



Borough Of Pitman
110 S. Broadway
Pitman, NJ 08071
856-589-2433

In November of 2015 the Borough Council enacted an amendment to the Zoning Code of the Borough of Pitman that requires a permit to display merchandise for sale outside a business. Attached is the application for said permit.

Thank You.

Copy of Ordinance on page 2:

ORDINANCE NO. 11, 2015

AN ORDINANCE OF THE BOROUGH OF PITMAN, COUNTY OF GLOUCESTER,
STATE OF NEW JERSEY AMENDING CHAPTER XXXV ENTITLED "ZONING" AND TO
CREATE A NEW §35-38 ENTITLED "OUTDOOR DISPLAY OF MERCHANDISE"
OF THE CODE OF THE BOROUGH OF PITMAN

WHEREAS, the Mayor and Council of the Borough of Pitman deem it in the best interest of the Borough to amend Chapter XXXV of the Code of the Borough of Pitman entitled "Zoning".

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Pitman, in the County of Gloucester and State of New Jersey, and it is hereby enacted and ordained by the authority of same as follows:

Section 1.

Chapter XXXV entitled "Zoning" shall be amended to include a new §35-38 entitled "Outdoor Display of Merchandise" to read in its entirety as follows:

§35-38 OUTDOOR DISPLAY OF MERCHANDISE.

The Outdoor Display of Merchandise shall be permitted in the C-1 and TRC-1 Zone Districts subject to the following:

- a) The purpose of this section is to permit certain decorative displays of merchandise and plantings in front of a store in the C-1 or TRC-1 Zoning District to assist the merchants to market their goods and enhance the beauty of the Borough.
- b) Ornamental plantings, merchandise and goods which are offered for sale within a store with sidewalk frontage may be displayed in front of the exterior storefront within the sidewalk right of way and on privately owned property. Clothing shall only be displayed on a mannequin and no more than one mannequin per store shall be permitted. The clothing shall be appropriately placed on the mannequin, not draped upon it.
- c) Merchandise shall be tastefully and decoratively displayed and located no more than thirty inches (30") from the front wall of the building in which the store is located. The decoratively displayed merchandise shall not occupy more than fifty percent (50%) of the store front width, provided that it shall not exceed more than eight linear feet (8'), but may be at least two linear feet (2'). The display shall not obstruct the storefront entrance and shall not extend above six feet (6') from the sidewalk surface. Corner properties may only display merchandise on the frontage for that location.
- d) A safe, continuous, and level path on the public right-of-way (sidewalk) shall be maintained for pedestrian traffic to pass in front of the storefront with the decorative display. Such path must be not less than four feet (4') in width between the most forward edge of any merchandise or goods, and any existing proposed features, such as trees, tree wells, planters, benches, trash cans, signs, hydrants, utility poles, curb lines, and similar publicly installed fixtures or other item in the right-of-way.
- e) The decorative display shall not contain any lighting, except for holiday lighting on ornamental plantings. It shall not contain electronic and or mechanical moving devices or items even if offered for sale within the store. The decorative display shall not contain any signage. Displays shall not contain any sound or electrical power devices.
- f) The merchandise and goods permitted in this Section are to be displayed in front of the exterior storefront, and may be displayed on temporary removable supports such as racks, benches, shelves, decorative carts, and shall be removed at the end of each day of business. Packing cartons, cardboard boxes, folding tables, card tables, or similar display supports are prohibited.
- g) Plants, cut flowers, greens, and other such vegetative matter are not to be considered as items and need not be offered for sale by the store. These displays are to be kept neat and clean, free from dead plants, trash, litter, and other debris.
- h) No sales may occur outside the store. All sales must be conducted within the store.
- i) Any merchant choosing to decoratively display merchandise and goods under the provisions of this Section shall obtain permission annually from the Borough of Pitman by completing an application requesting such permission and a sketch identifying the approximate location of items to be displayed. An annual application fee shall be paid upon submission of the application. A first time application shall be Twenty-five dollars (\$25.00). A renewal application fee shall be Fifteen dollars (\$15.00) each year thereafter. The application shall be submitted to the Zoning Officer.
- j) In the event that the Zoning Officer determines that any decorative display of merchandise and good is in a state of disrepair, unkempt or presents the potential of a pedestrian hazard or otherwise fails to comply with the provisions of this Section, the business owner shall immediately correct the display at the request of the Zoning Officer. The Zoning Officer shall also be authorized to order the business owner to remove the display for failure to comply with this Section.
- k) Any application for a variance from this Section shall be submitted to the Zoning Board. The filing fee for such a variance shall be Fifty dollars (\$50.00).
- l) A business with two (2) violations of this Section shall not be permitted to establish or maintain outdoor displays.
- m) The Zoning Officer shall be authorized to file a complaint in Municipal Court against any business owner that establishes or maintains an outdoor display in violation of the provision of this section. Any person being found in violation of this section shall be subject to a fine in an amount not to exceed Five hundred dollars (\$500.00) for each violation.

Section 2.

Severability.

Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.



Borough Of Pitman
Outdoor Display of Merchandise Permit Application

12/2015

1) Permit Requested for:

Block: _____ Lot: _____

Street Address: _____

2) Applicant:

Business Name: _____

Owner/Officer: _____

Street: _____

City: _____ State: _____ Zip: _____

Phone: (_____) _____ - _____

Fax: (_____) _____ - _____

Email: _____

Continued on page2

ZONING OFFICE USE ONLY

INITIAL FEE: \$25.00 _____

RENEWAL FEE: \$15.00 _____

CASH: _____ **CHECK #** _____ **APPLICATION #:** _____

COLLECTED BY: _____ **DATE:** _____

Please provide a sketch of the display area to include measurements and any physical features that exist.

To the best of your knowledge has this business location ever been denied a permit for outdoor display of merchandise? Yes ____ No ____

I attest that all information provided in this application is true to fact and that I am familiar with the Borough of Pitman Ordinance governing “Outdoor Display of Merchandise” and will comply with all aspects of the Ordinance. I also understand that failure to comply with the Borough’s Outdoor Display of Merchandise Ordinance may lead to a monetary fine and/or revocation of the permit issued.

Applicant

Date

Property Owner

Date