

**COUNTY OF BERGEN  
BOROUGH OF PARAMUS  
ORDINANCE 2021-14**

**AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 367,  
SIGNS, SECTION 367-12, RULES AND REGULATIONS, SUBSECTION L,  
BILLBOARDS OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF  
PARAMUS**

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**BE IT ORDAINED**, by the Mayor and Council of the Borough of Paramus, County of Bergen and State of New Jersey, that Part II, General Legislation, Chapter 367, Signs, Section 367-12 Rules and Regulations, Subsection L, Billboards, of the Code of the Borough of Paramus, is hereby amended as follows:

**Section 1.** The current text of Borough Ordinance, Part II, General Legislation, Chapter 367, Signs, Section 367-12 Rules and Regulations, Subsection L, Billboards, shall hereby be amended as follows:

- L. Billboard Signs.** The following standards, provisions, requirements and restrictions shall apply to all Billboard Signs within the Borough of Paramus and these regulations are being adopted in furtherance of the Borough of Paramus Master Plan and to guide the appropriate use and development of lands in the Borough in a way that will: balance the promotion of the safety, convenience and enjoyment of safe travel on highways while promoting development and economic vitality and facilitating the flow of free speech and expression, of which providing messages of commercial, public and social value conveyed through the medium of roadside signs and outdoor advertising is an important part and constitutionally required; and minimize the possible adverse effect of off-premises and outdoor advertising signs on nearby residential zone districts:
- 1.** The Borough shall not accept a Billboard Sign application for consideration and issuance unless accompanied by a valid State of New Jersey permit issued by the Department of Transportation to be accompanied by scaled site plans sealed by an engineer licensed and registered in the State of New Jersey. Such plans shall include structural drawings, foundation specifications, wind load calculations, electrical requirements and a survey depicting the distance between the proposed Billboard Sign and existing billboard signage installed as of the date of the subject application.
  - 2.** All Billboard Signs may only be applied for and shall only be permitted in the Billboard Overlay Zone with frontage along NJ State Hwy 4 East which area is a maximum of 50 feet from the southern right-of-way (ROW) line of N.J. State Highway 4 from Block 607, Lot 20 east to Block 902, Lot 13. For further reference see map annexed hereto as Attachment "1".
    - a)** Billboard Signs shall be prohibited elsewhere within the Borough of Paramus;
    - b)** Billboard Signs shall be constructed to confine their lines of sight to NJ State Hwy 4; and

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- c) The billboard sign panel may extend outside the 50-foot permitted area, subject to the provisions elsewhere in this ordinance.
3. **On-Premise Billboard Signs.** On-Premise Billboard Signs, whether Static Billboard Signs or Multiple Message Billboard Signs, are strictly prohibited. All On-Premise Signs located in nonresidential zone districts are governed by Subsection H above.
4. **Off-Premise Billboard Signs.** An Off-Premise Billboard Sign is a sign that identifies or communicates a commercial or noncommercial message related to an activity conducted, a service rendered, or a commodity sold at a location other than where the sign is located. A sign shall be considered an Off-Premise Billboard Sign used for the purpose of the business of outdoor advertising in the following circumstances:
- a. If the property owner or sign owner receives compensation for the use of the sign. However, if the payment of compensation for the use of the sign is a condition of a bona fide and principal use of the property and the compensation is paid by the entity whose use or activity is displayed on the sign, the sign shall be considered an On-Premise Sign and strictly prohibited; or
  - b. If a sign consists principally of brand name or trade name advertising and the product or service advertised is only incidental to the principal activity conducted on the premises where the sign is displayed.
  - i. The premises on which an activity is conducted shall be determined by physical facts rather than property lines. The following are not part of the premises on which an activity is conducted, and any signs located on such lands shall be deemed off-premises advertising:
    - a) Land separated by a roadway, highway, or other obstruction shall not be considered part of the premises. However, where lands are developed into one integrated and commonly identified site, the lands shall not be deemed to be separated. An integrated site shall have a unified overall site design, shared parking, integrated roadway, and pedestrian systems, common management and rights of constituent businesses to use the common facilities. Examples of an integrated site are a shopping mall divided by an internal street or a pedestrian overpass connecting a development with its parking garage; or
    - b) Narrow strips of lands that are contiguous to the property but separated from the activity.

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- ii. The following general requirements shall apply to Off-Premise Billboard Signs:
  - a) The evaluation of a sign's compliance with the minimum spacing requirements shall only consider Off-Premise Billboard Signs that are visible on the same side of the highway, except as stated below:
    - i. Directional signs, service club signs and religious signs, school bus stop shelter signs, and transit bus shelter signs shall not be considered in evaluating spacing requirements.
    - ii. Wall signs that are located on opposite sides of the same building or on opposite sides of adjacent buildings shall not be considered in evaluating spacing requirements between them, provided that no parts of these signs can be seen simultaneously by traffic travelling in the same direction. Such signs shall be considered in evaluating the spacing requirements to roof signs and ground signs located on the same side of the highway.
    - iii. Signs that are located on opposite sides of the structural steel of the same bridge shall not be considered in evaluating spacing requirements between them provided that no part of one sign can be seen simultaneously with a part of the other sign.
    - iv. A sign on a railroad bridge, overpass, building, or other structure that spans a highway or ramp shall be considered in evaluating spacing requirements to any other sign if both signs are visible to motorists traveling in the same direction, and the other sign is located on the driver's right side.
  - b) The measurement of distance between signs shall be made in the following manner:
    - i. The minimum spacing distance between permitted locations shall be measured along the nearest edge of the pavement between points directly opposite the edge of the sign face nearest the pavement edge and

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shall apply only to permitted locations on the same side of the highway. The point of measurement for back-to-back signs shall be the midpoint between the nearest edge of the back-to-back sign faces.

- ii. Where a sign located over a highway is considered in measuring the spacing between permitted locations, the minimum distance between it and another sign shall be measured from the sign face of the overhead sign to the point of measurement specified in (ii)bi above. Measurements shall only be made to permitted locations on the driver's right side based on the direction of travel to view the overhead sign.
  - c) Not more than one sign face or display at a permitted location shall be visible to traffic traveling in the same direction. If sign faces are not visible to traffic travelling in the same direction (placed back-to-back or in a V-type construction), the maximum advertising surface area and dimensions shall apply to the sign faces on each side of the sign.
5. **Static Billboard Signs:** Static Billboard Signs include, but is not limited to, any graphics that are painted or otherwise, supergraphics, building wraps, and wall drop signs that do not change electronically. A Static Billboard Sign shall comply with the provisions of this chapter and the following requirements:
- a. All applications pertaining to Static Billboard Signs shall be preconditioned on the issuance of a valid State of New Jersey permit issued by the Department of Transportation to be accompanied by a scaled site plan sealed by an engineer licensed and registered in the State of New Jersey.
  - b. Static Billboards Signs shall have a maximum sign face area of 672 square feet.
  - c. The maximum permitted height of a Static Billboard Sign shall not exceed the maximum height for a principal structure permitted in the subject zone where the Billboard Sign is located or a height of 35 feet at its highest point above the elevation of the adjacent street or of the elevation at the base of the sign, 60 feet if the distance from any part of a Billboard Sign is greater than 500 feet

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from the closest residential use within the Borough of Paramus, whichever is greater.

- d. A Static Billboard Sign shall have a minimum height of 20 feet at the lowest point of the sign face as measured from the elevation of the adjacent street or of the elevation at the base of the sign, whichever is lower.
- e. A Static Billboard Sign face, including border and trim, shall be no greater than 16 feet in height and shall be no greater than 60 feet in width.
- f. No more than one (1) Static Billboard Sign shall be permitted on any lot. For the purposes of this subsection, double-faced billboards visible from opposite directions but built on a common frame shall be considered one (1) Billboard Sign.
- g. Static Billboard Signs may be permitted on the same lot as another principal permitted use, provided that no Billboard Sign shall be constructed on any other structure on the lot and the Billboard Sign shall be supported by a single pole affixed to or embedded in the ground.
- h. Only single-sided and back-to-back or V-type construction Billboards with a single display per facing shall be permitted.
- i. No Static Billboard Sign may be placed any closer than 1000 feet to any other Billboard Sign.
- j. There shall be no more than two Billboard Signs within any one (1) linear mile as measured along Route 4 within the Billboard Overlay Zone within the Borough.
- k. No Static Billboard Sign may be placed within 200 feet of an interchange, intersection at grade, or the convergence of on-ramps and off-ramps of an interstate highway or freeway, or of any overpass or underpass that traverses an interstate highway or freeway, including but not limited to NJ State Hwy 4, as measured at a point closest to any portion of the above and the closest portion of the subject Billboard Sign as measured from the property line.

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- I. The minimum setback of any Static Billboard Sign as measured from all points of the Billboard Sign shall be 250 feet from all residentially zoned property or property being utilized for residential purposes within the Borough of Paramus, any public property not to include public streets, any public or private parks, or any registered historical sites or historical districts, within the Borough of Paramus.**
  
- m. A Static Billboard Sign may be multi-colored, and illumination shall be installed only to reasonably illuminate the subject billboard sign face and shall be directed and back-shielded to transmit light only to same to a degree that it does not create a light pollution visual nuisance. No perimeter, strobing or other attracting type of lighting may be operated in conjunction with a Billboard Sign.**
  
- n. A Static Billboard Sign shall not be placed or operated to create a safety, traffic, health or hazardous condition.**
  
- o. Any application received for a Static Billboard Sign that is intended to replace existing Billboard Sign shall be regulated by these provisions and any other applicable regulations normally applied to new Billboard Sign applications.**
  
- p. No regulations in this section or any portions thereof are intended as being less restrictive than state or federal regulations.**
  
- q. Static Billboard Sign extensions:**

  - i. The total square footage of Static Billboard Sign's extensions may not exceed 25% of the Billboard Sign face area for which such extensions are sought;**
  - ii. Such extensions shall not protrude more than five (5) feet from the billboard sign face;**
  - iii. Static Billboard Sign's extensions shall not be considered when calculating billboard sign face area or height requirements;**
  - iv. The sign contractor shall provide evidence to the Borough that the extensions are structurally sound and do not**

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create or intensify any potentially hazardous or injurious conditions; and

- v. Static Billboard Sign's extensions shall be operated only as a component of specific advertising copy, which use shall expire with the removal of said specific advertising copy and are not intended to become a permanent portion of the billboard structure or sign face area.
  - r. No Static Billboard Sign shall be permitted which, because of its size, shape and/or location, may obscure or obstruct the view of vehicular or pedestrian traffic.
  - s. No advertisements shall be permitted on any Billboard Sign that is deemed to be in violation of existing laws, offensive to the moral standards of the community, false, misleading or deceptive, or in any way reflects upon the character, integrity or good standing of any organization or individual.
6. **Multiple Message Billboard Sign:** Multiple Message Billboard Sign, LED Billboard, Electronic Billboard, and Digital Billboard are hereby used interchangeably and shall refer to Billboard Signs that utilizing digital message technology, capable of changing the static message or copy on the sign electronically, such that the alphabetic, pictographic, or symbolic informational content of which can be changed or altered on a fixed display surface composed of electronically illuminated or electronically actuated or motivated elements can be changed or altered electronically. Multiple Message Billboard Signs shall comply with the provisions of this chapter and the following requirements:
- a. All regulations herein pertaining to Multiple Message Billboards Signs shall be preconditioned on the issuance of a valid State of New Jersey permit issued by the Department of Transportation and accompanied by a scaled site plan sealed by an engineer licensed and registered in the State of New Jersey.
  - b. Multiple Message Billboard Signs shall have a maximum sign face area of 672 square feet.
  - c. The maximum permitted height of a Multiple Message Billboard Sign shall not exceed the maximum height for a principal structure permitted in the subject zone where the Billboard Sign

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is located or a height of 35 feet at its highest point above the elevation of the adjacent street or of the elevation at the base of the sign, 60 feet if the distance from any part of a Billboard Sign is greater than 500 feet from the closest residential use within the Borough of Paramus, whichever is greater.

- d. A freestanding Multiple Message Billboard Sign shall have a minimum height of 20 feet at the lowest point of the sign face as measured from the elevation of the adjacent street or of the elevation at the base of the sign, whichever is lower.
- e. A Multiple Message Billboard Sign face, including border and trim, shall be no greater than 16 feet in height and shall be no greater than 60 feet in width.
- f. No Multiple Message Billboard Sign may be placed any closer than 3,000 feet to another Multiple Message Billboard.
- g. There shall be no more than two Billboard Signs within any one (1) linear mile as measured along Route 4 within the Billboard Overlay Zone within the Borough.
- h. No more than one (1) Multiple Message Billboard Sign shall be permitted on any lot. For the purposes of this subsection, double-faced billboards visible from opposite directions but built on a common frame shall be considered one (1) Billboard Sign.
- i. Multiple Message Billboard Sign may be permitted on the same lot as another principal permitted use, provided that no Billboard Sign shall be constructed on any other structure on the lot and the Billboard shall be supported by a single pole affixed to or embedded in the ground.
- j. Only single-sided and back-to-back or V-type construction Multiple Message Billboard Sign with a single display per facing shall be permitted.
- k. No Multiple Message Billboard Sign may be placed within 200 feet of an interchange, intersection at grade or the convergence of on-ramps and off-ramps of an interstate highway or freeway or of any overpass or underpass that traverses an interstate



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highway or freeway, including but not limited to NJ State Hwy 4, as measured at a point closest to any portion of the above and the closest portion of the subject billboard sign as measured from the property line..

- I. The minimum setback of any Multiple Message Billboard Sign as measured from all points of the billboard sign shall be 250 feet from all residentially zoned property or property being utilized for residential purposes within the Borough of Paramus, any public property not to include public streets, any public or private parks, or any registered historical sites or historical districts, within the Borough of Paramus.
  
- m. A Multiple Message Billboard Sign may be multicolored and continuously illuminated and shall be installed only to reasonably illuminate the subject Billboard Sign face and shall be directed and back-shielded to transmit light only to same to a degree that it does not create a light pollution visual nuisance. No perimeter, strobing or other attracting type of lighting may be operated in conjunction with a Billboard Sign.
  
- n. Multiple Message Billboard Signs shall not be placed or operated to create a safety, traffic, health or hazardous condition.
  
- o. Any application received for a Multiple Message Billboard Sign that is intended to replace existing Billboard Sign shall be regulated by these provisions and any other applicable regulations normally applied to new billboard sign applications.
  
- p. No regulations in this section or any portions thereof are intended as being less restrictive than state or federal regulations.
  
- q. Multiple Message Billboard Sign extensions:
  - i. The total square footage of Multiple Message Billboard Sign's extensions may not exceed 25% of the Billboard Sign face area for which such extensions are sought;
  - ii. Such extensions shall not protrude more than five (5) feet from the billboard sign face;

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- iii. Multiple Message Billboard Sign's extensions shall not be considered when calculating billboard sign face area or height requirements;
  - iv. The sign contractor shall provide evidence to the Borough that the extensions are structurally sound and do not create or intensify any potentially hazardous or injurious conditions; and
  - v. Multiple Message Billboard Sign's' extensions shall be operated only as a component of specific advertising copy, which use shall expire with the removal of said specific advertising copy and are not intended to become a permanent portion of the billboard structure or sign face area.
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- r. In accordance with N.J.A.C. 16:41C-11.1(a)(4), no Multiple Message Billboard Sign with a digital sign shall display any image that is flashing, animated moving or appears to move.
  - s. All digital signs and displays shall remain fixed for an interval of at least eight seconds.
  - t. Multiple Message Billboard Signs shall contain a default design that will freeze the sign in one position if a malfunction occurs;
  - u. The change from one display to the next shall be completely accomplished within one second or less and the entire display shall change at the same time.
  - v. No Multiple Message Billboard Sign shall be operated so that the meaning of one display is continued on the next display.
  - w. No Multiple Message Billboard Sign shall be permitted which, because of its size, shape, or location, may obscure or obstruct the view of any vehicular or pedestrian traffic.
  - x. No advertisements shall be permitted that are deemed to be in violation of existing laws, offensive to the moral standards of the community, false, misleading or deceptive, or in any way reflects upon the character, integrity or good standing of any organization or individual.

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- y. Every Multiple Message Billboard Sign shall be available to the Borough to display emergency messages, such as, but not limited to, Amber Alerts, at no cost or expense to the Borough.

**Section 3.** Any ordinance or part thereof inconsistent with this ordinance is repealed to the extent of such inconsistency.

**Section 4.** This ordinance shall take effect following adoption and approval in a time and manner provided by law.

Attest:



Annemarie Krusznlis, RMC  
Borough Clerk

Approved:



Richard A. LaBarbiera  
Mayor

Introduced: March 9, 2021

Final: April 13, 2021