

BOROUGH OF KINNELON

ORDINANCE NO. 05-2026

**AN ORDINANCE TO AMEND CHAPTER 207 - ZONING RESTRICTIONS
IN THE BOROUGH OF KINNELON**

WHEREAS, The Mayor and Council of the Borough of Kinnelon desires to create an Ordinance to establish zoning requirements within the Borough of Kinnelon; and

WHEREAS, Chapter 207 of the Code of the Borough of Kinnelon hereby establishes and sets forth all regulations regarding zoning requirements within the Borough of Kinnelon.

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Kinnelon as follows:

Section 1: A New Chapter 207 is hereby established to be titled "Zoning" to read as follows:

BE IT ORDAINED by the Mayor and Council of the Borough of Kinnelon, County of Morris and State of New Jersey, as follows

§ 207-19 Signs.

§ 207-19 A. Definitions.

- 1.) **Election Day.** - The day legally designated for federal, state, and/or local elections.
- 2.) **Incidental Sign.** - A sign, generally informational that has a purpose secondary to the use of the lot on which it is located, such as "No Parking, Entrance, Loading Only, and other similar directives. No sign with a commercial message legible from a position off of the lot on which the sign is located shall be considered a commercial lot.
- 3.) **Intervisible.** - A condition whereby an individual can discern or identify the existence and nature of an object from a position directly in front of another similar object.
- 4.) **Political Sign.** - Any sign in connection with a general, primary or special election or referendum held pursuant to the provisions of either Title 18 or 18A. Education. or Title 19. Elections. Of the Revised Statutes of the State of New Jersey.
- 5.) **Sign.** - See definitions CH 207-4
- 6.) **Sight Triangle.** - a triangular-shaped portion of land established at street intersections in which nothing is permitted to be erected, placed, planted or allowed to grow in such a manner as to limit or obstruct the sight distance of a motorist entering or leaving the intersection.

§ 207-19 B. Zone Restrictions

Within the zones specified, the following regulations shall govern the use, placing or erection of signs:

1. **Residential Zones.** No signs or advertising devices shall be permitted in the Residential Zone except the following:

A. The placing of a "for sale" or "for rent" sign shall be permitted as an accessory use during the for-rent or for-sale period. A real estate "for sale or rent" sign shall apply only to the premises upon which it is placed and shall not be placed in the public right of way and may not in any way interfere with pedestrian or vehicular travel or sight lines. Said sign must be removed upon the sale of the premises on which it is posted. One such sign only is permitted per property and shall not exceed four (4) square feet in area.

B. A single sign less than one square foot in area may be posted at any entrance of a fenced area to advise anyone against entering the premises or entering beyond the gate for any reason including the presence of an animal. Signs such as but not limited to "Private Property," "Do Not Enter," "No Soliciting," "Beware of Dog," "Guard Dog," "Dog on Premises," etc. are permitted.

C. On properties not surrounded by a fence, signs, less than one square foot in area for the purposes of restricting Hunting, Fishing, Hiking, etc., may be posted on trees or a pole erected for such purpose. Such signs must be conspicuously posted so as to be intervisible, typically with a frequency of not fewer than ten signs per mile along the exterior boundaries but no more than one every seventy-five (75') feet. See Chapter 120-2.

i.) Properties with insufficient acreage to allow for legal hunting are not permitted to post "No Hunting" signs unless said property abuts, municipal, county, state, or federal lands where Hunting is legally permitted. The appropriate signage may be posted facing the adjacent municipal, county, state or federal lands, only.

D. Small professional announcement signs with the name of the resident's business, not over two square feet in area, and the name or announcement sign of a church or parish house; provided, however, that any of the signs permitted in this subsection may be used only with reference to the premises on which the same is displayed.

E. A sign necessary to the public welfare and less than one square foot in area shall be permitted in the Residential Zone.

F. Sign's advertising a "garage sale" not exceeding four square feet may be placed at the premises at which the sale is to take place but shall not be placed more than one week prior to the sale and removed immediately after the sale has concluded.

G. All signs listed above shall be on durable, i.e. weather resistant, sign material.

H. Incidental Signs shall not be permitted in Residential Zones except for Houses of Worship.

2. **Commercial and Restricted Commercial Zones.** No signs or advertising devices shall be permitted outside or attached to the exterior of any building in these zones, except signs referring to the premises upon which they are displayed or to the services rendered thereon, provided that no sign shall project beyond a property line and that the aggregate area of such signs shall not exceed 50 square feet. [Amended 4-20-2023 by Ord. No. 04-23]

A. A billboard, signboard or advertising sign shall be permitted as a permitted principal use an accessory use, provided that it meets the standards provided in § 207-17M.

3. **Restricted Recreation Zones.** One sign will be permitted at each entrance, not more than 50 square feet in size

4. All signs referenced in Chapter 207-19B. 2 & 3 require Planning Board approval.

5. No outdoor flashing or lighted signs or signs with moving parts will be permitted except by special permission of the Planning Board. In no case shall these signs be operated between 12:00 midnight and 6:00 a.m.

§207-19 C. All Zones

1. Signs permitted for all uses shall include:

A. Signs containing street number designations, postal boxes, historical markers, and advisory signs, such as, but not limited to, "private property," "no soliciting," and "no trespassing," provided that such sign is less than one (1) square foot in area. In addition, any public notice or warning required by a valid and applicable Federal, State, County, or Local law, regulation, or ordinance shall be permitted.

B. **No more than one sign meant for the purpose of identifying a contractor working on private, as well as commercial or public property,** not exceeding four square feet in area, shall be permitted to be placed on said property for a period of time beginning on the first day of the commencement of work and no longer than four days after work has been completed or the owner of said property removes the sign, whichever is shorter. Under no circumstance shall contractor signs or signs offering services be permitted to be placed on private or public property, along the roadway, or at intersections for the sake of advertising said business or services where the location of the sign does not coincide with services rendered at that property. No part of said sign shall be erected closer than 15 feet to the front property line of said premises.

C. **Political Signs.** Notwithstanding any prohibitions otherwise set forth in this chapter, political signs shall be permitted in any zone subject to the following conditions:

- i.) No sign shall exceed eight square feet in any residential zone or eighteen (18) square feet in any nonresidential zone.
- ii.) On the property constituting the campaign headquarters, one sign may be erected, posted or attached not exceeding 20 square feet in total display area.
- iii.) No political sign shall be erected, posted or displayed more than thirty (30) days prior to the date of the legally designated Election Day to which the sign pertains, and all such signs shall be removed not more than one (1) week after the date of the election.
- iv.) Any person, firm or corporation who shall erect or display or who shall cause or permit to be erected or displayed any political sign on premises subject to his or its control in violation of the terms of this subsection shall, upon conviction thereof, be punishable for a violation of the Zoning Ordinance.
- v.) Any candidate for public office or any person or group of persons, by whatever name designated, who shall erect or display or cause to be erected or displayed any political sign in violation of the terms of this subsection shall, upon conviction thereof, be punishable for a violation of this chapter.

There shall be no fee required for signs described in Chapter 207-19C 1.a-c

Incidental Signs shall be permitted in all Zones except Residential Zones with the proper application and approval from the appropriate Department of the Borough and the payment of all required fees. Houses of Worship in Residential Zones are exempt from this restriction.

§207-19 D. **Enforcement**

1. **Signs attached to telephone, utility poles, street signs or accessory structures forbidden.** It shall be a violation of the Code of the Borough of Kinnelon to erect, fasten or attach any sign of any nature to a telephone or utility pole, street sign or light standard. Borough officials shall remove any such sign which has been attached to a telephone or utility pole, street sign or light standard.

2. **Signs excluding traffic signs in the public right-of-way and in any sight triangle of an intersection forbidden.** It shall be a violation of the Code of the Borough of Kinnelon to erect or install any signs excluding traffic signs in the public right-of-way or in any sight triangle, at an intersection as defined in Chapter 207, Land Use and Development Regulations, such that it causes a limitation of vision of a pedestrian or the driver of a vehicle.

3. Signs on Borough property forbidden. It shall be a violation of the Code of the Borough of Kinnelon for any person to place any signs on Borough property unless authorized to do so by the Borough Administrator.

§207-19 E. Penalty.

In addition to the foregoing provisions, a complaint for each violation of this article in placing, erecting and maintaining each nonconforming sign shall be punishable in the Municipal Court by fines as set forth below. Any person, firm or corporation who shall violate a provision of this article or fail to comply therewith shall, jointly or severally, for each and every such violation and noncompliance, pay a fine not to exceed \$1,000. Proceedings under this section shall not, in any way, prevent the Zoning Officer, or his or her representative, or members of Kinnelon Police Department from proceeding to remove the sign under other provisions outlined herein. Any costs incurred by the Borough in the removal and storage of any such sign(s) shall be imposed upon the person(s) claiming such sign. In no case shall the Borough be responsible for signs not claimed within seven days of removal.

§ 207-19 F. Compatibility with state and federal regulations; higher standards.

All signs shall, in addition to complying with this article, comply with all appropriate state and federal regulations. Should this article be in conflict with any state or federal regulations, the more stringent regulations shall apply.

Section 2. Repealer.

All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflicts.

Section 3. Severability

If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this ordinance. The governing body of the Borough of Kinnelon declares that it would have passed the ordinance and each section thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section 4. Effective Date.

This Ordinance shall take immediate effect upon passage and publication according to law.

Adopted ___/___/___ on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
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Chirido						
Mabey						
Frank						
Lewis						
Reckler						
Harriz						

APPROVED:

JAMES FREDA, MAYOR

Attest:

KAREN IUELE, Borough Clerk