

ORDINANCE NO. 2010-32

ORDINANCE OF THE BOROUGH OF RED BANK,  
COUNTY OF MONMOUTH, NEW JERSEY  
AMENDING AND SUPPLEMENTING  
CHAPTER IV, GENERAL LICENSING,  
SUBSECTION 4-10, "HANGING OF STREET BANNERS"

**BE IT ORDAINED** by the Governing Body of the Borough of Red Bank that Chapter IV of the Revised General Ordinances of the Borough of Red Bank, "General Licensing" is hereby amended and supplemented as follows:

**SECTION ONE:** Subsection 4-10, "Hanging of Street Banners", is amended and supplemented as follows (*strikeouts denote deletions, underlined text denote additions*):

**4-10 THE HANGING OF STREET BANNERS.**

Persons or organizations that desire street banners for sponsored events within the Borough of Red Bank may apply to the Borough Clerk for a permit, ~~to have such banners hung and removed by the municipal Department of Public Utilities~~. Such applications shall be made to the Borough Clerk accompanied by a fee of two hundred fifty (\$250.00) dollars. Applicants shall erect such banners at their own cost and expense. The Borough Clerk shall issue permits on a first come, first served basis. The Borough Clerk, in consultation with the Chief of Police, the Director of Public Works and the Borough Attorney, with due regard for public safety and civil rights, shall develop and maintain regulations concerning appropriate sizes and locations for such banners together with rules and regulations prohibiting the use of offensive content upon such banners. The Borough Clerk will cause the application to be processed by the Department of Public Utilities provided, however, the applicant must substantiate the following:

- a. ~~All approvals and/or permits for such banner have been obtained from the governing body;~~
- a. The banner conforms to the requirements of any affected utility providers that may own or use the utility poles affected Jersey Central Power and Light Company;
- b. The applicant has provided liability insurance in an amount of not less than one million (\$1,000,000.00) dollars and approved as to form by the Borough Attorney, which policy shall name the Borough as co-insured; and
- c. The applicant shall sign a save harmless and indemnification agreement in favor of the Borough.

*[All other provisions remain unchanged]*

**SECTION TWO:** Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. All other provisions of the Revised General Ordinances are ratified and remain in full force and effect.

**SECTION THREE:** If any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

**SECTION FOUR:** This Ordinance shall take effect immediately upon its passage and adoption according to law.