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 curbline 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 masonary, 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									
Deputy Mayor Viola			X									
Buzzetta			X									
Fitzpatrick		S	X									
Rizzuto		M	X									

M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent

ORDINANCE 2025-10

ORDINANCE APPROPRIATING $2,343,868, $2,099,230 OF WHICH IS FROM THE CAPITAL IMPROVEMENT FUND AND $244,638 OF WHICH IS FROM A STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT, FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY COLTS NECK TOWNSHIP, IN THE COUNTY OF MONMOUTH, NEW JERSEY.

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF COLTS NECK TOWNSHIP, IN THE COUNTY OF MONMOUTH, NEW JERSEY AS FOLLOWS:

Section 1. $2,343,868 is hereby appropriated by Colts Neck Township, in the County of Monmouth, New Jersey (the "Township"), $2,099,230 of which is from the Capital Improvement Fund and $244,638 of which is from a grant from the State of New Jersey Department of Transportation, to provide for the following capital improvements:

Improvement or Purpose	Amount Being Appropriated	Type of Funding
The acquisition of equipment and various improvements for the Police Department, including, but not limited to, the acquisition of Traffic Safety TrafficiCloud software, a camera, portable radios, firearms, holsters, gun lights, and body worn cameras and range improvements, including, but not limited to, the installation of	$5,400	Capital Improvement Fund

Improvement or Purpose	Amount Being Appropriated	Type of Funding
surveillance cameras, lights, tables and chairs and painting of the trailer, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.		
The acquisition of turnout gear for the Fire Department, including all related costs and expenditures incidental thereto.	$27,300	Capital Improvement Fund
The acquisition of equipment for the Fire Department, including, but not limited to, computers and a ventilation fan and further including all related costs and expenditures incidental thereto.	$17,000	Capital Improvement Fund
The acquisition of equipment and improvements to various municipal buildings, including, but not limited to, the installation of doors, the installation of sprinklers at Town Hall, repairs to the Annex steps, the installation of concrete floors and the acquisition of a brush bin, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.	$101,300	Capital Improvement Fund
The acquisition of a John Deere gator, including all	$15,000	Capital Improvement Fund

Improvement or Purpose	Amount Being Appropriated	Type of Funding
related costs and expenditures incidental thereto.		
The installation of turf, including all work and materials necessary therefor and incidental thereto.	$100,000	Capital Improvement Fund
The acquisition of equipment, including, but not limited to, computers, printers and copiers and further including all related costs and expenditures incidental thereto.	$25,000	Capital Improvement Fund
Paving, striping, basin repairs and other road improvements to various roads, including all work and materials necessary therefor and incidental thereto.	$1,500,000	Capital Improvement Fund
Improvements to Montrose Road to Round Hill Court, including, but not limited to, milling, paving, line striping and drainage inlet repairs and further including all work and materials necessary therefor and incidental thereto.	$552,868	$308,230 from the Capital Improvement Fund and a $244,638 Grant from the State of New Jersey Department of Transportation
Total:	$2,343,868	

Section 2. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are

inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This ordinance shall take effect after final adoption and publication and otherwise as provided 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									
Deputy Mayor Viola	M		X									
Buzzetta			X									
Fitzpatrick		S	X									
Rizzuto			X									

M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent

ORDINANCE 2025-11

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A FIRE TRUCK IN AND BY COLTS NECK TOWNSHIP, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING $2,510,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $2,384,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF COLTS NECK TOWNSHIP, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by Colts Neck Township, in the County of Monmouth, New Jersey (the "Township") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of $2,510,000, including the sum of $125,500 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of $2,384,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby

authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of a fire truck, including all related costs and expenditures incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The

chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government

Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by $2,384,500, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding $250,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market

disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond 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									
Deputy Mayor Viola	M		X									
Buzzetta					X							
Fitzpatrick		S	X									
Rizzuto					X							

M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent