

ORDINANCE NO. 2018-12

**AN ORDINANCE OF THE BOROUGH OF HARVEY CEDARS, OCEAN COUNTY,
NEW JERSEY AMENDING CHAPTER 13 ENTITLED “ZONING”
AS IT PERTAINS TO GARAGE SALE AND REAL ESTATE SIGNS**

**THE BOARD OF COMMISSIONERS OF THE BOROUGH OF HARVEY
CEDARS DOES ORDAIN AS FOLLOWS:**

Section 1. Section 13-14.1 of the Code of the Borough of Harvey Cedars entitled “Signs in R-A, R-AA and Residential Districts” is hereby amended by deleting in its entirety paragraphs d. and e. and re-lettering paragraphs f. and g. as d. and e. respectively.

Section 2. Section 13-14.1 of the Code of the Borough of Harvey Cedars entitled “Signs in R-A, R-AA and Residential Districts” is hereby amended by supplementing new paragraph f. as follows:

f. Signs advertising a garage sale are permitted provided the following:

1. A garage sale permit has been obtained.
2. The placement of one (1) sign on the property where the sale is to be held and a maximum of two (2) signs to serve as directional aids located remotely.
3. Signs must be placed in public right-of-way only and shall not block any sight triangles and shall not be placed on pavement or attached to utility poles, trees, stumps, sign posts or any other type of permanent structure.
4. Signs are not permitted on private property without the property owner’s permission.
5. Signs shall not be over four (4) square feet in size and no more than twenty (20) inches from the ground.
6. No lighted signs and no attachments to the signs such as, but not limited to, balloons, ribbons, streamers or banners.
7. Signs may be displayed on the property of the sale up to five (5) days prior to the sale and must be removed immediately after the event. Signs posted remotely may only be posted on the day of the sale and must be removed the same day the sale is concluded.

Section 3. Section 13-14.3 of the Code of the Borough of Harvey Cedars entitled “Prohibited Features” paragraph b. is hereby amended to read as follows:

- b. Lighted signs, where permitted, exclude neon, LED or flashing signs.

Section 4. Section 13-14.5 of the Code of the Borough of Harvey Cedars entitled “Real Estate Signs” is hereby created and supplemented to read as follows:

13-14.5 Real Estate Signs.

- a. One (1) unlighted on-site sign not over four (4) square feet in size, advertising a dwelling or building located on the property for sale or rent, provided the same is in compliance with all side yard requirements of this chapter, is erected and set back a minimum of ten (10) feet from the street line and the bottom of said sign is no more than twenty (20) inches from the ground.
- b. No more than one (1) sign advertising vacant land for sale or rent, not exceeding four (4) square feet in area, may be placed on the property to be rented or sold. In the case of housing development projects, as a part of the Planning Board application, the developer may receive permission to maintain on his tract not more than two (2) signs, limited to advertising his development, with the total area of each sign not exceeding thirty-two (32) square feet. Such permit shall be issued by the Zoning Officer at the current rate for sign permits.
- c. A maximum of two (2) directional “Open House” signs, are permitted provided the following:
 1. The placement of two (2) signs shall serve as directional aids located remotely from each other.
 2. Signs must be placed in public right-of-way only and shall not block any sight triangles and shall not be placed on pavement or attached to utility poles, trees, stumps, sign posts or any other type of permanent structure.

3. Signs are not permitted on private property without the property owner's written permission.
4. Signs shall not be over four (4) square feet in size and no more than twenty (20) inches from the ground.
5. No lighted signs and no attachments to the signs such as, but not limited to, balloons, ribbons, streamers or banners.
6. Signs may only be displayed between the hours of 10:00am and 5:00pm on the day of the event and must be removed immediately after the event.
7. The Code Enforcement Officer or a duly-designated representative may cause any sign which is an immediate peril to persons or property to be removed. Signs will be held for reclamation at the Borough for a maximum of fourteen (14) days. At the discretion of the Code Enforcement Officer, repeated offenses by the same agent, agency or salesperson shall be subject to a removal fee of not more than fifty (\$50) dollars.

Section 5. Section 13-16.2 of the Code of the Borough of Harvey Cedars entitled "Certificates and Permits" paragraph a. "Zoning Permits" is hereby amended by supplementing the following:
(n) Sign removal maximum fee – \$50.00

Section 6. This Ordinance repeals any inconsistent ordinance or ordinances or part or parts thereof.

Section 7. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Borough Mayor and Commissioners hereby declare that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 8. This Ordinance shall take effect upon final adoption after publication in accordance with law.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was duly introduced and passed on the first reading at a regular meeting of the Board of Commissioners of the Borough of Harvey Cedars held on **August 3, 2018**. Further notice is given that said Ordinance shall be considered for final passage and adoption at a regular meeting of said Board of Commissioners to be held on **August 21, 2018** at 4:30pm at the Borough Hall, 7606 Long Beach Blvd., Harvey Cedars, NJ, at which time and place any person desiring to be heard will be given an opportunity to be so heard.

Daina Dale, Municipal Clerk