

TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY

ORDINANCE NO. 2014-04

AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY TO AMEND CHAPTER 190, "ZONING," ARTICLE XI, "SIGNS," OF THE CODE OF THE TOWNSHIP OF ANDOVER

WHEREAS, the Township of Andover wishes to amend the Township's Code regarding the regulation of signs within the Township.

BE IT ORDAINED, by the Township Committee of the Township of Andover, in the County of Sussex, and State of New Jersey, that Chapter 190, "Zoning," Article XI, "Signs," of the Code of the Township of Andover is hereby amended as follows (the underscoring represents amended language):

SECTION 1.

§ 190-87. Purpose.

It is the intent and purpose of this section to:

A. Encourage and permit signs which, by uniformity of lettering and design and by limitation of size and number, enhance the Township environment and are compatible with its rural character.

B. Discourage and render unlawful signs which:

(1) Obstruct scenic vistas and natural features.

(2) Contribute to visual pollution.

(3) Contribute to traffic hazards.

§ 190-88. Permit required; fee; exemptions.

A. Application for permit. Application for a permit shall be made upon forms furnished by the Zoning Official. A sign permit is required for the erection, re-erection or alteration of a permanent sign, excluding repainting or relettering of existing signs.

B. Fees. The fee for a permit to construct a sign shall be as provided in § 30-10C(11) of this Code.

C. Exemptions. The following signs do not require a permit and are exempt from the provisions of this article:

(1) Nameplates and professional practice signs, not exceeding two square feet.

(2) Tablets indicating the name of a building and the date of erection, not exceeding three square feet.

(3) Public signs erected by the state, county or municipality in the performance of a public duty.

(4) Temporary signs indicating garage sales and other similar activities not exceeding 10 square feet. Such signs shall be removed within 24 hours after the event has taken place.

(5) Signs which are located for policing or parking purposes, not exceeding two square feet.

(6) Nonilluminated window signs whose total area does not exceed 25% of the total window area.

(7) Real estate for sale, rent or lease signs, not exceeding four square feet.

(8) Signs erected upon the premises of houses of worship and charitable and nonprofit organizations, not exceeding 10 square feet.

(9) Temporary signs indicating special sales events, including grand openings, business closings and special sales, not exceeding 10 square feet. Such signs shall be posted 30 days prior and removed within 5 days after the special sales event is over.

(10) Customary warning, trespassing and posted signs.

(11) Sandwich board signs, not exceeding 3 feet in height and total area of 7 square feet. Such signs may not be placed within 10 feet of any property line.

(12) One suspended or hung banner is allowed to be placed on a commercial façade, not exceeding dimensions of 3 feet by 6 feet or a total of 18 square feet.

**§ 190-89. Nonconforming signs.**

Any sign is defined as nonconforming which does not meet the requirements of this article. Any sign legally constructed and existing at the time of passage of this article that fails to comply with the minimum requirements of this article shall constitute a nonconforming use. A nonconforming sign shall not be altered, rebuilt, enlarged or extended, unless such action creates a conforming use. Article VIII, Nonconforming Uses and Structures, shall apply to nonconforming signs.

**§ 190-90. Prohibited signs.**

The following types of signs or artificial lighting are prohibited in all zones:

A. Billboards.

B. Exposed neon tubing.

C. Any flashing, moving or animated signs.

D. Any sign whose lighting or central mechanism causes radio or television interference.

E. Signs utilizing the color red, green, or yellow in their illumination within 100 feet of a street intersection.

F. Signs which resemble, simulate or may be mistaken for a traffic sign within 20 feet of a roadway.

G. Signs which are a menace to public safety.

H. Roof signs.

I. Signs affixed to trees, rocks or other natural things.

J. Signs affixed or painted on water towers or similar structures.

K. Freestanding pylon signs located in a public right-of-way or approved sight easement.

L. String banners, string flags, aluminum ribbons or similar attention-getting devices, except that commercial businesses shall be allowed to hang or suspend one banner from a structure or business as long as it is not offensive or inappropriate. String banners strung on poles sunk into the ground are prohibited.

**§ 190-91. General sign requirements.**

All signs in Andover Township shall conform to the following:

A. All support, braces, hooks, anchors and other fastening devices of any sign shall be of sturdy and substantial construction, shall be kept in good repair and shall be maintained in a clean, safe and orderly appearance.

B. The owner of the property upon which a sign is located shall be responsible for maintaining the sign and its surroundings.

C. Indirect or interior lighting is permissible provided the source of light will not cause glare upon a street or adjacent property.

D. Permanent signs shall be located only on the premises of the use or activity to which they are calling attention.

E. No sign shall be placed as to interfere with or be mistaken for a traffic light or similar safety device.

F. No sign shall be lighted by means of flashing or intermittent illumination. All lights used for the illumination of any use or building or the areas surrounding them or for the illumination or display of merchandise or products of business establishments shall be completely shielded from the view of vehicular traffic using the road or roads abutting such business properties. Floodlights used for the illumination of such premises, or of any sign thereon, whether or not such floodlights are attached to or separate from the building, shall not project above the highest elevation of the front wall of the building.

G. No sign as permitted shall extend or project above the highest elevation of the wall to which it is attached or above the height of the building as defined in this chapter.

H. No sign shall extend further than 15 inches from the face of the building upon which it is attached.

I. The area of a sign shall be computed as the total square foot content of the background and frame upon which the lettering, illustration or display is presented. If there is no background, the sign area shall be computed as the product of the largest horizontal dimension and the largest vertical dimension of the lettering, illustration or display. Each side of a two-sided sign shall be allowed the maximum permitted area.

J. All signs shall be limited to non-iridescent colors, including the background, with the exception of safety and directional signs of not more than two square feet.

**§ 190-92. Special permit required for certain signs.**

A. The following signs or similar signs require a special permit. This permit shall be granted by the Planning Board subsequent to a finding that the sign conforms to the intent and purposes of this article:

(1) Signs integrated or structurally incorporated into the architecture of a building.

(2) Signs made of landscape materials or plantings.

(3) Off- and on-premises directional signs.

**(4) Signs displaying time or temperature.**

**(5) Temporary signs on new construction sites, except permitted signs, and one sign not to exceed eight square feet stating the contractor's name, address and telephone number.**

**(6) Supergraphics.**

**(7) Three-dimensional signs.**

**B. Submission of application; requirements.**

**(1) The applicant shall file, at least 14 days before the date of the regular public meeting of the Planning Board, eight copies of a site plan or plat and three copies of an application for a special permit sign, together with all other drawings and documentation required herein or by any rule of the Planning Board, with the Township Clerk. The applicant shall obtain all necessary forms from the Township Clerk. The Secretary of the Board shall inform the applicant of the steps to be taken to initiate applications and of the regular meeting dates of the Board. A fee shall accompany the application in the amount set forth in § 190-112.**

**(2) Approval by County Planning Board required. All applications for site plan approval for signs on a county road shall be submitted to the County Planning Board for its review and recommendations and, where applicable, approval where required by state statute or county requirements. The applicant shall furnish proof of such submission within 10 days of the submission of his application to the Township reviewing board by presenting a copy of his site plan with an indication from the county that it has been filed with the county. Any application for site plan approval shall not be deemed complete in the absence of proof that it has been filed with the County Planning Board, if required. If the County Planning Board has failed to grant or deny approval of the site plan at the time of approval of the applicant's application, such approval shall be conditioned on approval of such site plan by the County Planning Board.**

**C. Notice and publication required. A public hearing, after proper notice and publication by the applicant in accordance with Chapter 74, Land Use Procedures, shall be held on all applications.**

**D. Plat details. A complete application for a special permit sign shall also consist of the following:**

**(1) A plat or map with the following details and information:**

**(a) The boundaries of the tax lot where the proposed sign is to be located and dimensions of said lot.**

**(b) The tax lot and block number of said lot.**

**(c) The location of all structures within 100 feet of the proposed sign location, including underground utilities.**

**(d) The location and dimensions of the existing paved surface.**

**(e) The distance from the paved surface of the road.**

**(f) A sketch showing the design of the proposed sign and the dimensions of the same. Said sketch may be contained on the same sheet as the map showing the location of the sign but in a separate area thereof. Said drawing shall be of sufficient size to clearly show the proposed sign design, including the height of the lettering. The materials to be used in the construction of the sign shall be specified thereon, as well as sign colors.**

(2) An affidavit of ownership and consent of the property owner shall be submitted if the applicant is not the owner of the subject property where the sign is to be located.

(3) Applicant shall submit, in written narrative form, a statement specifying:

(a) The necessity for the sign.

(b) Whether the sign will obstruct the view of motorists in the area.

(c) The nature of the sign, e.g., advertising, directional, informational, decorative, etc.

(4) The Board may require the applicant to submit a survey of the subject premises showing the location and dimension of the road right-of-way, the exact location of the proposed sign and requirements of Subsection D(1) above. Said survey shall be prepared, signed, sealed and certified to by a surveyor or engineer licensed under the laws of the State of New Jersey.

#### § 190-93. Facade signs.

A. No facade sign shall project higher than the highest point of the facade of the building upon which it is to be erected, and it shall not project more than 15 inches from the building line.

B. Only one facade sign shall be permitted on each establishment, except that a corner establishment may have two.

C. A facade sign shall not exceed, in area, 15% of the total area of the story or level of building on which it is erected or 64 feet, whichever is lesser, and shall be designed to be architecturally compatible with the building.

#### § 190-94. Signs in business, commercial, recreation, industrial and multifamily districts.

Each establishment shall be permitted only one facade sign and only one freestanding general directory or pylon sign, provided that such signs conform to the Schedule of Sign Regulations Editor's Note: The Schedule of Sign Regulations is included at the end of this chapter. for the districts and other applicable requirements. Directional signs, such as "loading," "shipping" and "receiving," are permitted, provided that they do not exceed two square feet.

#### § 190-95. Signs in residential and agricultural districts.

Signs in residential districts shall conform to the applicable requirements of this article and to the Schedule of Sign Regulations. Editor's Note: The Schedule of Sign Regulations is included at the end of this chapter.

A. One customary professional sign or nameplate sign not more than two square feet in area, which may be illuminated, may be permitted, provided the direct source of light is shielded in such a manner that it is not visible from the street or any adjoining residential property, unless a porch light or lamppost light.

B. A nonilluminated temporary sign, pertaining to the lease or sale of the premises upon which it is placed, not exceeding eight square feet, may be permitted. Such signs shall be removed within seven days after signing the contract for sale, the signing of a sale transaction or the execution of a lease.

C. Subdivision developments involving six or more residential lots may contain a sign advertising the sale of the dwellings contained therein, as approved by the Planning Board, as follows:

(1) One nonilluminated sign no larger than 32 square feet shall be permitted at each entrance of the development. In addition, nonilluminated trade and professional signs no larger than four square feet shall be permitted on the lots being developed.

(2) All signs permitted under this subsection shall be removed within seven days after signing the contract of sale, signing of a sale transaction or the execution of a lease of the last house in the development.

D. A sign deemed necessary to the public welfare by the governing body may be permitted. Signs for public buildings, parks and other public community facilities shall not exceed 20 square feet.

E. A sign, not more than 10 square feet in area, advertising the name of a house of worship on the premises, its pastor and its coming activities may be permitted.

F. Agricultural uses may have the following signs:

(1) Two signs advertising the sale and price of seasonal and farm produce, provided the total area of such signs does not exceed 10 square feet.

(2) One identification sign of not more than two square feet which may be directly illuminated, stating the name of the agricultural use, the address and the name of the owner.

G. Permitted identification signs for a subdivision development shall not be larger than 25 square feet at each entrance.

§ 190-96. Signs at automobile sales, service and vehicle rental establishments.

The following signs may be permitted:

A. One freestanding or pylon sign advertising the name of the station or garage, including any company or brand name, insignia or emblem, provided that each sign shall not exceed 25 square feet in area and shall be hung within the property and not less than 10 feet nor more than 18 feet from the ground to the base of the sign.

B. One temporary sign located inside the property line and specifically advertising special seasonal servicing, provided that the sign does not exceed eight square feet in area.

C. Directional signs displayed over individual entrance doors or bays consisting of the words "Washing," "Lubrication," "Repairs," "Mechanic on Duty" or other closely similar words shall be permitted, provided that there shall only be one such sign over each entrance or bay, the letters thereof shall not exceed 12 inches in height, and the total area of each sign shall not exceed two square feet. Editor's Note: The Schedule of Sign Regulations, which immediately followed this section, is now located at the end of this chapter.

**SECTION 2.** All Ordinances of the Township of Andover, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

**SECTION 3.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

**SECTION 4.** This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

**SECTION 5.** This Ordinance may be renumbered for codification purposes.

**TOWNSHIP OF ANDOVER  
COUNTY OF SUSSEX  
STATE OF NEW JERSEY**

**ATTEST:**

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**Vita Thompson, Clerk**

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**Phil Boyce, Mayor**

**INTRODUCED: April 14, 2014**

**ADOPTED: April 28, 2014**

**CERTIFIED: May 01, 2014**

ORDINANCE NO. 2014-04

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SECTION 1.

§ 190-87. Purpose.

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(5) Signs which are located for policing or parking purposes, not exceeding two square feet.



(6) Nonilluminated window signs whose total area does not exceed 25% of the total window area.

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(10) Customary warning, trespassing and posted signs.

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D. Any sign whose lighting or central mechanism causes radio or television interference.

E. Signs utilizing the color red, green, or yellow in their illumination within 100 feet of a street intersection.

F. Signs which resemble, simulate or may be mistaken for a traffic sign within 20 feet of a roadway.

G. Signs which are a menace to public safety.

H. Roof signs.

I. Signs affixed to trees, rocks or other natural things.

J. Signs affixed or painted on water towers or similar structures.

K. Freestanding pylon signs located in a public right-of-way or approved sight easement.

L. String banners, string flags, aluminum ribbons or similar attention-getting devices, except that commercial businesses shall be allowed to hang or suspend one banner from a structure or business as long as it is not offensive or inappropriate. String banners strung on poles sunk into the ground are prohibited.

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A. All support, braces, hooks, anchors and other fastening devices of any sign shall be of sturdy and substantial construction, shall be kept in good repair and shall be maintained in a clean, safe and orderly appearance.

B. The owner of the property upon which a sign is located shall be responsible for maintaining the sign and its surroundings.

C. Indirect or interior lighting is permissible provided the source of light will not cause glare upon a street or adjacent property.

D. Permanent signs shall be located only on the premises of the use or activity to which they are calling attention.

E. No sign shall be placed as to interfere with or be mistaken for a traffic light or similar safety device.

F. No sign shall be lighted by means of flashing or intermittent illumination. All lights used for the illumination of any use or building or the areas surrounding them or for the illumination or display of merchandise or products of business establishments shall be completely shielded from the view of vehicular traffic using the road or roads abutting such business properties. Floodlights used for the illumination of such premises, or of any sign thereon, whether or not such floodlights are attached to or separate from the building, shall not project above the highest elevation of the front wall of the building.

G. No sign as permitted shall extend or project above the highest elevation of the wall to which it is attached or above the height of the building as defined in this chapter.

H. No sign shall extend further than 15 inches from the face of the building upon which it is attached.

I. The area of a sign shall be computed as the total square foot content of the background and frame upon which the lettering, illustration or display is presented. If there is no background, the sign area shall be computed as the product of the largest horizontal dimension and the largest vertical dimension of the lettering, illustration or display. Each side of a two-sided sign shall be allowed the maximum permitted area.

J. All signs shall be limited to non-iridescent colors, including the background, with the exception of safety and directional signs of not more than two square feet.

**§ 190-92. Special permit required for certain signs.**

A. The following signs or similar signs require a special permit. This permit shall be granted by the Planning Board subsequent to a finding that the sign conforms to the intent and purposes of this article:

(1) Signs integrated or structurally incorporated into the architecture of a building.

(2) Signs made of landscape materials or plantings.

(3) Off- and on-premises directional signs.

**(4) Signs displaying time or temperature.**

**(5) Temporary signs on new construction sites, except permitted signs, and one sign not to exceed eight square feet stating the contractor's name, address and telephone number.**

**(6) Supergraphics.**

**(7) Three-dimensional signs.**

**B. Submission of application; requirements.**

**(1) The applicant shall file, at least 14 days before the date of the regular public meeting of the Planning Board, eight copies of a site plan or plat and three copies of an application for a special permit sign, together with all other drawings and documentation required herein or by any rule of the Planning Board, with the Township Clerk. The applicant shall obtain all necessary forms from the Township Clerk. The Secretary of the Board shall inform the applicant of the steps to be taken to initiate applications and of the regular meeting dates of the Board. A fee shall accompany the application in the amount set forth in § 190-112.**

**(2) Approval by County Planning Board required. All applications for site plan approval for signs on a county road shall be submitted to the County Planning Board for its review and recommendations and, where applicable, approval where required by state statute or county requirements. The applicant shall furnish proof of such submission within 10 days of the submission of his application to the Township reviewing board by presenting a copy of his site plan with an indication from the county that it has been filed with the county. Any application for site plan approval shall not be deemed complete in the absence of proof that it has been filed with the County Planning Board, if required. If the County Planning Board has failed to grant or deny approval of the site plan at the time of approval of the applicant's application, such approval shall be conditioned on approval of such site plan by the County Planning Board.**

**C. Notice and publication required. A public hearing, after proper notice and publication by the applicant in accordance with Chapter 74, Land Use Procedures, shall be held on all applications.**

**D. Plat details. A complete application for a special permit sign shall also consist of the following:**

**(1) A plat or map with the following details and information:**

**(a) The boundaries of the tax lot where the proposed sign is to be located and dimensions of said lot.**

**(b) The tax lot and block number of said lot.**

**(c) The location of all structures within 100 feet of the proposed sign location, including underground utilities.**

**(d) The location and dimensions of the existing paved surface.**

**(e) The distance from the paved surface of the road.**

**(f) A sketch showing the design of the proposed sign and the dimensions of the same. Said sketch may be contained on the same sheet as the map showing the location of the sign but in a separate area thereof. Said drawing shall be of sufficient size to clearly show the proposed sign design, including the height of the lettering. The materials to be used in the construction of the sign shall be specified thereon, as well as sign colors.**

(2) An affidavit of ownership and consent of the property owner shall be submitted if the applicant is not the owner of the subject property where the sign is to be located.

(3) Applicant shall submit, in written narrative form, a statement specifying:

(a) The necessity for the sign.

(b) Whether the sign will obstruct the view of motorists in the area.

(c) The nature of the sign, e.g., advertising, directional, informational, decorative, etc.

(4) The Board may require the applicant to submit a survey of the subject premises showing the location and dimension of the road right-of-way, the exact location of the proposed sign and requirements of Subsection D(1) above. Said survey shall be prepared, signed, sealed and certified to by a surveyor or engineer licensed under the laws of the State of New Jersey.

#### § 190-93. Facade signs.

A. No facade sign shall project higher than the highest point of the facade of the building upon which it is to be erected, and it shall not project more than 15 inches from the building line.

B. Only one facade sign shall be permitted on each establishment, except that a corner establishment may have two.

C. A facade sign shall not exceed, in area, 15% of the total area of the story or level of building on which it is erected or 64 feet, whichever is lesser, and shall be designed to be architecturally compatible with the building.

#### § 190-94. Signs in business, commercial, recreation, industrial and multifamily districts.

Each establishment shall be permitted only one facade sign and only one freestanding general directory or pylon sign, provided that such signs conform to the Schedule of Sign Regulations Editor's Note: The Schedule of Sign Regulations is included at the end of this chapter. for the districts and other applicable requirements. Directional signs, such as "loading," "shipping" and "receiving," are permitted, provided that they do not exceed two square feet.

#### § 190-95. Signs in residential and agricultural districts.

Signs in residential districts shall conform to the applicable requirements of this article and to the Schedule of Sign Regulations. Editor's Note: The Schedule of Sign Regulations is included at the end of this chapter.

A. One customary professional sign or nameplate sign not more than two square feet in area, which may be illuminated, may be permitted, provided the direct source of light is shielded in such a manner that it is not visible from the street or any adjoining residential property, unless a porch light or lamppost light.

B. A nonilluminated temporary sign, pertaining to the lease or sale of the premises upon which it is placed, not exceeding eight square feet, may be permitted. Such signs shall be removed within seven days after signing the contract for sale, the signing of a sale transaction or the execution of a lease.

C. Subdivision developments involving six or more residential lots may contain a sign advertising the sale of the dwellings contained therein, as approved by the Planning Board, as follows:

(1) One nonilluminated sign no larger than 32 square feet shall be permitted at each entrance of the development. In addition, nonilluminated trade and professional signs no larger than four square feet shall be permitted on the lots being developed.

(2) All signs permitted under this subsection shall be removed within seven days after signing the contract of sale, signing of a sale transaction or the execution of a lease of the last house in the development.

D. A sign deemed necessary to the public welfare by the governing body may be permitted. Signs for public buildings, parks and other public community facilities shall not exceed 20 square feet.

E. A sign, not more than 10 square feet in area, advertising the name of a house of worship on the premises, its pastor and its coming activities may be permitted.

F. Agricultural uses may have the following signs:

(1) Two signs advertising the sale and price of seasonal and farm produce, provided the total area of such signs does not exceed 10 square feet.

(2) One identification sign of not more than two square feet which may be directly illuminated, stating the name of the agricultural use, the address and the name of the owner.

G. Permitted identification signs for a subdivision development shall not be larger than 25 square feet at each entrance.

§ 190-96. Signs at automobile sales, service and vehicle rental establishments.

The following signs may be permitted:

A. One freestanding or pylon sign advertising the name of the station or garage, including any company or brand name, insignia or emblem, provided that each sign shall not exceed 25 square feet in area and shall be hung within the property and not less than 10 feet nor more than 18 feet from the ground to the base of the sign.

B. One temporary sign located inside the property line and specifically advertising special seasonal servicing, provided that the sign does not exceed eight square feet in area.

C. Directional signs displayed over individual entrance doors or bays consisting of the words "Washing," "Lubrication," "Repairs," "Mechanic on Duty" or other closely similar words shall be permitted, provided that there shall only be one such sign over each entrance or bay, the letters thereof shall not exceed 12 inches in height, and the total area of each sign shall not exceed two square feet. Editor's Note: The Schedule of Sign Regulations, which immediately followed this section, is now located at the end of this chapter.

**SECTION 2.** All Ordinances of the Township of Andover, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

**SECTION 3.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

**SECTION 4.** This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

**SECTION 5.** This Ordinance may be renumbered for codification purposes.

## **NOTICE OF PENDING ORDINANCE**

**PUBLIC NOTICE** is hereby given that the foregoing Ordinance was introduced and passed at first reading at a Regular Meeting of the Township Committee of the Township of Andover held on April 14, 2014. A public hearing regarding same has been scheduled for April 28, 2014 beginning at 7:30 P.M., at the Municipal Building, 134 Newton-Sparta Road, Andover Township, NJ, at which time all persons interested both for and against said ordinance shall be given an opportunity to be heard concerning same.

**Vita Thompson, R.M.C.**  
**Clerk/Administrator**

**TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY**

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CHAPTER 190, "ZONING," ARTICLE XI, "SIGNS," OF THE CODE OF THE TOWNSHIP OF ANDOVER**

**NOTICE OF FINAL ADOPTION**

**NOTICE** is hereby given that the above entitled ordinance was introduced and passed on first reading at a meeting of the Township Committee of the Township of Andover held at the Municipal Building on the 14<sup>th</sup> day of April 2014. The same came up for final adoption at a meeting of the Township Committee of the Township of Andover held at the Municipal Building on the 28<sup>th</sup> day of April 2014, and, after all persons present were given an opportunity to be heard concerning same, it was finally passed and adopted and will be in full force in the Township according to law.

**Vita Thompson, R.M.C.  
Clerk/Administrator**