

ORDINANCE 4-2023

AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ABERDEEN - CHAPTER 25-LAND DEVELOPMENT, SECTION 5-IMPROVEMENTS AND DESIGN STANDARDS, SECTION 5.18-SIGNS TO PERMIT POLITICAL SIGNS TO BE DISPLAYED FOR UP TO NINETY DAYS PRIOR TO AN ELECTION AND FIFTEEN DAYS FOLLOWING AN ELECTION

WHEREAS, following the COVID-19 pandemic and shutdown, the methodology and conduct of elections within the State of New Jersey has substantially changed; and

WHEREAS, the State of New Jersey adopted legislation and revised election procedures whereunder candidates must file petitions for office earlier in the year, the use of vote-by-mail ballots has nearly tripled, and early voting has been implemented prior to Election Day; and

WHEREAS, as a result of the foregoing changes, nearly half of voters in any given election now cast their ballot well before Election Day, and in many cases, such voters cast their ballot nearly two months before Election Day; and

WHEREAS, the Mayor & Council of the Township of Aberdeen believe that an informed electorate with knowledge of whom is running for office and their candidacy platforms is vital to the continued functioning of our democratic system; and

WHEREAS, the current Ordinances of the Township of Aberdeen provide that candidates may advertise their campaigns via signage only within sixty (60) days of an election; and

WHEREAS, as set forth hereinabove, changes to New Jersey law and election procedures now allow voters to cast their ballots as early as two months before Election Day; and

WHEREAS, the Mayor & Council of the Township of Aberdeen find that it is in the best interests of an informed electorate and Aberdeen voters that candidates be permitted to advertise their campaigns via signage for sufficient time prior to the opening of voting;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Township of Aberdeen that it herewith amends General Ordinance of the Township of Aberdeen, Chapter 25, Section 5, Subsection 2-5.18 as follows (underlined text added; ~~stricken~~ text deleted):

§ 25-5.18 Signs.

- a. General Provisions. No sign may be placed on or attached to a building or erected independently for any purpose other than to advertise a permitted business or use conducted on the same premises. No billboards shall be erected or replaced.

No signs shall be erected, altered or replaced which are not in accordance with the standards established in this Ordinance. Except for home professional offices and temporary real estate signs, the erection of any sign shall require a construction permit.

No sign of any type shall be permitted to obstruct driving vision, traffic signals, traffic directional and identification signs, other places of business, other signs or windows of the building on which they are located. No sign shall be attached to trees, fence posts, stumps, utility poles or other signs but shall be free-standing or attached to buildings in an approved manner.

1. **Animated, Flashing and Illusionary Signs.** Signs using mechanical or electrical devices to revolve, flash or display movement or the illusion of movement are prohibited.
2. **Height.** No free-standing or attached sign shall be higher at any point than the roof line of the building, except that no sign shall exceed any lesser height if particularly specified in this section. In addition, no attached sign shall project into or hang over a street right-of-way, and no sign shall project beyond a building in a manner placing it above an area traversed by motor vehicles such as, but not limited to, driveways and parking areas. Where signs project beyond a building facade or wall over a pedestrian way, the lowest portion of the sign shall be at least eight (8) feet above the walkway.
3. **Free-standing signs** shall be supported by one (1) or more columns or uprights which are firmly embedded in the ground. Exposed guy wires, chains or other connections shall not be made a permanent support of the free-standing sign.
4. **Illuminated signs** shall be so arranged as to reflect the light and glare away from adjoining premises and away from adjoining highways. No sign with red, green or blue illumination in a beam, beacon or flashing form resembling an emergency light shall be erected in any location. Illuminated signs shall comply with the National Electric Code.
5. **Information and Direction Signs.** Street number designations, postal boxes, on-site directional and parking signs, warning signs and signs posting property as "private property," "no hunting" or similar signs are permitted in all zones but are not to be considered in calculating sign area. No such sign shall exceed two (2) square feet in area.
6. **Maintenance.** Signs must be constructed of durable materials, maintained in good condition and not allowed to become dilapidated.
7. **Political Signs.** Notwithstanding any other provisions of this chapter to the contrary, it shall be lawful in any zone to erect, construct or display political signs directing attention to any candidate for public office or to any political party or any political campaign drive, movement or event, for a period of not more than ~~sixty~~ (60)-~~ninety~~ (90) days prior to, nor more than ~~ten~~ (10)-~~fifteen~~ (15) days after, any general, special, primary or school board election. The erection of such signs shall not require site plan approval or a construction permit.

8. Portable Signs. No sign shall be exhibited which is portable, i.e., fixed on a movable stand, self-supporting without being firmly embedded in the ground, supported by other objects, mounted on wheels or movable vehicles, or made easily movable in some other manner.
9. Real estate signs temporarily advertising the sale, rental or lease of the premise or portion thereof shall be, if not attached to the building, set back at least ten (10) horizontal feet from all street lines. Such signs shall not exceed nine (9) square feet on each of two (2) sides and shall be removed at the expense of the advertiser within fifteen (15) days after the termination or completion of the matter or business being advertised. "Sold" signs shall be permitted between the signing of the contract of sale and the date of the legal closing. All such signs do not need a construction permit.
10. Sign area shall be measured around the outside edges of a framed or enclosed sign or by the area utilized by isolated words and/or symbols, including the background, whether open or enclosed, but said area shall not include any supporting, framework and bracing incidental to the display itself. For signs with two (2) sides the maximum area requirement shall be permitted on each side. Signs with more than two (2) sides are prohibited.
11. Temporary Signs. Interior window signs shall not be considered in computing the allowable signs provided, however, that such interior signs shall not exceed twenty (20%) percent of the total window area.
12. Wall fascia or attached signs shall be firmly attached to the exterior wall of a building and shall not project more than fifteen (15) inches from the building.

BE IT FURTHER ORDAINED any Ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent inconsistencies only.

BE IT FURTHER ORDAINED if any provisions of this Ordinance, or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or application of this Ordinance, which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

BE IT FURTHER ORDAINED this ordinance shall take effect immediately upon following the passage, adoption and publication pursuant to law.

Introduced: February 2, 2023

Adopted: February 16, 2023