

**TOWNSHIP OF HAMPTON**  
**AN ORDINANCE AMENDING**  
**CHAPTER 108, "ZONING" AND SUBSECTION 108-30, "SIGNS"**  
**ORDINANCE #2023-07**

**BE IT ORDAINED** by the Mayor and Council of the Township of Hampton as follows:

**Section 1. Statement of Purpose.**

The purpose of the following is to both add clarity to existing sign regulations and adopt new regulations regarding governing electronic signs to ensure that Hampton Township remains current with changing sign technology while continuing to promote the health, safety and welfare of the community.

Electronic signs offer commercial enterprises unique opportunities to promote their business, but have distinctive characteristics that are not easily controlled by normal signage standards. Accordingly, specific regulations concerning illumination, message conveyance and related factors are necessary.

Further, the Township wishes to minimize the undue proliferation of electronic signs, thereby preventing clutter and unsightly conditions within the Township's business districts and elsewhere.

To achieve the intended purpose, the new regulations have the following objectives:

- A. To keep the number of signs and sign messages at the level reasonably necessary to identify a business and its products,
- B. To reduce visual distraction and obstructions to motorists traveling along, entering or leaving streets;
- C. To promote a quality manner of display that enhances the character of the Township;
- D. To prevent the proliferation of temporary signs that may promote visual blight.

**Section 2.**

A. Section 108-7 of the Code of the Township of Hampton is hereby amended to add the following definitions in appropriate alphabetical order:

**ANIMATED SIGN** - Any sign that moves or has an optical illusion of moving, such as the movement of any illumination or the flashing or varying of light intensity or color to depict or create an impression of action or create a special effect or scene or a sign that has changing messages. Animated signs include signs containing elements that blink, crawl, dissolve, emit smoke, fade, flash, oscillate, rotate, scroll, travel, twinkle, twirl, vibrate, or in any manner imitate motion. Signs that emit intermittent light, or contain audio, pyrotechnic, or bluecasting (Bluetooth/wireless advertising) components are considered to be animated signs.

**BLADE SIGN** — Any sign affixed to a facade of a building which is not parallel to the façade or that hangs from a roof overhang/canopy.

**CHANGEABLE COPY SIGN** - A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the structural integrity of the sign. A sign on which the message changes more frequently than once every thirty (30) seconds shall be considered an animated sign and not a changeable copy sign for purposes of this ordinance.

**CHANGEABLE COPY SIGN, ELECTRONIC** - A sign or portion thereof that displays electronic information in which each alphanumeric character, graphic, or symbol, is defined by a small number of matrix elements using different combinations of light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within the display area. Electronic changeable copy signs include computer programmable, microprocessor controlled electronic displays. A sign on which the messages change more frequently than once every thirty (30) seconds, shall be considered an animated sign and not an electronic changeable copy sign for the purposes of this Chapter.

**FACADE SIGN** - a sign which is attached to a building or structure and parallel to the surface of an exterior wall of the building or structure  
**FREESTANDING SIGN/PYLON SIGN** A sign mounted on a freestanding pole or poles.

**GROUND SIGN** — A sign in which 25% or more of the entire bottom is or the base supporting the sign is in contact with the ground.

**INSTITUTIONAL USE** — A non-profit, religious or public, use including schools, churches, libraries, hospitals, fire departments, first aid squads and government offices.

**MOVEABLE SIGN** — A sign that is affixed to wheels or a similar mechanism, including placement on a vehicle, that can be moved from one location to another.

**TEMPORARY SIGN** — A sign displayed for the purpose of short term advertisement

### **Section 3.**

The following paragraphs in subsection (1), "Prohibited Signs", in Section 108-30.4. Signs., of the Code of the Township of Hampton are hereby amended to read in their entirety as follows:

(N)

Animated signs, as well as streamers, pennants and similar displays, are prohibited in all zones, including on any Billboards Without limitation of the generality of the foregoing, this prohibition includes balloons, other inflatable objects, searchlights, and flexible signs in which movement is produced through operation of a fan or similar device,

(O)

Changeable Copy signs are prohibited in all residential zones, with the exception of institutional uses, within the Township, including on any Billboards

(P)

Digital Blade Signs that include either electronic ability or illumination are prohibited in all zones.

Except as specifically provided otherwise in Sections 108-30.2, 108-30.6, 108-30.9 and 108-30.10, Temporary signs shall be prohibited in all zones,

with the exception of institutional uses. Digital temporary signs are prohibited in all zones, without exception.

(R)

Moveable signs shall be prohibited in all zones, with the exception for institutional uses. Moveable digital signs are prohibited in all zones, without exception.

#### **Section 4.**

The following paragraphs in subsection C, "Facade Signs", in Section 108-30.7. Signs., of the Code of the Township of Hampton are hereby amended to read in their entirety as follows:

(C)

A façade sign shall not exceed, in area, 10% of the total area of story or level of building on which it is erected, or more than 250 sq. ft., whichever is lesser, and shall be designated to be architecturally compatible with the building.

#### **Section 5.**

There is hereby added the following new paragraph (D) and subparagraph (1) to section 108-30.10 "Signs for automotive sales, service and vehicle rental establishments" of the Code of the Township of Hampton:

(D)

Fuel, oil and gasoline filling stations may display one (1) changeable copy sign (which may be an electronic changeable copy sign) on each street frontage for the purpose of indicating their fuel prices only. The size of the sign displaying the prices shall not exceed twelve (12) square feet in area. The sign shall not be located on the canopy of any fueling station. The changeable copy sign shall not utilize green or red lighting if the property is located within 200 feet of a traffic signal.

(1)

Any Changeable Copy Sign shall not inhibit the sight triangles for ingress and egress to the property.

(2)

No Changeable Copy Signs shall be permitted on the canopies of any Fuel, oil and gasoline filling stations.

## **Section 6.**

Section 108-30.8 "Signs in the Highway Commercial (HC), Highway-Commercial Manufacturing Industrial (HC-MFG), Highway — Commercial — Research— Development (HC-RD), Highway — Commercial — Residential (HC-R) and Neighborhood Commercial (NC) Zone Districts , of the Code of the Township of Hampton shall be amended as follows:

(2) Each establishment shall be permitted to have one electronic changeable copy sign as part of one freestanding general directory or pylon sign permitted in the above section and regulated by Section 108-30.11.

(3) The changeable copy sign for each establishment shall not be other than a free standing general directory, pylon sign or ground sign and shall not be a faqade or blade sign.

(4) No changeable copy sign shall be displayed from inside a window of any establishment.

(5) Each establishment shall be permitted in lieu of a freestanding general directory a pylon sign or a ground sign not to exceed 40 sq. ft. and 8 ft. in height, including the base.

## **Section 7.**

The following new subsection (11), "Changeable Copy Signs ", is hereby added at the end of SUBSECTION 108-30, of the Code of the Township of Hampton:

(7)

Changeable Copy Signs. Changeable copy signs (including electronic changeable copy signs) shall be permitted only as specifically set forth herein.

(a)

Ground Signs and Freestanding Signs. Changeable copy signs (including electronic changeable copy signs) may be included on ground and freestanding signs in the

Highway Commercial (HC), Highway-Commercial-Manufacturing-Industrial (HC-MFG), Highway-Commercial-Research-Development (HC-RD), Highway-Commercial-Residential (HC-R) and Neighborhood Commercial (NC) Zone Districts only, subject to the following limitations:

[1] The changeable copy sign must be secondary to the primary signage, which may not contain changeable copy elements.

[2] The changeable copy sign must be mounted below the primary signage.

[3] Changeable copy signs may only be installed on properties with front yard frontages on Route 206, Halsey Road and Route 94.

[4] Changeable copy signs must be oriented to be readable from Route 206, Halsey Road and Route 94.

[5] Changeable copy signs cannot be located less than 250 ft. from a property zoned solely for residential use or developed for residential use.

[6] The changeable copy sign shall be included in the calculation of the total sign area. The dimensions of the changeable copy sign may not exceed the corresponding dimensions of the primary signage, provided however that the area of the secondary changeable copy sign shall not exceed one-third (1/3) of the total sign area or 32 square feet, whichever is less.

[7] The changeable copy sign shall have a minimum front yard set back as set forth in Section 5 of this Subchapter and shall have a maximum front yard set back of no more than 10 ft. greater than the minimum front yard set back permitted in the Zone.

[8] No digital changeable copy sign shall display sexually explicit or pornographic images.

[9] All regulations that do not conflict with the remaining regulations of this section pertaining to ground and freestanding signs in the Highway Commercial (HC), Highway-Commercial-Manufacturing — Industrial (HCMFG), Highway — Commercial — Research — Development (HC-RD), Highway — Commercial —

Residential (HC-R) and Neighborhood Commercial (NC) Zone Districts apply to the changeable copy sign.

(b)

General Requirements and Restrictions.

[1] No changeable copy signs are permitted on any billboard. The change to changeable copy signage or the addition of changeable copy signage on an existing billboard shall require a variance, as provided in the Municipal Land Use Law, N.J.S.A.

[2] Animated signs are prohibited in all zones.

[3] The message on an electronic changeable copy sign shall not change more than once every thirty (30) seconds. Only one message is permitted to be displayed on a changeable copy sign during said 30-second period.

[4] No sign shall consist exclusively of changeable copy signage.

[5] Site plan approval shall be required for freestanding signs, ground signs, blade signs and facade signs.

[6] Institutional uses in all zones shall be permitted to have an electronic changeable copy signs that shall meet the regulations of electronic changeable copy signs in the Highway Commercial (HC), Highway-Commercial-Manufacturing — Industrial (HC-NIFG), Highway — Commercial — Research-Development (HC-RD), Highway — Commercial — Residential (HC-R) and Neighborhood Commercial (NC) Zone Districts.

[7] Electronic changeable signs shall be in operation only during the hours of business operation, but in no event shall be permitted to operate later than 9 P.m.

[8] Changeable copy signs may advertise only the products and services offered on the property on which the sign is located and may not advertise specials or sales offered by any other business, organization or facility with the exception of Township or community messages.

[9] Changeable copy signs shall not emulate traffic control devices.

[10] No changeable copy sign shall create a distraction or nuisance for motorists.

[11] Electronic signs shall not be permitted to emit more than fifty percent (50%) of its illumination as the color white or light blue.

[12] Lettering on non-electronic changeable copy signs shall conform to the following standards:

[A] Lettering used on manual changeable copy signs oriented toward local or collector streets shall be no greater than three (3) inches in height. [B] Lettering used on manual changeable copy signs oriented toward service, minor or major arterial streets shall be no greater than six (6) inches in height. [C] Lettering used on manual changeable copy signs oriented toward pedestrians shall be no greater than two (2) inches in height.

(d)

Technical Requirements for Electronic Changeable Copy Signs.

[1] The illumination and/or intensity of the sign display shall be controlled so as not to create glare, hazards or nuisances. The sign shall not cause glare or impair the vision of motorists, shall not impair the observation of traffic control devices, shall not interfere with any driver's operation of a motor vehicle, and shall not constitute a nuisance to neighboring property owners.

[2] Each sign shall be equipped with a dimmer control and a photocell which automatically adjusts the intensity of the display in response to natural ambient light conditions in accordance with the illumination standards hereof.

[3] All signs must be equipped with a properly functioning default mechanism that will return to a solid black display should a malfunction occur.

[4] The maximum brightness level may not exceed 0.2 foot-candles over ambient light levels.

[5] When first installed, or within 10 business days of a request by the Township, the sign shall be calibrated and certified by the sign owner as complying with the requirements hereof and that the ambient light monitor



and dimming technology functions properly. This includes performing the following test to be witnessed by the Township engineer:

[A] The brightness level of the sign over ambient light levels shall be measured at a distance from the sign equal to the square root of the area of the sign multiplied by 100. (Example for an 8 ft x 4 ft sign, the distance is calculated as follows:  $8 \times 4 \times 100 = 3200$  feet.  $\sqrt{3200} = 56.57$ ).

[B] At least one hour after sunset a foot-candle meter shall be used to measure ambient light at the location of the sign. Said measurement shall be taken with the electronic sign turned off or displaying black copy. The reading shall be made at a height of 5 feet with the meter aimed directly at the sign area and perpendicular to the center of the sign.

[C] The electronic sign will be then turned to full white copy and another reading will be taken at the same location and with the same meter.

[D] If the difference between the two readings is 0.2 foot-candle or less, the electronic sign brightness level is properly adjusted.

[6] The sign shall operate at a maximum of 5000 nits during the daytime and shall be equip with a mechanism or controls to automatically adjust the brightness to 800 nits starting at dusk.

(e)

Traffic / Emergency Messages. The owner of the sign shall be required to coordinate and permit message access for local, regional, state, and national emergency services during emergency situations. Emergency messages are not required to conform to message standards listed herein. Emergency or traffic information signs mounted on trailers or attenuator trucks set up by any emergency services or construction companies are exempt from this ordinance.

## **Section 8.**

Effective Date: This Ordinance shall take effect after publication and passage according to law.

\_\_\_\_\_  
Timothy Dooley, Mayor

ATTEST:

\_\_\_\_\_  
Kathleen Armstrong, Township Clerk

### **CERTIFICATION**

I hereby certify that the above Ordinance #2023-07 was adopted by the Hampton Township Committee at their regular meeting held on April 25, 2023 at the Hampton Township Municipal Building, Baleville, Sussex County, New Jersey.

Date: \_\_\_\_\_

\_\_\_\_\_  
Kathleen Armstrong, RMC  
Township Clerk

### **NOTICE ORDINANCE 2023-07**

**NOTICE IS HEREBY GIVEN** that the foregoing Ordinance #2023-07 was adopted at Final Reading at the regular meeting of the Township Committee of the Township of Hampton, County of Sussex held on Tuesday, April 25, 2023, at the Hampton Township Municipal Building, Baleville, N.J.

Kathleen Armstrong, RMC  
Township Clerk

**HAMPTON TOWNSHIP  
NOTICE  
ORDINANCE 2023-07**

**TAKE NOTICE** that the foregoing Ordinance #2023-07 was introduced and passed on First Reading at the regular meeting of the Hampton Township Committee held on March 28, 2023, and was ordered published according to law, and will be further considered at the regular meeting of the Hampton Township Committee to be held on April 25, 2023. All interested parties may appear and be heard. A copy of this Ordinance has been posted on the Bulletin Board upon which public notices are customarily posted in the Township Hall of the Township.

Kathleen Armstrong, RMC  
Township Clerk