

ORDINANCE 2025-9

ORDINANCE AMENDING CHAPTER 102 “DEVELOPMENT REGULATIONS”, § 106 “SIGNS” OF THE CODE OF COLTS NECK TOWNSHIP, COUNTY OF MONMOUTH, AND STATE OF NEW JERSEY

WHEREAS, §102-106(11) of the Code of COLTS NECK TOWNSHIP (“Township Code”) regulates political signage in COLTS NECK TOWNSHIP (“Township”); and

WHEREAS, the Township Attorney has reviewed the status of the law in New Jersey regarding regulations of political signs, with special regard for state court decisions in State v. Miller, 83 N.J. 402 (1980), Intervine Outdoor Advertising, Inc. v. City of Gloucester Zoning Board, 290 N.J. Super. 78 (1996), and State v. DeAngelo, 197 N.J. 478 (2009); and

WHEREAS, the Township believes it should amend its sign ordinance to adopt language crafted with a view toward the aforementioned cases.

NOW THEREFORE BE IT ORDAINED by the Township Committee of Colts Neck Township, County of Monmouth, and State of New Jersey, that Chapter 102 of the Township Code be amended as follows (additions to text indicated by ***bold italicized underline text***; deletions to text indicated by ***bold italicized strikeout***):

SECTION 1. § 106 “Signs” of Chapter 102 “Development Regulations” of the Code of COLTS NECK TOWNSHIP is hereby amended as follows:

§ 102-106 Signs.

A. All signs, except temporary real estate signs, require approval from the approving authority unless specifically exempted by other provisions of this chapter. Modification or relocation of existing signs requires approval of the Zoning Officer and/or Code Enforcement Officer. The Planning Board shall submit all applications for sign approval to the Architectural Review Committee pursuant to Chapter 2, Architectural Review Committee, and more specifically §§ 2-4, 2-5, and 2-6.

B. Outdoor signs. Except for seasonal decorations, as covered herein, billboards, balloons or air- or gas-filled object or sign pictures of products or services or other structures for advertising or display purposes shall not be erected or utilized in any zone except as specifically allowed in this chapter. No sign of any type shall be permitted to obstruct driving vision, traffic signals or traffic direction and identification signs. Signs shall be directly related to the business being conducted on the premises.

(1) Animated flashing and illusionary façade or freestanding signs and balloons or gas- or air-filled objects or signs using mechanical, electrical and/or other means or devices to display flashing, movement or the illusion of movement are prohibited.

(2) Height. No freestanding or attached sign shall exceed the maximum height provided in the Zoning district. In any event, no sign shall exceed any lesser height if specified elsewhere in this chapter and shall not be mounted on the roof of the building if it is attached to a building.

(3) Illuminated freestanding and facade signs, where permitted, may be externally illuminated between 6:00 a.m. and 10:00 p.m. and so arranged as to reflect the light and glare away from adjoining premises in any residential zoning district and away from adjoining streets not to interfere with any motorist's visibility or general vehicular traffic. All signs may be externally illuminated with said lights a maximum distance of six feet from the sign.

(4) Maintenance. Signs must be constructed of durable materials, preferably wood, maintained in good condition and not allowed to become dilapidated.

(5) Real estate signs temporarily advertising the sale, rental or lease of the premises or portion thereof shall be, if not attached to the building, set back at least 10 feet horizontally from the street curblin or edge of pavement. There shall be no more than one sign per property, except that corner lots shall be entitled to two signs per such lot. Such signs shall not exceed four square feet on each side and shall not be more than four feet high and shall be removed at the expense of the advertiser

immediately upon termination or completion of the matter of business being advertised. All such signs do not need a sign permit or site plan approval.

(6) Sign area shall be measured around the outside edges of a framed or enclosed sign or by the area utilized by isolated words and/or symbols, including the background, but said area shall not include any supporting framework and bracing incidental to the display itself. Freestanding signs may carry advertising or displays on a maximum of two sides.

(7) Farm signs identifying the name of the farm shall not exceed 12 square feet on each side, shall not exceed eight feet in height, may be externally illuminated and shall be located no closer than 10 feet from the existing curbed or paved roadway.

(8) (Reserved)

(9) Signs advertising a new major subdivision. For the purposes of this section, a sign shall not be constructed of masonry, brick, concrete, stone or other similar materials nor shall it give the appearance of being a wall, fence or similar barrier.

(a) A new major subdivision or site may have a maximum of two temporary signs, with a combined maximum of 32 square feet of sign area total per development. The sign shall not exceed a height of eight feet and shall not be illuminated. Sign approval must be obtained as part of the subdivision or site plan approval or as a freestanding sign not included in a subdivision or site plan approval. The approval shall limit the sign life to the period that the development is covered by a performance bond. The Planning Board may extend this interval for good cause. No sign shall be erected until preliminary Planning Board approval thereof. Such signs shall be kept in good repair and shall be located on the site where construction is taking place.

(b) No signs indicating or displaying directions to a new subdivision shall be erected, temporarily or otherwise.

(c) All signs erected in connection with a developing subdivision shall be removed immediately upon the sale of the final lot in the subdivision, unless approved by the Planning Board.

(d) Erecting or displaying signs advertising banks or other financial funding institutions or sources is prohibited.

(10) Garage sale, yard sale, estate sale signs. Any sign advertising a garage, yard, estate or other similar sale shall not be erected sooner than one day prior to the sale and must be removed no later than one day following the sale's end. All such signs shall be no larger than three square feet. No such sign shall be placed on any utility pole, street sign, trees or fences. No one residence or organization shall conduct more than two such sales per year. A sign permit shall not be required for the posting of such signs. The enforcement officer shall be responsible for enforcing these provisions.

(11) ~~Political signs. No sign permit is required for a sign reflecting or endorsing political views or political candidates. No such sign shall exceed 32 square feet. Any sign advertising for any federal, state, local or school board elections shall not be erected sooner than 30 days prior to said election and shall be removed not more than 7 days after said election unless otherwise provided by federal or state law or legislation.~~ Signs for Dated Events. Unless otherwise provided within this chapter, any sign for an event that displays a date, or from which a date can be reasonably discerned, shall not be erected sooner than 30 days prior to the date of the event and shall be removed not more than 7 days after said event. No such sign shall exceed 32 square feet.

(12) Charitable events. Signs of this sort may be erected up to 21 days prior to the advertised charitable event. Signs of this sort shall not exceed 32 square feet and are to be installed at least 10 feet from the curbline or paved street. These signs must be erected on property owned or leased by the sponsoring agency or upon other property with written permission from the property owner. A sign permit is

not required for this type of sign. Signs of this type must be removed within three days of the event.

C. Outdoor seasonal decorations. Display of seasonal decorations are exempt from sign requirements and do not require approving authority approval but shall meet the following requirements:

(1) Seasonal decorations, exempt from sign ordinance requirements, are permitted for holidays which customarily involve seasonal theme decorations.

(2) Height. The maximum height of all seasonal decorations shall be 35 feet. This shall include helium balloons and other airborne types of displays.

(3) Seasonal decorations display period shall not exceed 31 days.

D. Indoor signs. One nonblinking or flashing internally illuminated or neon type sign containing a maximum area of three square feet is allowed in a window of a commercial establishment. All other illuminated signs or flashing lights within a structure or building are allowed only if they are not plainly visible outside the structure to the general public when 100 feet or more from any part of the structure.

E. Sign removal. COLTS NECK TOWNSHIP retains the right to remove all illegal signs from any state, county or local streets, street signs, public property or utility poles.

F. Public property. Permission to place any temporary sign on Township-owned property shall be granted on an individual basis, upon written request to the Township Committee. No such request shall be granted where such a sign shall pose a health and safety hazard, obstruct the safe passage of the public through public places or otherwise obstruct the view of streets

SECTION 2. All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed. All portions of the ordinance not modified herein remain in full force and effect.

SECTION 3. Should any section, clause, sentence, phrase or provision of this ordinance be declared unconstitutional or otherwise invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

SECTION 4. This ordinance shall take effect upon final passage, adoption and publication in the manner prescribed by law.

I hereby certify the Ordinance foregoing to be a true copy of an Ordinance adopted by the Township Committee of Colts Neck Township on the 14th day of May, 2025.



Tara Torchia Buss, Mayor



Trina Lindsey, Municipal Clerk

RECORD OF VOTE										
	First Reading					Second Reading				
	April 30, 2025					May 14, 2025				
	M S	Yes	No	NV	Ab	M S	Yes	No	NV	Ab
Mayor Buss		X					X			
Deputy Mayor Viola		X				M	X			
Buzzetta		X					X			
Fitzpatrick	S	X				S	X			
Rizzuto	M	X					X			
M - Moved	S - Seconded	X - indicates vote			NV - Not Voting			Ab - Absent		