

Ordinance #2020-46

AN ORDINANCE BY THE MUNICIPALITY OF PRINCETON CONCERNING ADVERTISING AND BANNERS IN THE PUBLIC RIGHT OF WAY, AND AMENDING CHAPTER 3 OF "THE CODE OF THE BOROUGH OF PRINCETON, 1974" AND CHAPTER 14 THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968".

WHEREAS, the Borough of Princeton and Township of Princeton pursuant to the provisions of the New Jersey Municipal Consolidation Act, N.J.S.A. 40:43-66.35 consolidated as Princeton on January 1, 2013; and

WHEREAS, pursuant to N.J.S.A. 40:43-66.64, the Princeton Council on January 1, 2013 adopted a Resolution continuing in effect Ordinances of the former Borough of Princeton and the former Township of Princeton as a new Code for Princeton is prepared; and

WHEREAS, the Princeton Council has reviewed and recommends amending Chapter 14 of the "Code of the Township of Princeton, New Jersey, 1968" to incorporate provisions from Chapter 3 of the "Code of the Borough of Princeton, New Jersey, 1974," concerning advertising and banners in the public right of way; and

WHEREAS, the Princeton Council wishes to adopt said Code revisions which will become a part of the new Princeton Code at a future date.

NOW, THEREFORE, BE IT ORDAINED by the Princeton Council as follows:

Section 1. Chapter 3 of the "Code of the Borough of Princeton (1974)" ("Borough Code") is hereby repealed.

Section 2. Chapter 14 of the "Code of the Township of Princeton (1968)" ("Township Code") is amended by adding a NEW article III thereto as follows:

Article III. Advertising in Public Right of Way; Banners.

Sec. 14-27. Placing of advertising sign on tree, post, sidewalk or utility pole.

No person shall place or cause to be placed on any post, tree, fence, sidewalk, telegraph pole, telephone pole or electric light pole in the streets of the municipality any advertising sign of any description, except on boards provided for that purpose and duly authorized by the mayor and council of the municipality.

Sec. 14-28. Placing of banners in, over or upon any street or avenue.

No person shall place or cause to be placed any banner in, over or upon any street or avenue of the municipality, unless the person makes application to the municipal clerk and such application is duly authorized by resolution by the mayor and council.

Sec. 14-29. Definition regulated banner.

A piece of material on which a sign, name, slogan, goal or headline is displayed within a public right of way.

Sec. 14-30. Application to place regulated banner.

Any person desiring to place a banner over a public right of way within the municipality must make an application to the municipal clerk.

Sec. 14-31. Removal of banner.

The approved banner must be removed within twenty-four hours after its use.

Sec. 14-32. Failure of applicant to remove banner.

Princeton will remove a banner left beyond the twenty-four hour period. Such banner will be held by the municipality for thirty days and then disposed of. In addition, an applicant failing to remove a banner will not be permitted to display any banner for the succeeding two years.

Section 2. All ordinances and resolutions or parts thereof inconsistent with this ordinance are repealed.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such

portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portion thereof.

Section 4. The provisions of this ordinance shall be applicable within Princeton upon final adoption and shall become a part of the new Princeton Code once completed and adopted.

Linda S. McDermott, Clerk

Liz Lempert, Mayor

Ordinance Introduced:

Ordinance Adopted:

This ordinance is part of the ongoing process of merging and harmonizing the code provisions of former Princeton Borough and former Princeton Township into a new code for the consolidated municipality of Princeton. It updates the provisions of Chapter 14 of the Township Code by incorporating therein the provisions governing banners in the public right of way from the Borough Code, and ensures their application throughout the entire municipality.