

ORDINANCE NO. 3633

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, NEW JERSEY, MORE PARTICULARLY CHAPTER 333, STREETS AND SIDEWALKS, ARTICLE V , BANNERS, SECTION 333-55, CRITERIA FOR DISPLAY OF BANNERS ACROSS TOWNSHIP STREETS; APPLICATION REQUIRED AND SECTION 333-56, APPROVAL PROCEDURE; ALTERNATIVE LOCATION.

SUMMARY

An Ordinance amending Code Chapter 333, Streets and Sidewalks by naming the Township Clerk the official accepts and issues the application.

BE IT ORDAINED by the Township Council of the Township of Franklin, County of Somerset, State of New Jersey, is hereby as follows:

SECTION I

Chapter 333, Streets and Sidewalks– Article V– Banners is amended as follows:

§ 333-55. Criteria for display of banners across Township streets; application required.

Banners to be displayed across Township streets as defined herein may be permitted if the following criteria is met:

- A. Banners shall announce functions or fund-raising events for charitable, educational, civic or religious organizations within the Township of Franklin.
- B. Application shall be made to the ~~Chief of Police~~ **Township Clerk** of the Township of Franklin at least 30 days prior to the intended date of display.
- C. Application shall include:
 - (1) Name and address of the applicant; charitable, educational, civic or religious organization sponsoring the same;
 - (2) Name, address and telephone number of the contact persons;
 - (3) Purpose of the banners;
 - (4) Date banner is to be displayed;
 - (5) Sketch of the banner, including the type, color, material and language;
 - (6) Sketch of the proposed location of the banner.
 - (7) Certificate of insurance from an A-rated insurance company shall be provided setting forth the Township of Franklin as a named insured under the policy, with a liability insurance limit of \$1,000,000 per occurrence.
- D. The banner(s) may remain in place for no more than 14 days.
- E. The dimensions of a banner may not exceed six feet in height or 16 feet in length, with a maximum area of 32 square feet.
- F. The highest portion of a banner shall not exceed 25 feet.
- G. The minimum clearance of banners above the finished grade level shall be 16 feet.
- H. Banners shall not be lighted.
- I. Banners shall be displayed at least 1,000 feet from any traffic signal.
- J. The organization sponsoring the display of a banner shall submit an indemnification agreement indemnifying and holding the Township of Franklin harmless from any claims arising there from.

§ 333-56. Approval procedure; alternative location.

Upon receipt of a complete application for the display of a banner, the Chief of Police shall review and ~~issue~~ **approve** or deny a permit for said banner within 10 working days. **After approved by the Chief of Police, the Township Clerk shall issue a permit for said banner. If denied, the Township Clerk will notify applicant of the same.** If the proposed location for the display of the banner is not in compliance with § 333-55 or is otherwise unacceptable, the Chief of Police shall have the right to select an alternative location for display of the banner.

§ 333-57. Non-Township streets.

Banners to be displayed across county and/or state roads shall be subject to any applicable standards and permit requirements of the County of Somerset and/or State of New Jersey, respectively.

SECTION II

If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court jurisdiction, such validity of unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

SECTION III

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed as to the extent of such inconsistency.

SECTION IV

This ordinance shall take effect immediately upon adoption and publication according to law.

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This is a true copy of an ordinance adopted by the Township Council, Township of Franklin, Somerset County, NJ.

Introduced:	August 8, 2006
Public Hearing:	September 12, 2006
Adopted:	September 12, 2006
Notice of Final Adoption:	September 18, 2006
Effective Date:	October 2, 2006

Ann Marie McCarthy, Township Clerk