

RESOLUTION # 2014-193

BE IT RESOLVED by the Township Council of the
Township of Marlboro that an Ordinance entitled:

ORDINANCE #2014-11 (As Amended)

AN ORDINANCE AMENDING CHAPTER 220 OF THE CODE OF THE
TOWNSHIP OF MARLBORO ENTITLED "LAND USE AND DEVELOPMENT"
ARTICLE III ZONING STANDARDS AND REGULATIONS SECTION 220 -
99 "SIGNS AND OUTDOOR ADVERTISING REGULATIONS" TO REGULATE
TEMPORARY POLITICAL SIGNS

which was introduced on April 3, 2014, tabled on May 15,
2014, tabled on June 19, 2014, public hearing held on
July 17, 2014, be adopted on second and final reading this
17th day of July, 2014.

BE IT FURTHER RESOLVED that notice of the adoption of
this ordinance shall be advertised according to law.

OFFERED BY:

AYES:

SECONDED BY:

NAYS:

ALIDA MANCO
MUNICIPAL CLERK

SCOTT METZGER
COUNCIL PRESIDENT

ORDINANCE #2014-11 (As Amended)

AN ORDINANCE AMENDING CHAPTER 220 OF THE CODE OF THE TOWNSHIP OF MARLBORO ENTITLED "LAND USE AND DEVELOPMENT" ARTICLE III ZONING STANDARDS AND REGULATIONS SECTION 220 -99 "SIGNS AND OUTDOOR ADVERTISING REGULATIONS" TO REGULATE TEMPORARY POLITICAL SIGNS

WHEREAS, the current local regulations regarding placement of signs in the rights of way has resulted in clutter, obstructed views and various traffic hazards and needs to be amended to eliminate these conditions while upholding the right to express free speech and the exchange of ideas.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Marlboro that Chapter 220 of the Code of the Township of Marlboro entitled "Land Use and Development" Article III entitled "Zoning Standards and Regulations" § 220 -99 entitled "Signs and Outdoor Advertising Regulations" is hereby amended as follows:

F. Temporary political signs shall be permitted under this section, pursuant to the regulations set forth herein. "Temporary political signs" shall be defined as 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 and shall be subject to the following conditions:

(1) Temporary political signs shall not be placed within public rights-of-way or other public property except as provided for in Subsection F(8) below;

(2) Temporary political signs shall be placed not more than 45 days prior to the function, event or election to which it applies;

(3) Temporary political signs must be removed not more than seven days after the function, event, or election to which it applies;

(4) If any temporary political signs are placed on residential properties, consent of the property owners must be obtained;

(5) The combined total area of all such temporary political signs shall not exceed a total of 16 square feet on any one tax lot where such temporary signs are placed in the public right-of-way;

(6) No temporary political sign on private property shall be located or placed closer than within 50 linear feet of any other sign of the same candidate or campaign on any one tax lot; and

(7) Placement on or in rights-of-way:

(a) No sign shall be placed within or suspended over a public right-of-way, public property or publicly owned open space property, except that a temporary political signs as permitted by this section shall be permitted in the non-travel portion of any Township right-of-way in the front of an occupied residential property with the permission of the owner of the residential property abutting said right-of-way and provided such signs are not placed within the right-of-way abutting lands owned by the Township, county or state, public open space lands and lands owned by the School District.

(b) No temporary political signs shall be permitted on Township property.

(8) The Candidate, Committee Chairman, Campaign Treasurer and owner of the tax lots on which a temporary political sign is placed shall be responsible for its removal. In addition, for any temporary political sign placed in the right of way pursuant to section F(7) above, the owner of the adjacent property shall also be responsible for its removal; and

(9) The temporary political sign must comply with all other regulations related to signs.

G. Enforcement; Removal of prohibited signs. Enforcement of the terms of this section shall be under the authority of the Director of the Department of Public Works, or his/her designee. In addition to the Director of the Department of Public Works, the Director of the Department of Community Development, or his or her designees, which may include, but not be limited to the Code Enforcement Officer and the Zoning Officer and/or their respective designees, shall have concurrent authority to enforce the provisions of this chapter. Whenever the Director of the Department of Public Works or the Director of the Department of Community Development or their respective designees shall determine that a sign has been erected in violation of the provisions of this section, including by reason of its being placed on public or municipal property without proper authority or in the public right-of-way or on utility poles, such sign may be removed at the sole discretion of the Director of Public Works and/or the Director of the Department of Community

Development, or his or her respective designees. The Director of Public Works and/or The Director of Community Development or his or her respective designee shall notify the responsible party that the sign has been removed and so further advise them that the removal constitutes a first warning and that any subsequent violation shall result in a fine in accordance with Section H. below. Each sign in violation of this Section may constitute a separate violation.

H. Violations and penalties. Any violation of this section shall, upon conviction thereof, be punishable by a fine of not less than \$100 and not to exceed \$1250 or by imprisonment for a term not to exceed 90 days, or both, for each violation committed hereunder. Every day that a violation continues after service of written notice by ordinary mail on the owner of the subject property or the sign registrant or a posting of a copy of said notice on the subject property shall be deemed a separate offense hereunder.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the Courts to be invalid, such adjudication shall only apply to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

PASSED: APRIL 3, 2014

ADOPTED:

ALIDA MANCO
MUNICIPAL CLERK

JONATHAN L. HORNIK
MAYOR

DATE SIGNED: _____