

TOWNSHIP OF TOMS RIVER

MEMORANDUM

To: APPLICANTS

From: ZONING OFFICE

Date: APRIL 2013

Subject: TOWNSHIP SIGN LAWS

The following information is general in nature and may not be all encompassing. Applicants are cautioned that additional specific state and local codes not listed herein may regulate construction of this nature.

Most signs require both UCC (building) and ZONING PERMITS. The “Application for Permit from Zoning Officer” can be found at the Township’s web site www.tomsrivertownship.com

§ 348-3.7. Certificates and permits.

A. Development permit.

(1) Development permits shall hereafter be secured from the Administrative Officer prior to filing of a subdivision; or the issuance of a building permit for the construction, erection or alteration of any structure or sign or part of a structure; or upon a change in the use of a structure or land; or prior to any use of or alteration of the natural condition of a parcel of land or the construction of any improvement above or below the ground. Where no building permit is required, the development permit shall be secured prior to the issuance of a certificate of occupancy.

All applications to erect signs should include accurate detailed drawings of both proposed signs and signs that will remain on the site. Words, graphics and numbers must be shown on the plans. The size of these

items of information (see definition) shall also be included on the plans. Dimensions of sign structures (cabinets, raceways, monuments, poles, etc.) must also be included on the drawings. Sufficient information must be provided to expedite the review of your application.

Applications to construct or add to ground mounted signs should include two (2) copies of the survey or engineered site plan indicating the location of the sign. Cabinet dimensions, height, setbacks, street address number and distance from adjoining ground mounted signs, etc. must be shown on the plans. As stated before, details and dimensions of existing signs to remain on the property must also be included in the application.

Wall mounted sign designs should depict the location of the sign on the façade. Cabinet dimensions, height above ground, etc. must be shown on the plans. Signs at shopping centers and strip malls must include a building plan marked to indicate tenant space location.

DEFINITIONS:

ANIMATED SIGN -- A sign which utilizes motion of any part by mechanical means or displays flashing, oscillatory or intermittent lights or appears to move due to movement of the viewer.

BANNER -- A sign having characters, letters or illustrations applied to cloth, paper or fabric of any kind, with only such material for backdrop.

BILLBOARD -- A structure utilized for advertising an establishment, an activity, a product, a service or entertainment, which is sold, produced, manufactured, available or furnished at a place other than on the property on which the said sign is located.

BOX SIGN -- A sign, the face of which is enclosed with a box-like structure.

DIRECTIONAL SIGN -- A sign which serves as an aid to motorists using the parking facilities of some establishment, which sign does not itself advertise the establishment and which meets the size requirements of this chapter.

GROUND SIGN -- A self-supporting sign connected to the ground and independent of any other structure.

ITEM OF INFORMATION:

A. As applied to a sign:

(1) A word, abbreviation, initial or the name of the establishment or proprietor up to a limit of seven words.

(2) A number, trademark or symbol if without lettering; if it contains lettering, see below; a telephone number or zip code shall be considered a single item.

(3) An illustration or design element and each broken plane of a sign, if there is more than one.

B. The following shall not constitute an "item of information":

(1) The second, third, fourth, fifth, sixth and seventh words of the name of the establishment.

(2) Lettering four inches or less in height.

(3) Letters or numbers carved into or applied in such a way that they are an architectural detail of a building, provided that they are not illustrated apart from the building, are not made of reflecting materials and do not contrast sharply in color with the building.

(4) The trademark or symbol itself if it incorporates lettering larger than four inches; provided, however, that the words which are a part of the trademark are counted as "items of information."

(5) Directional signs.

(6) Street numbers.

NAMEPLATE SIGN -- A sign indicating the name and/or profession or address of a person or persons residing on the premises or legally occupying the premises.

POLITICAL SIGN -- A sign which indicates the name, cause or affiliation of anyone seeking public office or which refers to an issue for which a public election is scheduled to be held.

PROJECTING SIGN -- A sign other than a wall sign suspended from or attached to a building or wall in a manner which is other than parallel to the said building or wall, including a sign hung under a marquee or canopy.

REAL ESTATE SIGN -- A sign erected by the owner or his agent indicating that the property on which the sign is located is for rent, sale or lease.

ROOF SIGN -- A sign erected or constructed above the eaves, roofline or parapet line of any building.

SETBACK -- The horizontal distance between a building or structure and any front, side or rear lot line, measured perpendicular to such lot lines at the point where the building is closest to such lot lines (see § 348-5.4B). [Amended 12-9-2003 by Ord. No. 3843-03]

SHINGLE -- A small sign identifying a professional use. [Added 11-9-1994 by Ord. No. 3059-94]

SIDEWALK OR SANDWICH SIGN -- A movable sign not secured or attached to the ground.

SIGN -- A visual communication that is used for the purpose of bringing the subject thereof to the attention of others. The term does not include buildings themselves, traffic signs or other official messages displayed within the public right-of-way. "Signs" include letters, numbers, symbols, trademarks, illustrations or designs as they may appear on signs, billboards, banners, storefronts, marquees, canopies and other stationary visual media on or off the premises of the activity to which the message pertains. A sign may also be described as a street graphic.

SIGNABLE AREA -- The area on the facade of a building, usually below the roofline, which is free of openings, such as doors or windows, and which may be used for a sign without disrupting major architectural details.

SIGN AREA -- For purposes of this chapter and to calculate the amount of area utilized by proposed signs, individual letters or numbers pinned separately to a wall background shall be measured for their area by the sum of the area of the individual rectangles that enclose each letter. Otherwise, the area of a sign shall be the entire face of a box, wall or projecting sign. The total area of the rectangle which encloses the message of a ground sign shall be counted, including all ornamentation, embellishments and symbols, but excluding the supporting structure which does not form part of the sign proper or of the display. The area of a double or multifaced sign shall be the area of the largest vertical plane within the outline of the sign as seen from any one vantage point on a public right-of-way.

SNIPE SIGN -- A sign which is tacked, nailed, posted, pasted, glued or otherwise attached to trees or other natural features, poles, stakes or fences or to other objects with the message appearing thereon not applicable to the present use of the premises or structures upon which such sign is located.

SPECIAL EVENT SIGN HANDOUT POSTED ON THE TOWNSHIP'S WEB SITE. CLICK DOWNLOADS ON THE MAIN MENU OF THE HOME PAGE

SUBDIVISION SIGN -- A sign designating and identifying a subdivision or housing development.

SUPER GRAPHIC -- The application of paint, acrylic or other material directly onto a permanent wall in such a manner as to create an aesthetic design.

TEMPORARY SIGNS -- One which indicates a special event or transient feature lasting 30 days or less, which sign is displayed for 35 days or less. (ALSO, SEE SPECIAL EVENT SIGN HANDOUT POSTED ON THE TOWNSHIP'S WEB SITE. CLICK DOWNLOADS ON THE MAIN MENU OF THE HOME PAGE)

TIME-AND-TEMPERATURE SIGNS -- A sign which indicates actual time and/or current temperature.

WALL SIGN -- A sign attached to, painted on or erected against a wall or flat vertical surface of a structure which extends not more than 12 inches from the face of the structure.

WIND DEVICE -- Any streamer, propeller, pennant or similar device that is activated by the wind.

WINDOW SIGN -- A sign affixed to a window or visible through that window from the exterior.

PLEASE SEE ATTACHED SIGN CODE

Last revised April 12, 2013

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CODE SECTION 348-8.26 SIGNS

A. *Permitted signs and specific requirements. Signs are permitted to be erected and maintained by each establishment in the Township only under the controls and limits set forth in this section. The controls contained in this section are designed to apply to signs which are so located as to be seen from the right-of-way of a street or highway or any vehicular circulation area. The regulations contained herein do not apply to any street which is visible only from the premises owned or occupied by the owner of the sign. In general, subject to specific regulations contained herein, each establishment may display one ground sign and as many other signs as desired so long as the number of items of information displayed does not exceed the numbers of items allowed. *Editor's Note: For an explanation of the asterisk (*), see the definition of "variance" in § 348-2.3.*

[Amended 9-25-1991 by Ord. No. 2859-91]

(1) Items of information.

- (a) Each establishment is entitled to display signs containing up to a total of seven items of information on each street or parking lot on which it has either access or frontage. The name of the establishment or proprietor shall count as one item of information so long as it does not exceed seven items. If it does exceed seven items, each additional item shall be counted against the permitted total of seven.
- (b) Actual time and current temperature information are not included in the count of items of information. When the display is intermittent, the highest total count of items of information readable at any one time is used. Names of current attractions or up to four current performers displayed on theaters containing at least 200 permanent seats shall not count as items of information.

(2) Tables of basic design elements. Five tables of basic design elements for signs (Figure No. 8) are hereby made a part of this section. Each table shall apply to a specified portion of the Township as set forth in the table. General regulations shall apply except where specific regulations are provided.

[Amended 6-12-2012 by Ord. No. 4354-12]

Figure 8
Tables of Basic Design Elements
(All numbers given are maximum allowed)

Table 1: New Jersey Route No. 37 from Garden State Parkway to eastern terminus, both sides, and that portion of the balance of New Jersey Route No. 37 which is zoned other than residential.

Area	Ground Sign	Height	Projecting Sign	Wall Sign Percentage of Signable Area
150 square feet		30 feet	Not allowed	40%

Table 2: New Jersey Route No. 35 Northbound for its entire length, both sides, and those portions of New Jersey Route No. 35 Southbound and Bay Boulevard zoned other than residential.

Area	Ground Sign	Height	Projecting Sign	Wall Sign Percentage of Signable Area
40 square feet		18 feet	20 square feet	40%

Table 3: *Signs within areas zoned VO, VB, DS and VS and lying south of Route 37, east of the Garden State Parkway, north of the Toms River, and west of Lexington Avenue, all of which lie in the Toms River Business Improvement District (TR BID) area, shall be subject to the following limitations: *Editor's Note: For an explanation of the asterisk (*), see the definition of "variance" in § 348-2.3.*

Area	Ground Sign	Height	Projecting Sign	Wall Sign Percentage of Signable Area
32 square feet		12 feet	6 square feet	40% but not to exceed 60 square feet

The majority of the background area of ground, wall and projecting signs, exclusive of any letters, words or symbols, shall be earth tones or dark color. Earth tone is a muted or flat color scheme that draws from a color palette of browns, tans, grays, greens, whites and some reds, emulating natural colors found in soil, moss, trees and rocks.

- 1) Wall signs:
 - a) Super graphic designs and wall signs painted on a building facade are permitted. Murals are permitted, but shall not be considered wall signs for the purpose of limiting the permitted area of the mural. In order to qualify for consideration as a mural, it must not contain advertising and it shall not identify the name of a business. Murals shall be subject to the prior approval of the TR BID and Toms River Planning Board, and shall have a historic or civic theme.
 - b) External illumination is permitted.

- c) Internally illuminated signs are prohibited. However, individual letters of raceway-type signs may be internally illuminated, provided the internally illuminated portion of the sign is limited to the business name and logo.
 - d) Raceways must be painted or constructed so as to match the building color or construction.
 - e) The special situation for one-story commercial buildings as provided in Subsection **C(8)** does not apply in the TR BID area, which means that no wall sign may extend above the roofline.
 - f) Wall sign criteria as provided in Subsection **A(4)** applies in the TR BID area, except with respect to sign height, which shall not exceed 18 feet and shall not extend above the height of the facade to which it is attached.
 - g) Each establishment is limited to one wall sign on each side of the building that is located on and faces a street, parking area and/or vehicle circulation aisle.
 - h) The maximum area devoted to wall signs shall be separately applied to each facade to which they are applied.
 - i) In multitenant buildings, the wall sign shall not extend beyond the tenant's wall.
- 2) Ground signs:
- a) Signs shall be placed on private property at least 15 feet from the street curb and five feet from the sidewalk.
 - b) External illumination is permitted.
 - c) There shall be no internal illumination.
 - d) In order for a ground sign to be placed between a building and the street, the building must be set back at least 20 feet from the street right-of-way line it faces.
 - e) The sign must be at least 25 feet from a ground sign on an adjacent property.
 - f) Notwithstanding other sight triangle provisions in this code to the contrary, signs located within 20 feet of a street curbline, and for a distance 100 feet from an intersecting street curbline, shall not occupy the space between 30 inches and 7.5 feet above the ground. This prohibition does not apply to sign supports one foot or less in diameter.
- 3) Window signs:
- a) Lettering and logos, consisting of individual silk-screened, vinyl, foil or painted lettering, may be applied directly to windows and

shall not exceed 25% of each such window area or 10 square feet, whichever is less.

- b) Business name, logo, credit card decals, and hours of operation may be applied to the glass area of a door and shall not exceed 25% of such glass area or five square feet, whichever is less.
 - c) Temporary signage for sales or promotions related to business use are permitted to be placed in the window area as long as the total signage in the window area does not exceed the standards set forth in Paragraph a) of this subsection. For the purposes of this subsection, signage shall be considered temporary if it is easily removable and is displayed for a maximum of 14 days for any particular promotion. Temporary signs shall not be electronic or internally illuminated.
 - d) In multitenant buildings, window signs may only be used for the tenant with the window frontage. Nonresidential tenants located above the first floor may place a sign in one of their windows on each facade of the building indicating only the name of the nonresidential use, subject to the sign not exceeding 25% of the window area or four square feet, whichever is less.
 - e) For the purpose of this code subsection only, window area shall include the total area of all frame(s), sashes, and glass located in the wall of a building. Glass area in a door shall not be considered window area.
- 4) Prohibited signs:
- a) Reader boards, changeable-letter signs, electronic displays and similar devices.
 - b) Backlighted plastic or translucent signs.
 - c) Internally illuminated signs.
 - d) Neon light signs, outlines or borders.
 - e) Bare bulb illumination.
 - f) Revolving, blinking, flashing, or sequential lighting.
 - g) Roof signs.
 - h) Pennants, pennant banners, streamers or balloons except as provided under Figure 8, Table 3, "Special Events."
 - i) Signs using items of information such as "Stop," "Slow," "Warning," or "Danger" except as may customarily be called for in the public domain or as may otherwise be required by the approving authority as a part of site plan review.
 - j) Fabric signs with the exception of awning, special event, and

temporary window signs.

- 5) Projecting signs:
 - a) External illumination is permitted.
 - b) Illumination by any other means is prohibited.
 - c) May project a maximum of three feet from the building wall.
 - d) Are subject to Subsection **A(7)**.** Editor's Note: For an explanation of the asterisk (*), see the definition of "variance" in § 348-2.3.*
 - e) Notwithstanding other codes to the contrary, no sign shall be closer than 15 feet to another projecting sign.*

- 6) Hanging signs:
 - a) Signs that hang below canopies may not exceed four square feet in size.*
 - b) Are subject to Subsection **A(7)**.*
 - c) May extend from the building front to the outer edge of the canopy less one foot at either end.*

- 7) Awnings and awning signs:
 - a) Awnings shall not be supported from the ground.
 - b) Items of information on the vertical awning face parallel to the street frontage is limited to lettering and one logo occupying no more than 2/3 of the height of the awning vertical surface.
 - c) Items of information may also occupy up to 1/4 of slanted awning surface.
 - d) Awnings may project up to six feet from the first floor wall and have a maximum vertical height of four feet.*
 - e) Awnings projecting into a public right-of-way must have prior approval from the appropriate public entity.
 - f) Above the first floor, awnings are limited to cover the individual window areas only.
 - g) Items of information such as lettering and logos may not exceed the wall sign height limitation.
 - h) Internal illumination is prohibited.

- 8) Special signs for retail, restaurant and service businesses only:
 - a) One cafe or restaurant menu as used on the table may be

mounted on the building neatly in a wood or metal frame covered by glass, or applied to the inside of the window.

- b) One chalkboard menu or sandwich board sign may be used by each tenant at sites that do not have ground signs. The chalkboard or sandwich board sign may be placed on the ground or sidewalk adjacent to the building in front of the tenant space, but it shall not obstruct pedestrians. Said sign must be framed black, white or green chalkboards with the establishment name or logo permanently affixed and have a maximum size of 24 inches by 36 inches. They are to be used only during the establishment's business hours and stored indoors after hours. Signs can only advertise or relate to the business on the premises.
 - c) Temporary signs for sidewalk sales and other promotions not covered elsewhere herein shall be subject to the issuance of permits for special events.
 - d) Removable window or door signs for operational information, e.g., "Open," "Closed," "On Vacation," must be typed or professionally lettered and no larger than one square foot in size.
- 9) Exempted signs. The following signs do not need a permit:
- a) Building tenant directory wall signs up to a maximum size of 18 inches by 24 inches that do not project more than six inches from the wall surface.
 - b) One real estate sign permitted pursuant to Subsection **B(6)**, limited in size to 12 square feet and four feet in height in all nonresidential zones within the TR BID. Said sign shall not be placed within the sight triangle area set forth in Paragraph 2)f) of this subsection regulating the location of ground signs.
 - c) Temporary window signs.
 - d) Special signs as set forth in Subsection 8) herein.
- 10) Additional provisions:
- a) Lettering style shall be limited to serif style, "Souvenir Bold," "Caslon," "Korinna," nonserif, "Copperplate," "Helvetica," or other style approved by the special review board for the village area appointed by resolution of Township Council.
 - b) Signs shall be removed within three months after the business has ceased.
- 11) The special review board for the village area, appointed by resolution of Township Council, shall have the authority to review and approve or disapprove signs. Approval shall only be given by the special review board for signs that fully conform to the provisions

set forth herein. Variances or other deviations from the provisions herein shall be heard by the Planning Board except in the case of signs proposed in connection with a special reasons variance, in which case any variances or deviations from these provisions shall be heard by the Zoning Board of Adjustment.

Table 4: Balance of Township not included in Table 1, 2, 3 or 5

Zone (per Zoning Map)	Speed Limit (mph)	Lanes of Traffic	Ground Area (sq. ft.)	Sign Height (feet)	Projecting Height	Wall Sign Percentage of Signable Area
All business and industrial zones	25	2	25	16	16 square feet	40%
	—	4	40	18	—	—
	50	2	60	20	Not allowed	40%
All residential and rural zones	—	4	90	22	—	—
	25	2	20	12	12 square feet	20%
	—	4	30	14	—	—
All office zones and hospital- medical service zones	50	2	35	14	Not allowed	20%
	—	4	65	16	—	—
	25	2	20	12	12	30%
	—	4	30	14	16	—
	50	2	35	14	12	30%
	—	4	65	16	16	—

Notes:

Notes:

1. For speed limits of 40 miles per hour and above, 50 miles per hour applied. For all speed limits below 40 miles per hour, 25 miles per hour applied.
2. For all office zones and hospital - medical service zones, one ground sign or one projecting sign allowed only.

Table 5: Village Office Zone

[Added 11-9-1994 by Ord. No. 3059-94]

Area	Ground Sign	Height	Projecting Sign	Wall Sign Percentage of Signable Area
28 square feet		6 feet	Not allowed	Not allowed

Special Regulations for Village Office Zone

1. No neon signs permitted.
2. No window signs permitted with the exception of small signs on doors labeling the name of the business and informing pedestrians of business hours.
3. Indirect lighting and back-lighted signs permitted. Direct lighting permitted, provided that fixtures are ground-mounted with adequate shielding and/or landscaping.
4. No reader boards, changeable-letter signs, electronic display signage nor similar type devices will be permitted.
5. A two-square-foot shingle shall be permitted on each wall of the building.
6. Letter style, color, material and general design shall be in keeping with the residential professional office neighborhood character.
7. Details for any proposed sign construction shall be submitted to the Toms River Township Planning Board's Architectural/Landscape Review Committee for review and approval. This Committee shall have the power and the right to approve or disapprove proposals not specified by this chapter, including the configuration and decoration of street furniture, kiosks, directories and other such signs and displays which consist of statuary or other objets d'arts. They may also allow a reduction in the required distance between signs and may relax limitations on the Special Regulations for Village Office Zone for good cause.

(3) Ground signs. One ground sign is permitted for each establishment frontage, provided that:

- (a) The activity is accessible by automobile and has its own off-street parking. If this condition is not met, only a ground sign of less than six square feet shall be allowed.
- (b) The edge of the building or structure in which the activity is conducted is set back at least 30 feet from the edge of the street right-of-way it faces.
- (c) The sign itself is set back from the right-of-way at least the distance set forth below for the listed area. Any allowance is subject to the limits imposed by the applicable Table of Basic Design Elements.

Area of Sign (square feet)	Setback (feet)
Up to 30	10
Over 30 to 80	20
More than 80	30

- (d) The height of the ground sign measured from the ground at the edge of the roadway to which it is adjacent to the top of the sign does not exceed that allowed under the appropriate table.
- (e) The sign is not closer than 100 feet to a prior existing ground sign of six square feet or more.
- (f) The ground sign is no more than six square feet if there is also a projecting sign on the establishment frontage.
- (g) The establishment is not a part of a shopping center or of any group of stores occupying a single site. As to these, special regulations are provided below.
- (h) No sign located within a sight easement, in a parking area or within 25 feet of any street intersection or access drive shall occupy the space between 30 inches and seven feet above the ground. This prohibition does not apply to supports one foot or less in diameter.
- (i) Any supporting structure which exceeds 18 inches in any single dimension shall be considered part of the sign for area and setback purposes.

[Added 2-22-1995 by Ord. No. 3084-95]

- (4) Wall sign. A wall sign may be attached to, painted on or pinned away from a wall but may not project more than 12 inches. A wall sign positioned between two floors shall not exceed 2/3 of the vertical distance between the windows. A wall sign may not block or interrupt major architectural details nor exceed or overlap its background (except in a vertical direction by up to four feet) or the height permitted for ground signs at that location, whichever is lower.
- (5) Window sign. A permanent window sign of letters more than four inches in height will be counted in the total items of information of that frontage. It shall, under no circumstances, exceed 30% of the glass area. Only permanent window signs may be used above the first floor. Temporary window signs may be used without being counted in the items of information, provided that they do not exceed 50% of the glass area of that frontage.
- (6) Roof sign. A roof sign shall not extend above or beyond the roof ridge line, parapet wall or architectural features behind the sign or the ground sign height limitations permitted at that location. All roof signs shall be located between the eaves and the roof ridge line of a pitched roof and shall be of such size that the roof ridge line of the roof is visible above the sign from ground level at a distance of 100 feet from the building. For the purpose of this chapter, a sign located above a canopy roof shall be considered a roof sign. Each establishment shall be permitted one canopy sign, provided that:

[Amended 2-24-1981 by Ord. No. 1998]

- (a) The main roof be a minimum of three feet higher than the canopy roof.
- (b) The area of the canopy sign shall be included in the total allowable area for a wall sign.
- (c) The proposed canopy sign height shall not exceed the ground sign height.
- (d) The main roof shall be visible above the canopy sign from ground level at a distance of 100 feet from the sign.
- (e) The canopy sign shall not block major architectural features on the building.
- (f) Maximum height of a canopy sign shall be four feet.

(7) Projecting signs. One projecting sign per frontage is permitted, provided that the following conditions are met. All such signs must:

- (a) Clear the grade or sidewalk by at least eight feet.
- (b) Project no more than four feet from the building wall or 1/3 the width of the sidewalk, whichever is less.
- (c) Be clear of the wall to which it is attached by a minimum of six inches.
- (d) Be attached to a building which is at least 20 feet in width and be no closer than 40 feet to another, then existing, projecting sign unless either sign consists only of a logo, a symbol or a store identification.
- (e) Project only at right angles to a wall.

(8) Additional regulations. Additional regulations shall apply in all districts unless specifically provided otherwise:

[Amended 4-11-1990 by Ord. No. 2729-90]

- (a) Street numbers of three to six inches in height and visible from the street are required for each establishment or residence.
- (b) Awnings, canopies and marquees extending to a point no closer than one foot to the curblin and time-and-temperature displays are permitted for all commercial, institutional and industrial establishments in all districts.
- (c) Banners are permitted in the Toms River Village District only.
- (d) Floodlight illumination is permitted in all districts, provided that the light is not directed onto adjoining property or into the eyes of motorists or pedestrians in the public right-of-way in such a manner as to create traffic hazards.
- (e) Internal and indirect illumination of signs is permitted in all districts.
- (f) Bare bulb illumination is not allowed except that bulbs of 25 watts or less per bulb are permitted for all retail, entertainment, hotel, motel and restaurant service establishments in all districts, provided that the bulbs are an integral part of the sign.

(g) All combinations of color and material are permitted for all commercial and industrial establishment signs as long as there is no traffic safety hazard as a result of the same.

(h) Reader boards or changeable letter areas of signs erected may not exceed 30% of the constructed sign area. The combined areas of the static/fixed and changeable letter portion of the sign shall not exceed the sign area limits of this chapter.

[Added 2-22-1995 by Ord. No. 3084-95; 12-9-2003 by Ord. No. 3843-03]

(i) Each and every establishment shall install a street number identification on the establishment and any ground sign erected being not less than six inches in height and contrasting in color to the background upon which it is installed.

[Added 2-22-1995 by Ord. No. 3084-95]

(j) As part of a freestanding/ground sign, a motor vehicle service station may display one changeable letter sign per frontage which lists the type and price of any motor fuels and the same shall not be considered in any calculation of items of information or sign area. Said sign shall be exempt from Subsection **A(8)(h)** above.

[Added 2-22-1995 by Ord. No. 3084-95]

B. Exempted signs. The following described signs shall be exempted from licensing and control if they contain seven or fewer items of information and meet the specific requirements set forth below and the setback requirements noted above in § **348-8.26A(3)(c)**. If the criteria are met, no application need be made or license need to be obtained to allow the erection of such signs. All signs which are not located or designed to be seen from the right-of-way of a street or highway or any vehicular circulation area shall also be exempt from the provisions of this section. All signs which are located or designed to be seen from the right-of-way of a street or highway and which are considered exempted signs shall not exceed the sign area limitations for the specified portion of the Township in which the sign is located.

[Amended 3-25-1992 by Ord. No. 2897-92; 5-13-1992 by Ord. No. 2911-92; 11-28-1990 by Ord. No. 2769-90; 2-22-1995 by Ord. No. 3084-95; 6-11-2002 by Ord. No. 3698-02; 12-9-2003 by Ord. No. 3843-03]

- (1) Construction signs. One nonilluminated sign, not exceeding 40 square feet in area or eight feet in height, denoting the architect, engineer, contractors or other participants in construction and owners and future occupants, may be placed upon the property where the work is under construction.
- (2) Directional signs. Signs not exceeding four square feet, containing lettering not exceeding six inches in height and designed to direct and inform the public as to entry, exit, service areas, loading or special parking instructions or similar information, whether internally lighted or not, are exempt. Moving directional lights are allowed where required for safety reasons. Any such signs must be not less than 10 feet from the street right-of-way and may not exceed 30 inches in height within 25 feet of any access drive.
- (3) Government flags and historic markers. Any flag of the United States of America, the State of New Jersey, the Township of Toms River, any other governmental entity or any other religious or fraternal organization and memorial or historic tablets, information as to the name of a building, date of erection, special description or other material of historic interest, when cut into a masonry surface or constructed of bronze or other similar material and not exceeding six square feet, shall be exempt.
- (4) Nameplates. One nameplate sign, as defined above, is allowed per frontage, provided that it does not exceed two square feet in size and is not illuminated by a total of more than 25 watts.
- (5) Political signs. Political signs shall be exempt for a period commencing 30 days prior to the election and five days subsequent to the election. All such political signs shall be subject to the requirements of §§ **427-3D(5), (6) and (7)** and **427-5** of the Code of the Township of Toms River, New Jersey.
- (6) Real estate signs. One nonilluminated sign per frontage shall be exempt, provided that the same does not exceed 12 square feet and four feet in height in residential areas, nor 32 square feet and eight feet in height in all other zones.
- (7) Outdoor Christmas decorations. Commercial outdoor Christmas decorations are exempt, provided that they do not advertise a product or establishment and are not erected prior to October 30 and are removed by January 15 of the following year.
- (8) Special events signs. Special events signs are exempt, provided that the event advertised has been approved by the Planning Board, and provided

that the sign is not erected for a period longer than 35 days, which period shall terminate within five days after the event.

- (9) Subdivision sign. One nonilluminated sign advertising premises under development shall be exempt, provided that the same does not exceed 40 square feet in area nor eight feet in height.
- (10) Temporary window signs. Any window sign meeting the definition of a temporary sign is exempt.
- (11) Traffic or other municipal signs. Any sign erected by the Township of Toms River, County of Ocean or State of New Jersey or required to be erected by law; and no-trespassing or no-hunting signs, provided that the same do not exceed two square feet in area, are exempt.
- (12) Signs painted on or attached to motor vehicles or trailers or other portable devices. Signs painted on or attached to motor vehicles or trailers or other portable devices are exempt, provided that such signs pertain to the function of the vehicle or to the business of its owner. The parking or storing of these motor vehicles, trailers or portable devices is prohibited, except:

[Added 4-25-2006 by Ord. No. 4004-06]

- (a) Sites containing only residential uses may have one motor vehicle with a gross weight of four tons or less if the occupant of the residence owns the motor vehicle.
- (b) In all other sites, the parking or storing of these motor vehicles, trailers or portable devices may be located:

[1] In the side yard or rear yard as established by the zoning designation where the subject property is located.

[2] In the front yard as established by the zoning designation where the subject property is located, if parking spaces are approved for such uses by the Toms River Township Planning Board or Zoning Board.

C. *Special situations. *Editor's Note: For an explanation of the asterisk (*), see the definition of "variance" in § 348-2.3.* The following standards for special situations are hereby established:

[Amended 9-14-1982 by Ord. No. 2116; 9-25-1991 by Ord. No. 2859-91]

(1) Multiple frontage. An establishment having frontage on more than one street may display signs on each frontage as if it had no other frontage.

(2) Shopping centers and multiple use or joint occupancy of a site or building.

(a) If a site or building is shared by distinctly separate proprietorships as in the case of a shopping center, each such establishment shall be treated separately as to items of information and other factors. This exception shall not apply to ground signs. Those premises having in excess of 600 feet of frontage on a street shall be allowed an additional ground sign for each 500 feet in excess of 100 feet, provided that such signs are located at least 300 feet apart. Each ground sign so provided for may contain up to seven items of information.

(b) A shopping center of over 15 acres is permitted, per frontage, one ground sign which exceeds by 50% the basic design element height and area limitations at that location, provided that the items of information on the sign are limited to the name of the center and the names of attractions at theaters within the center, if any.

(3) (Reserved) *Editor's Note: Former Subsection C(3), Billboard areas, was repealed 12-27-2011 by Ord. No. 4342-11.*

(4) Industrial parks. Industrial parks may have one ground sign for each frontage, and each sign shall meet all of the requirements of the Table of Basic Design Elements which applies to the area. Within the site, and not designed to be seen from the roads outside the site, one ground sign is permitted for each establishment. The individual signs shall not exceed 10 feet in height, and the maximum area shall be based on the signable area of the plant wall facing the public right-of-way.

(5) Super graphics. Super graphics shall be allowed if the design is approved by the Planning Board. Applications shall include design details and written permission of the owner of the building. No advertising words may be included in the design.

(6) Sidewalk showcases and kiosks. Sidewalk showcases and kiosks are permitted if the structure, design and use are approved by the Planning Board, which shall consider such application with particular reference to traffic and safety considerations.

- (7) Motorist information signs. Signs of up to 20 square feet, meeting all other requirements of this section, may be located in the Industrial or Highway Business Zones to direct motorists to essential services only.
- (8) One-story commercial buildings, wall sign. Every one-story commercial building shall be considered to have a signable area extending five feet above the top of the window line. Within that area, a wall sign may be attached to the building and may extend above the roofline. No sign may extend more than five feet above the top window line, and all other requirements of this chapter and the tables annexed to it shall be met.
- (9) Off-site subdivision signs. Three nonilluminated signs advertising premises under development may be located off-site from said premises, provided that they are located along minor or principal arterial highways and on properties zoned other than residential. The location(s) and detail(s) of all off-site subdivision signs shall be approved by the Planning Board and shall meet all other requirements of this section.

D. *Prohibited signs. *Editor's Note: For an explanation of the asterisk (*), see the definition of "variance" in § 348-2.3.* No sign shall be constructed, reconstructed, erected or maintained which:

[Amended 4-11-1990 by Ord. No. 2729-90; 9-25-1991 by Ord. No. 2859-91]

- (1) Is located in the public right-of-way.
- (2) Offends public morals or decency.
- (3) Is an imitation of or resembles an official traffic sign.
- (4) By reason of its size, location, movement, content, coloring or manner of illumination may be confused with or hide a traffic control device.
- (5) Advertises or publicizes an activity, business, product or service which is itself not available on the site upon which the sign is located. The only exception to this prohibition shall be those signs which are provided for under Subsection **C(7)**, Motorist information signs, Subsection **C(9)**, Off-site subdivision signs, and § **348-9.23**, Billboards, of Chapter **348**, Land Use and Development Regulations.

[Amended 9-14-1982 by Ord. No. 2116; 12-27-2011 by Ord. No. 4342-11]

- (6) Consists of streamers, propellers, pennants or other wind-activated devices.
- (7) Is animated.
- (8) Is a snipe sign, a sandwich or a portable sign.
- (9) Obstructs motorist's view on ingress or egress.
- (10) Is unsafe in construction according to applicable structural and electrical codes.
- (11) Is illuminated in such a manner that it produces glare sufficient to be a safety hazard.
- (12) Violates the purpose, intent and specific regulations of this section.
- (13) (Reserved) *Editor's Note: Former Subsection D(13), prohibiting certain signs on vehicles and trailers, was repealed 4-25-2006 by Ord. No. 4004-06.*
- (14) Is an air-supported or -inflated sign.

[Added 4-11-1990 by Ord. No. 2729-90]

Please note that the Township's entire sign code in Chapter 348 can be found at the Township's main / first web page(click municipal codes on the main menu).

SignLaws revised April 12, 2013