CITY OF HACKENSACK
ORDINANCE 2026 - 1

AN ORDINANCE REGULATING SIGNS
WITHIN THE CITY OF HACKENSACK

ARTICLE I
IN GENERAL

Section 1.1 Intent

The intent of this chapter is to protect health, safety, and public welfare through the control of all signs so as to achieve the following:

1. To control signs that violate privacy or which increase the likelihood of accidents by distracting attention or obstructing vision;

2. To preserve and protect property values and civic beauty by not allowing signs of excess size, height, number, visual impact, undesirable location, maintenance, spacing, or illumination;

3. To establish standards that permit businesses a reasonable and equitable opportunity to advertise, but which will avoid excessive visual competition among sign displays; and

4. To provide signs that are compatible with their surroundings and appropriate to the types of activity to which they pertain.

Section 1.2 Definitions

For the purposes of this chapter, the following terms, phrases, words and their derivations shall have the meaning given herein:

Advertising sign means a sign which directs attention to a business, profession, products, service, or entertainment not sold or offered upon the premises where such sign is located or to which it is attached.

Aggregate sign area means the total square footage of all business and outdoor advertising signs on any specific lot.

Area identification sign means a sign to identify a common area containing a group of structures, or a single structure on a minimum of five acres, such as a residential subdivision, apartment complex, industrial park, or shopping center, located at the entrance or entrances of the area.

Architectural monument means a decorative monument, which may include changeable copy, placed on public or quasi-public land for the purpose of providing information.

Banner means any sign of lightweight fabric or similar material that is mounted to a pole or a building at one or more edges. National flags, state or municipal flags, or the official flag of any institution shall not be considered banners.

Bench means any sign which is affixed to a bench, not to include memorial dedications in part of recreational areas.

Billboard means an outdoor sign board exceeding 30 square feet that directs attention to a business, profession, product, service, or entertainment not sold or offered up the premises where such sign is located or to which it is attached.

Canopy sign means any sign that is a part of or attached to any awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance window, or outdoor service area.

District or zoning district means a section or sections of the incorporated area of the City of Hackensack for which the effective zoning ordinance governing the use of buildings and land is uniform for each class or use permitted therein.

Dynamic Displays means any electronic sign, message center, or digital billboard that utilizes computer-generated messages or some electronic means of changing copy. These signs include displays using incandescent lamps, LEDs, LCDs, a flipper matrix, or similar technologies.

Erect means to build, construct, attach, hang, place, suspend, or affix, and shall include the painting of wall signs.

Flashing means an illuminated sign on which artificial light is not maintained stationary and/or constant in intensity and color.

Freestanding means a sign which is supported by one or more uprights, pole, or braces in or upon the ground, other than a combination sign.

Garage/yard sale means a private sale of personal property used to dispose of personal household possessions; not for the use of any commercial venture.

Illuminated means any sign which has characters, letters, fixtures, designs or outlines illuminated by electric lights or tubes.

Lighting (indirect or diffused) means lighting designed so that the direct source of light is not visible, and is screened through plastic, neon tube, or similar design.

Lot means a zoning lot, except as the context shall indicate a lot of record, in which case a lot is a lot of record.

Multi-faced means a two-sided sign which is the same on both sides. The single structural component is counted as one sign. Each sign shall be counted as a separate sign for size requirements.

Nonconforming sign means a sign existing at the effective date of this ordinance.

Portable means a sign designed to be movable from one place to another, which is not affixed to the ground or structure; also called a "mobile sign".

Projecting means a sign affixed to a building wall that extends outward from the wall.

Real estate means a sign offering property (land and/or buildings) for sale, lease, or rent.

Roof means a sign erected or attached in whole or in part upon the roof of a building.

Setback means the minimum horizontal distance between the front line of the building or structure (excluding steps, unroofed porches and overhangs) and the front lot line (unless specifically designated otherwise).

Sign means a name, identification, description, display, illustration, or device which is affixed to or represented directly or indirectly upon a building, structure, or land in view of the general public, and which directs attention to a product, place, activity, person, institute, or business.

Temporary area identification means a temporary sign setting forth the name of the project, architect, engineer, planner, or financing agency related to a construction project.

Wall means any sign which is attached flat against or represented on the face of the building.

Window means any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service, that is placed inside a window or upon the window.

Zoning administrator means the Zoning Officer of the City of Hackensack duly appointed by the council.

Zoning inspector, as used in this chapter, shall mean a city official appointed by the city council to provide for the enforcement of the zoning ordinance.

ARTICLE II
REGULATIONS

Section 2.1 General Sign Provisions

The following general provisions are applicable to all signs in all zoning districts. It shall be unlawful for any person to erect, alter, replace, or relocate any sign or other advertising structure without first obtaining a permit and paying the required fees, except as herein otherwise provided:

(l) *Sign regulations*

a. A sign is a structure or a part of a structure for the purpose of applying setbacks and height requirements.

b. Signs are prohibited within the public right-of-way or dedicated public easements.

c. Illuminated signs are permitted in all districts except residential and agricultural.

d. Business signs shall not be painted directly onto the roof or the sides of the building.

e. Signs shall not be affixed to trees, rocks, or utility poles.

f. No sign shall interfere with the ability of vehicle operators or pedestrians to see traffic signals or encroach upon the vehicular sight triangle.

g. No sign shall obstruct any window, door, fire escape, or opening intended to provide entry or exit to any structure, building, or right-of-way.

h. One temporary area identification sign setting forth the name of the project, architect, engineer, planner, and financing agency may be installed at a construction site in any district for the period of construction. Temporary sign shall be removed within 14 days of the project completion.

i. Campaign signs for candidates for political office or by a person or group supporting a candidate may be placed in any district subject to the requirements of the district. Campaign signs may be posted

for a period not to exceed 100 days and shall be removed within seven days following the date of the election.

j. Temporary banners and pennants employed for grand openings of a business establishment, business sponsored events, or holidays are permitted provided such banner or pennant is removed within 24 hours after the promotion has ended. In no situation may any temporary banner or pennant be displayed for more than 14 consecutive days.

k. All signs shall be in accordance with the applicable provisions of the Zoning Ordinance.

l. Maximum aggregate sign area within the Commercial zoning district shall not exceed 80 square feet per lot.

m. Any sign type or classification not specifically defined herein requires formal review and approval by the City Council.

n. One address sign shall be required per building in all districts.

o. For signage placed by a business on a public sidewalk, in no case shall the signage obstruct a five-foot-wide pathway along the public sidewalk. Such signage placed on a public sidewalk shall be removed between November 1 and April 15.

p. Dynamic Display signage shall not be allowed in any residential zone. Dynamic Displays must display each screen for intervals of at least 15 seconds per image. There shall be no delay and no visual effect when changing images on a Dynamic Display Sign. No animated, flashing, scrolling, intermittent, or full motion video elements are allowed on a Dynamic Display sign if that Dynamic Display sign can be viewed from a public road. Message sequencing is prohibited; no message may be spread across more than one advertisement. The illuminance of a Dynamic Display shall not exceed 0.3 footcandles over ambient lighting conditions when measured at the recommended distance as defined in Cass County Ordinance No. 2025-01. The Dynamic Display may not exceed 50% of the allowable sign area on any property.

2) *Exempted signs*. The following signs are exempt from the provisions of this chapter:

a. Informational signs not exceeding (2) square feet in area displayed strictly for the convenience of the public, including signs which

identify restrooms, waste receptacles, addresses, mailboxes, or building entrances/exits.

b. Memorial plaques, cornerstones and historical tablets.

c. Public signs, street signs, warning signs, railroad crossing signs, or signs of public service companies for the purpose of safety.

d. Decorative banners which exclude signage.

3) *Permit not required*. The following signs do not require a permit or permit fee. The other requirements of this ordinance remain applicable.

a. Temporary political campaign signs.

b. Temporary real estate signs pertaining only to the sale, rental, or development of the premises upon which they are displayed.

c. Temporary area identification sign on construction sites.

d. Temporary signs include garage sale, business promotion, and/or special event signs.

e. Temporary banners and pennants employed for grand opening of business establishments or special events.

f. Decorative banners that exclude signage.

g. Signs advertising a business on the property the business is located.

(4) *Prohibited signs*. All signs not expressly permitted under this chapter or exempt from the regulations hereunder in accordance with the previous subsection are prohibited in the city.

a. Billboards.

b. Illuminated signs in residential or agricultural areas.

c. Dynamic Display signs in residential or agricultural areas.

d. Use of a stationary vehicle or trailer as a sign, with the exception of magnetic signs which may be attached to the side or sides of a vehicle.

e. Projecting signs in all districts except the Commercial District.

Section 2.2 Nonconforming Signs

Any sign legally existing at the time of the passage of this ordinance that does not comply with the requirements set forth in this ordinance shall become a nonconforming sign. Nonconforming signs shall comply with the following requirements.

1. Nonconforming signs shall be allowed to continue but shall not be rebuilt, relocated, replaced, or altered without being brought into compliance with all of the requirements of this chapter.

Section 2.3 Application for Sign Permit

An application for a sign permit shall be upon the form provided by the zoning administrator and shall state or have attached thereto the following information:

1. The name and address of the applicant.

2. The location of the building, structure, or lot on which the sign is to be erected.

3. The name of the person or company who will be erecting the sign.

4. A scaled drawing of the sign plans and specifications.

5. The applicant will also have to apply for a zoning permit for construction of the sign if required.

6. Written consent from the property owner, if different from the applicant.

7. If the permitted sign is not completed within a period of one year from the date of the Sign Permit, a new Sign Permit shall be required.

Section 2.4 Fees

The fees for any permit to be issued under this chapter shall be established by resolution of the city council. Until then, such fee is otherwise changed by the City Council, the fee for a permit is as defined in Hackensack's Fee Schedule. The fee shall be payable at the time of the filing of the permit application.

1. Except for maintenance, any substantial alteration, replacement of the business message, or renovation of a sign off premises shall constitute a new sign, therefore requiring a permit application.

2. A double fee shall be charged if a sign is erected without first obtaining a sign permit from the city for the sign if such sign otherwise complies with this ordinance.

Section 2.5 Initial Inspection

All sign installations for which a permit is required shall be subject to inspection by the zoning administrator and/or zoning inspector to ensure that such signs comply with the requirements of the permit and are safely secured, supported, and braced.

Section 2.6 Biennial Inspection

A city-wide inspection to determine compliance with the provisions of this chapter shall be completed every two years by the zoning administrator.

Section 2.7 Revocation of Permit

The zoning administrator is hereby authorized to revoke a sign permit upon failure of the holder thereof to comply with any provision of this chapter. Any party aggrieved by such revocation may appeal the action to the city planning commission/city council within 10 days after the revocation.

Section 2.8 Maintenance and Removal of Signs

(a) All signs shall be maintained by the sign owner in a safe condition. A sign shall be repainted whenever its paint begins to fade, chip, or discolor.

(b) Signs shall be removed; however, the structure may be maintained from the building and property within 14 days after business use has terminated.

(c) If the zoning administrator finds that any sign is unsafe, a detriment to the public, or not constructed, erected, or maintained according to the provisions of this chapter, the sign owner shall be notified of the violation in writing.

(d) If the sign owner fails to comply with standards of this ordinance within 20 days after such notice, such sign may be removed by the zoning administrator; provided that, for temporary signs, the notice and appeal period is seven days.

1. Recovery of costs. The owner of the premises on which the sign is removed shall be personally liable for the cost to the city for removal, including legal and administrative costs. As soon as the work has been completed and the costs are determined, the city shall prepare a bill for the cost and mail it to the owner. Thereupon the amount shall be immediately due and payable at Hackensack City Hall. The city may recover such costs by civil action against the owner and/or the person who maintained the sign for all costs and

expenditures, including attorney's fees and a civil penalty, incurred by the city in removing such sign, or the city may assess such costs against the property as provided for in subsection (d)(2) below.

2. Assessment. If the city is not fully reimbursed for all its reasonable costs incurred in the removal of a sign as described in this section, all such unpaid costs, charges, and fees are attributed. The city council may direct that the costs, charges, and fees are certified to the Cass County Auditor for collection along with the current real estate taxes for the following year or in annual installments, not exceeding three years, as the city council may determine in each case.

Section 2.9 Immediate Abatement

Nothing in this ordinance shall prevent the city, without notice or other process, from immediately abating any condition which poses an imminent and serious hazard to human life or safety.

Section 2.10 Violations and Penalties

Violation of the provisions of this ordinance or failure to comply with any of its requirements or regulations adopted pursuant to this ordinance shall constitute a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding $1,000.00 or by imprisonment for a period not exceeding 90 days or both, plus, in either case, the costs of prosecution. The city may enforce any provisions of this ordinance by mandamus, injunction, or any other appropriate remedy in any court of competent jurisdiction.

ARTICLE III
REPEAL

Section 3.1 Repeal

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed, along with Ordinance No. 68 & 76.

ARTICLE IV
EFFECTIVE DATE

This ordinance shall take effect and be in force from and after its passage and publication.

Passed and approved this 12th day of October, 2026

By:_____
Mayor of the City of Hackensack

Attest:_____
City of Hackensack Administrator/Clerk-Treasurer

published _____