

**BOROUGH OF EMERSON  
COUNTY OF BERGEN  
NOTICE OF ADOPTION**

**ORDINANCE NO. 1514-16**

**Introduced: January 19, 2016**

**Adopted: February 2, 2016**

**NOTICE IS HEREBY GIVEN** that the following ordinance was adopted on the second reading after a Public Hearing at the Regular Meeting of the Borough Council of the Borough of Emerson on the 2nd day of February, 2016. A copy of Ordinance 1514-16 is on file in the Borough Clerk's Office in the Municipal Building, 1 Municipal Pl., Emerson, NJ 07630.

**AN ORDINANCE AMENDING CHAPTER 232, SIGNS AND AWNING.**

**BE IT ORDAINED**, by the Mayor and Council of the Borough of Emerson, within the County of Bergen and State of New Jersey, as follows:

**Section 1. Amending Paragraph I of Section 232-3. Permitted Signs.**

§ 232-3 Permitted Signs.

- I. Ground signs, not including noncommercial speech signs, for office buildings, laboratories, nonretail commercial or retail uses are permitted, with the limitation of one double-faced illuminated or nonilluminated sign allowed per building at a location at least 10 feet back from the street property line and of a size not to exceed 18 square feet and/or nine feet in length. The top of the sign shall not exceed six feet above the average grade at the sign location. The lettering on such sign shall be limited to the name of the building or of the occupant and its principal product of sale or its occupation. Multiuse buildings will be permitted to list its occupants; however, no increase in size from a single occupancy will be permitted.

**Section 1. Amending Paragraph N of Section 232-3. Noncommercial Speech Signs.**

§ 232-3 Permitted Signs

N. Noncommercial Speech Signs.

- (1) Noncommercial speech signs shall be permitted in all zones, including residential zones, subject to the requirements of §§ 232-2 and 290-24. Notwithstanding the foregoing, noncommercial signs are exempt from all permit and fee requirements in this chapter and shall be permitted to be freestanding.

(2) No noncommercial speech sign shall be erected or posted on private property without the express consent of the owner or lawful occupant of the property, who shall then be responsible for compliance with this section.

~~(2)~~

(32) Notwithstanding any other provision of this section, or other ordinance, any sign that may display a commercial message may also display a noncommercial message, either in place of or in addition to the commercial message, so long as the sign complies with other requirements of this section or other ordinances that do not pertain to the content of the message displayed.

(43) Notwithstanding any other provision of this section, or other ordinance, any sign that may display one type of noncommercial message may also display any other type of noncommercial message, so long as the sign complies with other requirements of this Code or other ordinances that do not pertain to the content of the message displayed.

(54) Notwithstanding any other provision of this section, or other ordinance, any sign displaying a noncommercial message may not be more than six square feet in size or more than four feet off of the ground. No more than two signs displaying a noncommercial message are permitted on a single property or parcel of land.

(6) Notwithstanding any other provision of this section, or other ordinance, noncommercial speech signs are permitted on residential properties from the curb line to the end of the Borough right of way, however, such signs may not obstruct traffic or sight lines. If the noncommercial speech sign affects the line of sight of traffic, the Borough may request for the owner of such sign to be removed or relocated.

### **Section 3. Severability and Repealer.**

- A. If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated.
- B. All ordinances or parts of ordinances, which are inconsistent with any provisions of this ordinance, are hereby repealed as to the extent of such inconsistencies.

**Section 4. Effective Date.**

This ordinance shall take effect immediately upon adoption and publication in accordance with the laws of the State of New Jersey.

Attest:

---

Jane Dietsche, RMC  
Borough Clerk

---

Louis Lamatina  
Mayor