

ORDINANCE 2025-11

ORDINANCE OF THE TOWN OF HACKETTSTOWN AMENDING SECTION 513 OF THE LAND USE CODE (SIGNS)

WHEREAS, the Town of Hackettstown (the “Town”) is a municipal corporation of the State of New Jersey; and

WHEREAS, Section 513 of the Town Land Use Code currently lists the general standards and regulations applicable to the erection of signs within the Town; and

WHEREAS, the Mayor and Common Council have determined it would be beneficial to the Town and its residents to update and modernize the sign regulations; and

WHEREAS, in furtherance of the foregoing, the Town must amend Section 513 of the Town Land Use Code to delete Section 513 in its entirety and replace it with the following.

NOW THEREFORE BE IT ORDAINED by the Mayor and Common Council of the Town of Hackettstown that 513 of the Town Land Use Code shall be deleted in its entirety and replaced with following.

SECTION I

513. SIGNS

SIGNS

a. **Purpose and Findings.** In an effort to promote the general welfare and public safety, it is the purpose of this subsection to establish reasonable regulations for the number, size, location, maintenance and character of all signs on public and private property that are visible from the exterior of any land or structure in the Town of Hackettstown. The Town of Hackettstown finds that signs are an important and helpful method of communicating a variety of non-commercial and commercial messages and promoting economic development, provided that they do not distract motorists or become a threat to public safety as a traffic hazard, cause a detriment to property values, create visual clutter or pollution or otherwise negatively affect the public safety and welfare.

b. **Definitions.**

AWNING — Shall mean any roof-like cover that projects from a building wall for the purpose of shielding a window or doorway from the elements and that is totally supported by the building from which it projects without support from the ground below.

BILLBOARD — Shall mean any structure or portion thereof on which lettered or pictorial matter is displayed for advertising purposes and that is located on a building or site other than the building or site to which the advertising relates.

CANOPY — Shall mean any roof-like cover, either freestanding or attached to a building wall, that is supported totally or partially by the ground below.

ELECTION SEASON --- Election Season means the period beginning 46 days before a scheduled primary or general election and ending 10 days after that election.

EVENT — Shall mean, for the purposes of this section as it relates to temporary commercial signs, any short term, temporary happening or special occurrence that is not part of the ordinary, daily or usual operation of a business or use, including, but not limited, to a political campaign or election, a real estate transaction, a grand opening, a raffle or fundraiser, a seasonal sale or harvest, or a special sales promotion or occurrence.

LOGO — Shall mean any graphic drawing or trademark containing a pictorial representation and/or limited lettering. Phrases or mottoes shall not be considered part of the logo.

MARQUEE — Shall mean any permanent structure attached to a building wall, having horizontal or nearly horizontal top and bottom surfaces, with no vertical group support, that is intended to serve as a covering over the ground below and may be used for the display of changeable lettering.

NAMEPLATE SIGN — Shall mean a sign bearing the name and/or address of the principal occupant of a building for emergency, identification and directional purposes.

NEW BUSINESS – Shall mean any business at a location that has been actively in operation for ninety (90) days or less.

SIGN — Shall mean any object, device, display or structure, or part thereof, situated outdoors or indoors in view of the general public, that is used to advertise, identify, display, promote, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means of visual communication, including words, letters, logos, figures, design, symbols, fixtures, colors, illumination or projected images. Displays of the actual products offered by the on-site business visible through a window or temporary holiday displays, holiday decorations or holiday lighting located on a property for no longer than a sixty-day time period shall not be considered signs for the purpose of this section.

SIGN, ATTACHED OR WALL — Shall mean any sign permanently affixed parallel to the exterior face of a building wall or to an awning, canopy or marquee.

SIGN, BLADE — Shall mean a small, pedestrian-oriented sign that projects perpendicular from a structure.

SIGN, CAMPAIGN — Shall mean any sign that gives notice of a political campaign or expresses support for or opposition to a candidate or question in any special or general election, referendum, or other plebiscite at the Federal, State, County or local level and that is erected for a limited period of time. For the purposes of this section, campaign signs are considered non-commercial signs.

SIGN, COMMERCIAL — Shall mean any sign that proposes a commercial transaction or advances the economic interests of the speaker.

SIGN, DIRECTIONAL — Shall mean a sign whose message is exclusively limited to guiding the circulation of motorists or pedestrians on the site.

SIGN, FREESTANDING — Shall mean any sign supported by a footing, foundation, uprights or braces placed upon or in the ground and not attached to any building.

SIGN, ILLUMINATED — Shall mean any sign lighted by or exposed to artificial lighting, either from within the sign or directed towards the sign.

SIGN, LIGHT BOX — Shall mean a sign with an indirect source of light which illuminates a sign by shining through a translucent surface of a sign, including plastic signs, lit from an internal light source.

SIGN, MONUMENT — Shall mean a freestanding sign supported primarily by an internal structural framework or integrated into landscaping or other solid structural features other than support poles.

SIGN, NON-COMMERCIAL — Shall mean any sign that conveys a message that does not propose a commercial transaction or advance the economic interests of the speaker, including but not limited to signs for charitable, cultural, community, religious or political events or interests of a noncommercial nature.

SIGN, NONCONFORMING — Shall mean any sign that existed prior to the effective date of this subsection and that does not comply with the provisions of this subsection.

SIGN, PORTABLE — Shall mean any sign that is fixed on a movable stand, self-supporting without being firmly imbedded in the ground or permanently attached to a building, awning, canopy or marquee, designed to be transported and supported by other objects, mounted on wheels or movable vehicles, or made easily movable in some other manner.

SIGN, REAL ESTATE — Shall mean any sign that advertises the sale, rental or lease of the premises on which it is located, or portion thereof, including "open house", "under contract", "sold", or "too late" signs, or signs otherwise indicating in some manner that a property has been sold. For the purposes of this subsection, real estate signs are considered commercial signs.

A-FRAME SIGN, SANDWICH BOARD — Shall mean an advertising or business ground sign constructed in such a manner as to form an "A" or a tent-like shape, hinged or not hinged at the top; each angular face held at an appropriate distance by a supporting member.

SIGN, SUSPENDED — Shall mean any sign hanging or suspended from a building wall, awning, canopy, marquee or roof overhang, whether parallel, perpendicular or nearly perpendicular thereto, rather than an attached sign.

SIGN, TEMPORARY — Shall mean any freestanding, attached or interior window sign that is listed in Subsection h of this subsection and is erected for a limited period of time.

SIGN, WARNING — Shall mean any sign that functions to provide a warning of a dangerous condition or situation that might not be readily apparent or that poses a threat of a serious injury (e.g., gas line, high voltage, condemned building, etc.) or that functions to provide a warning of a violation of law (e.g., no trespassing, no hunting allowed, no solicitation, etc.)

SIGN, WINDOW — Shall mean any representation painted, stenciled, or affixed to a window or the glass of a door that can be seen from the outside of the building.

c. **Required Sign or Construction Permit**

1. Unless otherwise specifically noted in this section, any sign in the Town of Hackettstown shall require a sign permit prior to the erection, re-erection, construction, placement or location of any sign in the Town of Hackettstown. Where a construction

permit is required by State law, the Town Zoning Officer shall first review the sign application and plans for conformance with the subsection provisions prior to referring the application to the Town Construction Official or his/her designee for the issuance of a construction permit.

- (a) The Town Zoning Officer shall issue a sign permit for any sign that has been approved by the Planning Board or Zoning Board of Adjustment, as the case may be, as part of an approved development application.
- (b) All other signs requiring a permit shall require that plans be submitted to the Town Zoning Officer or his/her designee in accordance with the below.

2. All plans shall be submitted with the appropriate application form and shall include the following details:
 - (a) A scaled drawing of the proposed sign, indicating the dimensions, the type and materials to be used in its construction, the wording and any artwork, including letter height, typeface and color;
 - (b) Any proposed lighting, indicating the power and type of light and a detail of the light fixture;
 - (c) The mechanism and materials to be used for supporting, erecting, anchoring or attaching the proposed sign;
 - (d) For attached or suspended signs, the plans shall include a scaled drawing of the entire facade elevation of the building or structure to which the sign is to be attached, with the proposed location and mounting height of the sign clearly indicated;
 - (e) For freestanding signs, the plans shall include a scaled drawing of the property, with the proposed location, setbacks and mounting height of the sign plotted thereon, as well as the location and type of any proposed landscaping; and
 - (f) Any other information required by other local, State or Federal law.
3. Upon review of the submitted plans, the Town Zoning Officer or his/her designee shall promptly issue the sign permit for the sign within 15 days after the filing of the sign permit, provided it meets all applicable requirements of the subsection. Additional time may be necessary in order to provide sufficient time for review and comment by the Town Historic Preservation Commission for signs within the designated Historic District. The Zoning Officer or his/her designee shall either issue or deny the permit. If denied, the Zoning Officer shall indicate in writing the reason(s) for such denial; provided, however, if the Zoning Officer has particular questions, the application may be referred to the Planning Board for review and comment prior to action by the Zoning Officer. When a construction permit is required for a sign by State law, the Town Construction Official shall issue a construction permit once a sign permit is issued for the sign, provided it meets any other applicable codes.
 - (a) Where a sign permit is required for a temporary sign, the sign must be erected or installed within 45 days of the date of issuance of said permit, or the sign permit shall expire. Upon expiration of said permit, the applicant shall be required to

submit a new application form and fee, and the application shall proceed as a new application.

- d. **General Sign Provisions Applicable to All Signs in All Zoning Districts.** No sign shall be erected, displayed, altered or replaced that is not in accordance with the standards established in the subsection. No sign shall be placed on or attached to a building or erected on a lot for any purpose unless specifically permitted herein.
 1. **Attached Signs.** Attached signs shall be firmly attached to the exterior wall of a building, shall project not more than six (6) inches from the building and shall be positioned in the architectural sign band on the building facade, if provided. No attached sign shall be located on a roof, dormer or second story wall area or window, except that attached signs may be permitted on the second or higher story wall of a building in the non-residential Zones, provided that only one use occupies all floors of that portion of the building. No sign may be higher than twenty feet except that no sign shall exceed any lesser height if particularly specified.
 2. **Freestanding Signs.** Freestanding signs shall be supported by one or more columns or uprights that are firmly imbedded in the ground; exposed guy wires, chains or other connections shall not be a permitted support of a freestanding sign. No sign may be higher than twenty feet except that no sign shall exceed any lesser height if particularly specified.
 3. **Suspended Signs.** Suspended signs shall be securely suspended perpendicular to the building from a roof over a common walkway in a multiple use building or from a support attached to the wall face of a building. Suspended signs shall be no closer than eight (8) feet to the finished grade below.
 4. **Sign Height.** No freestanding sign shall be higher than eight (8) feet and no attached sign shall be higher than twenty 20 feet, measured to the top of the sign from the grade beneath the sign, except that no sign shall exceed any lesser height specifically set forth elsewhere in the subsection. The sign shall not be located on a mound or berm unless specifically approved by the Planning or Zoning Board.
 5. **Sign Location.** No portion of any sign shall be located on, within or suspended over a public right-of-way or any Town-owned property, unless specifically approved by the Mayor and Common Council. No sign of any type shall be permitted in a sight triangle easement or permitted to obstruct driving vision, traffic signals, street signs, traffic directional and identification signs, other places of business, other signs or windows of the building on which they are located, or sight visibility at a driveway intersection with a street.
 6. **Illuminated Signs.** Internally illuminated signs or exterior lights that illuminate signs shall be arranged in a manner to prevent sky glow, any light or glare from shining or reflecting upon any street, sidewalk, or adjacent property and adjacent residential districts. Illuminated signs shall not be erected in residential districts.
 - (a) If a sign is to be internally illuminated, at least 75% of the background around the letters and any logo on the sign shall be opaque and shall not be illuminated. Dark, opaque backgrounds with light colored lettering or symbols that are backlit are preferred to minimize detrimental effects.

(b) If a sign is to be externally illuminated, then the lighting shall be provided either from below the sign by ground mounted lights or from above the sign by lights attached to the top of the sign. The lights shall be focused directly and completely onto the sign face, with appropriate and necessary shielding on the top, sides, and if necessary, bottom of the fixture to prevent any sight of the light source from any street, sidewalk or neighboring property.

(1) Exterior lighting to be provided by ground mounted lights shall be permitted by incandescent spotlights only where the sign has no visible clearance under the sign or where there is sufficient landscaping planted under the sign to block light under the sign.

(2) The lights shall be mounted in or on the ground so that they are securely fixed, both in their location and their angle of illumination, in order to focus the light onto the face of the sign and away from the street. V-shaped signs allow the lights to be focused away from the street.

(3) No exterior light shall exceed 100 watts. The use of mercury vapor lighting is prohibited.

(c) Light emission from any sign lighting shall not exceed one foot candle at a distance of two feet from the sign surface.

(d) Unless otherwise permitted by the Planning Board or Zoning Board of Adjustment, as the case may be, illuminated signs or the exterior lights that illuminate signs shall be turned off by the close of business of the use(s) advertised or identified on the sign or by 11:00 p.m., whichever is later.

7. **Nonconforming Signs.** Nonconforming signs may be continued in use, but may not be enlarged, relocated, altered, rebuilt, extended or made less conforming. An attached nonconforming sign may be temporarily removed from the exterior face of a building wall to allow for the maintenance, cleaning, painting or repair of the exterior building wall, provided that the sign is reattached in the same location within 60 days of its removal. If the sign is not reattached in the same location or within the sixty-day time period, the sign shall be required to conform to the provisions of this section.

8. **Sign Area.** The area of a sign shall be measured around the edges of a framed or enclosed sign or, where the sign has no frame or enclosure, by the area utilized by isolated words and/or symbols, including the background whether open or enclosed, as framed by a tight rectangle around all of the letters and graphics; in either case, the area of the sign shall not include any supporting framework and bracing incidental to the display itself.

9. **Signs With Two Exposures.** Flat signs, or V-shaped signs with less than 30° angle, shall be measured for area by using the surface of one side of the sign only. Both sides of the sign may be used.

10. **Window Signs.**

(a) Interior window signs that are painted, stenciled or otherwise permanently or semi-permanently affixed to or directly behind a window or the glass of a door and that are visible from the outside of the building shall not cover more than 50% of a

window or the glass of a door. When lettering in such window or door is over three (3) inches in height. Then the window or door sign shall be considered as the permitted wall sign and shall require a permit.

(b) **Wording, Numbering and Logos on Signs.** The wording, numbering and logos of all signs shall be clearly written and legible in order to identify uses and proprietorship in emergency situations.

(c) **Temporary window signs** shall not require a sign or construction permit, but must obtain a zoning permit and comply with all size and color requirements. Temporary window signs are not permitted to be up for more than 30 consecutive days.

(d) **Neon window signs** not exceeding five square feet are permitted and shall be included in the 50% window coverage limit set forth in paragraph (a) above.

11. **Street Addresses on Signs.** All freestanding signs shall reflect the street number of the address for the property upon which it is located, except for shopping centers and other complexes or where the address is clearly displayed elsewhere on the property and is readable from the public road upon which it fronts.

e. **Signs Prohibited in All Zoning Districts.** The following signs shall be prohibited in all zoning districts:

1. Animated, moving, fluttering and illusionary signs or rotating signs or signs using mechanical or electrical devices to revolve, flash or display movement, intermittent illumination or the illusion of movement.
2. Signs that have any lighting or control mechanisms that cause radio, television or phone interference.
3. Signs with red, green, blue or amber illumination in a beam, beacon or flashing form resembling an emergency light, safety or warning device or traffic signal.
4. Billboards.
5. Signs painted on a building wall, sidewalk or curb.
6. Signs located on or above the roof of a building or extending above the top or beyond the ends of an awning, canopy, marquee, or mansard roof.
7. Attached or suspended signs that are affixed to any tree, fence, or any electrical, telephone or other public utility pole.
8. Signs that advertise a product that is not the principal use of the subject property.
9. No sign shall be erected that omits sound, odor or other nuisance which is beyond the property lines or above twenty-five (25) feet.
10. No sign having a message which itself is lewd or advocates an act in violation of any municipal, county, state or federal law is permitted.
11. No signs except for traffic signs and those of a duly constituted governmental body shall be erected within the street right of way nor shall any sign be placed on a property without the consent of that owner.

12. No building permit for a new sign shall be issued on any applicant property containing a non-conforming sign, until such time as the signage is removed.
- f. **Signs Permitted in All Zoning Districts.** The following signs shall be permitted in any zoning district as a matter of law or for the purpose of providing information necessary to the public and to emergency personnel. These signs are permitted without the need to obtain a sign or construction permit and shall not be considered when calculating the total sign area otherwise permitted on the subject property:
 1. **Flag of a Political or Governmental Jurisdiction.** The flag of a political or governmental jurisdiction shall be permitted, provided it is displayed in accordance with established laws and customs.
 2. **Traffic Signs.** Permanent traffic signs, railroad crossing signs, danger signs and temporary emergency or safety signs required for governmental or public utility employees to complete their official work shall be permitted.
 3. **Historic Plaques.** Unlighted historic building plaques for buildings that have been designated as historic shall be permitted, provided the subject signage conforms to all applicable historic preservation ordinances.
 4. **Street Signs.** Street signs shall be permitted, subject to the following requirements:
 - (a) At the expense of the developer, if applicable, at least two street signs shall be placed at each four-way street intersection and at least one street sign shall be placed at each "T" intersection. Street signs shall be installed as approved by the Town Engineer and the Chief of Police.
 - (b) All street signs shall be installed free of visual obstruction, shall be placed so as not to obstruct sight distances and shall be located under light standards, if present, so that the street name is clearly visible.
 - (c) Unless otherwise specifically approved as part of a submitted subdivision or site plan application for development, the design of street signs shall be of the type and style found throughout the Town of Hackettstown; shall be of the same uniform size and color; and shall read horizontally and not vertically. The lettering and background for the signs shall be of sufficiently contrasting colors to facilitate easy readability.
 - (d) If street signs are designed differently than those installed elsewhere in the Town of Hackettstown and are approved, upon request of the applicant, by the Planning Board or the Zoning Board of Adjustment, as the case may be, as part of a site plan or subdivision application, the applicant must make provision for the maintenance and/or replacement of said signs by an entity other than the Town of Hackettstown.
 5. **Information, Direction and Warning Signs.** For the purpose of providing necessary traffic circulation directions and public safety information, customary and typical street number designations, postal boxes, "private property" signs, on-site directional signs, parking signs, warning signs and other similar signs shall be permitted, provided they do not exceed two square feet in area and do not display any type of advertising.
 6. **Nameplate Signs.** For the purposes of providing identification information to the

public, one nameplate sign per lot, bearing the name and/or address of the principal occupant only and not exceeding six inches in height and 18 inches in length, shall be permitted on a property.

g. **Signs Permitted in Individual Zoning Districts.** For permitted signs and applicable requirements in each individual zoning district, see the zoning provisions in the specific subsection under each zoning district.

h. **Permitted Temporary Signs.**

1. **Temporary External Signs.** non-commercial or commercial signs, either freestanding or attached, are permitted to be erected on a lot in accordance with the following:

(a) All temporary signs shall be non-illuminated and shall be legibly and neatly painted and, if they are freestanding, they shall be firmly imbedded in the ground and securely anchored for aesthetic and safety purposes. Temporary signs shall be constructed of wood, metal, heavy plastic or other sturdy material if they are to be erected for more than three days, except that during Election Season, signs may be constructed of other rain resistant material.

(b) All temporary signs shall be removed within 30 days from the date of their installation, or within five (5) days after the close or end of an advertised event or within 30 days from the date of their installation, whichever date is earlier, and except as follows:

(1) With the exception of Election Season, any temporary sign not constructed of wood, metal, heavy plastic or other sturdy material shall be removed after three (3) days.

(2) During any Election Season, the following rules shall apply to non-commercial signs placed on private property:

(a) There shall be no numerical limit on the number of non-commercial signs that may be placed on a parcel of private property.

(b) Non-commercial signs shall not exceed the size requirements set forth in (h)(2)(a) and (h)(3)(a) as the case may be, and if freestanding:

i. Signs may be displayed in any yard (front, side, or rear) and may also be affixed to structures, fences, or other supports on the parcel, subject to standard building safety regulations.

ii. All signs permitted under this section must be removed no later than ten (10) calendar days after the conclusion of the applicable election.

(c) Any person posting such a sign shall receive the consent of the owner of the property upon which the sign is to be located and shall be responsible for compliance with these provisions as well as the removal of the sign and any damage to person or property caused by its placement or movement. For

multitenant facilities, signs may be located away from the use, with the consent of the landlord or owners' association, provided all of the provisions of this subsection are met.

(d) For multi-tenant buildings, tenants may share space on any temporary sign, provided that the duration of their events run concurrently, the information conveyed on the sign is legible, and all other provisions of this section are met.

2. Temporary Signs in Residential Zoning Districts.

(a) Except as otherwise specified during an Election Season, temporary signs, either freestanding or attached, shall not exceed twelve (12) square feet in aggregate area and three (3) feet in mounting height may be erected on a property.

(b) All temporary signs shall be out of any street rights-of-way and easements, shall not impede pedestrian traffic or interfere with sight triangles, shall be set back at least 10 feet from all side property lines and shall comply with all other applicable provisions of this section.

(c) Temporary signs in Residential Zoning Districts shall not require a permit.

3. Temporary Signs in Nonresidential Zoning Districts.

(a) Except as otherwise specified during an Election Season, three (3) temporary noncommercial or commercial signs, either freestanding or attached, not exceeding 20 square feet in aggregate area and five (5) feet in mounting height may be erected on a property.

(b) All temporary signs shall be out of any street rights-of-way and easements, shall not impede pedestrian traffic or interfere with sight triangles, shall be set back at least 10 feet from all driveways, street right-of-way and other property lines and shall comply with all other applicable provisions of this section.

(c) The use of a plastic or cloth flag, string of pennants, a banner, or balloons, not exceeding the total dimensions set forth above, shall also be permitted as a temporary commercial sign for a New Business only, provided that they are hung only on a finished facade of the building actually occupied by the business or use presenting the advertised commercial activity or use and in such a manner that the lowest portion of the display is at least 15 feet above ground level but no higher than 20 feet.

4. **Temporary Interior Window Signs in Nonresidential Zoning Districts.** Temporary, readily changeable interior window signs are permitted in all nonresidential zoning districts, provided that the sign(s) shall not exceed 50% of the total window area of the window in which it is located and shall be displayed for a period not to exceed 30 days. Temporary window signs shall not be considered in computing the allowable sign area otherwise permitted or in the number of temporary signs on a lot and shall not require a sign or construction permit but shall require a zoning permit.

5. **Temporary Signs on properties to be sold or leased.**

- (a) This section applies to any temporary sign placed on private property that is actively being offered for sale or lease, regardless of the sign's message, provided the sign otherwise complies with the placement and structural requirements set forth in (h)(2)(a) and (h)(3)(a) as the case may be.
- (b) Any lot or parcel that is actively being offered for sale or lease may place one additional (1) temporary sign per street frontage.
- (c) Signs must be placed entirely on private property and may not encroach into the public right-of-way.
- (d) Signs may be freestanding or attached to a structure or fence, provided they are structurally safe and well maintained.
- (e) Signs authorized under this section may remain in place only while the property is actively listed for sale or lease, and must be removed within 10 days after the property is sold, leased, or withdrawn from the market.
- (f) It is the property owner's or agent's responsibility to remove or update signage upon the change of status.

i. **Maintenance of Signs.** All signs, together with all their supports, braces, hooks, anchors, and other fastening devices, shall be of substantial and sturdy construction with durable materials, shall be kept in good repair, and shall be painted or cleaned as often as necessary to maintain a clean, neat, safe and orderly appearance. Additionally, the area surrounding the sign and the mounting area on the ground level beneath permitted freestanding signs shall be maintained in a clear, neat, safe, and orderly condition and shall not be allowed to become dilapidated or unsightly.

- 1. Any sign that is or is becoming dangerous or unsafe in any manner whatsoever shall be repaired and made safe in conformity with this subsection, or such sign shall be removed by the owner, lessor, agent or occupant of the building, property or land upon which such dangerous or unsafe sign is located.
- 2. Should written notice be given by the Town Zoning Officer, Construction Official or Code Enforcement Official if the sign is under his/her jurisdiction, to an owner, lessor, agent or occupant of a building that a sign is or is becoming dangerous or unsafe, said notice shall require appropriate remedial action to be taken within ten (10) days from the date of service of the notice, or within a lesser time as shall be specified in the notice in cases where the danger to the public health, safety and general welfare is more imminent. The Town Zoning Officer, Construction Official or Code Enforcement Official may cause any sign or advertising structure which is an immediate peril to persons or property to be removed summarily and without notice.
- 3. Failure to keep a sign in good repair for a period of thirty (30) consecutive calendar days shall constitute abandonment, and such sign may not then be replaced or reused, but must be removed or be made conforming.

j. **Illegal Signs and Penalties.**

- 1. Any permanent sign erected or applied in violation of this subsection shall be removed by the owner, lessor, agent or occupant of a building within five (5) business days after receipt of written notification by the Town Zoning Officer, Construction Official or

Code Enforcement Official and any temporary sign erected or applied in violation of this subsection shall be removed by the owner, lessor, agent or occupant of a building within two (2) business days after receipt of either verbal or written notification by the Town Zoning Officer or Code Enforcement Official.

2. If the owner, lessor, agent or occupant of a building fails to remove the sign or remedy the violation within the stated time period, such sign may be removed or altered by the Town Zoning Officer, Construction Official or Code Enforcement Official to comply with the provisions of this subsection at the expense of the owner of the property upon which the sign is located. The Town Zoning Officer, Construction Official or Code Enforcement Officer shall notify, in writing, the owner, lessor, agent or occupant of the building of the date of the sign removal and the procedure for retrieving the sign.
3. Signs removed by the Town Zoning Officer, Construction Official or Code Enforcement Official shall be held by the municipality for ten (10) days to allow the owner of said sign to retrieve the sign and pay any costs associated with its removal prior to the disposal of the sign. Town Zoning Officer, Construction Official or Code Enforcement Official shall refuse to issue a permit to any permittee or owner who refuses to pay costs as assessed.
4. The Town Zoning Officer or Code Enforcement Official may remove without prior written notification any sign which is placed illegally within any street right-of-way or sight triangle easement in such a manner as to impair public safety, provided that written notice of the removal is provided to the owner, lessor, agent or occupant of a building on the day of removal.
5. Noncompliance with any of the provisions or requirements of this subsection shall constitute a violation thereof, and any person who so violates this subsection may, upon conviction thereof, be subject to a fine in accordance with this chapter. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

NOTICE:

The above ordinance was introduced and passed on first reading at the meeting of the Mayor and Town Council of the Town of Hackettstown in the County of Warren held on September 11, 2025 and will be considered for final passage at a meeting to be held by the Town Council at 7:00 PM on October 9, 2025 at the Municipal Building, 215 Stiger Street, Hackettstown, New Jersey at which time and place any person interested will be given an opportunity to be heard. Copies of the full ordinance will be available at the Clerk's office (Municipal Building, 215 Stiger Street, Hackettstown, New Jersey) at no cost during regular business hours for members of the general public who shall request the same.

P.J. Reilly Town Clerk/Administrator