

## **BOROUGH OF FRANKLIN**

### **ORDINANCE No. 04-2020**

#### **AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, STATE OF NEW JERSEY AMENDING SECTIONS 218-3 AND 218-8 REGARDING SIGNS AND CHAPTER 119, FEES**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Franklin, County of Sussex, and State of New Jersey that the Franklin Borough Code is amended as follows:

#### **SECTION I**

Section 218-3 is replaced as follows:

§ 218-3. Sandwich board signs.

A. Upon securing a permit as set forth in § 218-8, a business establishment in the B1, B2, HC-1, HC-2, NC or Upper ZM Zone shall be permitted one sandwich board sign subject to the following limitations and requirements:

- (1) The sign shall be located on the applicant's property and at least four feet from the paved surface of the road. The sign shall be located in front of the principal entrance to the business to which it relates.
- (2) Each of the two sides of the sign shall be less than nine square feet in area.
- (3) The maximum height shall not exceed 54 inches.
- (4) (Reserved)
- (5) The sign shall not obstruct site distance visibility, or ingress and egress from the site, or other passage of vehicles or pedestrians.
- (6) The signs may be displayed outside only during business hours and shall be stored in an indoor area when not in use.
- (7) The sign shall be kept in good condition and properly secured.
- (8) (Reserved)
- (9) Sandwich board signs shall not be illuminated, nor shall they contain moving parts or have balloons, streamers, pennants or similar adornment attached to them.

B. Where a commercial property has more than one business or commercial tenant, one sandwich board sign permit for each business establishment shall be allowed.

#### **SECTION II**

Section 218-8 is replaced as follows:

§ 218-8. Sign permits.

A. A sandwich board sign permit pursuant to § 218-3 will be issued by the Borough Zoning Officer upon approval of a completed application submitted with applicable fees and will be registered to the business at the address with no expiration date.

B. A banner sign permit pursuant to § 218-4 will be issued by the Borough Zoning Officer upon approval of a completed application submitted with applicable fees and is valid for 35 days.

C. (Reserved)

D. All rights and privileges acquired under the provisions of this chapter or any amendment thereto are revocable at any time by the Borough Zoning Officer if the applicant fails to accurately depict the sign erected or to be erected or if the sign which is erected fails to meet the details or the detailed drawing submitted by the applicant. All such permits shall contain this provision.

E. No permit shall be issued to any business establishment that, within the twelve-month period prior to the date on which the permit application is made, failed to comply with the requirements of this Chapter 218 as to the display of any banner or sandwich board sign, within 30 days after notice from the Borough as to such noncompliance.

F. The fees for permits established by this section shall include a nonrefundable application processing fee of \$15 and can be found in Chapter 119, entitled "Fees."

### **SECTION III**

The following fees are replaced as follows:

§ 218-8A Sandwich board sign permit fee \$100

§ 218-8B 35-day banner sign permit fee \$35

### **SECTION IV**

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

### **SECTION V**

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

### **SECTION VI**

This Ordinance shall take effect immediately upon final publication as provided by law.

ATTEST:

**BOROUGH OF FRANKLIN**

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Darlene J. Tremont, CLERK

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BY: John M. Sowden IV, MAYOR

DATED: June 23, 2020

### **NOTICE**

**NOTICE** is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Borough of Franklin held on June 9, 2020, at

7:00 p.m. and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Borough Council to be held on June 23, 2020, at 7:00 p.m., or as soon thereafter as the Borough Council may hear this Ordinance at the Municipal Building, 46 Main Street, Franklin, New Jersey 07416, at which time all persons interested may appear for or against the passage of said Ordinance.

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Darlene J. Tremont  
Municipal Clerk

**CERTIFICATION**

I, Darlene J. Tremont, Clerk of the Borough of Franklin, do hereby certify that the Borough of Franklin Council duly adopted the foregoing Ordinance on the 23rd day of June, 2020.

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Darlene J. Tremont, Clerk  
Borough of Franklin

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John M. Sowden IV, Mayor

Introduced: June 9, 2020

Adopted: June 23, 2020

RECORD OF COUNCIL VOTES-FIRST READING					Move	2nd
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT		
CONCETTO FORMICA	X					
JOSEPH LIMON	X					
JOHN POSTAS COUNCIL PRESIDENT	X					X
STEPHEN SKELLENGER	X					
GILBERT SNYDER	X					
STEPHAN ZYDON, JR.	X				X	
MAYOR SOWDEN, IV (Tie Only)						

RECORD OF COUNCIL VOTES-SECOND READING					Move	2nd
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT		
CONCETTO FORMICA	X					
JOSEPH LIMON	X					
JOHN POSTAS COUNCIL PRESIDENT	X					
STEPHEN SKELLENGER	X					
GILBERT SNYDER	X					X
STEPHAN ZYDON, JR.	X				X	
MAYOR SOWDEN, IV (Tie Only)						