TOWNSHIP OF FAIRFIELD
ORDINANCE #2015-14

AN ORDINANCE TO AMEND AND SUPPLEMENT THE ZONING ORDINANCE OF THE
TOWNSHIP OF FAIRFIELD

BE IT ORDAINED by the governing body of the Township of Fairfield that it does hereby amend and
supplement the Zoning Ordinance of the Township of Fairfield as follows:

SECTION 1. Article X §45-62.1 Words and Terms; Definitions, Physical Sign Types: is hereby
amended and supplemented with the following:

c. Electronic Message Center or Sign (EMC) shall mean an electrically activated
chargeable sign whose variable message and/or graphic presentation capability can be
electronically programmed by computer from a remote location. EMCS typically use
light emitting diodes (LEDs) as a lighting source.

SECTION 2. Article X §45-62.3 Signs Requiring Fee is hereby amended and supplemented as follows:

a. The fee for a wall sign, freestanding sign, or an electronic message center or sign (EMC),
single-or-double faced, shall be seven and one-half ($0.75) cents per square foot of area
of the sign face. The minimum fee for any sign shall be forty ($40.00) dollars.

SECTION 3. Article X §45-62.7 General Sign Provisions is hereby amended and supplemented as
follows:

b. No sign of any type shall be moving or give the illusion of moving, with the exception of
clocks or thermometers. Electronic message and Reader board signs are prohibited.

g. An EMC sign may be a portion of a building sign or freestanding sign, or may comprise
the entire sign area.
h. All EMC signs shall have automatic dimming controls, either by photocell (hardwired) or
via software settings, in order to bring the EMC lighting level at night into compliance
with Township illumination standards.

SECTION 4. Article X §45-63.2 Signs Permitted in the C-1, C-2, C-3 and H-D Zones is hereby
amended and supplemented as follows:

c. Each commercial and industrial building may display one (1) freestanding illuminated
sign, unless otherwise stated herein. One EMC sign may be included with the
freestanding sign, provided the total sign area meets the maximum sign area requirement
for that particular zone. With the exception of an electronic message center or sign
(EMC), the sign shall advertise only the occupants of the building. EMCS may constitute
a portion of a building sign or freestanding sign, or may comprise the entire sign area,
and by definition provide variable message and/graphic presentation.
g. Each lot may have one EMC sign, which shall be subject to the requirements outlined under §45-63.2.c. In addition EMC sign messages shall only be changed a maximum of two times per day. The transition time between messages and/or message frames is limited to three seconds and these transitions may employ fade, dissolve, and/or other transition effects. EMC display features that are prohibited include continuous scrolling and/or traveling, flashing, spinning, rotating, and similar moving effects, and all dynamic frame effects or patterns of illusionary movement or simulating movement.

Section 5. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

Section 6. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law and the filing of the adopted ordinance with the Essex County Planning Board.

[Signature]
JAMES GASPARINI, MAYOR

ATTEST:
[Signature]
DENISE D. CAFONE, MUNICIPAL CLERK

NOTICE

Notice is hereby given that the foregoing Ordinance was submitted in writing at a meeting of the Mayor and Council of the Township of Fairfield, County of Essex, State of New Jersey, held on November 23, 2015 introduced and read by title and passed first reading and that said Governing Body will further consider the same for second reading and final passage thereof at a meeting that was to be held on December 28, 2015 at 7:00 p.m.; at the Municipal Building, 230 Fairfield Road, Fairfield, New Jersey, at which time and place a public hearing will be held thereon by the Governing Body and all persons and citizens of interest shall have an opportunity to be heard concerning same.

Denise D. Cafone
Municipal Clerk
INTRODUCTION OF ORDINANCE – November 23, 2015
ORDINANCE #2015-14, AN ORDINANCE TO AMEND AND SUPPLEMENT THE ZONING
ORDINANCE OF THE TOWNSHIP OF FAIRFIELD

INTRODUCED BY: Councilman LaForgia
SECONDED BY: Council President Morgan
PUBLISHED: December 10, 2015

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2ND READING AND PUBLIC HEARING: December 28, 2015

INTRODUCED BY: Council President Morgan
SECONDED BY: Councilman LaForgia
PUBLISHED: December 31, 2015

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RESOLUTION
TOWNSHIP OF FAIRFIELD PLANNING BOARD
ESSEX COUNTY, NEW JERSEY
REFERRAL REPORT PURSUANT TO N.J.S.A. 40:55D-26a.

WHEREAS, at the request of the Mayor and Governing Body of the Township of Fairfield ("Township") the Township Land Use Planner, Burgis Associates, Inc., was requested to draft two ordinances to address two land use issues, that being, electronic message centers and signs (EMCs); and additional bulk regulations to limit the size and scale of multifamily buildings; and

WHEREAS, in order to incorporate the new ordinances and regulations it is proposed that the Township amend the current sign ordinance and the appropriate multifamily overlay zone district ordinance where such dimensional requirements would apply; and

WHEREAS, Article X Sections 45-62.1, 62.3, and 62.7 are proposed to be amended to provide a definition of electronic message centers and signs as set forth in the Memorandum of Burgis Associates, Inc., dated November 20, 2015. The regulations that are summarized in the Burgis Memorandum will provide sufficient guidelines to allow commercial property flexibility in the sign, type and placement, while addressing Township concerns regarding lighting, safety and nuisance issues; and

WHEREAS, in accordance with the recommendations of the Burgis Memorandum, dated November 20, 2015, Article VII Section 45-28.1 is proposed to be amended and supplemented in order to provide maximum building regulations to limit the size and scale of multifamily buildings. This provision, as more specifically set forth in the Burgis Memorandum, would eliminate concerns of having excessively long structures on properties, which is not consistent with sound zoning; and

WHEREAS, pursuant to N.J.S.A. 40:55D-26a, said ordinances are required to be referred to the Township Planning Board ("Board") for review and comment regarding their consistency with the Township Master Plan, and any other recommendations deemed appropriate by the Board; and

WHEREAS, at the meeting of November 24, 2015, the Board reviewed the proposed ordinances as more specifically set forth in the Burgis Memorandum of November 20, 2015 and concluded that the intent and purpose of the two proposed ordinances are clearly beneficial to, and consistent with, the public health, safety, and welfare of the Township and all of its residents and, therefore, recommends to the Mayor and Governing Body the adoption of both ordinances as proposed.
CERTIFICATION

I hereby certify this to be a true and accurate copy of the Resolution adopted by the Fairfield Township Planning Board, Essex County, New Jersey, at a public meeting held on November 24, 2015.

[Signature]

Steven Bury, Secretary
Fairfield Township Planning Board