subject to all foregoing limitations other than in area. In area they may not be such that the total of both temporary and other signs exceeds 150% of that permitted for the other signs. Displays of merchandise and labels on merchandise containers are not considered signs.
- D. Directory signs.
 - (1) One nonilluminated sign, with the name and type of business of the principal tenants renting space in the rear or in the upper floors of such building, located at the principal entrance to such rented area. The area of such sign devoted to each such tenant shall not exceed 72 square inches, and the total area of such sign shall not exceed eight square feet. Each business may have one additional nonilluminated sign with an area not exceeding 72 square inches at a side or rear entrance serving such business.
 - (2) One additional directory sign for any business building (other than a gasoline service station), provided that such business building is set back more than 20 feet beyond the front yard. This sign may be located within the front yard of such premises and may be illuminated, set at right angles to the street and lettered on both sides. Each side of such sign may have the names of all principal tenants of the building. The area of such sign devoted to each tenant shall not exceed 72 square inches, and the total area of such sign shall not exceed eight square feet.
- E. Permitted signs. The following table shows the standards to which each permitted sign type must conform, regardless of the district in which it is located:

	P-1	P-2	P-3	P-4	P-5	P-6
Maximum area for 1 sign (square feet)	—	12	1	12	4	1
Maximum number of signs per lot	—	2	1/person	—	—	—
Minimum setback from public right-of-way (feet)	—	10	—	—	—	—
Maximum height to top, if sign attached to building (feet)	—	bldg. hgt.	6	6	6	—
Maximum height to top, if sign freestanding (feet)	—	10	6	6	6	—

F. Standards for temporary signs. The following table shows the standards to which each of the permitted temporary sign types must conform, regardless of the district in which it is located:

	T-1	T-2	T-3	T-4	T-5
Maximum area for 1 sign (square feet)	6 ¹	4	20	12	1
Maximum number of signs per lot	2 ¹	---	1	2	---
Minimum setback from public right-of-way (feet)	25 ³	25 ³	25 ³	10	---
Maximum height to top, if sign attached to building (feet)	bldg. hgt.	6	6	6	---
Maximum height to top, if sign freestanding (feet)	6	6	6	6	6

Notes:

1. Limit of one square foot sign per lot for a sign advertising a room or apartment for rent. An approved subdivision may have one twenty-five sq. ft. freestanding sign.
2. One for each trade or profession, or one not exceeding 36 sq. ft. for all trades and professions.
3. Twenty-five feet or building face.
4. For T-6 and T-7 signs, see details set forth in sections 101-157.B.(6) and 101-157.B.(7), respectively.

G. T-3, T-4, and T-5 temporary signs pertaining to non-profit organizations and approved farm stands located in Plainsboro may be approved to be located within a Township street right-of-way subject to the following standards.

- (1) Signs shall be limited in size to three square feet in area (e.g., 18 inches by 24 inches) and no more than seven (7) signs may be approved for installation per organization making such request.
- (2) Signs shall be located so as not to adversely affect the visibility of motorists. No signs shall be permitted within a street median area. Signs shall be located a minimum of ten (10) feet from the edge of a roadway.
- (3) Signs shall be located so as not to obstruct or encroach upon sidewalks or bike paths/bike lanes, or to create a visual obstruction that would be hazardous to pedestrians or cyclists using such pathways.
- (4) No temporary signs shall be permitted on Township property.
- (5) Such signs may remain in place for a period not to exceed ten (10) days in a calendar year, with the date of installation and removal specifically set forth in the request to install the signs. Additional signs during a calendar year or for periods exceeding ten (10) days may be considered with just cause at the discretion of the Township.
- (6) If any of the approved signs become the subject of complaints, some or all of the signs shall be relocated or removed at the discretion of the Township.
- (7) The party requesting the installation of non-profit organization related signs shall provide evidence of their non-profit status by the Federal Internal Revenue Service (IRS).
- (8) The organization making the request shall assume all responsibility and liability for any property damage and risk of personal injury resulting from the installation or removal of such signs.
- (9) Compliance with each of the above conditions shall be memorialized in writing by the party making the sign request, which shall be subject to the review and approval of the Township.

- (10) Notwithstanding the above provisions, any sign installed within a Township street right-of-way may be removed and discarded with or without cause and without prior notice at the discretion of the Township.
- H. Internal illuminated signs. Internal illuminated signs shall conform to the following standards:
- (1) The translucent face will be constructed of shatterproof material not less than 1/16 inch in thickness with a flame spread rating of less than 2 1/2 inches per minute when subjected to the ASTM standard test for flammability of plastics in sheets of 6/100 of an inch in thickness.
 - (2) All wiring will be in conduit with a clearance of not less than two inches from the sign face.
 - (3) Sign will be free of bright spots.
 - (4) No sign will produce a light greater than 20 footcandles measured one foot from the face of the sign.
 - (5) Separated letter signs will have only one translucent face. Each letter will be constructed on the rear and both sides of metal. Each letter will have a metal blinder around the entire perimeter extending 1 1/2 inches past the outermost portion of the translucent face.
 - (6) Panel one-piece signs will have only one translucent face. The entire sign will have a metal blinder around the whole perimeter extending not less than six inches beyond the outermost portion of the translucent face.
- I. Definition of the area of a sign. "Area" shall mean the maximum projected area of the oblong, parallelogram or other shape which encloses the sign structure, device or representation. For a freestanding or projecting sign, all sides which are used as a sign shall be included in the computation of the area of the sign.
- J. Any sign costing more than \$200 will require a building permit. The application for permit must contain the following:
- (1) Plot plan to scale, showing all roads and intersections within 1,000 feet of the proposed location, complete property layout, location of existing and proposed sign and buildings.
 - (2) Plans and elevations in detail of the sign supports, method of mounting and/or footings and signed by a registered architect or engineer.
 - (3) Completed permit application form.
 - (4) Fees for signs shall be as required by § 55-7A of the Township Code. [Amended 5-11-1981 by Ord. No. 0-81-10]
- K. When any sign becomes insecure or unsafe or is unlawfully installed or maintained in violation of this article, the owner of the property where the sign is erected will, on 10 days' written notice by the Township Construction Official, have the sign repaired or removed. If the order is disregarded, the Township Construction Official may cause the removal of the sign, and the cost will be paid by the property owner.
- L. Business information signs. Notwithstanding the prohibition in § 101-156F regarding neon and similar signs, business establishments that are permitted in the zone district where they are located and provide direct services to the general public (e.g., retail stores, personal service establishments, restaurants), but not including existing businesses established by use variance or home occupations/professional offices, shall be permitted to display one illuminated business information door or window sign (e.g., "open," business hours, etc.), which sign shall be located on the interior of the door or window to which it is

affixed, may include neon tubing or similar illuminated sign elements, and shall be subject to the following limitations:

- (1) Sign area limited to two square feet.
- (2) Maximum height of text shall be six inches.
- (3) Maximum of two colors (e.g., red letters and blue accent elements).
- (4) No flashing or animated letters or other sign elements.
- (5) No logo or pictorial graphic elements.
- (6) Sign may be illuminated during business hours only.

ARTICLE XVII

Penalties

§ 101-171. Enforcement, recordkeeping, violations and penalties.

- C. Violations and penalties. For each and every violation of the Zoning Ordinance, the owner, contractor or other person or persons interested as lessee, tenant or otherwise in any building or premises where such violation has been committed or shall exist and who refuses to abate said violation within five days after written notice has been served upon him, either by registered mail or by personal service, shall be subject to a fine of up to \$5,000 or to imprisonment for not more than 90 days, or both, at the discretion of the court or judicial officer before whom a conviction may be had. Each and every day that such violation continues after such notice shall be considered a separate and specific violation.

SECTION II

In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged to be invalid, and the remaining portions of the Ordinance shall be deemed severable therefrom and shall not be affected.

SECTION III

This Ordinance shall take effect upon final passage and publication in accordance with the law.

Introduced at a Meeting of the Township Committee of the Township of Plainsboro on **April 13, 2016** and published on **April 16, 2016**. Adopted at a Meeting held on **May 11, 2016** and published on **May 14, 2016**.