REQUIREMENTS FOR RESIDENTIAL & BUSINESSES

REQUIREMENTS FOR RESIDENTIAL

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Resale Certificate Check List

1. **Electrical covers** - Proper electrical device covers are needed on all electrical switches, outlets and junction boxes. Do not forget the covers behind the couch or dresser.
2. **Extension/Zip Covers** - These items are for a temporary use only and are not permitted, they can not pass through a wall or floor. They are commonly found stapled to the baseboards of older homes. Remember to unplug or shut off the power source before attempting to remove them.
3. **Handrails** - Every interior or exterior flight of stairs (including decks) that has more than three risers requires a handrail. The handrail must be able to be gripped by children as well as adults and not wider than 2 5/8".
4. **Pressure relief discharge pipe** - The pipe is needed on heating units and water heaters; it cannot be reduced to from (3/4 to 1/2 inch) pipe &should discharge around six to eight inches off the floor. Yes, a permit is needed to replace the water heater.
5. **Faucets & Toilets** - Shall be installed and maintained in good working order. These items can not leak and if the fixtures do no t get used on a regular basis, the gases that are present in the sewer will escape possibly causing heath problems.
6. **Garages attached or inside the house** - The fire resistive rating at time of construction must be maintained. All the holes that were made for repairs to plumbing or for electrical wiring must be properly patched. Any door leading to the dwelling must have the same fire rating as garage and equipped with a listed self- closing device capable of closing the door, i.e.; U.L. listed closing devices
7. **Locks on Egress Doors** – All exit doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort. Double cylinder dead blot locks are not permitted.
8. **Gas piping** - Must be properly strapped with shut off valves near appliance. If the appliance is removed the gas pipe must be capped. Aluminum gas piping is not permitted.
9. **Broken, cracked missing glazing** - Please replace the glass so no one gets hurt (use safety glass if required).
10. **Guards (RAILINGS)** - Needed to prevent falls when elevation changes are 30 inches or greater. Provide for opening by stairways.
11. **Sidewalks, stairs, driveways and walkways** - Shall be kept in good state of repair and maintained free from hazardous conditions. Repairs are ok if tripping hazards are not created.

12. **Clearances to combustibles** - Provided required space around fuel burning appliances. Follow manufacturer requirements.
13. **POOL REQUIREMENTS** - **All** pools are to be protected in the proper manner such as fencing and gates according to state code (appendix G section AG105 barrier requirements)
14. **Street numbers** - Numbers to your house should be visible in case of and emergency, numbers should have 1/2-inch stroke a minimum of 2 1/2 inches in height and must be visible from the street.
15. **Accessory structures** - Garages, fences sheds and walls must be kept in good state of repair and maintained.
16. **Interior surfaces** - Cracked, loose or missing plaster, peeling paint, uneven or defective floor surfaces, should be repaired or replaced.
17. **Roofs, leader pipe and water runoff** - The roof shall be sound, tight and not have defects that admit rain. The leader pipes should terminate at the ground and discharge the water away from your foundation and not into the neighbor's yard.
18. **Exterior walls & trim features** - Must be maintained weatherproof and properly surface coated (painted).
19. **Oil tanks** - Did you convert to gas? The oil tank must be properly abandoned with a building permit and proper inspection being conducted.

Did you finish off the basement or attic, use it as an additional bedroom? The intended use of some areas was not designed to be used for habitable space. State building codes dictate certain safety requirements that must be installed or altered for adding additional living space.

THESE ARE STATE MANDATED BUILDING CODES.

NOTE: The above listed check list items are not intended to be all-inclusive, but are only a partial listing of the most frequently found violations during Resale Certificate inspections.

It is recommended that the Resale Certificate Inspection be conducted as soon as the contract is signed. Stop by the Building Department and fill out an application.

Smoke alarms for one- and two-family swellings; carbon monoxide alarms; and portable fire extinguishers.

There has been a change to the NJ Fire Code NJAC 5:70-4.19, which requires that battery operated smoke detectors installed in one- and two-family dwellings units now be ten-year sealed battery powered single station smoke alarms. Also, the requirements for fire extinguisher installations has some new language.

5:70-4.19 Smoke alarms for one- and two-family dwellings; carbon monoxide alarms; and portable fire extinguishers

(a) In one- and two-family or attached single family dwellings subject to the requirements of N.J.A.C. 5:70-2.3, smoke alarms shall be installed as follows:

1. On each level of the premises
2. Outside of each separate sleeping area
3. A/C powered smoke alarms shall be accepted as meeting the requirements of this section.
4. Smoke and carbon monoxide detectors are required by the state of N.J. to be located within 10 feet on the outside of each bedroom door.
5. Best placement for smoke detectors is on the ceiling, although the wall is allowed. The usual placement in the basement and first floor is within three feet of the opening of the stairway on the ceiling.

(b) The smoke alarms required in (a) above shall be located and maintained in accordance with NFPA 72.

1. The alarms shall not be required to be interconnected

(c) **Ten-year sealed battery-powered single station smoke alarms shall be installed and shall be listed in accordance with ANSO/UL 217**, incorporated herein by reference. However, A/C-powered single or multiple-station smoke alarms installed as part of the original construction or rehabilitation project shall not be replaced with battery-powered smoke alarms. The effective date of this subsection shall be January 1, 2019.

(d) carbon monoxide alarms shall be installed in all dwelling units in buildings in one- and two-family or attached single family dwellings, except for units in buildings that do not contain a fuel-burning device or have an attached garage, as follows"

1. single station carbon monoxide alarms shall be installed and maintained in the immediate vicinity of the sleeping area(s).

2. carbon monoxide alarms may be battery-operated, hard-wired, or of the plug-in type. They shall be listed and labeled in accordance with the UL-2034 and shall be installed in accordance wit the requirements of this section and NFPA-720.

REQUIREMENTS FOR BUSINESSES

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ORDINANCE NO. 3149-23

AN ORDINANCE TO AMEND CHAPTER XXI (ZONING) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LYNDHURST TO AMEND THE PROVISIONS RELATING TO DESIGN STANDARDS AND SIGNS FOR NONRESIDENTIAL STRUCTURES IN THE BUSINESS DISTRICT

WHEREAS, the Board of Commissioners is aware that building facades in the business district are not consistent with adjacent buildings and those where there is an aesthetic relationship and has seen deterioration of the state of conditions and aesthetics.

WHEREAS, the Board of Commissioners has received recommendations from the Township Beautification Commission concerning the design standards in the business district.

WHEREAS, the Board of Commissioners is aware that certain retail businesses have been installing lighting that creates an aesthetic and safety concern in violation of Township Ordinances.

WHEREAS, certain retail businesses have taken the position that the installation of lighting is not in violation of Township Ordinances.

WHEREAS, the Board of Commissioners desires to clarify and amend the language of Chapter 21-9.

WHEREAS, the Board of Commissioners has an interest in improving the appearance and safety within the business district.

WHEREAS, the Board of Commissioners for the Township of Lyndhurst desires to amend the provisions of Chapter XXI pertaining to design standards and signs for non-residential structures.

NOW THEREFORE BE IT ORDAINED BY The Township of Lyndhurst Board of Commissioners as follows:

Section 1.

Section 21-5.14.b. shall be amended as follows:

b. Nonresidential Structures. Buildings shall be designed so as to prevent exterior elevations from containing large expanses of blank or featureless wall on the front, side, and rear elevation where visible. All mechanical equipment shall be hidden from view from the street by maintaining such equipment at the rear or on the top of the building.

1. In addition, structures located in the Business District shall have building facades consistent in design and color with adjacent buildings and those buildings where there is an aesthetic relationship. Continuity shall be achieved through consideration of elements of façade composition such as fenestration, cornice, soffit line, awnings, signage and façade color, all of which shall be compatible with adjacent buildings.

2. In addition, the facades of structures located in the business district shall be one ~~(two?)~~ solid, neutral color and the color should be limited to: cream, light to medium beige (tan), light to medium grey. ~~TBD by BOC now.~~ Any façade existing on the effective date of adoption of this section, which does not conform to any provision hereof and which has previously been approved by the Building Department, shall be deemed a non-conforming use and may be continued. Any legal non-conforming façade of any premises involving a change in tenancy of said premises, requiring any painting, or involving a change of appearance, signage, awning, shall revoke the nonconforming rights. Permits are required from the building department before any painting may be done to the facades of any structures located in the business district.

3. Nonresidential Structures must comply with all other applicable provisions of Chapter XXI.

* * *

Section 21-9 SIGNS. shall be amended as follows:

§ 21-9.4. Business District. [Ord. No. 2067; Ord. No. 2493, § I; Ord. No. 2567, § 3; Ord. No. 2760, § 1; Ord. #2897-13]

Permitted in Business District:

a. Awnings.

1. Awnings shall not project into the public right-of-way.

2. Waterfall shaped awnings are strictly prohibited.

~~2.~~3. Only one line of lettering shall be permitted which shall be painted on the lowest 12 inches of the awning and shall not be illuminated. The lettering shall not exceed ~~six~~ eleven inches in height. If a flat board sign, wall mounted sign or block lettering is used to advertise a business, no lettering shall be permitted on that business's awning.

~~3.~~4. Awnings shall consist of a canvas material. All other materials, including but not limited to, vinyl, wood or plastic, shall be prohibited.

~~4.~~5. Awnings and lettering shall each consist of only one solid color. The colors of the awning ~~or lettering~~ shall be limited to ~~forest green~~, black, ~~burgundy~~, brown or ~~dark~~ maroon, ~~blue~~. The lettering must be white. ~~except that lettering may also be white, gold or silver~~.

~~5.~~6. Awnings shall not be illuminated, except that goose lighting above the awning shall be permitted.

7. Any new, replacement or modifications of awnings must be wrapped with canvas and comply with other provisions herein.

8. All existing awnings that become tattered, worn or altered must be replaced, not re-wrapped, unless original awning structure adheres to current standards.

9. All awnings on a single building shall be uniform in color. As awnings are altered, replaced, modified or installed on any building, they shall be of such color to be uniform with others on the same building.

10. A change of business or transfer of business ownership shall require awnings to be brought into compliance with this chapter.

b. Window Signs and Covering.

1. Windows shall not be covered or blocked by any signs or temporary curtains, blinds or other window treatments.

2. The total sign area in any one window shall not exceed 10% of the window area in the business district, notwithstanding any provisions to the contrary that may be contained within Chapter 13. Internal illumination of a window sign shall be prohibited. Lights which outline the interior or exterior perimeter of a storefront window or doorway, in whole or in part, are prohibited.

3. Any window treatments installed must be properly installed shades with semi transparency.

4. Internal illumination of a window, including but not limited to signs in the window, shall be prohibited.

c. Wall Mounted Signs.

1. Wall mounted signs shall be no larger than 24 square feet and shall not extend beyond the business front to which they are attached.

2. Wall mounted signs shall be mounted flat onto the building. Painting of a sign directly on the building shall be prohibited.

3. Internal illumination of wall signs is prohibited.

4. Neon framing signs are prohibited.

5. All wall mounted signs or block lettering shall be illuminated with gooseneck lighting only.

6. Block lettering shall not be back lit or exceed 24 square feet in total area and shall not extend beyond the business front where such block lettering is used.

7. All wall mounted signs shall consist of only one solid color. The color of the sign shall be limited to black, brown, or maroon. The lettering must be white.

8. If a business has lettering on its awning, it is not permitted to advertise on any flat board sign, wall mounted sign or otherwise.

d. Freestanding Signs. Where the building is set back from the street line a distance of 25 feet or more, not more than one freestanding sign, with a total area of not more than 40 square feet, may be erected.

e. Closing of Business. All signs shall be removed upon the closing of the business to which they pertain.

* * *

§ 21-9.6. Prohibited Signs. [Ord. No. 2067; Ord. No. 2587, § 1]

The following signs shall be prohibited in all zoning districts:

a. Rooftop signs, and any signs which shall extend above the height of the roof of the building to which it is attached.

b. Signs which project over any point of any street or public right-of-way.

c. Signs illuminated by intermittent rotating or flashing lights, and no rotating or moving signs shall be permitted.

d. Signs in which the colors red, green, and amber are used in direct illumination or high reflection by the use of special preparations such as fluorescent paint or glass within a radius of 60 feet of any intersection.

e. Signs which consist of banners, posters, pennants, ribbons, streamers, strings of light bulbs, series of lights, neon lights, spinners, freestanding flexible or rigid pole-type signs ("feather flags") or other similarly moving devices. These devices when not part of any sign are similarly prohibited. On the opening of a new business, temporary exterior signage, including but not limited to banners, pennants, ribbons, ~~or~~ streamers or flexible or rigid pole-type signs ("feather flags") may be permitted for a period not to exceed 30 days.

f. Signs affixed or erected within the public right-of-way of any street, and no sign shall be located so as to constitute a traffic hazard.

g. Signs painted on, or affixed to any public building, structure, or fixture.

h. Signs printed on or affixed to water towers, storage tanks, smoke stacks, or similar structures.

i. Signs placed so as to interfere with or be mistaken for a traffic light or similar safety device, or which interfere with traffic visibility.

j. Signs placed, located, or displayed upon any sidewalk, right-of-way, or passageway.

k. Off-site signs.

l. Projecting signs.

m. Signs on trees or utility poles.

n. Advertising search lights outside of a building or structure.

o. Freestanding pole-type signs, except for automotive service stations.

p. All interior or exterior LED or neon window wrappings shall be banned immediately and shall be hereafter prohibited in the business district.

~~o.~~q. Any and all light box signs shall be prohibited.

* * *

§21-9.12 Permits.

a. No person, entity, business owner, tenant or landlord shall alter, amend, paint, or otherwise change any façade, awning or sign in the business district without first obtaining a permit therefor.

b. Permits shall be obtained from the Building Department during normal business hours. Applications for such permits shall be in a form approved by the Building Department and shall be accompanied swatches and material samples as requested by the Building Department.

c. The holder of a permit shall take all reasonable steps to minimize the creation and spread of debris and rubbish from its activities.

d. The holder of the permit shall take all reasonable steps to minimize interference with the free passage of pedestrians and traffic over public lands and sidewalks and shall comply with all lawful directives issued by the Lyndhurst Police and Fire Departments and with respect thereto.

e. The Construction Official/Zoning Officer may refuse to issue a permit whenever it is determined, on the basis of objective facts that the application does not comply with the provisions of this chapter.

f. A $25 fee is due when each application for permit is submitted.

§21-9.13. Violation.

a. If the Construction Official/Zoning Officer finds that any awning, sign or lighting has been erected in such a manner or has deteriorated to such a degree as to be unsightly or

to constitute a hazard to the general public, the violation shall be eliminated within 30 days after written notice unless there is an imminent danger posed by the condition, which shall be abated within 24 hours of notice.

b. Any person who shall violate any of the provisions of this section shall be subject to a fine of at least $100 and not exceeding $1,000 for each and every offense each day said violation occurs or is occurring; or imprisonment in the county jail for not more than 90 days; or to a period of community service not exceeding 90 days; or any combination thereof, at the discretion of the municipal court judge.

* * *

[Deleted provisions indicated by ~~strikeout~~; new provisions indicated by underline]

Section 2.

This Ordinance is effective twenty (20) days after adoption and publication according to law.

Section 3.

Severability. If any part, section, provision, or the total of any of the above-mentioned provisions are held to be invalid or unenforceable in any court, the findings or judgments of which court are applicable in the State of New Jersey, the remainder of such provisions shall remain in full force and effect as an Ordinance of the Township of Lyndhurst.

Section 4.

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

Adopted: April 11, 2023