

**BOROUGH OF NEW MILFORD**  
**ZONING OFFICER/ PROPERTY MAINTENANCE OFFICER**  
**930 River Road - New Milford, New Jersey 07646**  
**PHONE (201) 967-5044 – FAX (201) 262-1904**

LICENSE NUMBER \_\_\_\_\_ (Calendar Year) FEE \$50.00 \_\_\_ Ck \_\_\_ Cash Date pd. \_\_\_

ISSUE DATE \_\_\_\_\_

**Please check the purpose of this filing:**

- Yearly Permit Application – Valid, current, in-effect liability insurance certificate (original or copy) naming the Borough of New Milford as additional insured, as required by Ordinance Section 30-29.3, must be on file before Permit will be issued
- Registration of “Open House” Listing Only – Current-year Permit previously issued

**PLEASE PRINT LEGIBLY.**

**Temporary Real Estate Sign Permit Application - Yearly Filing Required**

Date \_\_\_\_\_

Brokerage/Agency or Homeowner Name:

\_\_\_\_\_

Brokerage/Agency Name of Responsible Person

\_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_ Fax \_\_\_\_\_ email \_\_\_\_\_

Signature of Responsible Person \_\_\_\_\_

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**Registration of Individual “Open House” Sign Listings**

To be (1) faxed to (201) 262-1904 **OR** (3) delivered to the building department before any temporary real estate or wayfinding signs may be erected under an issued permit for each listing address.

Agent/Homeowner Name \_\_\_\_\_

Contact Phone Number \_\_\_\_\_

Date \_\_\_\_\_

Listing Address \_\_\_\_\_

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, N.J.  
ORDINANCE #2010:15

NOTICE OF PUBLIC HEARING:

NOTICE is hereby given that the following ordinance was introduced at a meeting of the Council of the Borough of New Milford on the 22<sup>nd</sup> day of November, 2010 and passed on first reading, and the same was then ordered to be published according to law; and that said ordinance will be further considered for final passage at the meeting of the Council to be held at the Borough Hall, in said Borough on the 13<sup>th</sup> day of December, 2010 at 8:30 PM at which time and place, or at any time and place to which such meeting shall be from time to time adjourned. All persons interested will be given an opportunity to be heard concerning such ordinance.

Christine Demiris  
Borough Clerk

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**ORDINANCE NO. 2010:15**

**AN ORDINANCE TO AMEND CHAPTER XXX OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF NEW MILFORD ENTITLED "LAND USE REGULATIONS" THEREBY AMENDING SUBSECTION 30:29 ENTITLED "SIGNS AND AWNINGS"**

**WHEREAS**, the members of the Mayor and Council of the Borough of New Milford have been advised by the Planning Board that the present ordinance does not adequately address the zoning concerns that presently affect the residents of New Milford; and

**WHEREAS**, The Mayor and Council of the Borough of New Milford wish to amend Chapter XXX entitled "Land Use Regulations" to adequately address the zoning concerns that affect its residents;

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and Council of the Borough of New Milford that Chapter XXX, Section 30-29, Signs and Awnings is amended to add the following:

**30-29.1 Definitions.**

[The following terms are to be added to the current section, in their alphabetic locations]:

*Temporary real estate sign* shall mean signs of a size, number and composition described in this ordinance displaying the message "for sale," "for rent," "for lease," "open house" or other message intended to attract attention to real property. As used in this Article, "open house" shall mean "real estate open house."

*Wayfinding directional sign* shall mean signs of a size, number and composition described in this ordinance intended to direct traffic to real property that is for sale, for rent or at which an open house is being conducted.

### **30-29.2 General Rules and Regulations; Permit Required.**

- l. [Current verbiage shall remain; the following is to be added]:

The maximum allowable combination of temporary real estate signs and wayfinding directional signs that may be erected on any one day by a permittee for a registered property is four (4). Temporary real estate signs and wayfinding directional signs shall neither be illuminated nor have any matter or structure hanging from, attached or appended thereto.

- r. [The current subsection (r) shall be repealed in its entirety and replaced with the following]:

Company logos may be permitted on a commercial sign, including temporary real estate signs and wayfinding directional signs. The area of the logo must be contained within the sign area limitations specified in this Ordinance.

- x. [The following is to added to the current section]:

The display of a temporary real estate sign and/or wayfinding directional sign complying with this section within any Borough right of way shall require prior yearly payment of a \$50.00 fee and the obtaining of a permit. Such permit shall be issued on a current calendar year basis only, notwithstanding when during a year it is applied for. In addition, prior to the placement of a temporary real estate sign or wayfinding directional sign pursuant to such permit, the permittee real estate broker or homeowner shall register the event.

### **30-29.3 Permitted signs.**

A new subsection (f) is to be added and the current subsections starting with (f) are to be re-lettered sequentially:

- f. All temporary real estate signs and wayfinding directional signs for which a permit is required shall have an area of not more than four (4) square feet in surface area.

(i) Once registered, such signs may be displayed only on the Saturday and Sunday of an open house, between the hours of 11:00 a.m. and 6:00 p.m.

(ii) Such signs shall not impede vehicular or pedestrian traffic in any way and may be located (a) within the public right of way, but not upon or within the travel portion of any street or sidewalk, within a required sight triangle, or on any pole, tree, fire hydrant, traffic or parking sign, public waste receptacle, bus shelter or other structure located within the public right of way; or (b) on other property provided there exists a written agreement signed by the owner.

(iii) Such signs must be maintained in good condition and repair, be of sound construction such as a metal "A" frame design, or secured to the ground with metal stakes, the total height not to exceed 36 inches above the ground, and contain not more than two (2) sign faces.

(iv) Every such sign shall identify, at a minimum, the real estate broker or homeowner sponsoring the open house.

(v) The real estate broker or homeowner sponsoring an open house shall be responsible for complying with the provisions of this section, particularly the installation and removal of such signs within the designated times provided for in subsection (i), above.

(vi) A permittee who will sponsor an open house shall file, before a permit shall be issued, (a) a permit application form and fee with the Zoning Official to obtain a permit; (b) a certificate of insurance with the Zoning Official evidencing that liability insurance is in effect in an amount of not less than \$1,000,000 and naming the Borough as an additional insured, issued by an insurance company authorized to do business within the State of New Jersey; and (c) with the Borough Clerk a signed indemnification and hold harmless agreement, in a form acceptable to the Borough Attorney, agreeing to indemnify and hold harmless the Borough, its officers, elected officials, agents, employees and assigns, from any and all claims, suits or causes of action for damages or injuries resulting from the placement of such signs upon the public right of way.

**BE IT FURTHER ORDAINED** that the remainder of the ordinance remains unchanged and that this change shall become effective upon passage and publication in accordance with law.

**BE IT FURTHER ORDAINED** that a copy of this ordinance be forwarded to the New Milford Planning Board.

Introduced: November 22, 2010  
Scheduled Adoption: December 13, 2010