

TOWNSHIP OF MOORESTOWN

ORDINANCE NO. 5-2015

**AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN
AMENDING CHAPTER 180, ARTICLE XXIV, SECTION 180-80
TO SUPPLEMENT THE EXPRESSED PURPOSES OF THE SIGN ORDINANCE,
SECTION 180-80.2 TO DEFINE A BILLBOARD SIGN AND SECTION 180-80.3.H TO
ADD SUBSECTION (18) PROHIBITING SAME**

WHEREAS, the Township of Moorestown has previously adopted a Zoning Ordinance pursuant to the provisions of the Municipal Land Use Law set forth at N.J.S.A. 40:55D-1, et. seq.; and,

WHEREAS, said Ordinance at Article XXIV regulates signage within the Township but does not at Section 180-80 set forth in thorough and detailed fashion the purpose, intent and scope of said ordinance; and,

WHEREAS, said ordinance defines off-site sign at Section 180-80.2 and generally prohibits them at Section 180-80.3.H.(5) but contains no provisions specifically defining and prohibiting billboard signage; and,

WHEREAS, the Moorestown Township Council desires to prohibit billboards within the Township in order to maintain and enhance the aesthetic environment and improve and enhance pedestrian and traffic safety and the following Sign Ordinance modifications are intended to address and implement these concerns; and,

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey, that Chapter 180, Article XXIV, Section 180-80 of the Moorestown Zoning Ordinance be amended as follows:

Section 1: Article XXIV, Section 180-80 is hereby deleted in its entirety and replaced with the following language:

180-80. Purpose, intent and scope.

It is the purpose of this article to promote the public health, safety and general welfare through reasonable, consistent and nondiscriminatory sign standards. The sign regulations in this article are not intended to censor speech or to regulate viewpoints, but instead are intended to regulate the secondary effects of speech and especially insofar as those secondary effects may adversely affect aesthetics, traffic and pedestrian safety. In order to preserve and enhance the Township as a desirable community in which to live and do business, a pleasing, visually attractive environment is of foremost importance. The regulation of signs within the township is a highly contributive means by which to achieve this desired end. These sign regulations have been prepared with the intent of enhancing the visual environment of the Township and promoting its continued well-being and are intended to:

- A. Satisfy the intent and purpose of the Municipal Land Use Law, including N.J.S.A. 40:55D-2a to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals and general welfare; N.J.S.A. 40:55D-2c, to provide adequate light, air and open space; N.J.S.A. 40:55D-2i, to promote desirable visual environment through creative development techniques and good civic design and arrangements; and N.J.S.A. 40:55D-2j, to prevent degradation of the environment through the improper use of land.
- B. Encourage the effective use of signs as a means of communication in the Township;
- C. Maintain and enhance the aesthetic environment and the Township's ability to attract sources of economic development and growth;
- D. Improve pedestrian and traffic safety;
- E. Minimize the possible adverse effect of signs on nearby public and private property;
- F. Lessen the visual clutter that may otherwise be caused by the proliferation, improper placement, illumination, animation, excessive height and excessive size (area) of signs which compete for the attention of pedestrian and vehicular traffic;
- G. Encourage and allow signs that are appropriate to the zoning district in which they are located and consistent with the category of use and function to which they pertain;
- H. Curtail the size and number of signs and sign messages to the minimum reasonably necessary to identify a residential or business location and the nature of any such business;
- I. Establish sign size in relationship to the scale of the lot and building on which the sign is to be placed or to which it pertains;
- J. Regulate signs in a manner so as not to interfere with, obstruct the vision of or distract motorists, bicyclists or pedestrians;
- K. Except to the extent expressly preempted by state or federal law, ensure that signs are constructed, installed and maintained in a safe and satisfactory manner and protect the public from unsafe signs;
- L. Preserve, conserve, protect and enhance the aesthetic quality and scenic beauty of all districts of the Township;
- M. Allow for traffic control devices consistent with national standards and whose purpose is to promote highway safety and efficiency by providing for the orderly movement of road users on streets and

highways, and that notify road users of regulations and provide warning and guidance needed for the safe, uniform and efficient operation of all elements of the traffic stream;

- N. Protect property values by precluding, to the maximum extent possible, sign-types that create a nuisance to the occupancy or use of other properties as a result of their size, height, illumination, brightness or movement; and,
- O. Regulate the appearance and design of signs in a manner that promotes and enhances the beautification of the Township.”

Section 2: Article XXIV, Section 180-2 is hereby supplemented to include in alphabetical order between the definition for “ACCESSORY SIGN” and “CHANGEABLE COPY SIGN” the definition for BILLBOARD SIGN as follows:

BILLBOARD SIGN

A sign structure and/or sign utilized for: Advertising an establishment, an activity, a product or service or entertainment that is sold, produced, manufactured, available or furnished; or promoting any activity, including noncommercial activity and solicitation, such as but not limited to charitable solicitation and noncommercial speech, at a place other than on the property on which said sign structure and/or sign is located.”

Section 3: Article XXIV, Section 180-80.3.H. is hereby supplemented to include billboard signs within the signs specifically prohibited in the Township by amending said section to include billboard sign at subsection (18) as follows:

H. Prohibited signs. All signs which are not permitted by this article are prohibited with the following signs specifically prohibited:

(1) through (17)

* * *

“(18). Billboard signs.”

Section 4: Effective Date. This ordinance shall take effect upon its final passage, adoption and publication on the earliest date permitted by law.

Section 5: Severability. If any section, paragraph, clause, phrase, term, provision or part of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid or inoperative, such judgment shall not affect, inhere or invalidate the remainder thereof, which shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

Section 6: Short Title. This Ordinance may be cited as Ordinance No. 5-2015.