

ORDINANCE NO. 09-16

ORDINANCE OF THE TOWNSHIP OF TEWKSBURY, COUNTY OF HUNTERDON, STATE OF NEW JERSEY AMENDING ARTICLE VII OF THE TEWKSBURY TOWNSHIP DEVELOPMENT REGULATIONS ORDINANCE, SECTION 720 AS SAME RELATES TO TEMPORARY SIGNS

WHEREAS, the Township Committee of the Township of Tewksbury, County of Hunterdon, State of New Jersey seeks to ensure that its ordinances are compliant with constitutional principles; and

WHEREAS, the Township Committee has discovered that Sections of Article VII of the Township's Development Regulations Ordinance may impermissibly impinge upon its citizens' First Amendment rights to freedom of speech.

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Tewksbury, County of Hunterdon, State of New Jersey, that Article VII of the Township's Development Regulations Ordinance, Section 720 entitled "Signs" be and is hereby amended as follows:

Section 1

Section 720(A) is amended to include the following:

A temporary sign is a sign, poster, advertisement, bill, placard or banner which will remain in place only on a temporary, short-term basis.

Section 2

Section 720(B) entitled "Temporary Signs" is amended to include subpart 4 which shall read as follows:

If the temporary sign is placed on public property, it should be the responsibility of the person, agency, organization, company, or group whose name appears on such temporary sign or for whose benefit such sign was placed to remove the sign within the aforementioned period.

Section 3

Section 720(C) is amended to delete the second sentence in its entirety which begins with "A temporary sign advancing..." and concluding with "such election or event, as applicable."

Section 4

Section 720(E)(4) is amended to delete the words "political or event".

Section 5 - Severability

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged

unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 6 - Repealer

Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Section 7 - Effective Date

This Ordinance shall take effect as required by law.

ATTEST:

TOWNSHIP OF TEWKSBURY

Roberta A. Brassard
Municipal Clerk

Peter Melick
Mayor

DATED:

CERTIFICATION

I, **Roberta A. Brassard**, Municipal Clerk for Tewksbury Township, do hereby certify that the foregoing is a true copy of an Ordinance duly adopted by the Township Committee at their , 2016 meeting.

ROBERTA A. BRASSARD,
Municipal Clerk